

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

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

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

Health and Human Services Grants-In-Aid Program Supervisor Nancy DeLoach

PLEDGE OF ALLEGIANCE

Commissioner Staub

PRESENTATION OF PROCLAMATIONS:

Women's History Month in Sarasota County - March 2007
Sarasota County Extension Living Well Week - March 12 through March 18, 2007
Sexual Assault Awareness Month (April 2007) and Sexual Assault Awareness Day (April 15, 2007)

PERFORMANCE RECOGNIZED AS OUTSTANDING (PRO) AWARDS:

Individual Accomplishment - Wayne Stafford, Planning and Development Services

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.

RATIFIED

1. ADMINISTRATION

To ratify the previously issued Proclamation for Visit of Imperial Sir Nicholas Thomas, Imperial Potentate, Shriners of North America - March 8, 2007.

APPROVED

2. COMMUNITY SERVICES

To approve a Contract, a Purchase and Sale Agreement, with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, by and through its Agent, the Division of State Lands of the State of Florida Department of Environmental Protection, for a 0.175 acre ± tract of land adjacent to Lemon Bay Park (Deed No. 31662), in the amount of \$1,900.00.

APPROVED

3. COMMUNITY SERVICES

To approve a Contract with D.E. Murphy Constructors, Inc., for the Glebe Park Enhancement Project, in the amount of \$1,465,538.00.

APPROVED/AUTHORIZED

4. COMMUNITY SERVICES

- A. To approve a Contract, a Purchase and Sale Agreement, with Peter and Julie Garrett for the purchase of a .46 acre ± parcel located at 50 Southwind Drive, to provide public access and to expand recreation and open space, in the amount of \$1,250,000.00;
- B. To authorize Staff to prepare a commercial paper borrow, in the amount of \$1,270,000.00 for the acquisition and \$20,000.00 estimated closing costs for the 50 Southwind Drive property.

APPROVED

5. EMERGENCY SERVICES

To approve a Contract, a Mutual Non-Disclosure Agreement, with InfoCode Corporation for the use of the County's 911 Database within the County's Emergency Notification System.

APPROVED/ADOPTED

6. ENVIRONMENTAL SERVICES

- A. To approve a Contract, a Cooperative Funding Agreement, with Southwest Florida Water Management District (SWFWMD) for the County's Watershed Monitoring Program;
- B. To adopt a Resolution, Budget Amendment No. B2007-031, to appropriate the SWFWMD Grant funding.

AUTHORIZED

7. HEALTH AND HUMAN SERVICES

To authorize execution of the Annual Choose Life Specialty License Plate Report to the Division of Highway Safety and Motor Vehicles (DHSMV) for the Fiscal Year (FY) 2006.

APPOINTED

8. PLANNING AND DEVELOPMENT SERVICES

To appoint Dana Gourley to serve a four-year term on the Development Services Advisory Committee, as the Planning/Environmental Representative, effective through March 2011.

APPROVED/ADOPTED

9. PUBLIC WORKS

- A. To approve a Contract, a Subordination Agreement, with the Florida Department of Transportation (FDOT) for the purpose of subordinating the County's interest in a portion of two public utility easements identified within Parcel No. 507.2 to allow construction of a right turn lane for access to the Sarasota Memorial Hospital facilities located on Clark Road;
- B. To adopt a Resolution authorizing the execution of the Subordination Agreement with the FDOT for the two public utility easements.

ADOPTED

10. PUBLIC WORKS

To adopt a Resolution to lower the speed limit in the Manasota Gardens Neighborhood Area from 30 miles per hour to 25 miles per hour, as recommended by the Traffic Advisory Council.

APPROVED/ADOPTED

11. PUBLIC WORKS

- A. To approve a Contract, a Local Agency Program (LAP) Agreement, with the Florida Department of Transportation (FDOT) for the design and construction of sidewalks at various locations, in the amount of \$300,000.00 (\$75,000.00 for the design and \$225,000.00 for the construction);
- B. To adopt a Resolution authorizing execution of the LAP Agreement;
- C. To adopt a Resolution, Budget Amendment No. B2007-027, amending the Fiscal Year (FY) 2007 Budget to appropriate the funding.

ADOPTED

12. PUBLIC WORKS

To adopt a Resolution authorizing the installation of stop signs at the following intersections, as recommended by the Traffic Advisory Council:

- On Powell Circle at Newtown Boulevard (Sarasota)
- On Newtown Boulevard at King Boulevard (Sarasota)
- On Evers Circle at King Boulevard (Sarasota)
- On Clay Circle at King Boulevard (Sarasota)
- On Kennedy Lane at Tatum Road (Sarasota)
- On Carmel Road at Tarpon Road (Venice)
- On Cabana Road at Tarpon Road (Venice)
- On Croton Drive at Briarwood Road (Venice)
- On Palm Drive at Briarwood Road (Venice)
- On Coconut Drive at Briarwood Road (Venice)
- On Birch Drive at Briarwood Road (Venice)
- On Elm Drive at Briarwood Road (Venice)
- On Dagon Road at Briarwood Road (Venice)
- On Clover Road at Briarwood Road (Venice)
- On Ovalando Place at Muscogee Road (Warm Mineral Springs)
- On Margarita Avenue at Muscogee Road (Warm Mineral Springs).

RATIFIED AND APPROVED

13. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To ratify and approve the warrants dated February 20, 2007, in the amount of \$23,897,180.75, as detailed in the voucher packages filed in the Finance Department.

APPROVED

14. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To approve the Minutes of the meetings dated February 26, February 27, and February 28, 2007.

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.

CONTINUED TO JUNE 5, 2007

15. ENVIRONMENTAL SERVICES

- A. Public hearing to consider proposed Ordinance No. 2007-024, amending Earthmoving Ordinance No. 2004-040, as amended and codified in Chapter 54, Article XII, Sections 54-341 thru 54-356 of the County Code, to create consistency with the Comprehensive Plan Amendments adopted during the Evaluation and Appraisal Report (EAR) process;
- B. (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-024 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption of A.)

REPORTS SECTION:

NOTED

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

- A. Filed for Record List.

APPROVED THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF GREENWAYS AND TRAILS, FOR THE DEVELOPMENT OF THE RAILS-TO-TRAILS PROJECT, IN THE AMOUNT OF \$200,000.00, AND AUTHORIZED THE CHAIR TO EXECUTE THE GRANT CONTRACT UPON AWARD OF THE FUNDING

17. COUNTY ADMINISTRATOR'S REPORT

**APPROVED THE FINAL PLAT OF LAKEWOOD RANCH CORPORATE PARK, UNIT 7
APPROVED THE FINAL PLAT OF VENTURA VILLAGE, UNIT 2
APPROVED THE CONFLICT OF INTEREST WAIVER REQUEST BY BRYANT, MILLER, AND OLIVE, P.A., AS COUNSEL FOR THE CITY OF SARASOTA IN THE DRAFTING A TRIPARTY INTERLOCAL AGREEMENT BETWEEN THE COUNTY, THE CITY OF SARASOTA, AND THE CITY OF SARASOTA COMMUNITY REDEVELOPMENT AGENCY (CRA)
CONTINUED CONSIDERATION OF STAFF'S RECOMMENDATION (INTEROFFICE MEMORANDUM NO. 839) TO ACCEPT AND AUTHORIZE THE CHAIR TO EXECUTE THE STIPULATION AND SETTLEMENT AGREEMENT IN THE CASE OF SARASOTA RIVERSIDE DEVELOPMENT, LLC V. SARASOTA COUNTY, CASE NO. 2006-CA-09330-NC, TO THE MARCH 14, 2007, MEETING
APPROVED STAFF'S RECOMMENDATION TO DENY THE SETTLEMENT OFFER IN THE CASE OF SILVER PALM VILLAS, LLC V. SARASOTA COUNTY REGARDING CHALLENGES TO THE BOARD'S DECISION ON REZONE PETITION NO. 05-39**

18. COUNTY ATTORNEY'S REPORT

- DIRECTED THE COUNTY ADMINISTRATOR TO PROVIDE A REPORT ON ALTERNATIVE METHODS FOR THE JUVENILE ASSESSMENT CENTER (JAC) OPERATIONS FOR BOARD DISCUSSION DURING THE APRIL 3, 2007, BOARD WORKSHOP**
- DIRECTED THE COUNTY ADMINISTRATOR TO CONTACT COASTAL BEHAVIORAL HEALTHCARE, INC., TO REQUEST THEIR INPUT REGARDING THE JAC AND TO EXTEND AN INVITATION TO ATTEND THE APRIL 3, 2007, BOARD WORKSHOP**
- DIRECTED THE COUNTY ADMINISTRATOR TO SCHEDULE TRANSITION/SOCIAL SERVICE PROGRAMS AVAILABLE FOR RELEASED INMATES AS A BOARD DISCUSSION ITEM DURING THE APRIL 3, 2007, BOARD WORKSHOP**
- DIRECTED THE COUNTY ADMINISTRATOR TO PROVIDE AN UPDATE ON FUNDING ISSUES RELATIVE TO THE NORTH COUNTY COURT WATCH PROGRAM INCLUDING A REVIEW ON THE LEGALITIES TO USE MONIES OBTAINED BY THE SHERIFF'S DEPARTMENT FROM CONFISCATED PROPERTIES AS A FUNDING SOURCE**
- DIRECTED THE COUNTY ADMINISTRATOR TO CONTACT THE ATTENDEES AT RECENT TWIN LAKES PARK MEETINGS COMMUNICATING THE BOARD'S REQUEST FOR SUBMITTAL OF AFFORDABLE HOUSING FUNDING PROPOSALS BASED UPON THE CRITERIA LISTED IN SECTION 38-204 OF ORDINANCE NO. 2007-016 FOR BOARD CONSIDERATION DURING THE APRIL 3, 2007, WORKSHOP**
- DIRECTED THE COUNTY ADMINISTRATOR TO SUBMIT CORRESPONDENCE, SIGNED BY THE CHAIR, TO THE CITY OF SARASOTA INDICATING SUPPORT FOR THE USE OF TIF (TAX INCREMENT FINANCE) FUNDS TO ADDRESS REDEVELOPMENT COSTS NEEDED BY THE CITY OF SARASOTA'S HOUSING AUTHORITY PROVIDING THAT THE BOARD APPROVES THE COMMUNITY REDEVELOPMENT AGENCY (CRA) EXPANSION**
- DIRECTED THE COUNTY ADMINISTRATOR TO RESPOND TO JACARANDA WEST HOMEOWNERS ASSOCIATION CONCERNS REGARDING WASTE MANAGEMENT'S USE OF LARGE TRUCKS AND THE IMPACTS/DAMAGE TO CUL-DE-SACS AND TO ADVISE THE BOARD OF STAFF'S RESPONSE**
- DIRECTED THE COUNTY ADMINISTRATOR TO REVIEW AND SCHEDULE A DISCUSSION ITEM REGARDING THE INSTALLATION OF SECURITY GATES IN COMMUNITY DEVELOPMENT DISTRICTS (CDD) DURING THE LAND DEVELOPMENT REGULATIONS REVIEW PROCESS**
- DIRECTED THE COUNTY ADMINISTRATOR TO REVIEW AND PROVIDE INFORMATION TO THE BOARD ON THE RECENT ANNOUNCEMENT REGARDING THE CLOSING OF THE FLANZER JEWISH COMMUNITY CENTER**
- DIRECTED THE COUNTY ADMINISTRATOR TO SCHEDULE A MEETING WITH POTENTIAL ROAD CONSTRUCTION CONTRACTORS TO DETERMINE THE BASIS FOR LACK OF PARTICIPATION IN THE BID PROCESS FOR COUNTY ROAD PROJECTS**

19. COMMISSION AND COMMITTEE REPORTS

NO ACTION TAKEN

- 20. ADMINISTRATION**
Outstanding Board Assignments.

NO ACTION TAKEN

- 21. ADMINISTRATION**
Review of Board Meeting Schedule.

1:30 p.m.

REQUESTED THAT STAFF REVIEW THE SPECIAL EXCEPTION REQUIREMENTS RELATIVE TO THE MINX NIGHTCLUB AND TO CONTACT THE SHERIFF AND CODE ENFORCEMENT FOR MORE FREQUENT DECIBEL READINGS INCLUDING INCIDENT REPORTS/COMPLAINTS AND ACTIONS TAKEN REGARDING THE MINX NIGHTCLUB

- 22. 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)

**REQUESTED TO REVIEW OTHER FUNDING RESOURCES OF THE WATERSHED MANAGEMENT PROGRAM AND ITS CONNECTIVITY TO FUTURE PROJECTS
REQUESTED A REVIEW/UPDATE ON THE ALTERNATIVES FOR FUNDING AND REDRAFTING THE SARASOTA 2050 RESOURCE MANAGEMENT AREA (RMA) PLAN RELATIVE TO CONSERVATION EASEMENTS
REQUESTED THAT THE PLANNING SERVICES WORK PROGRAM AND PLANNING PRIORITIES FOCUS ON REDEVELOPMENT**

- 23. PLANNING AND DEVELOPMENT SERVICES**
Discussion on the Planning Services Work Program and Planning Priorities.

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

- 24. ENVIRONMENTAL SERVICES**
Public hearing to consider proposed Ordinance No. 2007-035 providing for the creation of the Lyons Bay - Sunaire Estil Navigable Waterway Project Unit, pursuant to Resolution No. 2003-100.

ADOPTED

- 25. PLANNING AND DEVELOPMENT SERVICES**
Public hearing to consider proposed Ordinance No. 2007-020, Rezone Petition No. 06-39, a petition by Brian Lichterman, Agent, to rezone 1.01 acres ± located at the northeast quadrant of Bliss Road and Ashton Road, from RE-2 (Residential Estate, 1 unit/1 acre) to RE-3 (Residential Estate, 1 unit/.5 acre) zone district. (Planning Commission recommended approval.)

ADOPTED, AS AMENDED

- 26. PLANNING AND DEVELOPMENT SERVICES**
Public hearing to consider a proposed Resolution, Special Exception Petition No. 1638, a petition by Mark Lippert, Agent, to allow the expansion of a child care facility on .31 acres ± located at the intersection of Crystal Avenue and Proctor Road in the RSF-2 (Residential, Single Family, 3.5 units/1 acre) zone district. (Planning Commission recommended approval.)

DENIED

27. PLANNING AND DEVELOPMENT SERVICES

Public hearing continued from January 10, 2007, to consider proposed Ordinance No. 2007-011, Comprehensive Plan Amendment No. RU-139, a petition by Joel Freedman, Agent, a privately-initiated amendment to the Future Land Use Map (FLUM) to change the designation of 7.6 acres ± located east of Lockwood Ridge Road and 300 feet ± north of DeSoto Road from MODR (Moderate Density Residential, ≥2 and <5 dwelling units/acre) to MEDR (Medium Density Residential, ≥5 and ≤9 dwelling units/acre) zone district. (Planning Commission recommended denial.)

ADOPTED, AS AMENDED

28. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider proposed Ordinance No. 2007-022, Rezone Petition No. 06-05, a petition by Jim Farr, Agent, to rezone 19.8 acres ± located west of Tatum Road and 2,000 feet ± south of Fruitville Road, from OUE (Open Use, Estate, 1 unit/5 acres) to RE-1/CS (Residential Estate, 1 unit/2 acres/Conservation Subdivision) zone district. (Planning Commission recommended approval.)

NO ACTION TAKEN

29. OTHER BUSINESS

NO ACTION TAKEN

22. OPEN TO THE PUBLIC - Continued (Three-minute time limit per person/per meeting.)