

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

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

8:00 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

INVOCATION

Pastor Jim McClelland, Fishers of Men Bible Church

PLEDGE OF ALLEGIANCE

Commissioner Staub

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

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

1. SETTLEMENT AGREEMENT

Public hearing to consider a proposed Stipulated Settlement Agreement in the Case of Sarasota County School Board v. Florida Department of Community Affairs and Sarasota County Board of County Commissioners, DOAH Case No. 06-002642GM, DCA Docket No.: 06-2ER-NOI-5801-(A)(I).

PRESENTATION OF PROCLAMATIONS:

National Estuaries Day - Sarasota Bay, September 30, 2006
National Estuaries Day - Charlotte Harbor, September 30, 2006

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

2. PROCLAMATIONS - Administration

To ratify the following previously issued Proclamations:

- A.** Native American Day, September 22, 2006;
- B.** National Assisted Living Week, September 10 through September 16, 2006.

APPOINTMENTS MADE

- 3. ADVISORY COUNCILS - Community Services**
- A.** To reappoint Mickalina Novikova to serve a one-year term on the Parks Advisory and Recreation Council (PARC), as the Student Taking Active Roles (STAR) in Government Representative, effective through September 2007;
 - B.** To appoint Dawn Stoddart to serve a three-year term on the PARC, as the City of Venice Representative, effective through September 2009;
 - C.** To reappoint Mille Small to serve a three-year term on the PARC, as the City of Sarasota Representative, effective through September 2009;
 - D.** To appoint two individuals to serve three-year terms on the PARC, as the Neighborhood Interest Representatives, effective through September 2009.

AUTHORIZED

- 4. DEEDS - Community Services**
To authorize execution of the Archaeological Protective Covenant pursuant to Section 66-76(a) of the County Code for the property known as Site No. 8SO1376, Lucke Midden partially located at 8541 Midnight Pass Road.

AUTHORIZED

- 5. GRANTS - Community Services**
To authorize submission of a Grant Application to the Florida Division of Library and Information Services for the Fiscal Year (FY) 2007 State Aid Libraries Grant with the County Library System Fiscal Year 2007 Business Plan.

APPROVED

- 6. CONTRACTS - Environmental Services**
To approve a Contract, Amendment No. 2 to Contract No. 2002-377, with the Florida Water Pollution Control Financing Corporation to reduce the construction loan for the Bee Ridge Water Reclamation Facility, in the amount of \$2,731,716.00.

APPROVED

- 7. CONTRACTS - Environmental Services**
- A.** To approve a Contract, a Professional Services Contract, with Coastal Planning and Engineering, Inc., for coastal engineering services, in the amount of \$1,500,000.00;
 - B.** To approve a Contract, a Professional Services Contract, with Coastal Technology Corporation, for coastal engineering services, in the amount of \$1,500,000.00;
 - C.** To approve a Contract, a Professional Services Contract, with Erickson Consulting Engineers, Inc., for coastal engineering services, in the amount of \$1,500,000.00;
 - D.** To approve a Contract, a Professional Services Contract, with Post, Buckley, Schuh, and Jernigan (PBS&J), Inc., for coastal engineering services, in the amount of \$1,500,000.00.

ADOPTED

- 8. RESOLUTIONS - Environmental Services**
To adopt a Resolution, a Rate Resolution, amending the Solid Waste Service District rate schedule for Fiscal Year (FY) 2007 with Waste Management, Inc., of Florida based upon the Consumer Price Index (CPI).

AUTHORIZED

- 9. FINANCIAL PLANNING**
To authorize the disposal of vehicles and off-road equipment.

APPROVED

- 10. CONTRACTS - Financial Planning**
To approve a Contract with the Economic Development Corporation of Sarasota County (EDCSC) for implementation services of the County's Economic Development Strategic Plan for Fiscal Year (FY) 2007, in the amount of \$1,062,684.00.

APPROVED

- 11. CONTRACTS - Financial Planning**
To approve the standardized Tourist Development Cultural/Arts Grant Agreement that will be offered to Fiscal Year (FY) 2007 recipients.

ADOPTED

- 12. RESOLUTIONS - Financial Planning**
To adopt a Resolution to allow the County Business Centers to write-off uncollectible accounts receivable, in the amount of \$1,091,668.51.

APPROVED

- 13. CONTRACTS - Financial Planning**
To approve a Contract, a Collective Bargaining Agreement with the Citrus, Cannery, Food Processing and Allied Workers, Drivers, Warehousemen, and Helpers, Local Union No. 173, for the period of October 1, 2006, through September 30, 2008.

ADOPTED

- 14. RESOLUTIONS - Planning and Development Services**
To adopt Resolution No. 2006-175 authorizing the expedited processing of County Development Orders in developments incorporating Affordable Housing.

DEFERRED TO THE SEPTEMBER 27, 2006, MEETING

- 15. CONTRACTS - Planning and Development Services**
To approve a Contract, a Funding Agreement, with the Community Housing Trust of Sarasota, Inc., for operating funds, in the amount of \$250,000.00.

APPROVED

- 16. CONTRACTS - Public Works**
To approve a Contract, Change Order No. 1 to Contract No. 2006-342, with APAC Southeast, Inc., for the milling and resurfacing of a portion of River Road and increasing existing quantities of asphalt, in the amount of \$334,155.77.

ADOPTED

- 17. RESOLUTIONS - Public Works**
To adopt a Resolution establishing a time and place for consideration of vacating and abandoning the County's interest in a portion of an unnamed, unimproved public platted 25 foot wide right-of-way located in Tract 33, Palmer Farms, Third Unit.

ADOPTED

- 18. RESOLUTIONS - Public Works**
To adopt a Resolution, a Budget Amendment No. B2006-097, amending the Fiscal Year (FY) 2006 Budget to appropriate Florida Department of Agriculture and Consumer Services Grant funding for the Children's Educational Forestry Website - Forestopia, in the amount of \$10,000.00.

APPROVED/ADOPTED**19. RESOLUTIONS - Sheriff**

- A.** To approve the funding allocation for participation in the National Child Identification (ID) Program, in the amount of \$20,733.00;
- B.** To adopt a Resolution, Budget Amendment No. B2006-098, amending the Fiscal Year (FY) 2006 Budget to appropriate the funding.

APPROVED**20. CONTRACTS - Health and Human Services**

- A.** To approve a Contract with Dr. Christopher Swain for obstetric and gynecological services of the Health Department to provide supplemental compensation, in the amount of \$40,000.00;
- B.** To approve a Contract with Dr. Ezer Ojeda for obstetric and gynecological services of the Health Department to provide supplemental compensation, in the amount of \$40,000.00;
- C.** To approve a Contract with Dr. Evelyn Santiago for obstetric and gynecological services of the Health Department to provide supplemental compensation, in the amount of \$40,000.00;
- D.** To approve a Contract with Dr. John Abu for obstetric and gynecological services of the Health Department to provide supplemental compensation, in the amount of \$40,000.00;

RATIFIED/APPROVED**21. WARRANTS**

To ratify and approve the warrants dated September 5 through September 15, 2006, in the amount of \$35,045,427.02, as detailed in the voucher packages filed in the Finance Department.

APPROVED**22. MINUTES**

To approve the Minutes of the meetings dated August 31, September 11, September 12, and September 13, 2006.

DISCUSSION SECTION**ADOPTED****23. RESOLUTIONS - Community Services**

To consider the following Items:

- A.** Acceptance of a bequest from the Estate of Betty Chellman to be deposited into an Endowment Fund for the Selby Public Library;
- B.** To adopt a proposed Resolution, Budget Amendment No. B2006-096, to appropriate the funding from the bequest.

**APPROVED LAND USE AGREEMENT TERM SHEET
APPROVED THE CREATION OF A PROJECT REVIEW COMMITTEE****24. GRANTS/MUNICIPALITIES**

To consider a Land Use Agreement Term Sheet as part of the City of Sarasota's Spring Training Grant Application for funding in support of the Ed Smith Stadium Redevelopment Project.

AUTHORIZED**25. ORDINANCES - Environmental Services**

To consider authorization to advertise a proposed Ordinance, amending Ordinance No. 72-084, as amended and codified in Chapter 54, Article XX of the County Code, to revise the Water and Navigation Control Authority (WNCA) Code to create consistency with the changes as adopted in the Comprehensive Plan and to clarify the language on the application and functions to protect the natural resources, navigation, and private property rights.

PUBLIC HEARINGS

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ADOPTED**26. RESOLUTIONS - Planning and Development Services**

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1629, a petition by Kreg Maheu, Agent, to allow the expansion of an existing Place of Worship on five acres \pm located at the northwest corner of East Venice Avenue and North Jackson Road in an OUE-1 (Open Use, Estate, 1 unit/5 acres) zone district. (Planning Commission recommended approval.)

ADOPTED**27. RESOLUTIONS - Planning and Development Services**

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1627, a petition by Alan Garrett, Agent, to allow the expansion of an existing Place of Worship on 18 acres \pm located at the southwest corner of Ohio Avenue and Old Englewood Road. (Planning Commission recommended approval.)

ADOPTED**28. ORDINANCES - Environmental Services**

Public hearing to consider proposed Ordinance No. 2006-054, providing for the creation of the Forked Creek Neptune Navigable Waterway Project, pursuant to Resolution No. 2003-100.

REPORTS SECTION**NOTED****29. CLERK'S REPORT**

- A. Filed for Record List.

RATIFIED APPOINTMENT**30. COUNTY ADMINISTRATOR'S REPORT****A. ADMINISTRATION**

Confirmation of Michael Suarez as the Executive Director of the Emergency Services Business Center.

APPROVED FILING OF AN AMICUS CURIAE ON BEACH RESTORATION

31. COUNTY ATTORNEY'S REPORT

**APPROVED DIRECTION TO STAFF TO PROCEED WITH CONSTRUCTION/DEMOLITION DEBRIS AND RECYCLING PLANS AND TO BRING BACK ANY COST IMPLICATIONS
APPROVED DIRECTION TO STAFF TO SEND CORRESPONDENCE TO THE LOCAL RESTAURANT ASSOCIATION PRESIDENT**

32. COMMISSION REPORTS

NO ACTION TAKEN

33. Outstanding Board Assignments.

NO ACTION TAKEN

34. Review of Board Meeting Schedule.

1:30 p.m.

NO ACTION TAKEN

35. 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

APPROVED THE SUBMITTAL OF CORRESPONDENCE TO THE GUBERNATORIAL CANDIDATES

36. ENVIRONMENTAL SERVICES

To consider updates on Phosphate Industry issues.

Commr. Staub moved to send correspondence, signed by the Chair, to the gubernatorial candidates indicating the process by which a Peace River Special Basin Rule Committee could be formulated and to request their support. The motion, seconded by Commr. Thaxton, carried by 4-1 vote, with Commr. Patterson not present.

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NO ACTION TAKEN

- 37. ORDINANCES** - Planning and Development Services
(Second public hearing will be held on October 24, 2006.)
Public hearing to consider proposed Ordinance No. 2006-066, amending Ordinance No, 2006-052, as amended, and codified in Appendix A of the County Code, to add Section 4.10.7., creating the East Venice Avenue Overlay District.

ADOPTED

- 38. RESOLUTIONS** - Planning and Development Services
Public hearing to consider a proposed Resolution, Special Exception Petition No. 1619, a petition by Attorney Alan Roddy, Agent, to amend the Development Concept Plan for an existing House of Worship on 8.6 acres \pm located on the southeast corner of Robbins Road and Albee Farm Road in a RSF-2 (Residential Single Family, 3.5 dwelling units/acre) zone district. (Planning Commission recommended approval.)

DENIED

- 39. RESOLUTIONS** - Planning and Development Services
Public hearing to consider a proposed Resolution, Special Exception Petition No. 1636, a petition by Laura Belflower, Agent, to allow a 123-foot telecommunications tower on .15 acres \pm located 300 feet \pm east of U.S. 41 on Shamrock Boulevard in the OPI (Office, Professional, and Institutional) zone district. (Planning Commission recommended denial.)

NO ACTION TAKEN

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