

**MINUTES
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

Also present were:

David Bullock, Deputy County Administrator
Susan Scott, Deputy County Administrator
Stephen DeMarsh, County Attorney
Karen E. Rushing, Clerk of the Circuit Court and County Comptroller
Paula Clintsman, Deputy Clerk
Latressa Preston, Deputy Clerk

INVOCATION

Bishop Henry L. Porter, Westcoast Center for Human Development

PLEDGE OF ALLEGIANCE

Commissioner Staub

PRESENTATIONS

Conservation Calendar Awards

PERFORMANCE RECOGNIZED AS OUTSTANDING (PRO) AWARDS:

Kenneth Neill, Individual Accomplishment, Public Works
Emergency Services Team Merit Awards: Anita Black, Don Damron, Richard Fulwider, Thomas Jomisko, and Dawn Jones

PRESENTATION OF PROCLAMATIONS:

Annie Zapletal Day - December 12, 2006

CONSENT SECTION:

9:33:08 Board Action: Approved Items 1-19, with separate discussions on Items 4, 8, 12, and 13. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

1. COMMUNITY SERVICES

Approved Contract No. 2007-110, a Grant Agreement, with the Florida Department of State, Division of Library and Information Services, for the County Library System Fiscal Year (FY) 2007 Born to Read Program, in the amount of \$62,000.00.

2. EMERGENCY SERVICES

Approved Contract No. 2007-111, a Two-Phased Agreement for Professional Services, with Aerial Cartographics of America, Inc., for a Countywide Oblique Aerial Imagery Project, in an amount not to exceed \$725,900.00.

3. ENVIRONMENTAL SERVICES

Adopted Resolution No. 2006-254 to amend the tipping fee for construction and demolition debris and recycling at the Central County Landfill.

4. ENVIRONMENTAL SERVICES

9:41:41 Board Action: Approved Contract No. 2007-112, with D.E. Murphy Constructors, Inc., for the construction of the Citizens' Convenience Center at the Central County Landfill, in the amount of \$794,473.00. Moved by Mercier, seconded by Thaxton, carried by a 3-2 vote; Staub and Patterson voted "No."

9:42:02 Board Action: Requested a video/presentation at Budget workshops or earlier in project design stages. Requested by Staub, without objection.

9:45:19 Board Action: Requested to refer items to the Public/Private Committee for review and recommendations on projects. Requested by Staub, without objection.

5. ENVIRONMENTAL SERVICES

Authorized advertisement of a public hearing for a proposed Ordinance to create the Sea Plume Way Navigable Waterway Maintenance Project Unit, pursuant to Resolution No. 2003-100, and to waive the requirements for an Economic Impact Statement (EIS).

6. ENVIRONMENTAL SERVICES

A. Approved Contract No. 2007-113, Amendment No. 1 to Contract No. 2006-378, with the Florida Department of Environmental Protection (FDEP) for the South Siesta Key Beach Restoration Project;

B. Adopted Resolution No. 2006-255, Budget Amendment No. B2007-011, appropriating the additional funding from the FDEP award.

7. ENVIRONMENTAL SERVICES

Approved Contract No. 2007-114, Specific Authorization No. 1 to Contract No. 2005-223, with Post, Buckley, Schuh, and Jernigan (PBS&J), Inc., for the completion of the construction and testing of monitor wells at the T. Mabry Carlton, Jr., Memorial Reserve, in the amount of \$170,952.00.

8. ENVIRONMENTAL SERVICES

9:49:01 Board Action: Approved Contract No. 2007-115, a Construction Services Agreement, with Vanguard Utility Service, Inc., for the removal and replacement of water meters and backflow prevention assemblies at nine sites throughout the County Utility System, in an amount not to exceed \$114,179.10. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

9. FINANCIAL PLANNING

Adopted Resolution No. 2006-256 approving a bond amendment related to the outstanding County Industrial Development Revenue Bonds, Series 1996 and 1997, for the Teleflex Incorporated Project, providing for the execution and delivery of related documents, and providing for an effective date.

10. FINANCIAL PLANNING

Authorized the disposal of vehicles and off-road equipment.

11. HEALTH AND HUMAN SERVICES

Appointed Caroline McCoy to serve a three-year term on the Community Action Agency Board, as the Englewood Low-Income Population Representative, effective through December 2009.

12. PLANNING AND DEVELOPMENT SERVICES

9:52:43 Board Action: Authorized readvertisement for appointment to the Development Services Advisory Committee, as the Environmental/Planning Representative, including authorization to retain Drew Smith's application for consideration. Moved by Barbetta, seconded by Staub, carried by a 5-0 vote.

13. PLANNING AND DEVELOPMENT SERVICES

- A.** 9:54:47 Board Action: Approved Contract No. 2007-116, a Memorandum of Understanding, with the Community Housing Trust of Sarasota, Inc., to form a public-private partnership for the purpose of applying for a Community Workforce Housing Innovation Pilot Program (CWHIP) Grant. Moved by Staub, seconded by Mercier, carried by a 5-0 vote.
- B.** 9:54:47 Board Action: Authorized the submittal of a CWHIP Grant, in partnership with the Community Housing Trust of Sarasota, Inc., to the Florida Housing Finance Corporation to develop affordable housing on property located on Hatton Street, Sarasota. Moved by Staub, seconded by Mercier, carried by a 5-0 vote.

14. PUBLIC WORKS

Approved Contract No. 2007-117, a Subordination Agreement, with Florida Power and Light (FPL) Company for the relocation of FPL's existing facilities and subordination easement interest to the County for the construction of the Kensington Park Sidewalk Improvement Project.

15. PUBLIC WORKS

Adopted Resolution No. 2006-257, Budget Amendment No. B2007-010, to appropriate the funding for the Federal Transportation Administration (FTA) Section 5310 Fiscal Year (FY) 2006/2007 Capital Equipment Grant Award.

16. PUBLIC WORKS

- A.** Adopted Resolution No. 2006-258, authorizing the execution of a three-year Maintenance Agreement for highway roadside mowing maintenance with the Florida Department of Transportation (FDOT), repealing Resolution No. 2006-152;
- B.** Approved Contract No. 2007-118, amending Contract No. 2006-370, with the FDOT for roadside mowing maintenance on State roads within the County with an annual reimbursement, in the amount of \$291,986.24 per year.

17. PUBLIC WORKS

Approved a Release of Easement and accepted a new Permanent Drainage Easement, as requested by MSM-South Orange, Ltd., for the Little Five Points Stormwater Project to resolve future planned development encroachment issues.

18. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

Ratified and approved the warrants dated November 20 through December 1, 2006, in the amount of \$17,954,252.27, as detailed in the voucher packages filed in the Finance Department.

19. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

Approved the Minutes of the meetings dated November 27, November 28, and December 4, 2006.

DISCUSSION SECTION:**20. HEALTH AND HUMAN SERVICES**

The Board considered the appointment of two individuals to fill unexpired four-year terms on the Community Action Agency Board as the Business, Industry, Labor, Religious, Welfare, Education, or Other Major Group/Interest in the Community Representatives, effective through April 2009.

Staff Presenter: Health and Human Services Criminal Justice Coordinator General Manager James Schulz

9:56:33 Board Action: Appointed Maria Clapp and Patty Snyder-Atkins to fill unexpired four-year terms, effective through April 2009. Moved by Mercier, seconded by Barbeta, carried by a 5-0 vote.

(9:57:47)

21. PUBLIC WORKS

The Board considered the following appointments to the Bicycle, Pedestrian, and Trails Advisory Committee (BPTAC):

- A. One individual to fill an unexpired three-year term, as an At-Large Representative, effective through March 2008;
- B. Three individuals to serve three-year terms, as At-Large Representatives, effective through December 2009.

10:02:22 Board Action: Appointed Elizabeth Jacoby to fill an unexpired three-year term, effective through March 2008. Requested by Patterson, without objection.

10:02:22 Board Action: Appointed Mike Lasche, Jean Vallery, and Audrey Bear to serve three-year terms, effective through December 2009. Requested by Patterson, without objection.

22. PLANNING AND DEVELOPMENT SERVICES

The Board considered the Board of Zoning Appeals (BZA) Annual Report.

Public Presenter: BZA Chairman B. Douglas Fraley, II

10:10:56 Board Action: Requested a copy of the BZA's Rules of Procedure. Requested by Staub, without objection.

10:13:05 Board Action: Requested to send correspondence to members regarding attendance requirements. Requested by Staub, without objection.

10:13:32 Board Action: Requested an e-mail on the type of variance petitions coming before the BZA. Requested by Staub, without objection.

10:14:20 Board Action: Requested recommendations on required skills/experience for applicants, including a different type of application. Requested by Staub, without objection.

10:15:06 Board Action: Requested a review/recommendation for an appeal process to the Board of County Commissioners versus the Circuit Court. Requested by Staub, without objection.

10:19:42 Board Action: Requested to resend the report on alternatives to the BZA and the process. Requested by Patterson, without objection.

10:22:26 Board Action: Requested copies of the BZA report. Requested by Patterson, with majority consensus.

(10:29:23)

23. ENVIRONMENTAL SERVICES

The Board considered the Waterways Advisory Council (WAC) Annual Report.

Staff Presenter: Environmental Services Navigable Waterways Program Manager Paul Semenec

Public Presenter: WAC Chairman Richard Blake

10:38:37 Board Action: Requested an update on the status of the first groundbreaking/project. Requested by Thaxton, without objection.

10:40:05 Board Action: Requested recommendations/a report on the restoration of State funds and the possibility of adding additional Staff. Requested by Thaxton, without objection.

10:44:10 Board Action: Requested a review of WCIND (Westcoast Inland Navigation District) funding for the Feasibility Studies, including a meeting with Chair Patterson and Mr. Semenec. Requested by Patterson, without objection.

RECESS: 10:45 a.m. - 10:56 a.m.

24. PLANNING AND DEVELOPMENT SERVICES

To consider the following appointments to the Board of Zoning Appeals (BZA):

- A. One individual to serve a four-year term, effective through December 2010;
- B. Two individuals to fill unexpired three-year terms, effective through December 2009.

Staff Presenter: County Attorney Stephen DeMarsh

11:00:12 Board Action: Closed the nominations. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

11:01:41 Board Action: Appointed Orlando Wright to serve a four-year term, effective through December 2010, without objection.

11:01:41 Board Action: Appointed Constance Davis and Michael Shelton to fill three-year terms, effective through December 2009, without objection.

25. ENVIRONMENTAL SERVICES

The Board considered the presentation on the Backflow Prevention Program.

Staff Presenters: Environmental Services Water Operations Manager David Cash and Environmental Services Administrative Assistant II Ralph Ward

Public Presenter: Health and Human Services Health Department Engineer IV Robert Bolesta

Item submitted: A copy of Staff's PowerPoint Presentation

11:44:10 Board Action: Moved to authorize the County to control the Backflow Prevention Program and to hire a contractor or a series of contractors. Moved by Mercier; Patterson ruled the motion out of order.

11:47:38 Board Action: Moved to authorize utilization of contractor(s) to perform the annual test or necessary repairs, and to extend the cost over 12 months on the customer's water bill. Moved by Mercier; motion died for lack of a second.

11:48:26 Board Action: Approved the recommendation to allow customers to hire licensed plumbing contractors, and by request or non-response to the County's correspondence the County will have its contractor(s) perform the annual test or necessary repairs, and extend the cost over 12 months on the customer's water bill. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

25. ENVIRONMENTAL SERVICES - Continued

11:48:50 Board Action: Requested a copy of the PowerPoint presentation via e-mail. Requested by Thaxton, without objection.

26. FINANCIAL PLANNING

The Board considered a proposed Resolution, authorizing the issuance of County Industrial Development Revenue Bonds, Series 2006, requested by Habitat for Humanity, Inc.

Staff Presenter: Financial Planning Budget Management Analyst Richard Gleitsman

11:52:10 Board Action: Requested to send correspondence to the City of Sarasota recommending two accesses. Requested by Patterson, without objection.

11:53:31 Board Action: Adopted Resolution No. 2006-259, authorizing the issuance of County Industrial Development Revenue Bonds, Series 2006, requested by Habitat for Humanity Inc., to fund the land acquisition of 16 acres \pm located on the south side of Desoto Road and a half-mile \pm east of University Parkway, in an amount not to exceed \$4,500,000.00; providing that such bonds will not constitute a debt, liability, or other obligation of the County or the State of Florida; and approving the form, execution, and delivery of various documents required in conjunction with the proposed conduit financing transaction. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

REPORTS SECTION:**27. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER'S REPORT**

Clerk of the Circuit Court and County Comptroller Karen Rushing noted the Filed for Record List and commented on the Monthly Pooled Investment Report.

Item submitted: A copy of the Monthly Pooled Investment Report
(11:56:17)

28. COUNTY ADMINISTRATOR'S REPORT - No items presented.**29. COUNTY ATTORNEY'S REPORT**

County Attorney Stephen DeMarsh submitted and reviewed the following item: Interoffice Memorandum No. 832 regarding the settlement in the Workers' Compensation Claim of Rosa Rector v. Sarasota County, OJCC Case No. 04-012270DBB.

11:57:07 Board Action: Approved the settlement of the Workers' Compensation Claim, in the amount of \$12,634.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

RECESS: 11:57 a.m. - 1:34 p.m.

30. COMMISSION AND COMMITTEE REPORTS**A. COMMISSIONER BARBETTA**

Commr. Barbetta commented on and discussions were held on the following topics/issues: escheated lots funding, road extensions and priorities, infrastructure surtax, and the historical preservation of Riverview High School.

4:11:10 Board Action: Requested a report on the Projects on Bee Ridge Road/Fruitville Road/Pine Street/River Road for the transportation workshop. Requested by Barbetta, without objection.

30. COMMISSION AND COMMITTEE REPORTS - Continued**A. COMMISSIONER BARBETTA - Continued**

4:16:40 Board Action: Requested a review of State Statutes relative to the Board's authority relating to potential school design and historical preservation evaluations, and a report on off-site impacts. Requested by Barbetta, without objection.

4:26:10 Board Action: Authorized a discussion item to review/adopt Integrated Pest Management (IPM) policies. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

(4:26:50)

B. COMMISSIONER STAUB

Commr. Staub commented on and discussions were held on the following topics/issues: introduction of Franklin Coley, Special Assistant of State Affairs for Senator Martinez, as a point of contact and noted a future appointment for a Regional Representative after the holidays; Webber Street Sidewalk Improvement Project; Buchan Airport; Fish and Wildlife Interim Strategy for Staff relative to the scrub jay issue; and the Southwest Florida Water Management District (SWFWMD) Governing Board's plan to review funding for other Counties.

4:28:20 Board Action: Authorized correspondence to be sent to the State Legislature in support of preventing the sale/purchase of the automatic misting systems. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:30:47 Board Action: Authorized a review/outline of the provisions in the Zoning Ordinance Amendment updates prohibiting chain link fences around anything visible from the roadway. Moved by Staub, carried without objection.

4:33:33 Board Action: Approved travel expenses for Commissioners attending the Climate Change Conference in May 2007. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:33:40 Board Action: Requested a response letter be sent to the citizens regarding Venice Bypass and speed/traffic control signals. Requested by Staub, without objection.

4:41:19 Board Action: Authorized a feasibility study on the Elsie Quirk Library. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:45:00 Board Action: Authorized a review of funding assistance for the Englewood Skate Park. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

(5:20:20)

C. COMMISSIONER MERCIER

Commr. Mercier commented on and discussions were held on the following topics/issues: setbacks relating to the Winds of St. Armands Mobile Home Park.

4:49:55 Board Action: Authorized a future discussion item on right-of-way acquisitions and development rights. Moved by Mercier, seconded by Staub, carried by a 5-0 vote.

(4:50:37)

D. COMMISSIONER THAXTON

Commr. Thaxton commented on and discussions were held on the following topic/issue: Capital Improvement Program (CIP) update on the Webber Road Project/Bee Ridge Road Project.

30. COMMISSION AND COMMITTEE REPORTS - Continued**D. COMMISSIONER THAXTON - Continued**

4:55:58 Board Action: Approved the removal of the channel span from the Dona Bay/Roberts Bay trestles, in the amount of \$38,450.00. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

4:56:34 Board Action: Requested to monitor phosphate mining in the Myakka River Basin, provide a periodic update on phosphate mining, review water quality standards for compliance with the U.S. Environmental Protection Agency (EPA) guidelines, and that the Board review all phosphate mining discharge permits. Requested by Thaxton, without objection.

(4:57:34)

E. CHAIR PATTERSON

Chair Patterson commented on and discussions were held on the following topics/issues: travel expenses for the Southwest Consortium meeting with the State Legislature, and Board assignments relating to the Senior Advisory Council members' attendance letters and enforcement.

4:58:37 Board Action: Requested to schedule a meeting with the Access 19 and Sarasota-Bradenton International Airport (SBIA) President and Chief Executive Officer (CEO) Fred Piccolo regarding publicity for the Airport Advisory Board. Requested by Patterson, without objection.

4:59:09 Board Action: Requested to invite SBIA President and CEO Fred Piccolo to appear on the "City Life" television program. Requested by Patterson, without objection.

5:04:52 Board Action: Approved the Office of the County Attorney to review impacts to family establishments relative to the proposed Ordinance prohibiting minors from entering establishments that serve alcoholic beverages. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

5:06:47 Board Action: Approved the request for Administration to review/draft an Interlocal Agreement with the City of Sarasota regarding law enforcement patrol authority in Locklear Park. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

5:12:08 Board Action: Approved the request to review/coordinate a location for the design and placement of benches for the Beauty and the Bench Program. Moved by Staub, seconded by Patterson, carried by a 5-0 vote.

(5:19:00)

31. ADMINISTRATION

The Board reviewed the Outstanding Board Assignments.

5:20:46 Board Action: Requested an expedited report of the LaCasa Mobile Home Park/Development access issue. Requested by Staub, without objection.

5:21:04 Board Action: Requested to delete Item No. 5. Requested by Patterson, without objection.

(5:24:08)

32. ADMINISTRATION

The Board reviewed the Board Meeting Schedule.

33. OPEN TO THE PUBLIC - Opened and closed without comment.

DISCUSSION SECTION: - Continued**34. PLANNING AND DEVELOPMENT SERVICES**

The Board considered authorization to advertise a public hearing to consider a proposed Ordinance, amending Ordinance No. 2001-082, providing for an update to the County/City of Sarasota Enterprise Zone and Enterprise Zone Development Agency (EZDA) to conform to new State Legislation.

Staff Presenter: Planning and Development Services Senior Planner Jessica Ritter

1:36:46 Board Action: Authorized advertisement of a public hearing to consider a proposed Ordinance, amending Ordinance No. 2001-082, providing for an update to the County/City of Sarasota Enterprise Zone and EZDA. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

35. PUBLIC WORKS

The Board considered a proposed Resolution, adopting the Master Trails Plan, and initiating the development of a Countywide Trail System that connects the Regional and Statewide Trail System.

Staff Presenters: Public Works Executive Director Jim Harriott, Environmental Services Natural Resources Public Use Coordinator Brie Ondercin, Public Works Mobility General Manager Carolyn Eastwood, and Community Services Parks and Recreation General Manager John McCarthy

Item submitted: A copy of the PowerPoint presentation entitled "Trails Master Plan"

1:43:44 Board Action: Requested periodic reviews of the Master Trails Plan. Requested by Patterson, without objection.

1:53:00 Board Action: Recommended the hiring of a Program Coordinator for the Master Trails Plan. Recommended by Thaxton, without objection.

1:53:45 Board Action: Requested to delete the word "September" and to add the word "December" in the last sentence, page 9 of the proposed Master Trails Plan. Requested by Thaxton, without objection.

1:54:25 Board Action: Requested to implement deadlines or mandates in Policies 1.1.10. and 1.33. and Objective 1.9., pages 12 and 13 of the proposed Master Trails Plan. Requested by Thaxton, without objection.

1:55:30 Board Action: Requested to delete the words "Develop a strategy to" on page 12, Policy 1.1.10., of the proposed Master Trail Plan. Requested by Patterson, without objection.

1:56:25 Board Action: Requested to review/revise the language relative to the Environmentally Sensitive Lands Protection Program (ESLPP), Policy 1.1.11., page 12 of the proposed Master Trails Plan.

1:57:00 Board Action: Requested to delete the words "Establish strategies regarding the" and to add the word "To" before the word "coordinate" in Policy 1.3.3., page 12 of the proposed Master Trails Plan. Requested by Thaxton, without objection.

1:58:47 Board Action: Approved the revision to Policy 1.9.4. to delete the word "shall" and to add the word "may" before the word "enter" and add the words "ecologically benign" before the word "access" in Policy 1.9.4., page 13 of the proposed Master Trails Plan. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

2:00:32 Board Action: Approved deletion of the words "Develop mechanisms to" in Policy 4.5.8., and deleted the words "The County shall develop mechanisms to" in Policy 4.5.9., page 14 of the proposed Master Trails Plan. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

35. PUBLIC WORKS - Continued

2:01:48 Board Action: Approved additional language regarding the Nature Conservancy and the Rails to Trails Program to the Intergovernmental Coordination, Partnerships and Connectivity on page 17 of the proposed Master Trails Plan. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

2:01:59 Board Action: Requested to update the County Trails Existing and Proposed Trails Chart on page 23 of the proposed Master Trails Plan. Requested by Thaxton, without objection.

2:03:00 Board Action: Requested review/clarification of incentives relative to neighborhood parkland acquisitions in Policy 1.1.11., page 12 of the proposed Master Trails Plan. Requested by Patterson, without objection.

2:04:25 Board Action: Requested a list of the trail segments and the funding time frame relative to the Trails Program. Requested by Staub, without objection.

2:05:00 Board Action: Requested a more "user friendly" map for the public that lists current and future trails. Requested by Patterson, without objection.

2:05:10 Board Action: Requested to correct a scrivener's error of the word "Sarasota" displayed in "Central Sarasota Parkway" on the Trails Map. Requested by Barbetta, without objection.

2:06:02 Board Action: Requested a reduced, two-sided map of the Trails Plan. Requested by Thaxton, without objection.

2:03:33 Board Action: Requested a tri-fold pocket brochure of the Trails Plan. Requested by Staub, without objection.

2:08:35 Board Action: Adopted Resolution No. 2006-266, approving the Master Trails Plan, as amended, and initiating the development of a Countywide Trail System, connecting the Regional and Statewide Trail System. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

2:09:37 Board Action: Authorized a future discussion item on the Traffic Advisory Committee Rail/Trail Heads. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

2:10:25 Board Action: Requested an online "trip ticket" and "trail quest" for the Trails Program. Requested by Mercier, without objection.

(2:11:39)

36. ENVIRONMENTAL SERVICES

The Board considered the authorization to advertise a public hearing to consider a proposed Ordinance, amending the 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.

Staff Presenters: Environmental Services Resource Protection Manager Matthew Osterhoudt and County Attorney Stephen DeMarsh

2:17:30 Board Action: Approved Option 2, to proceed with language for creating a new Natural Resources Section in Section 54-346., page 31 of the proposed Ordinance. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

2:19:20 Board Action: Requested to simplify/clarify the language relative to the conceptual permits in Section 54-345., page 17 of the proposed Ordinance. Requested by Thaxton, without objection.

2:22:49 Board Action: Approved Option 2, to proceed with language reconfiguring the different permit types in Section 54-342., page 6 of the proposed Ordinance. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

36. ENVIRONMENTAL SERVICES - Continued

2:29:47 Board Action: Approved Option 2, to proceed with the revised agricultural exemption language, amending the six-month standard to a three-year standard in Section 54-349., page 37 of the proposed Ordinance. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

2:37:43 Board Action: Approved Option 2, to proceed with language for overlapping administration. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

2:38:18 Board Action: Authorized advertisement of a public hearing to consider a proposed Ordinance, amending the Earthmoving Ordinance No. 2004-040, as amended. Moved by Thaxton, seconded by Mercier, carried by a 5-0 vote.

37. PLANNING AND DEVELOPMENT SERVICES

The Board considered authorization to advertise a public hearing to consider a proposed Ordinance, creating guidelines and establishing a program to allocate funding and resources from the Community Housing Fund (CHF), to be codified as Article IX, Chapter 38 of the County Code.

Staff Presenters: Planning and Development Services Community Housing Manager Wendy Thomas and County Attorney Stephen DeMarsh

2:49:33 Board Action: Requested to revise the language to include "optimum leveraging" in Section 38-204.(2)(a), page C-5, of the proposed Ordinance. Requested by Thaxton, without objection.

2:55:50 Board Action: Approved the deletion of the words "at a minimum ratio of 2:1" and to add the words "at a ratio as determined by the Board of County Commissioners" after the words "to the Board" in Section 38-204.(2)(a), page C-5, of the proposed Ordinance. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

2:57:27 Board Action: Requested to review/outline provisions regarding the loan recapture process. Requested by Patterson, without objection.

3:05:14 Board Action: Requested Board review of the proposals/loan prepayment plans perpetuating affordable housing prior to making the decision to allocate funding. Requested by Patterson, without objection.

3:07:57 Board Action: Requested to review/outline provisions in the application regarding a financial mechanism for preserving affordability/recycling funds, and to opt not to have an advisory board. Requested by Patterson, without objection.

3:11:40 Board Action: Requested to schedule the public hearing at the first meeting in January 2007. Requested by Patterson, without objection

3:13:36 Board Action: Requested to add the word "and Investors" after the words "Lending Institutions" in Section 38-204.(2)(b)(1), page C-5 of the proposed Ordinance. Requested by Thaxton, without objection.

3:14:19 Board Action: Approved the request to revise the language in the proposed Ordinance to reflect the Board's action in a clear/precise manner. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

3:14:19 Board Action: Authorized advertisement of a public hearing to consider a proposed Ordinance, as amended, creating guidelines and establishing a program to allocate funding and resources from the CHF. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

RECESS: 3:15 p.m. - 3:28 p.m.

PUBLIC HEARINGS:

38. ENVIRONMENTAL SERVICES

- A. Public hearing to consider proposed Ordinance No. 2006-077, providing for the reinstatement of the Lake Sarasota Public Improvement District (PID);
- B. Public hearing to consider proposed Resolution No. 2006-219, a Notice of Intent to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments to fund sewer improvements within the reinstated Lake Sarasota PID;
- C. (Not a public hearing) To consider proposed Resolution No. 2006-220, amending Resolution No. 2001-103, clarifying the continuation of non-ad valorem assessments to fund the cost of the sewer facilities within the Lake Sarasota PID until the associated debt, plus interest, has been paid.

Staff Presenter: Environmental Services Project Control Manager Lori Carroll

Item submitted: A copy of a PowerPoint presentation entitled "Reinstatement of the Lake Sarasota Public Improvement District"

3:32:30 Board Action: Closed the public hearing. Moved by Thaxton, seconded by Staub, carried without objection.

3:34:00 Board Action: Adopted Ordinance No. 2006-077, approving the reinstatement of the Lake Sarasota PID. Moved by Thaxton, seconded by Mercier, carried by a 5-0 vote.

3:34:00 Board Action: Adopted Resolution No. 2006-219, approving a Notice of Intent to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments to fund sewer improvements within the reinstated Lake Sarasota PID. Moved by Thaxton, seconded by Mercier, carried by a 5-0 vote.

3:34:00 Board Action: Adopted Resolution No. 2006-220, amending Resolution No. 2001-103, clarifying the continuation of non-ad valorem assessments to fund the cost of the sewer facilities within the Lake Sarasota PID. Moved by Thaxton, seconded by Mercier, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

39. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider proposed Ordinance No. 2006-092, Rezone Petition No. 06-17, a petition by Joel Freedman, Agent, to rezone 0.74 acres ± located on the southwest corner of Bahia Vista Street and Cattlemen Road, from RSF-2 (Residential, Single Family, 3.5 units/1 acre) to OPI (Office, Professional, and Institutional) zone district. (Planning Commission recommended approval.)

Staff Presenter: Planning and Development Services Current Planning Manager Crystal Allred

Public Presenter: Agent Joel Freedman

Item submitted: A copy of an e-mail on the petition

3:42:53 Board Action: Recommended to replace the six-foot wall (located on the northwest side of the parcel) with a gradual berm. Recommended by Barbetta, without objection.

3:45:56 Board Action: Closed the public hearing. Moved by Thaxton, seconded by Mercier, carried without objection.

39. PLANNING AND DEVELOPMENT SERVICES - Continued

3:46:46 Board Action: Adopted Ordinance No. 2006-092, approving Rezone Petition No. 06-17, with five stipulations. Moved by Thaxton, seconded by Mercier, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

40. ENVIRONMENTAL SERVICES

Public hearing to consider proposed Ordinance No. 2006-093, amending Ordinance No. 2000-079, the County Water and Sewer Utility System Ordinance, as amended and codified in Chapter 126, Article II, amending Section 126-58 of the County Code, to provide for mandatory compliance with Department of Health potable water well setback guidelines, readiness-to-serve charges and additional enforcement action for violations, and including enforcement of mandatory sewer connection requirements.

Staff Presenter: Environmental Services Wastewater Collection and Water Distribution Program Manager Brenda Bair

Item submitted: A copy of a PowerPoint presentation entitled "Public Hearing for the proposed amendments to the Water and Sewer Ordinance No. 2000-079"

3:56:09 Board Action: Requested a spreadsheet on the annual cost to maintain water wells and provide education to the public. Requested by Mercier, without objection.

3:58:47 Board Action: Closed the public hearing. Moved by Mercier, seconded by Thaxton, carried without objection.

3:59:30 Board Action: Adopted Ordinance No. 2006-093, amending Ordinance No. 2000-079, the County Water and Sewer Utility System Ordinance, as amended. Moved by Mercier, seconded by Thaxton, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

33. OPEN TO THE PUBLIC - Continued

Alex Morris commented on and discussed the conflict in the number of units/costs and noted concerns with the proposed Affordable Housing Overlay Ordinance.

(4:07:39)

MEETING ADJOURNED: 5:24 p.m.