

October 19, 2007

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

**TWIN LAKES PARK
GREEN BUILDING AUDITORIUM
6700 CLARK ROAD
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:

James Ley, County Administrator
David Bullock, Deputy County Administrator
Stephen DeMarsh, County Attorney
Kathleen Schneider, Deputy County Attorney
Latressa Preston, Deputy Clerk
Paula Clintsman, Deputy Clerk

WORKSHOP

(9:01:20)

1. COUNTY ATTORNEY

The County Attorney noted an Executive Session with the Board of County Commissioners in accordance with Florida Statute §286.011(8) to discuss Tracey P., Richard A., Gerard O., and Renaissance Manor, Inc. v. Sarasota County and Joseph and Maria Serna, U.S. District Court Case No.: 8:05-CV-927-T-27EAJ and United States of America and Coastal Behavioral Health Care, Inc. v. Sarasota County, Florida, U.S. District Court Case No.: 8:06-CV-1221-JDW-EAJ.

(**Note:** Attending the meeting were the members of the Board of County Commissioners: Chair Nora Patterson, Vice Chair Shannon Staub, Commrs. Joseph A. Barbetta, Paul H. Mercier, and Jon Thaxton; County Administrator James Ley; County Attorney Stephen DeMarsh; Attorney Lynn Calkins of the Law Firm of Holland and Knight; and a Court Reporter.)

County Attorney Stephen DeMarsh noted the start and end times for the Executive Session (9:03 a.m. to 10:07 a.m.).

(10:16:40)

2. EMERGENCY SERVICES/PLANNING AND DEVELOPMENT SERVICES

The Board considered Policies, Procedures, and Practices to protect property and people within the Storm Surge Floodplain Areas.

Staff Presenters: Emergency Services Emergency Management General Manager Ed McCrane, Planning and Development Services Chief Building Official Paul Radauskas, Planning and Development Services Principal Planner Brian Beatty, Environmental Services Coastal Resources Manager Laird Wreford, and Public Works Stormwater Community Rating System Coordinator Desiree Companion

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2. EMERGENCY SERVICES/PLANNING AND DEVELOPMENT SERVICES - Continued

10:26:54 Board Action: Noted a majority consensus by Patterson to direct the County Administrator to schedule a future discussion item on height limitations of roofs and the effects of the daylight plane relative to homes constructed on the Coastal Setback Line, including a comparison report of the provisions/options used by other Florida Counties.

10:37:22 Board Action: Requested to provide the Board with a copy of the Palm Beach County Post Disaster Redevelopment Plan (PDRP). Requested by Patterson, without objection.

10:54:34 Board Action: Requested that the Office of the County Attorney review and provide a report on the proposed PDRP and advise of the legal rights of the existing property owners, including options/alternatives for County Government. Requested by Barbetta, without objection.

10:55:24 Board Action: Requested that an analysis from Emergency Services Staff be included as a required process for Future Land Use Amendments (i.e., Coastal Setback Variances, Rezone Petitions, Special Exceptions, and Comprehensive Plan Amendments) in storm surge floodplain areas. Requested by Thaxton, without objection.

RECESS: 10:58 a.m. - 11:05 a.m.

3. ENVIRONMENTAL SERVICES/PUBLIC WORKS

The Board considered a Tree Protection Action Plan.

Staff Presenters: Public Works Administration Operations and Maintenance General Manager Tom Maroney, County Administrator James Ley, Environmental Services Resource Protection Manager Matthew Osterhoudt, Community Services Parks and Recreation General Manager John McCarthy, Environmental Services Resource Protection Manager Amy Meese, and Public Works Forestry Manager Dimetra McBride

11:22:36 Board Action: Directed the County Administrator to proceed with amending the Surtax Ordinance to extend/include funding for other public properties relative to the Tree Planting Program. Moved by Barbetta, seconded by Staub, carried by a 5-0 vote.

11:37:35 Board Action: Requested to provide/include the comments of the Sarasota Tree Advisory Committee (STAC) on the final draft of future proposed Ordinances in the Board's Agenda Reports. Requested by Thaxton, without objection.

RECESS: 11:55 p.m. - 1:30 p.m.

4. PUBLIC WORKS

The Board considered existing transportation and land use challenges associated with placemaking.

Staff Presenters: Planning and Development Services Planning Director Anne McClung, Planning and Development Services Principal Planner Matthew Lewis, and County Administrator James Ley

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4. PUBLIC WORKS - Continued

2:01:26 Board Action: Requested that the County Administrator explore methods/options for facilitating redevelopment of existing urban areas, including a review of the "trade-offs," areas along the U.S. 41 Corridor and connector roads (Bee Ridge, Fruitville, and Clark Roads, and University Parkway), incentives, overlay districts, areas with affordable housing/rental units, identifying certain areas of the urban service core, impact fees/credits, and alternative transportation/concurrency, and other Counties' regulations/ideas for redevelopment, and to bring back a presentation for Board consideration. Requested by Patterson, without objection.

(2:01:56)

5. ENVIRONMENTAL SERVICES

The Board considered the Land Acquisition Program Finances and Policies.

Staff Presenters: Environmental Services Natural Resources Project Scientist Brooke Elias, Community Services Parks and Recreation General Manager John McCarthy, Financial Planning Budget Management Analyst Richard Gleitsman, Environmental Services Operations General Manager George MacFarlane, and Deputy County Administrator David Bullock

Item submitted: A copy of a document entitled "Project Revenues at .225 Mills and Debt Capacity of ESLPP & Parklands Program (Assuming Legislative Impact to Revenues After FY 2008)"

2:31:46 Board Action: Requested to schedule a discussion item regarding a scenario to bond at \$100,000,000.00 to achieve the equation/purchase power for the ESLPP (Environmentally Sensitive Lands Protection Program) and Parkland for future Board consideration. Requested by Patterson, without objection.

2:33:40 Board Action: Directed to fund the acquisition agent from reserves (\$100,000,000.00 per year), to fund ten percent for the land acquisition and land management through the "back-end/coverage," of the bond, and authorized the preparation of applicable resolutions and documents to issue a new Limited Ad Valorem Tax Bond for the ESLPP and the Neighborhood Parkland Program in Fiscal Year (FY) 2008, in an amount not to exceed \$130,000,000.00. Moved by Thaxton, seconded by Barbetta, carried by a 4-0 vote.

2:35:14 Board Action: Requested to schedule a discussion item on the future of the ESLPP, the size of the acquisitions, and a summation on the current status of the Program, and a review of selling development rights on the lands purchased. Requested by Mercier and Patterson, without objection.

RECESS: 2:42 p.m. - 2:50 p.m.

6. FINANCIAL PLANNING

The Board considered the Sheriff MSTU (Municipal Service Taxing Unit) Options.

Staff Presenters: Chief Financial Planning Officer Jeffrey Seward, Deputy County Attorney Kathleen Schneider, Financial Planning Fiscal Budget Management Analyst Elizabeth Damschroder, Deputy County Administrator David Bullock, and County Administrator James Ley

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6. FINANCIAL PLANNING - Continued

Item submitted: A copy of a document entitled "Options for a Law Enforcement Municipal Services Taxing Unit (MSTU) for the Funding of the County Sheriff"

3:10:50 Board Action: Requested information on the amount of revenue generated versus the amount of (all) services received by municipalities. Requested by Thaxton, without objection.

3:22:30 Board Action: Requested to bring the matter back as a discussion item at the Board's Retreat and to research other Counties for funding of the County Sheriff. Requested by Patterson, without objection.

(3:23:42)

7. PLANNING AND DEVELOPMENT SERVICES

The Board considered the Home Buyer Assistance Programs and Policies.

Staff Presenters: Planning and Development Services Interim Community Housing Manager MaryBeth Humphreys, County Administrator James Ley, and Planning and Development Services Housing and Community Development Services General Manager Donald Hadsell

Public Presenter: Community Housing Trust (CHT) Chief Executive Officer Martina Guilfoil

Item submitted: A copy of Staff's PowerPoint presentation

3:38:25 Board Action: Requested to identify the needs of the community and to provide information on the number of persons assisted in the Down Payment Assistance Program who are independent in home ownership/building wealth/outcome of the Program. Requested by Thaxton, without objection.

4:17:11 Board Action: Directed that the Land Trust properties be advertised/placed on the MLS (Multiple Listing Service) Listings at three (3) and one-half percent and to bring back a Policy change relative to the Land Trust homes/properties to be used as rentals and other alternatives.

4:17:50 Board Action: Requested a report/information on the Down Payment Assistance and the Land Trust Programs. Requested by Patterson, without objection.

(4:18:07)

8. ADMINISTRATION

The Board discussed general topics/issues.

4:20:22 Board Action: Directed the County Administrator to draft correspondence for the Chair's signature supporting/encouraging Florida Governor Charlie Crist to veto the raiding of the Water Resource Development Fund. Moved by Thaxton, seconded by Barbetta, carried by a 4-0 vote.

4:21:09 Board Action: Requested to set priorities at the Board Retreat. Requested by Mercier, without objection.

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9. OTHER BUSINESS

CHAIR PATTERSON

Chair Patterson noted the absence of Commr. Staub for the afternoon session of the meeting this date and comments were made on the application submitted for the Innovations of American Government Award.

Staff Presenter: County Administrator James Ley

4:27:45 Board Action: Requested that the County Administrator provide a report on the 10, 15, and 20 years' rate of appreciation of properties in the State. Requested by Patterson, without objection.

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

MEETING ADJOURNED: 4:31 p.m.