

**AGENDA
BOARD OF COUNTY COMMISSIONERS**

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September 14, 2010

9:00 a.m.

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

Joseph A. Barbetta, Chair, District 2
Nora Patterson, Vice Chair, District 4
Carolyn J. Mason, District 1
Shannon Staub, District 3
Jon Thaxton, District 5

INVOCATION

PLEDGE OF ALLEGIANCE

Commissioner Mason

PRESENTATION OF PROCLAMATIONS:

Boys and Girls Club Day for Kids - September 25, 2010
Ballroom Dance Week - September 17 through September 26, 2010
Adult and Family Literacy Month - September 2010
Constitution Week - September 17 through September 23, 2010
Community Lands Day - September 19, 2010

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.

1. ADMINISTRATION

To ratify the following previously issued Proclamations:

- A.** Amputees Across America Day - July 23, 2010;
- B.** Greatness Beyond Measure Teen Summit 2010 - July 30 through August 1, 2010;
- C.** National Night Out 2010 - August 3, 2010;
- D.** Victory in Japan (V-J) Day - August 14, 2010;
- E.** Florida Water Professionals Week - August 16 through August 20, 2010;
- F.** Sarasota Ringling Redskins 50th Anniversary - September 4, 2010;
- G.** Life Insurance Awareness Month - September 2010.

2. CAPITAL MANAGEMENT SERVICES

To approve a Contract, Change Order No. 1 to Contract No. 2010-280 with Lovin Construction, Inc., for the Central Avenue and Myrtle Street Bridge Replacement Project, in the amount of \$29,681.00.

3. CAPITAL MANAGEMENT SERVICES

To approve a Contract with Kimley-Horn and Associates, Inc., for engineering services for the Hudson Bayou Water Quality Improvement Project, in the amount of \$327,103.58.

4. CAPITAL MANAGEMENT SERVICES

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To approve a Contract, a Subordination Agreement, with Peoples Gas System for the subordination of their easement interests to the County necessary for the construction of the Honore Avenue Improvement Project (Capital Improvement Project No. 85763).

5. CAPITAL MANAGEMENT SERVICES

To approve a Contract with Tri-Tech Construction and Design, Inc., for the construction of the Legacy Trail Stop Stations Shelter Project, in the amount of \$161,685.41.

6. CAPITAL MANAGEMENT SERVICES

To approve a Contract with Sonny Glasbrenner, Inc., for the demolition of the Gulf Gate Advanced Wastewater Treatment Plant (AWWTP), the South Gate AWWTP, and the Oak Forest AWWTP, in the amount of \$199,472.50.

7. CAPITAL MANAGEMENT SERVICES

To approve a Contract, Amendment No. 1 to Contract No. 2007-299, a Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) for the implementation of Best Management Practices (BMP) for the Siesta Heights-Matheny Creek Drainage Improvement Project, to reduce the Project funding amount from \$425,000.00 to \$250,000.00, and to extend the expiration date to February 28, 2011.

8. CAPITAL MANAGEMENT SERVICES

To approve payment of a Consent Order to the Florida Department of Health for civil penalties associated with the Siesta Heights Culvert Replacement Project, in the amount of \$5,599.00.

9. CAPITAL MANAGEMENT SERVICES

To approve a Contract with D.E. Murphy Constructors, Inc., for the construction of the Nokomis Beach Lighthouse Restroom and Boardwalk Repair Project, in the amount of \$431,476.10.

10. CAPITAL MANAGEMENT SERVICES

To approve a Contract with Applied Drilling Engineering, Inc., for the Venice Minerals Test Production Well Construction and Testing Project, in the amount of \$181,954.50.

11. CAPITAL MANAGEMENT SERVICES

To approve a Contract with Westra Construction Corp. for the construction of a pipeline and pump station for Raw Water Well No. 59 for the Carlton Wellfield Expansion Phase 1 Project, in the amount of \$688,970.00.

12. CAPITAL MANAGEMENT SERVICES

To adopt a Resolution authorizing the submittal of an application to the Florida Department of Environmental Protection for partial funding of the South Siesta Key Beach Restoration Project for Fiscal Year (FY) 2011/2012.

13. CAPITAL MANAGEMENT SERVICES

To adopt a Resolution, a Project Resolution for State Highway System Projects, authorizing the acquisition of property rights in lands for the design and construction of Sarasota County Area Transit (SCAT) Bus Stop Project, Batch 6, pursuant to Contract No. 2008-158, the Local Agency Program Agreement with the Florida Department of Transportation.

14. COMMUNITY SERVICES

- A.** To authorize the submittal of a Grant Application to the Florida Department of State,

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Division of Library and Information Services, for the Fiscal Year (FY) 2011 State Aid to Libraries Grant with the County Library System FY 2011 Business Plan;

- B.** To authorize the Chair to execute the Grant Agreement and associated documents upon receipt of the Grant Award.

15. COMMUNITY SERVICES

To approve a Contract with Pinellas Public Library Cooperative, Inc., to provide Talking Book Services to visually impaired Citizens of the County for the period of October 1, 2010, through September 30, 2011, in the amount of \$60,424.00.

16. COMMUNITY SERVICES

- A.** To approve a Contract, an Assignment of Option to Purchase, from the Conservation Foundation of the Gulf Coast, Inc. (formerly known as Sarasota Conservation Foundation, Inc.), authorizing the acquisition of an approximately 0.39 acre property located at 2525 Ringling Boulevard, Sarasota, from Ruth Ott, in the amount of \$206,450.00 for land costs, plus estimated ancillary, closing, and start-up costs, in the amount of \$30,000.00, for a total amount of \$236,450.00;
- B.** To adopt a Resolution authorizing the County Administrator or Designee to exercise the Option to Purchase the property upon the completion of all due diligence involved in the acquisition and the confirmation of available funding, and to execute a post-closing agreement and any documents necessary for the closing of the transaction.

17. COMMUNITY SERVICES

To approve a Contract, Amendment No. 5 to Contract No. 89-485, an Interlocal Agreement with the City of Sarasota for the consolidation of Parks and Recreation Services (maintenance services and recreational programs/activities) for City parks and facilities effective through March 31, 2011.

18. COMMUNITY SERVICES

To approve a Contract with The MCS Group, Inc., d/b/a MCS Business Technologies Inc., for the Data Wiring Services relating to the building renovations of the Sarasota County Operations Center located at 1001 Sarasota Center Boulevard, Sarasota, in an amount not to exceed \$175,000.00.

19. COMMUNITY SERVICES

To approve a Contract, a Facilities Management Agreement, with the Charlotte County Family Young Men's Christian Association (YMCA), Incorporated and the City of North Port to manage the North Port Pool located at 5925 Greenwood Avenue, North Port, in the amount of \$150,000.00.

20. COMMUNITY SERVICES

To approve a Contract, a Facilities Management Agreement, with the Charlotte County Family Young Men's Christian Association (YMCA), Incorporated and the City of North Port to manage the Al Goll Center located at 5930 Sam Shapos Way, North Port, in the amount of \$10,000.00.

21. COMMUNITY SERVICES

To approve a Contract, a Residential Lease Agreement, with Alden and Elizabeth Codina for an annual lease of the residential property located at 5895 Hummingbird Avenue, Sarasota, to provide night security services at Twin Lakes Park and Rothenbach Park, in exchange for full-time residency of a certified Law Enforcement Officer in the residence located on the subject parcel, in the amount of \$350.00 per month.

22. COMMUNITY SERVICES

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To adopt a Resolution authorizing the execution of a Contract, Addendum No. 3 to Contract No. 95-368, a Lease Agreement with the Sarasota R/C Squadron, Inc., to extend the existing lease to operate a Model Airplane Flying Club on an approximately 13.43 acre section of the Bee Ridge Landfill for an additional five years beginning on September 10, 2010.

23. COMMUNITY SERVICES

To adopt a Resolution repealing Resolution No. 98-259 and approving a Contract, a Ground Lease Agreement, with the Sarasota County Sheriff's Office to utilize approximately 34.5 acres located at Knights Trail Park, including the existing Criminal Justice Firing Range, Mounted Patrol Headquarters, K-9 Training Facility, and proposed Obstacle Course, for a term of ten years with no compensation.

24. EMERGENCY SERVICES

To approve a Contract, a Mutual Aid and Automatic Aid Interlocal Agreement, with the City of North Port for Fire and Emergency Medical Services.

25. ENVIRONMENTAL SERVICES

To appoint Juan Masi to serve a one-year term on the Environmentally Sensitive Lands Oversight Committee as the STAR (Students Taking Active Roles) in Government Representative, effective through May 2011.

26. ENVIRONMENTAL SERVICES

To authorize a West Coast Inland Navigation District (WCIND) funding request from the County Navigation Improvement Fund (CNIF) by the South Venice Civic Association (SVCA) for the South Venice Beach Public Boat Ramp and Dock Replacement Project, in the amount of \$21,725.00.

27. ENVIRONMENTAL SERVICES

To approve a Contract, a Cooperative Funding Agreement, with the Southwest Florida Water Management District (SWFWMD) for the County's Watershed Monitoring Program (L015), in the amount of \$85,500.00.

28. ENVIRONMENTAL SERVICES

- A. To approve a Contract, a termination of Contract No. 2008-283, a Federally-Funded Subgrant Agreement, with the Florida Division of Emergency Management for the Flood Mitigation Project located at 3524 Elliott Street, Venice, and subsequent termination of Contract No. 2008-284, a Flood Mitigation Assistance Program Subgrant Agreement, with James and Anne Conley for the property located at 3524 Elliott Street, Venice, as approved by the Board on April 22, 2008;
- B. To authorize the return of funds awarded by the Florida Division of Emergency Management in the amount of \$95,326.87, plus the earned interest in the amount of \$5,255.94.

29. ENVIRONMENTAL SERVICES

- A. To approve a Contract, an Assignment of Option to Purchase, with the Conservation Foundation of the Gulf Coast authorizing acquisition of approximately 3.733 acres located north of Belvidere Road, west of Osprey Road, and east of Alamander Avenue from Joy Getman Pribble, Robert Getman, and Gary Getman, in the amount of \$180,000.00 for land costs, plus estimated ancillary, closing and start-up costs in the amount of \$28,565.00, for a total of \$208,565.00;
- B. To adopt a Resolution authorizing the County Administrator or Designee to exercise the Option for the Purchase of the property upon the completion of all due diligence involved in the acquisition and the confirmation of available funding.

30. ENVIRONMENTAL SERVICES

To adopt a Resolution abolishing the Solid Waste Management Citizens Advisory Board and repealing Resolution No. 2007-245.

31. ENVIRONMENTAL SERVICES

To adopt a Resolution establishing the Fiscal Year (FY) 2011 annual interest rate for new Customers participating in the Sarasota County Utilities System Installment Payment Program to finance capacity fees and deferred revenue charges.

32. FINANCIAL PLANNING

To appoint Donald Schultz to serve a four-year term on the Citizen Tax Oversight Committee, as an At-Large Representative, effective through September 2014.

33. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Engineering Services for Facility Site Development and Feasibility Planning, Request for Professional Services (RPS) No. 10891RC, in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

- A. A. M. Engineering, Inc.;
- B. CPH Engineers, Inc.;
- C. George F. Young, Inc.;
- D. Giffels-Webster Engineers, Inc.;
- E. Kimley-Horn and Associates, Inc.;
- F. King Engineering Associates, Inc.;
- G. Post, Buckley, Schuh, and Jernigan, Inc.;
- H. Southwest Engineering and Design, Inc.;
- I. TBE Group, Inc.;
- J. WilsonMiller, Inc.

34. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Construction, Engineering and Inspection for Facilities, Request for Professional Services (RPS) No. 10892RC, in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

- A. Giffels-Webster Engineers, Inc.;
- B. Hanson Professional Services, Inc.;
- C. Stantec Consulting Services, Inc.

35. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Construction, Engineering and Inspection for Utilities, Request for Professional Services (RPS) No. 10893JH, in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

- A. DMK Associates, Inc.;
- B. Giffels-Webster Engineers, Inc.;
- C. Post, Buckley, Schuh, and Jernigan, Inc.;
- D. Stantec Consulting Services, Inc.

36. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Engineering Services for Innovative Roadway Design, Request for Professional Services (RPS) No. 10895RC, in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

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- A. Alternate Street Design, P.A.;
- B. American Consulting Engineers of Florida, LLC;
- C. Dyer, Riddle, Mills, and Precourt, Inc.;
- D. Kimley-Horn and Associates, Inc.;
- E. Kittelson and Associates, Inc.;
- F. Stanley Consultants, Inc.;
- G. TBE Group, Inc.

37. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Engineering Services for Landfill Infrastructure, Permitting and Operations, Request for Professional Services (RPS) No. 10896JH in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

- A. HDR Engineering, Inc.;
- B. Post, Buckley, Schuh, and Jernigan, Inc.;
- C. Stearns, Conrad, and Schmidt Consulting Engineers, Inc.

38. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Hydrologic Monitoring, Restoration, and Scientific Analysis, Request for Professional Services (RPS) No. 10898JH in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

- A. HSW Engineering, Inc.;
- B. Johnson Engineering, Inc.;
- C. Post, Buckley, Schuh, and Jernigan, Inc.;
- D. Scheda Ecological Associates, Inc.;
- E. Vanasse Hangen Brustlin, Inc.;
- F. WilsonMiller, Inc.

39. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Utility Management Planning, Request for Professional Services (RPS) No. 10900JH in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

- A. Brown and Caldwell Corporation;
- B. Carollo Engineers, P.C.;
- C. Greeley and Hansen, LLC;
- D. Hazen and Sawyer, P.C.;
- E. Jones Edmunds and Associates, Inc.;
- F. Post, Buckley, Schuh, and Jernigan, Inc.

40. FINANCIAL PLANNING

To approve the following Contracts for continuing professional consulting services for Groundwater Management Services, Request for Professional Services (RPS) No. 10924JH in accordance with Florida Statutes Section 287.055, and Section 7 of the Sarasota County Procurement Manual:

- A. Ardaman and Associates, Inc.;
- B. ENTRIX, Inc.;
- C. Leggette, Brashears, and Graham, Inc.;
- D. MWH Americas, Inc.;
- E. Post, Buckley, Schuh, and Jernigan, Inc.;
- F. Progressive Water Resources, LLC;
- G. The Colinas Group, Inc.

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41. FINANCIAL PLANNING

To certify the Final Recapitulation of the 2009 Tax Roll.

42. FINANCIAL PLANNING

To authorize the Property Appraiser to extend the Tax Roll prior to completion of the Value Adjustment Board hearings, pursuant to Florida Statute 197.323.

43. HEALTH AND HUMAN SERVICES

To appoint Harry Hall and Anthony Guest to serve three-year terms on the Well Drilling Advisory Board, as Licensed Well Contractor Representatives, effective through September 2013.

44. HEALTH AND HUMAN SERVICES

To authorize execution and submittal of the Mosquito Management Services Tentative Fiscal Year (FY) 2011 Annual State Certified Budget for Mosquito Control to the Florida Department of Agriculture and Consumer Services, Bureau of Entomology and Pest Control, pursuant to Florida Statutes, Chapter 388, and the Florida Administrative Code, Chapter 5E-13.

45. HEALTH AND HUMAN SERVICES

- A. To approve a Contract, a Federally-Funded Subgrant Agreement, with the Florida Department of Community Affairs (FDCA) for Community Services Block Grant (CSBG) funding for homelessness prevention and self-sufficiency services for Fiscal Year (FY) 2011, in the amount of \$141,136.00;
- B. To approve a Contract, a Federally-Funded Subgrant Agreement, with the Salvation Army for CSBG funding for homelessness prevention and self-sufficiency services for Fiscal Year (FY) 2011, in the amount of \$140,136.00.

46. HEALTH AND HUMAN SERVICES

To recommend approval to the Florida Department of Children and Families of the County Baker Act Transportation Exception Plan to allow individuals detained for examination under the Baker Act to be transported to the "most appropriate treatment facility" versus the "nearest receiving facility," as generally required by Florida Statutes Chapter 394.462, and superseding the Transportation Exception Plan for Minors, as approved by the Board on May 25, 2010.

47. HEALTH AND HUMAN SERVICES

To authorize advertisement of a public hearing to consider a proposed Ordinance, amending Ordinance No. 98-027, as amended and codified in Chapter 62, Article V, Section 62-135 of the County Code, relating to the food preparation and food service requirements for Child Care Facilities.

48. PLANNING AND DEVELOPMENT SERVICES

To approve a Contract, an Interlocal Agreement, with the City of Sarasota to provide the Cooperative Administration of City and County Housing and Community Development Programs and replacing Contract No. 98-285.

49. PLANNING AND DEVELOPMENT SERVICES

- A. To approve a Contract, Amendment No. 1 to Contract No. 2007-463, with Habitat for Humanity South Sarasota County, Inc., to confirm the Garden Park ownership structure as a condominium and to extend the Project completion date to February 28, 2012;
- B. To authorize execution of a Consent to Mortgagee to allow Habitat for Humanity South Sarasota County, Inc., to file a Declaration of Condominium of Garden Park.

50. PLANNING AND DEVELOPMENT SERVICES

- A. To adopt a Resolution, Budget Amendment No. B2010-044, amending the Fiscal Year (FY) 2010 Budget to appropriate Community Housing Funds for a Community Housing Funding Agreement with First Step of Sarasota, Inc., in the amount of \$561,939.00;
- B. To approve a Contract, a Community Housing Funding Agreement, with First Step of Sarasota, Inc., for the North Washington Boulevard Substance Free Housing and Treatment Facility Renovation Project, in the amount of \$561,939.00.

51. PUBLIC WORKS

To adopt a Resolution authorizing execution of a Contract, First Amendment to Contract No. 2008-353, with Benderson Properties, Inc., and Wells Fargo Bank, N.A., to amend the reduction and release schedule of pledged collateral in the Pledge and Security Agreement relating to the Sarasota Interstate Park of Commerce (SIPOC) Development of Regional Impact (DRI), consistent with the terms of Contract No. 2010-319, the Alternative Capital Contribution, Road Impact Fee Credit, and Reimbursement Agreement, relating to the responsibilities associated with the funding and construction of the North Cattlemen Road Improvement Project.

52. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To ratify and approve the warrants dated July 19 through September 3, 2010, in the amount of \$83,100,562.78, as detailed in the voucher packages filed in the Finance Department.

53. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To approve the Minutes of the meetings dated July 27, July 28, August 5, September 2, and September 3, 2010.

DISCUSSION SECTION:

54. PLANNING AND DEVELOPMENT SERVICES

- A. To consider the appointment of Gail Harvey to serve a three-year term on the Neighborhood Initiative Grant Advisory Committee (NIGAC), as the District 1 Representative, effective through July 2013;
- B. To consider the appointment of two individuals to serve three-year terms on the NIGAC, as At-Large Representatives, effective through July 2013.

55. FINANCIAL PLANNING

To consider the Economic Development Corporation (EDC) Fiscal Year (FY) 2011 Business Plan and Budget.

56. FINANCIAL PLANNING

To consider authorization to advertise a public hearing to consider a proposed Ordinance amending Ordinance No. 2003-084, as amended and codified in Article VI of Chapter 2 of the County Code, relating to the County Procurement Code and to waive the requirement for an Economic Impact Statement (EIS).

57. PUBLIC WORKS

To consider an Impact Fee Appeal for Permit No. 09-909731, a petition by Lin Fu Chiang on behalf of the Ollie Panda Restaurant located at 2282 Tamiami Trail, Unit 4, Nokomis.

REPORTS SECTION:

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

Filed for Record List.

- 59. COUNTY ADMINISTRATOR'S REPORT**
- 60. COUNTY ATTORNEY'S REPORT**
- 61. COMMISSION AND COMMITTEE REPORTS**
- 62. ADMINISTRATION**
Outstanding Board Assignments.
- 63. ADMINISTRATION**
Review of the Board Meeting Schedule.

1:30 p.m.

- 64. OPEN TO THE PUBLIC** - (Three-minute time limit per person, up to 30 minutes.)

DISCUSSION SECTION: - (Continued)

- 65. PLANNING AND DEVELOPMENT SERVICES**
Sitting as the Sarasota County Transportation Authority (SCTA):
To consider an update regarding the continued operation of the Longboat Key Trolley.

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.

- 66. HEALTH AND HUMAN SERVICES**
Public hearing to consider proposed Ordinance No. 2010-055, amending Ordinance No. 2010-047 as codified in Chapter 62, Article XI, Section 62-330 of the County Code, relating to a temporary moratorium on new Occupational Licenses/Business Tax Receipts for new Pain Management Clinics.
- 67. ENVIRONMENTAL SERVICES**
Sitting as the Water and Navigation Control Authority (WNCA):
Public hearing to consider a proposed Resolution authorizing WNCA Major Work Permit Application No. 2008-814046-RW, a petition by the Venice Yacht Club, Inc., for the reconfiguration and expansion of an existing dock facility to accommodate 22 new mooring slips for the property located at 1330 Tarpon Center Drive, Venice.
- 68. OPEN TO THE PUBLIC** - (Three-minute time limit per person.)

- 69. OTHER BUSINESS**

NOTE:

Individuals with disabilities needing assistance to participate in any of these proceedings should contact County Administration at least three (3) working days in advance of the meeting date and time at (941) 861-5344.