

June 8, 2011

9:00 a.m.

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

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

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

Also present were:

David Bullock, Deputy County Administrator
Stephen DeMarsh, County Attorney
Kathleen Schneider, Deputy County Attorney
Paula Clintsman, Deputy Clerk
Spring Dickson, Deputy Clerk

(09:00 a.m.)

INVOCATION

Administration Operations Manager Shirley Wittine

(09:00 a.m.)

PLEDGE OF ALLEGIANCE

Commissioner Robinson

PUBLIC HEARINGS:

(09:03 a.m.)

1. PLANNING AND DEVELOPMENT SERVICES

- A.** Public hearing to consider proposed Ordinance No. 2011-030, Zoning Ordinance Amendment No. 58, amending Zoning Ordinance No. 2003-052, as amended and codified in Appendix A of the County Code, relating to Temporary Use Permits for special events at bars and restaurants within the Siesta Key Overlay District (SKOD);
- B.** (Not a public hearing.) Land Development Regulation Commission (LDRC) to find proposed Ordinance No. 2011-030 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to the adoption of A.)

Staff Presenter: Planning and Development Services Assistant Zoning Administrator
Donna Thompson

9:06 a.m. Board Action: Closed the public hearing. Closed by Patterson, without objection.

Chair Patterson recessed the Board of County Commissioners (BCC) and convened as the LDRC.

9:07 a.m. Board Action: Found proposed Ordinance No. 2011-030 to be consistent with the Sarasota County Comprehensive Plan. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

Chair Patterson adjourned the LDRC and reconvened as the BCC.

9:07 a.m. Board Action: Adopted Ordinance No. 2011-030. Moved by Thaxton, seconded by Robinson, carried by a 5-0 vote.

Note: Oath Signature Cards Filed for Record.

DISCUSSION SECTION:

(09:09 a.m.)

2. PLANNING AND DEVELOPMENT SERVICES

The Board considered a status report on Business relations, Business climate, and regulations impacting Businesses.

Staff Presenters: Planning and Development Services Business Relations Developer Teresa Mast, Community Services Recreation Tourism Development Manager John McCarthy, and Planning and Development Services Operational Manager Jane Grogg

9:39 a.m. Board Action: Directed the preparation of an expedited Communications Plan of the services available for businesses and to provide a Board report within 30 days. Moved by Robinson, seconded by Thaxton, carried by a 5-0 vote.

(09:43 a.m.)

3. PLANNING AND DEVELOPMENT SERVICES

The Board considered the funding recommendations and authorization to advertise the proposed 2011-2016 Consolidated Plan and 2012 Action Plan for public comment.

Staff Presenters: Planning and Development Services Housing and Community Development Services General Manager Donald Hadsell and Planning and Development Services Housing and Community Development Manager Debra Figueroa

10:00 a.m. Board Action: Authorized advertisement of the proposed 2011-2016 Consolidated Plan and 2012 Action Plan for public comment. Moved by Mason, seconded by Thaxton, carried by a 5-0 vote.

(10:01 a.m.)

4. FINANCIAL PLANNING

The Board considered a proposed Resolution authorizing the issuance of the Industrial Development Revenue Refunding Bond, Series 2011, requested by Sarasota Family Young Men's Christian Association (YMCA), Inc., in a principal amount not to exceed \$7,325,000.00 to refinance the County Variable Rate Demand Revenue Bonds (Sarasota Family YMCA Project), Series 1999 and for other purposes; providing that such revenue

[bond shall not constitute a debt, liability or obligation of the County or the State of Florida; and approving and authorizing the execution, distribution, and delivery of various documents and other agreements in conjunction with the proposed transaction between the County, the Sarasota Family YMCA, Inc., and Branch Banking and Trust Company.](#)

Staff Presenter: Financial Planning Modeling and Rates Fiscal Consultant Michael Murphy

10:03 a.m. Board Action: Adopted Resolution No. 2011-105. Moved by Barbetta, seconded by Mason, carried by a 5-0 vote.

(10:03 a.m.)

5. FINANCIAL PLANNING

- A. The Board considered the continuation of the Water/Sewer Connection Assistance Program and potential funding options;
- B. The Board considered an extension to the 90-day deadline for Early Hook-Up Incentive Program Applicants placed on the Office of Housing and Community Development waiting list due to unavailable funds associated with the Water/Sewer Connection Assistance Program.

Staff Presenters: Chief Financial Planning Officer Jeffrey Seward and Environmental Services Operations General Manager George MacFarlane

10:13 a.m. Board Action: Approved Option 1 to continue the Water/Sewer Connection Assistance Program utilizing the revenues accumulated from the Utility Early Hook-Up Incentive Program and from the repayment of previously issued Water/Sewer Connection Assistance Program loans. Moved by Barbetta, seconded by Mason, carried by a 5-0 vote.

10:14 a.m. Board Action: Extended the 90-day deadline for the Early Hook-Up Incentive Program for Applicants placed on the Office of Housing and Community Development waiting list. Moved by Barbetta, seconded by Mason, carried by a 5-0 vote.

RECESS: 10:14 a.m. - 10:29 a.m.

(10:29 a.m.)

6. PUBLIC WORKS

[The Board considered a proposed Resolution authorizing disbursement of road impact fee funds collected within the Central County Road Facility Service District to make payments to the Palmer Ranch Development, pursuant to Contract Nos. 2009-347 and 2010-183, Road Impact Fee and Property Acquisition Agreements, with Palmer Ranch Holdings, Ltd., and McCann Holdings, Ltd., regarding the construction of Honore Avenue, Bay Street, and other essential roadways relative to Phases V and VI of the Honore Avenue/Pinebrook Road Extension Project.](#)

Staff Presenters: Public Works Transportation Mobility General Manager Clarke Davis and County Attorney Stephen DeMarsh

10:37 a.m. Board Action: Adopted Resolution No. 2011-106. Moved by Thaxton, seconded by Mason, carried by a 5-0 vote.

(10:38 a.m.)

7. **ENVIRONMENTAL SERVICES**

- A. The Board considered the development of a sustainable policy for utilizing the West Coast Inland Navigation District (WCIND) County Navigation Improvement Fund (CNIF);
- B. The Board considered authorization of the WCIND CNIF funding requests, in the amount of \$574,584.00, as follows:
Mote Marine Laboratory Mammal and Sea Turtle Programs, in the amount of \$65,584.00;
Baywood Dredging Project, in the amount of \$149,000.00;
South Creek Dredging Project, in the amount of \$104,000.00;
Forked Creek/Neptune Dredging Project, in the amount of \$116,000.00;
Big Pass/New Pass Inlet Management Plan Monitoring (4 quarterly deployments), in the amount of \$140,000.00.

Staff Presenter: Environmental Services Coastal Resources Manager Laird Wreford

10:46 a.m. Board Action: Approved to maintain a minimum balance of CNIF funds, in the amount of \$450,000.00. Moved by Thaxton, seconded by Mason, carried by a 5-0 vote.

10:56 a.m. Board Action: Authorized the WCIND CNIF funding requests, in the amount of \$574,584.00. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

RECESS: 11:08 a.m. - 1:31 p.m.

(01:31 p.m.)

8. **OPEN TO THE PUBLIC**

Ross Walkup commented on a meeting with Staff, presented two checks (one for \$3,187.09 to the County to pay for light pole replacements, and one for \$2,016.80 to All Faiths Food Bank), and commented on the selection process for the County Administrator.

Michael Figgins and John Minder commented on the appointment of the Interim County Administrator.

Carlos Beruff commented on the process and the cost to obtain a bond extension, and the refund of funds held by the County for sidewalk construction.

1:44 p.m. Board Action: Noted consensus by Patterson to direct the County Attorney and the Deputy County Administrator to review the issues of the process and the cost to obtain a bond extension and the refund of funds held by the County for sidewalk construction, and to report back to the Board.

DISCUSSION SECTION: - (Continued)

(01:44 p.m.)

9. **FINANCIAL PLANNING**

The Board considered an update on the maintenance issues relating to the Siesta Key Village Public Improvement District (SKVPID) and policy options regarding the continued use of the Vendor currently providing maintenance services for the SKVPID.

Staff Presenters: Chief Financial Planning Officer Jeffrey Seward, Deputy County

Attorney Kathleen Schneider, Operations and Maintenance Services Executive Director David Cash, and Deputy County Administrator David Bullock

Public Presenters: Mark Smith, Troy Syrett, Pam Brown, Peter Constantinos, and Attorney Morgan Bentley

Items submitted: Copies of documents entitled "Reasonableness of Expenses" and "JWM Agreement"

2:38 p.m. Board Action: Continued consideration of the review and proposed ratification of payments made to the Siesta Key Village Merchant's Association and JWM Management for maintenance expenditures to July 13, 2011, at 1:30 p.m., or as soon thereafter as possible. Moved by Barbetta, seconded by Thaxton, carried by a 5-0 vote.

2:47 p.m. Board Action: Approved Option 2 including the following conditions: to allow for the SKVPID maintenance to remain the responsibility of the Siesta Key Village Maintenance Corporation (SKVMC); authorized advertisement of a public hearing to consider a proposed Ordinance, amending Ordinance No. 2006-089, to reflect Option 2; the creation of a new maintenance agreement with the SKVMC; consideration of creating an Oversight Board to monitor actions of the SKVMC; and to recommend that the SKVMC terminate the JWM Management Agreement and to instruct the SKVMC to advertise a request for bid proposals for the maintenance of the SKVPID. Moved by Barbetta, seconded by Patterson, carried by a 5-0 vote.

(02:48 p.m.)

10. ENVIRONMENTAL SERVICES

The Board considered the presentation of the Peace River Manasota Regional Water Supply Authority (PRMRWSA) Tentative Budget for Fiscal Year (FY) 2012.

Public Presenter: PRMRWSA Executive Director Patrick Lehman

PUBLIC HEARINGS: - (Continued)

(03:05 p.m.)

11. ENVIRONMENTAL SERVICES

Public hearing to consider a proposed Resolution, amending Resolution No. 2007-231, Earthmoving Level III Permit Application No. 2006-137056-RE, a petition by Sugar Bowl Resources and Hi Hat Ranch, LLLP, represented by Attorney Geoffrey Pflugner, to conduct limited nighttime operations for the property located north of State Road (S.R.) 72 and east of Hi Hat Ranch Boulevard.

Staff Presenters: Environmental Services Resource Protection Environmental Specialist III Kelly Pluta and Environmental Services Resource Protection Manager Matthew Osterhoudt

Public Presenters: Attorney Stephen Rees, Jr., Trudi Lawrenz, Keith Bradley, and Charlie Brodsky

Items submitted: Copies of correspondence received on the petition and a copy of a proffered stipulation relating to an annual review by the Board.

9:02 a.m. Board Action: Noted by Patterson that the public hearing will be continued to 1:30 p.m., or as soon thereafter as possible, without objection.

3:45 p.m. Board Action: Closed the public hearing. Closed by Patterson, without objection.

3:47 p.m. Board Action: Adopted Resolution No. 2011-107, denying Earthmoving Level III Permit Application No. 2006-137056-RE. Moved by Thaxton, seconded by Mason, carried by a 5-0 vote.

RECESS: 3:48 p.m. - 4:00 p.m.

(04:00 p.m.)

12. PLANNING AND DEVELOPMENT SERVICES

Second public hearing to consider proposed Resolution No. 2011-085, amending the County Commission District Boundaries and repealing Resolution No. 95-290. (First public hearing was held on June 7, 2011.)

Staff Presenters: Planning and Development Services Planning Director Tom Polk and Deputy County Attorney Kathleen Schneider

Public Presenters: North Port City Commission Chair Jim Blucher, Vanessa Carusone, and Bruce Dillon

Items submitted: Copies of correspondence received on the proposal

4:58 p.m. Board Action: Closed the public hearing. Closed by Patterson, without objection.

4:58 p.m. Board Action: Adopted Resolution No. 2011-085, approving the redistricting of the Sarasota County Commission District Boundaries following the decennial census pursuant to Article VIII, Section 1(e), Florida Constitution; Section 124.01, Florida Statutes; and Section 2.3 of the Sarasota County Charter. A copy of Resolution No. 2011-085 with Exhibits A and B, describing the revised Commission District Boundaries is attached to these Minutes, and by this reference, incorporated herein. Moved by Mason, seconded by Robinson, carried by a 5-0 vote.

(05:11 p.m.)

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

(11:00 a.m.)

14. OTHER BUSINESS

A. COUNTY ADMINISTRATOR

Discussions were held on the following topics/issues: expressions of gratitude and the conflicts associated with the proposed appointment of Sheriff's Office Major and General Counsel Kurt Hoffman as Interim County Administrator, possible options/replacements for the Interim County Administrator position, and the determinations made by the Florida Retirement System.

5:07 p.m. Board Action: Directed the County Attorney and Chair Patterson to enter into

negotiations with Terry Lewis for the Interim County Administrator position. Moved by Barbetta, seconded by Thaxton, carried by a 5-0 vote.

B. COMMISSIONER MASON

Commr. Mason noted the upcoming Suncoast Partnership to End Homelessness ten-year plan to end homelessness "Community Planning Session" scheduled on June 10, 2011, and the "South County Listening Session" scheduled on June 17, 2011.

MEETING ADJOURNED: 5:12 p.m.

RESOLUTION NO. 2011-085

Resolution of the Board of County Commissioners
of Sarasota County, Florida

In Re: County Commission District Boundaries

WHEREAS, Article VIII, Section 1(e), of the Constitution of the State of Florida provides that after each decennial census, the Board of County Commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable; and

WHEREAS, Chapter 124, Florida Statutes, provides that the Board of County Commissioners may change the boundaries of County Commission Districts only in odd-numbered years; and

WHEREAS, Section 2.1A of the Sarasota County Charter provides that there shall be five Commission Districts and Section 2.3 provides that any redistricting of the Commission Districts shall be approved at a duly-advertised public hearing; and

WHEREAS, on May 11, 2011, the Sarasota County Board of County Commissioners (the "Board") considered changes to Commission District boundaries proposed by the Administration, and authorized advertising a public hearing on a selected change in district boundaries; and

WHEREAS, pursuant to section 2.3 of the Sarasota County Charter, a duly advertised public hearing was held on June 7, 2011 and June 8, 2011 to consider proposed changes to the boundaries of the County Commission Districts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, in public meeting assembled, that:

Section 1. The boundaries of the County Commission Districts in Sarasota County are hereby changed as set forth in Exhibit "A" and Exhibit "B," attached hereto and made a part hereof.

Section 2. An accurate description of the new District boundaries shall be entered upon the minutes of the Board meeting and a certified copy thereof shall be published at least once per week for 2 consecutive weeks in the Sarasota Herald Tribune, a newspaper of general circulation published in Sarasota County, Florida, and proof of such publication shall be entered on the minutes of the Board.

Section 3. The Clerk to the Board shall furnish the Department of State of Florida with a certified copy of the minutes of this Board reflecting the description of the County Commission district boundaries as changed, in order that the Department of State may record a description of such boundaries in its office.

Section 4. The Clerk to the Board shall also furnish a copy of this Resolution to the Supervisor of Elections for Sarasota County.

Section 5. This Resolution supersedes and repeals all previous resolutions setting County Commission district boundaries, including but not limited to, Sarasota County Resolution No. 95-290.

Section 6. This Resolution shall take effect immediately upon its adoption.

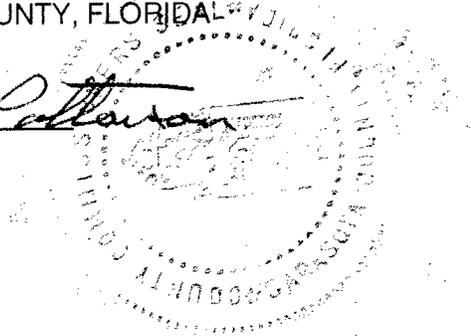
PASSED AND DULY ADOPTED this 8th day of June, 2011.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: *Nora Pallavan*
Chair

Chair
ATTEST: KAREN E. RUSHING, Clerk of
Circuit Court and Ex-officio Clerk to the
Board of County Commissioners of Sarasota
County Florida

By: *Karen E. Rushing*
Deputy Clerk



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a certified copy of the Minutes reflecting the description of the boundaries of the commission districts as changed by the Board of County Commissioners on the 8th day of June, 2011 was sent by U.S. Mail to: Florida Department of State, Division of Elections, 500 South Bronough Street, R.A. Grey Building, Tallahassee, Florida 32399-0250, this _____ day of _____, 2011.

Deputy Clerk

Sarasota County Commission Proposed Boundaries "EXHIBIT A"

Population Source: US Census 2010 Data

District 1		District 2		District 3		District 4		District 5	
VTD	Pop 2010	VTD	Pop 2010	VTD	Pop 2010	VTD	Pop 2010	VTD	Pop 2010
009	1691	007	3892	95	9109	014	2770	027	5875
015	845	069	4753	64	8156	043	2914	035	3422
019	9066	032	2941	75	5166	065	1859	062	449
066	5699	053	2860	106	742	042	2632	086	1416
016	3503	004	2241	93	966	001	2517	029	6542
074	3184	022	4098	28	166	008	2444	101	5307
040	1421	052	760	38	6359	082	6544	048	5056
017	1057	056	4366	37	9006	046	3874	023	2794
039	1670	006	1996	97	5421	018	5746	047	3923
067	3928	054	3858	92	2813	026	1240	077	3276
024	3176	105	3098	49	2038	031	1485	073	2756
104	3902	060	1167	63	2755	055	4373	084	3993
010	2131	011	4490	79	10119	003	2345	091	1120
044	3571	100	2028	78	3054	094	8272	013	3507
103	2874	083	2766	96	5330	041	1507	045	3009
088	7022	081	3175	102	771	089	4432	108	10885
070	2925	080	5986	034	4900	005	3042	050	2745
068	1608	021	2235			071	4043	51	2816
110	862	012	1882			030	1949	90	2163
002	4037	099	2277			076	3750		
				033: South of Laurel Rd. East	451		033: North of Laurel Rd. East	1385	
020	5054	098	4605			087: North of Preymore St.	2577	87: South of Preymore St.	1666
						025: North of Blackburn Point Rd.	1505	025: South of Blackburn Point Rd.	4540
036	5338	059	3801			85: North of Blackburn Point Rd.	115	085: South of Blackburn Point Rd.	477
		058	2564						
057	1342	061	3324						
	75,906		75,163		77,322		73,320		77,737

	Population	% Deviation		Numerical Deviation
1	75,906	0.02%	above	16
2	75,163	0.96%	below	727
3	77,322	1.89%	above	1,432
4	73,320	3.39%	below	2570
5	77,737	2.43%	above	1,847
	379,448			

Optimum:
75,890

Countywide: **379,488**

R2011-085

Exhibit "B"

