

**ACTION AGENDA  
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

**INVOCATION**

**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

**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.

**APPROVED**

**1. COMMUNITY SERVICES**

To approve a Contract, 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.

**APPROVED**

**2. EMERGENCY SERVICES**

To approve a Contract, 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.

**ADOPTED**

**3. ENVIRONMENTAL SERVICES**

To adopt a Resolution to amend the tipping fee for construction and demolition debris and recycling at the Central County Landfill.

**APPROVED****REQUESTED A VIDEO/PRESENTATION AT BUDGET WORKSHOPS OR EARLIER IN PROJECT DESIGN STAGES****REQUESTED TO REFER ITEMS TO THE PUBLIC/PRIVATE COMMITTEE FOR REVIEW AND RECOMMENDATIONS ON PROJECTS****4. ENVIRONMENTAL SERVICES**

To approve a Contract, 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.

**AUTHORIZED ADVERTISING****5. ENVIRONMENTAL SERVICES**

To authorize 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).

**APPROVED/ADOPTED****6. ENVIRONMENTAL SERVICES**

- A.** To approve a Contract, 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.** To adopt a Resolution, Budget Amendment No. B2007-011, appropriating the additional funding from the FDEP award.

**APPROVED****7. ENVIRONMENTAL SERVICES**

To approve a Contract, 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.

**APPROVED****8. ENVIRONMENTAL SERVICES**

To approve a Contract, 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.

**ADOPTED****9. FINANCIAL PLANNING**

To adopt a Resolution 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.

**AUTHORIZED****10. FINANCIAL PLANNING**

To authorize the disposal of vehicles and off-road equipment.

**APPOINTMENT MADE****11. HEALTH AND HUMAN SERVICES**

To appoint 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.

**AUTHORIZED READVERTISEMENT****12. PLANNING AND DEVELOPMENT SERVICES**

To appoint Drew Smith to serve a two-year term on the Development Services Advisory Committee, as the Environmental/Planning Representative, effective through December 2008.

**APPROVED/AUTHORIZED****13. PLANNING AND DEVELOPMENT SERVICES**

- A.** To approve a Contract, 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;
- B.** To authorize 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.

**APPROVED****14. PUBLIC WORKS**

To approve a Contract, 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.

**ADOPTED****15. PUBLIC WORKS**

To adopt a Resolution, 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.

**ADOPTED/APPROVED****16. PUBLIC WORKS**

- A.** To adopt a Resolution, 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.** To approve a Contract, amending Contract No. 2006-370, with FDOT for roadside mowing maintenance on State roads within the County with an annual reimbursement, in the amount of \$291,986.24 per year.

**APPROVED****17. PUBLIC WORKS**

To approve a Release of Easement and accept 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.

<b>RATIFIED/APPROVED</b>
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**18. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER**

To ratify and approve 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.

<b>APPROVED</b>
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**19. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER**

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

**DISCUSSION SECTION:**

<b>APPOINTMENTS (TWO) MADE</b>
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**20. HEALTH AND HUMAN SERVICES**

To consider the appointment of one individual to fill an unexpired four-year term on the Community Action Agency Board, as the Business, Industry, Labor, Religious, Welfare, Education, or Other Major Group/Interest in the Community Representative, effective through April 2009.

<b>APPOINTMENTS MADE</b>
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**21. PUBLIC WORKS**

To consider the following appointments to the Bicycle, Pedestrian, and Trails Advisory Committee (BPTC):

- 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.

**REQUESTED A COPY OF THE BZA'S RULES OF PROCEDURE****REQUESTED AN E-MAIL ON THE TYPES OF VARIANCE PETITIONS COMING BEFORE THE BZA****REQUESTED RECOMMENDATIONS ON REQUIRED SKILLS/EXPERIENCE FOR APPLICANTS, AND A DIFFERENT TYPE OF APPLICATION****REQUESTED AN APPEAL PROCESS TO THE BOARD OF COUNTY COMMISSIONERS VERSUS THE CIRCUIT COURT****REQUESTED TO RESEND THE REPORT ON ALTERNATIVES TO THE BZA/PROCESS****REQUESTED TO PROVIDE COPIES OF THE BZA REPORT TO THE BOARD****22. PLANNING AND DEVELOPMENT SERVICES**

Presentation of the Board of Zoning Appeals (BZA) Annual Report.

**REQUESTED AN UPDATE ON THE STATUS OF THE FIRST GROUNDBREAKING/PROJECT****REQUESTED RECOMMENDATIONS FOR RESTORATION OF STATE FUNDS AND TO INCREASE STAFF****REQUESTED TO REVIEW WCIND FUNDS FOR THE FEASIBILITY STUDY****23. ENVIRONMENTAL SERVICES**

Presentation of the Waterways Advisory Council (WAC) Annual Report.

**APPOINTMENTS MADE****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.

**APPROVED 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**

**REQUESTED A COPY OF THE POWERPOINT PRESENTATION VIA E-MAIL**

**25. ENVIRONMENTAL SERVICES**

Presentation on the Backflow Prevention Program.

**ADOPTED****26. FINANCIAL PLANNING**

To adopt a Resolution, 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.

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

- A. Filed for Record List.

**NO ACTION****28. COUNTY ADMINISTRATOR'S REPORT****APPROVED THE SETTLEMENT AGREEMENT****29. COUNTY ATTORNEY'S REPORT**

**REQUESTED A REPORT ON BEE RIDGE ROAD/FRUITVILLE ROAD/PINE STREET FOR THE TRANSPORTATION WORKSHOP**

**REQUESTED A FUTURE BOARD DISCUSSION TO REVIEW/ADOPT INTERGRATED PEST MANAGEMENT (IPM) POLICIES**

**REQUESTED A REVIEW OF STATE STATUTES RELATIVE TO OFF SITE IMPACTS ON POTENTIAL SCHOOL DESIGN AND HISTORIAL EVALUATIONS**

**AUTHORIZED CORRESPONDENCE BE SENT TO THE STATE LEGISLATURE PREVENTING THE SALE/PURCHASE OF THE AUTOMATIC MISTING SYSTEMS**

**REQUESTED TO REVIEW/OUTLINE PROVISIONS IN THE ZONING ORDINANCE RELATIVE TO CHAIN LINK FENCES AROUND ELECTRIC BOXES VISIBLE FROM THE ROAD**

**APPROVED TRAVEL EXPENSES FOR ANY COMMISSIONER ATTENDING THE CLIMATE CHANGE CONFERENCE IN MAY 2007**

**REQUESTED A RESPONSE LETTER BE SENT TO THE CITIZENS REGARDING THE VENICE BY-PASS**  
**APPROVED A FEASIBILITY STUDY ON THE ELSIE QUIRK LIBRARY**  
**REQUESTED A REVIEW OF FUNDING/IN-KIND ASSISTANCE FOR THE ENGLEWOOD SKATE PARK**  
**REQUESTED A FUTURE BOARD DISCUSSION ON RIGHT-OF-WAY ACQUISITIONS AND DEVELOPMENT RIGHTS**  
**APPROVED THE REMOVAL OF THE CHANNEL SPAN FROM DONA BAY/ROBERTS BAY TRESTLES**  
**REQUESTED TO MONITOR PHOSPATE IN THE MYAKKA RIVER BASIN, PROVIDE A PERIODIC UPDATE ON PHOSPATE MINING, AND REVIEW THE QUALITY WATER STANDARDS IN COMPLIANCE WITH THE MYAKKA RIVER PROTECTION ZONE ORDINANCE**  
**APPROVED THE REVIEW OF ON IMPACTS TO FAMILY ESTABLISHMENTS RELATIVE TO THE PROPOSED ORDINANCE PROHIBITING MINORS FROM ENTERING ESTABLISHMENTS THAT SERVE ALCOHOLIC BEVERAGES**  
**APPROVED THE REQUEST FOR ADMINISTRATION TO REVIEW/DRAFT AN INTERLOCAL AGREEMENT WITH THE CITY OF SARASOTA REGARDING ENFORCEMENT PATROL AUTHORITY OVER THE LOCKLEAR PARK**  
**APPROVED THE REQUEST TO REVIEW/COORDINATE A LOCATION FOR THE DESIGN AND PLACEMENT OF BENCHES FOR THE BEAUTY AND THE BENCH PROGRAM**

**30. COMMISSION AND COMMITTEE REPORTS**

**REQUESTED TO DELETE ITEM 5**

**31. ADMINISTRATION**  
Outstanding Board assignments.

**NO ACTION**

**32. ADMINISTRATION**  
Review of Board Meeting Schedule.

**1:30 p.m.**

**NO ACTION**

**33. 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 - Continued**

**AUTHORIZED ADVERTISING**

**34. PLANNING AND DEVELOPMENT SERVICES**  
To consider authorization to advertise a public hearing to consider a proposed Ordinance, amending Ordinance 2001-082, providing for an update to the County/City of Sarasota Enterprise Zone and Enterprise Zone Development Agency (EZDA) to conform with new State Legislation.

<b>ADOPTED AS AMENDED</b>
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**35. PUBLIC WORKS**

To consider a proposed Resolution, adopting the Master Trails Plan, and initiating the development of a Countywide Trail System which connects the Regional and Statewide Trail System.

<b>AUTHORIZED ADVERTISING</b>
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<b>APPROVED OPTION 2, TO PROCEED WITH LANGUAGE FOR CREATING A NEW NATURAL RESOURCES SECTION</b>
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<b>REQUESTED TO SIMPLIFY/CLARIFY THE LANGUAGE RELATIVE TO THE CONCEPTUAL PERMITS</b>
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<b>APPROVED OPTION 2, TO PROCEED WITH LANGUAGE RECONFIGURING THE DIFFERENT PERMIT TYPES</b>
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<b>APPROVED OPTION 2, TO PROCEED WITH REVISED AGRICULTURAL EXEMPTION LANGUAGE, AMENDING THE SIX MONTH STANDARD TO A THREE YEAR STANDARD</b>
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<b>APPROVED OPTION 2, TO PROCEED WITH LANGUAGE FOR OVERLAPPING ADMINISTRATION</b>
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**36. ENVIRONMENTAL SERVICES**

To consider 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 Appraisal Review (EAR) process.

<b>AUTHORIZED ADVERTISING</b>
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**37. PLANNING AND DEVELOPMENT SERVICES**

To consider 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.

**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.**

<b>ADOPTED AS AMENDED</b>
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**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.** 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.

**ADOPTED**

**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.)

**ADOPTED**

**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.

**NO ACTION**

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