

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

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

9:00 a.m.

David R. Mills, Chair, District 2
Nora Patterson, Vice Chair, District 4
Paul H. Mercier, District 1
Shannon Staub, District 3
Jon Thaxton, District 5

Also present were:

James Ley, County Administrator
Susan Scott, Deputy County Administrator
David Bullock, Deputy County Administrator
Gail Shell Miller, Chief Financial Planning Officer
Kathleen Schneider, Deputy County Attorney
Leah Von Leu, Deputy Clerk
Claudia Goodson, Deputy Clerk

INVOCATION

Pastor Jeff Weaver, The Tabernacle

PLEDGE OF ALLEGIANCE

Commissioner Patterson

PROCLAMATIONS:

Easter Seals "Walk With Me Day" - May 6, 2006
DARE (Drug Abuse Resistance Education) Day - April 26, 2006
Special Recognition - Johnny Young Day - April 26, 2006
Early Childhood Mental Health Awareness Day - May 8, 2006

12. OTHER BUSINESS

A. PROCLAMATIONS

Commr. Staub commented on April 26, 2006, as Administrative Professionals Day, and recognized and commended Administrative Staff for their efforts.

B. LEGISLATION

County Administrator James Ley submitted a copy of the 2006 Legislative Session Update and introduced Intergovernmental Relations Manager Marsha Hosack, who, via teleconferencing from Tallahassee, presented the Legislative update and discussed Bills of concern. Discussion ensued with Ms. Hosack and Lobbyist Cari Roth, also via teleconferencing from Tallahassee, on the following topics/issues:

- Emergency Shelter Bill
- Baker Amendment to the County Charter Preemption
- typographical error/Sadowski Fund rather than "Shadows" fund under the Impact Fee Legislation section
- phosphate mines/DRI/definition as to what defines an expansion and what threshold to pass before amending

12. OTHER BUSINESS – Continued

B. LEGISLATION - Continued

- Community Workforce Housing Innovation Program/housing assistance/definition of essential personnel/public employees/other provisions
- Medicaid Managed Care Program/pilot program for managed dental care/reimbursement/limited services
- status of the Florida Association of Counties (FAC) proposed Department of Juvenile Justice (DJJ) buyout.

Chair Mills commended Ms. Hosack on the Update.

(9:42:30)

1. RESOLUTIONS

Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-045, to amend the Fiscal Year (FY) 2006 Budget to incorporate various supplemental appropriations, revenue adjustments, grants, and transfers.

Having been duly sworn, Financial Planning Budget Management Analyst Robert Horn discussed Item 8(f) of Budget Amendment No. B2006-045 and summarized the proposal and submitted copies of the amended Resolution. Discussions were held with Mr. Horn and Planning and Development Services Permitting and Inspection Services General Manager Greg Yantorno, duly sworn, on the following topics/issues:

- Item 7(f)/increase for Operating Expenses
- County web site/availability to pull up a plan
- departments represented.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-102, as amended, approving Budget Amendment No. B2006-045. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(9:48:52)

2. RESOLUTIONS

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1625, a petition by John Rawson, Interplan, LLC, Agent, represented by Agent Michael Boo, Interplan, LLC, and Agent Rachel Coughran, Interplan, LLC, to allow a stormwater pond on 0.34 acres \pm located on the south side of Livingstone Street, west of U.S. 41 in a RSF-3 (Residential, Single Family, 4.5 dwelling units/acre) zone district. (Planning Commission recommended approval.)

Having been duly sworn, Planning and Development Services Senior Planner Kirk Crane summarized the proposal. Discussions were held with Mr. Crane, Planning and Development Services Principal Planner Crystal Allred, duly sworn, Public Works Stormwater Acting Engineering Services Manager Jon Kramer, duly sworn, and Public Works Mobility Engineering Section Supervisor Paula Wiggins, duly sworn, on the following topics/issues:

2. RESOLUTIONS - Continued

- convenience store/gas station/removal
- offstreet parking/driveway/use
- tree removal/site plan/buffer
- type of fence to be constructed around the pond/location of shrubs to fence
- options to amend Stipulations No. 1 and No. 3
Commr. Staub moved to amend Stipulation No. 3 to read as follows:
"The owner shall construct a six-foot high, black picket aluminum fence along the stormwater bank perimeter with the landscaping on the exterior of the fence." The motion was seconded by Commr. Thaxton. Following discussion regarding the height and a request for the fence to be lowered on the west side, Staff advised they would research and provide information on the Code requirements.
- location of trees on the exterior of the fence
- stormwater pond/use for more than one development/location within the flood plain
Commr. Staub moved to amend Stipulation No. 1 for the Development Concept Plan to reflect the date stamp of April 10, 2006. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.
- transportation/condition of Livingston Street/no drainage/sidewalks/setbacks/room for stripes on the roadway/number of trips to the stormwater facility site.

Following comments by Ms. Allred on the specifics regarding height requirements, Commr. Patterson moved to amend the height of the fence to four feet, or as high as government regulation requirements allow. The motion, seconded by Commr. Staub, carried by a 5-0 vote. Following comments, the main motion carried by a 5-0 vote.

Agent Rachel Coughran, duly sworn, commented on the proposed plan, and discussed the pond's water table, existing landscape, metal versus tile roofing, and the architectural plan.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Thaxton moved to adopt Resolution No. 2006-103 approving Special Exception Petition No. 1625, with Stipulations No. 1 and No. 3, as amended. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

(10:13:11)

3. RESOLUTIONS

Public hearing to consider a proposed Resolution, Coastal Setback Variance Petition No. 79-03-05-367, a petition by Ann Casto, represented by Attorney William Merrill, Agent, to construct a new swimming pool and paver pool deck. All proposed construction will be a maximum of 48.1 feet seaward of the Gulf Beach Setback Line at the property located at 1211 Casey Key Road, Nokomis.

Having been duly sworn, Environmental Services Environmental Specialist II Rachel Herman presented an overview and submitted copies of correspondence received on the Petition. Discussion ensued on the clarification of the deck area, location of the pool, and intended use of the concrete wall.

3. RESOLUTIONS - Continued

Attorney William Merrill, duly sworn, commented on the proposed Resolution and submitted copies of photographs of the property. Discussions were held on the following topics/issues:

- photograph of properties to the north and south/swimming pools
- location of wading basin/alignment to the house
- prior variance authorized for the same property/wood deck/concrete patio slab/spa
- location of neighbors opposed to the proposal
- seawall/potential problems/length of the concrete wall
- request for copies of the photographs, without objection.

Ms. Constance Davis, duly sworn, commented on the proposed Resolution.

Upon inquiry, Ms. Herman discussed the approval requirements for Coastal Setback Variances regarding stand alone swimming pools and County Administrator James Ley advised that revisions to the Coastal Setback Code will be brought back before the Board at a later time. Further discussion ensued regarding outstanding requests pending with individual consideration for review of each request based on its own merit versus precedence setting.

Attorney Merrill commented on the correspondence received, the concern regarding the impact on the vegetation and habitat areas, and precedence set by the Board.

Commr. Thaxton moved to close the public hearing. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-104, approving Coastal Setback Variance Petition No. 79-03-05-367. The motion was seconded by Commr. Patterson. Following discussion, the motion carried by a 4-1 vote, with Commr. Thaxton voting "No."

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

4. PUBLIC WORKS

The Board considered the status of the mobility projects within the current Five-Year Capital Improvement Program (CIP).

Following comments by Public Works Road Program Manager Gary Downing, discussions were held with Public Works Mobility Engineering Section Supervisor Paula Wiggins (copy of presentation submitted), Public Works Road and Bridge Engineering Section Supervisor Thai Tran, Public Works Mobility Road Design Section Manager Ha Kurz, and Public Works Executive Director Jim Harriott and Mr. Downing on the following topics/issues:

- review of future sidewalk project(s)/request to put sidewalk projects on the front end, without objection/Midnight Pass sidewalk project/sidewalk at Wilkinson Road/short segment on Ashton Road
- intersections under construction at University Parkway and Tuttle Avenue
- U.S. 41 and Annex Road/completion of turn lane/positive citizen feedback
- Bee Ridge Road/Swift Road Intersection Project/extending the turn lane/future monitoring and identification of turn-lane problems regarding capacity

4. PUBLIC WORKS – Continued

- status of easements/funding/street lighting easements/valve pits for the sewer/time frame for completion
- Siesta Key Village Beautification Neighborhood Project/underground utilities/time frame from breaking ground to completion date
- commendation regarding completion of Siesta Key Bridge Replacement Project/Albee Road Bridge/complaints/request for Staff to mitigate issue of excessive dust, without objection
- Venice Avenue Bridge/classified finish
- Pine Street Project/status of permits/time frame for construction advertisement/bidding/preparation of contract/date of completion
- time frame for completion of the Dearborn Street Project
- Bahia Vista Street Project/confirmation of One-Cent Sales Surtax/coordination of the Pinecraft Area Project and the Bahia Vista Street Project
- time frame for the Verna Road Project construction/completion
- cost of Coburn Road to Debrecen Road Project
- transfer of funds/Fruitville Road FDOT(Florida Department of Transportation) to Dearborn Street Project
- Honore Avenue Project from Bee Ridge Road to Fruitville Road/status/FDOT/funding/time frame/number of lanes
- cost increase/Interstate 75 (I-75) construction
- application presented to MPO (Metropolitan Planning Organization)/Honore Avenue Project/funds from the Legislature
- status of the Pinebrook Road construction/poles
- status of the Border Road Project
- Jacaranda Boulevard and Center Road Project/intersection/time frame for construction
- request for Staff to send notice to Gondola Drive and Indian Hills Boulevard residents regarding construction and impact on neighboring streets, without objection
- active construction costs/funds expended/request for Staff to provide numbers via e-mail, without objection
- time frame for north/south route/Honore Avenue/Pinebrook Road/right-of-way construction/annexation/use of impact fees
- use of Albee Farm Road to bypass construction
- status of ramps at interchanges/I-75/review by FDOT
- status of trestles
- Blackburn Point Road Project status/a right-hand turning lane/correction of problems with dual line markings.

Vice Chair Patterson commended Staff on their presentation and Commr. Thaxton commended Staff on the quality and format of the presentation and requested that it be used for the bi-annual and quarterly meetings, without objection.

RECESS: 12:03 p.m. - 1:30 p.m.

5. OPEN TO THE PUBLIC

A. RESOLUTIONS

The following individuals commented on a proposal to allow a cardroom at the Sarasota Kennel Club:

Mr. Tom Dansen
Attorney Craig Colburn, representing the Sarasota Kennel Club
Mr. Ted Bogusz

See Item 11 later this meeting.

(1:45:29)

6. RESOLUTIONS/CONTRACTS

A. Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-046, to amend the Fiscal Year (FY) 2006 Budget to increase the appropriation for Tourist Development promotion by \$355,500.00;

B. (Not a public hearing.) To consider approval of a Contract, Amendment No. 1 to Contract No. 2005-492, with the Sarasota Convention and Visitors Bureau (SCVB), in the amount of \$355,500.00.

Having been duly sworn, Financial Planning Budget Management Analyst Doreen Buonpastore reviewed and submitted a copy of a document entitled "Tourist Development Advertising/Promotion Fund 189, 1998-2006," summarized the proposal to allocate additional funds to the SCVB for the administration of the County's Tourist Development Program, and advised of an unanticipated increase in Tourist Development tax revenues.

Discussions were held with County Administrator James Ley on the availability of surplus funds, budget process, and funding dedicated to advertising programs.

SCVB Executive Director Virginia Haley, duly sworn, commented on the proposal.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Mercier, carried without objection.

Commr. Patterson moved to approve Contract No. 2006-300, Amendment No. 1 to Contract No. 2005-492, with the SCVB, in the amount of \$355,500.00. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

Commr. Patterson moved to adopt Resolution No. 2006-105, approving Budget Amendment No. B2006-046, to amend the FY 2006 Budget to increase the appropriation for Tourist Development promotion in the amount of \$355,500.00. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

(1:50:21)

7. COMMUNITY SERVICES

Public hearing to consider approval of naming the park site located at 6100 Honore Avenue, Sarasota, as the "Honore Trail Park."

Having been duly sworn, Community Services Parks and Recreation General Manager John McCarthy summarized the proposal to name the County Park located at 6100 Honore Avenue, Sarasota, as the "Honore Trail Park" and noted Staff's and the Name Selection Committee's recommendation for approval.

7. COMMUNITY SERVICES - Continued

Following comments, Commr. Patterson requested that Staff provide a list of suggested names submitted for park sites in future Staff reports, without objection.

Commr. Mercier moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried without objection.

Commr. Mercier moved to approve the naming of the County Park located at 6100 Honore Avenue, Sarasota, as the "Honore Trail Park." The motion was seconded by Commr. Patterson. Following comments, the motion carried by a 5-0 vote.

(1:54:17)

8. COMMUNITY SERVICES

Public hearing to consider approval of naming the park site located at 407 Faun Road, Venice, as the "Skip Stasko Park."

Having been duly sworn, Community Services Parks and Recreation Manager Shelia Roberson summarized the proposal to name the County Park located at 407 Faun Road, Venice, as the "Skip Stasko Park" and noted Staff's and the Name Selection Committee's recommendation for approval.

Mr. Thomas Estes, duly sworn, commented on the proposal and submitted a copy of his presentation.

Chair Mills acknowledged members of Skip Stasko's family present.

Commr. Staub read and submitted a copy of correspondence from Sheriff's Office Lieutenant John Kost regarding the proposal.

Commr. Thaxton moved to close the public hearing. The motion, seconded by Commr. Staub, carried without objection.

Commr. Thaxton moved to approve the naming of the County Park located at 407 Faun Road, Venice, as the "Skip Stasko Park." The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Commr. Thaxton presented a plaque to members of Skip Stasko's family in memory and recognition of Mr. Stasko's service to the County.

(2:05:52)

11. RESOLUTIONS

The Board considered a proposed Resolution to allow a Poker Room at the Sarasota Kennel Club.

Following comments by Chair Mills, Deputy County Attorney Kathleen Schneider commented on the Sarasota City Commission's request for Board ratification of the City Commission's support/authorization of a poker/cardroom at the Sarasota Kennel Club.

Commr. Staub moved to adopt Resolution No. 2006-106 to allow a Poker Room at the Sarasota Kennel Club. The motion was seconded by Commr. Mercier. Following comments by Commr. Patterson, Deputy County Attorney Schneider proffered the following revisions to the last line of the last paragraph of the proposed Resolution (additions shown as underlined text/deletions shown as ~~strikethrough~~ text):

11. RESOLUTIONS - Continued

. . . ~~“a license and to conduct all activities authorized by to operate a cardroom at its current facility as that term is defined in Section 849.086, Florida Statutes on the date hereof.”~~

Chair Mills noted no objection to amend the motion to include the language proffered by Deputy County Attorney Schneider. Following comments, the main motion, as amended, carried by a 5-0 vote.

(2:15:10)

10. PLANNING AND DEVELOPMENT SERVICES

Public Works Business Operations General Manager Larry Arnold submitted a copy of Staff's PowerPoint presentation and gave an overview of the Community Housing Inclusionary Program (CHIP) Work Group update, including recommendations for a Community and Affordable Housing Development Program.

Discussions were held with Mr. Arnold on the following topics/issues:

- building height/setback recommendations
- creation of an Affordable Housing Ombudsman position
- cost of homes located east of Interstate 75 (I-75)
- concurrency options
- real estate sales/average sale price of houses in the area
- density options/incentives/bonuses
- funds allocated to affordable housing studies.

Following comments, Commr. Thaxton moved to direct Staff to prepare and present a draft Ordinance addressing the development options and requirements of a Community and Affordable Housing Program based upon adopted Comprehensive Plan Policies. The motion was seconded by Commr. Staub. Following comments, the motion carried by a 5-0 vote.

RECESS: 2:44 p.m. - 2:59 p.m.**12. OTHER BUSINESS - Continued****C. FEDERAL AGENCIES/PERMITS/ORGANIZATIONS**

Following comments by Commr. Staub, Deputy County Administrator David Bullock reviewed and submitted a copy of proposed correspondence for submittal to the U.S. Army Corp of Engineers regarding an Ona phosphate mine permit application. Commr. Staub moved to send correspondence, signed by the Chair, to the U.S. Army Corp of Engineers requesting a 90-day extension and a public hearing regarding a permit application by Mosaic Fertilizer, LLC. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

(3:01:25)

9. ORDINANCES

Public hearing continued from April 11 and April 12, 2006, to consider proposed Ordinance No. 2006-029, the Evaluation and Appraisal Report (EAR) based Comprehensive Plan Amendments, and to receive public comments relating to EAR changes.

9. ORDINANCES - Continued

Following comments by Chair Mills and discussion on consideration of public testimony, School Board Long Range Planning Director Ken Marsh, duly sworn, commented on the proposed Ordinance. Planning and Development Services Principal Planner Brian Beatty, duly sworn, commented on the School Board's request to reinstate the Rural Land Designation in Chapter 9, Future Land Use, Policy 3.5.3., relative to school sitings.

Discussions were held with Mr. Beatty, Planning and Development Services Principal Planner Crystal Allred, duly sworn, and Mr. Marsh on the following topics/issues:

- location of schools in relation to future developments
- school locations in rural areas in conjunction with Village development
- acreage needed for high schools
- proposed location of schools in relation to the countryside line.

Commr. Mercier moved to allow middle and high school site locations west of the countryside line. The motion was seconded by Commr. Thaxton. Following comments, the motion failed by a 2-3 vote, with Commrs. Thaxton, Patterson, and Staub voting "No."

(3:26:01)

Discussion ensued with Mr. Marsh and Attorney Alan Roddy, duly sworn, on the following topics/issues:

- proposed locations for future middle and high schools
- Government versus Rural Land Use Designations
- urban uses in rural areas
- school location in the Clark Road Corridor area
- Interlocal Agreement with the School Board regarding school site planning/coordination efforts with County Staff.

Commr. Staub moved to reinstate the Rural Land Designation in Chapter 9, Future Land Use, Policy 3.5.3. The motion was seconded by Chair Mills. Following comments, the motion failed by a 2-3 vote, with Commrs. Patterson, Thaxton, and Mercier voting "No."

Commr. Patterson moved that schools be allowed in Villages and to direct Staff to revise Sarasota 2050 Resource Management Area (RMA) to be more flexible to allow schools in Village areas. The motion died for lack of second.

Commr. Thaxton moved to allow middle and high schools to be built west of the countryside line, excluding the greenway areas. The motion was seconded by Commr. Patterson. Following comments by Planning and Development Services Principal Planner Matthew Lewis, duly sworn, on the school siting process relative to the countryside line, the motion carried by a 5-0 vote.

(3:38:25)

Following comments by Mr. Beatty, Commr. Staub moved to direct Staff to incorporate the proposed language (printed in red) on page 5-53 of the EAR document regarding the relationship between Sarasota 2050 RMA and school sitings in the support material. The motion, seconded by Commr. Patterson, carried by a 5-0 vote.

9. ORDINANCES - Continued

Following comments by Mr. Beatty, Commr. Staub moved to incorporate the proposed language relative to middle and high school sitings and Sarasota 2050 RMA in Chapter 5, Public Buildings and Related Facilities, page 5-85. The motion was seconded by Commr. Thaxton. Following comments, the motion carried by a 5-0 vote.

(3:43:34)

Mr. Beatty reviewed the proposed revisions relative to the Affordable Housing Overlay District on pages 3 and 4 of Staff's report. Following consensus to delete the bullet/realign the last paragraph on page 4, Commr. Staub moved to approve the following language in Chapter 9, Future Land Use, Policy 3.1.8. (additions shown as underlined text):

At least 50 percent of the housing units shall meet the definition of Affordable Housing where no less than 1/3 of these affordable housing units are affordable to households with incomes of 80% of Area Median Income (AMI) or less, as calibrated for family size, 1/3 of these affordable housing units are affordable for households with incomes at 100% of AMI or less and 1/3 of these affordable housing units are affordable to households with incomes of 120% of AMI or less.

The motion was seconded by Commr. Patterson.

Following comments on affordable housing unit residency requirements, Commr. Patterson moved to add the following language in Policy 3.1.8., first bullet:

The properties must be owner-occupied for a least five years from the closing date of purchase and if sold within the five year period, the buyers must meet the same AMI guidelines as the purchaser as determined by the Community Housing Trust or the Office of Housing and Community Development Services.

The motion was seconded by Commr. Staub.

Following discussion with Mr. Beatty and Mr. Robert Medred, duly sworn, on the application to the 60 percent of the housing units and the maximum/minimum number of affordable housing units, Commr. Thaxton moved to amend the motion to revise the words "five years" to the words "ten years" in Policy 3.1.8., first bullet. The motion was seconded by Commr. Staub. Following comments, the motion carried by a 3-2 vote, with Commrs. Mercier and Thaxton voting "No."

The main motion, as amended, carried by a 3-2 vote, with Commrs. Mercier and Thaxton voting "No."

Following comments on the prior motion made by Commr. Staub, the motion to approve the language in Chapter 9, Future Land Use, Policy 3.1.8., as amended, carried by a 4-1 vote, with Commr. Thaxton voting "No."

(3:58:45)

Subsequent to comments by Mr. Beatty regarding the deletion of the words "Light Office" in Policy 3.1.9., bullet eight, and revisions to Chapter 9, Future Land Use, Policy 3.3.5., Chair Mills noted prior Board direction to address the future Light Office Land Designations as applicable throughout the document.

9. ORDINANCES - Continued

Following comments, Commr. Thaxton requested to revise his vote and that the record reflect that the Board unanimously approved the language revisions, with amendments, to Chapter 9, Future Land Use, Policy 3.1.8., without objection.

(4:00:36)

Mr. Beatty reviewed the proposed language relative to Smart Growth Principles and neighborhood-based mobility on page 5 of Staff's report. Commr. Patterson moved to approve the additional language to Chapter 9, Future Land Use, Policy 4.1.3., as recommended by Staff. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Following comments by Mr. Beatty and Ms. Allred on proposed revisions on pages 8 and 9 of Staff's report relative to vehicular access onto arterial and collector roadways, Commr. Patterson moved Staff's recommendation to delete Policy 3.1.15. and to approve the revisions to Policy 1.3.10., in Chapter 6, Transportation. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Subsequent to comments by Mr. Beatty and Ms. Allred on proposed revisions on page 9 of Staff's report relative to Commercial Corridors, Commr. Thaxton moved to revise the word "finite" to the word "specific" in the second paragraph of the supporting text related to Commercial Corridors in Chapter 9, Future Land Use, page 9-51. The motion, seconded by Commr. Patterson, carried by a 5-0 vote.

(4:08:32)

Following discussion with Mr. Beatty and Ms. Allred regarding local roads within non-residential areas and land use restrictions, Commr. Patterson moved to revise Chapter 9, Land Use, Policy 1.2.2., as follows (additions shown as underlined text/deletions shown as ~~strikethrough~~ text):

In established residential areas, ~~non-residential~~ land uses shall be discouraged if traffic is generated on local streets ~~in residential areas~~ in amounts that would adversely affect traffic flow, traffic control, and public safety, ~~and the impacts cannot be mitigated.~~

The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(4:14:05)

Following comments, Commr. Staub moved to revise Chapter 9, Future Land Use, Policy 3.4.4., as follows (additions shown as underlined text):

. . . Residential uses within MEC are intended to provide housing in proximity to employment. The primary land uses in a MEC shall be industry and office parks. The amount of land dedicated for commercial uses. . .

The motion, seconded by Commr. Thaxton, carried without objection.

Commr. Thaxton moved to revise Chapter 9, Future Land Use, Policy 3.4.4., as follows (additions shown as underlined text/deletions shown as ~~strikethrough~~ text):

. . . The amount of land dedicated for commercial uses, which ~~are~~ shall be accessory and incidental to the primary uses . . .

The motion, seconded by Commr. Patterson, carried by a 5-0 vote.

9. ORDINANCES - Continued

Commr. Staub requested that Staff review the EAR document prior to submittal to the Florida Department of Community Affairs (FDCA) to ensure that no policies would prohibit manufactured housing developments or redevelopments, without objection.

Following discussion with Deputy County Attorney Kathleen Schneider regarding density and the number of dwelling units per acre, Commr. Thaxton moved to revise Chapter 9, Future Land Use, Policy 3.1.1., without objection, as follows (additions shown as underlined text/deletions shown as ~~strikethrough~~ text):

Residential densities within the Urban Service Areas shall ~~generally be no greater than~~ be consistent with the following density ranges. . .

Following discussion with Ms. Allred and Public Works Business Operations General Manager Larry Arnold, duly sworn, regarding impacts of the proposed revision to other policies, Chair Mills noted no objection to the revisions to Policy 3.1.1., unless otherwise specifically exempted in other policies.

Upon inquiry by Commr. Thaxton, Environmental Services Resource Protection Manager Amy Meese, duly sworn, commented on the revisions in Chapter 2, Environment, Policy 4.5.1., relative to the preservation/conservation of native habitats.

Following an inquiry by Commr. Thaxton regarding Chapter 9, Future Land Use, page 9-90, Ms. Allred commented on prior Board direction to incorporate the qualifying time frame for affordable housing units within the regulation provisions.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried without objection.

Following comments, Commr. Staub moved to adopt Ordinance No. 2006-029, approving the EAR-based Comprehensive Plan Amendments, as amended this date and to authorize transmittal to FDCA for compliance review. The motion, seconded by Commr. Patterson, carried by a 5-0 vote. Upon inquiry, Mr. Beatty noted the time frame for transmittal and the effective date following FDCA review.

(4:30:18)

12. OTHER BUSINESS - Continued

**D. ORGANIZATIONS/MUNICIPALITIES/ADVISORY COUNCILS/LEGISLATION/
SUPERVISOR OF ELECTIONS/ COMMUNITY SERVICES/STATE AGENCIES/
PUBLIC WORKS**

Chair Mills commented on and discussions were held with Deputy County Administrator Susan Scott on the following topics/issues:

- status of the County's application to the 2006 All America City Program/County expenses/issues to be presented
- correspondence from City of North Port Commission Chairman Rue Berryman thanking Board members who attended the dedication ceremony of the new North Port City Hall
- recent Legislative approval relative to substation sitings/placement of billboards
- regional pet shelter for large animals/request to direct Staff to send correspondence, signed by the Chair, to David Dunn-Rankin requesting a written proposal for Board consideration on the matter, without objection

12. OTHER BUSINESS - Continued**D. ORGANIZATIONS/MUNICIPALITIES/ADVISORY COUNCILS/LEGISLATION/
SUPERVISOR OF ELECTIONS/ COMMUNITY SERVICES/STATE AGENCIES/
PUBLIC WORKS - Continued**

- certificate regarding a request by the Supervisor of Elections for matching funds for poll worker recruitment/training (See Item later this meeting.)
- submittal of a flier regarding the opening of the Trail and the Rails-to-Trails 5K and 1-Mile Fun Run on May 20, 2006, and benefit for the Child Protection Center
- opportunity for County involvement in the establishment of a Film Commissioner/resignation of the Sarasota Convention and Visitors Bureau's Film Commissioner/options relative to the location/jurisdiction of the County's Film Office/Tourist Development Council (TDC) creation of a Task Force to review the matter
Commr. Patterson moved to direct County Administration to appoint a Staff liaison to assist the TDC Task Force, as needed. The motion was seconded by Commr. Staub. Following comments on future interaction/meetings of the TDC Task Force and the Board with the State Film Commissioner, the motion carried by a 5-0 vote.
- Art in Public Places Program/new sculptures at the Robert L. Anderson Administration Center and the Animal Services Facility.

(4:44:53)

E. ORGANIZATIONS/ADVISORY BOARDS/ENVIRONMENTAL SERVICES

Commr. Patterson commented on and discussions were held with Deputy County Administrator Susan Scott on the following topics/issues:

- Tourist Development Council (TDC) and Tourism and Economic Development Board (TEDB) member attendance requirements/review of Ordinance representative requirements
- Early Learning Coalition funding/provider reimbursement rates
- request for Staff review of the advertisement regarding the vacancies on the Street Tree Advisory Board, without objection
- request for Staff review of new approaches/technology regarding beach renourishment/erosion control methods, without objection.

(4:50:06)

**F. ELECTIONS/PLANNING AND DEVELOPMENT SERVICES/COMMUNITY SERVICES/
STATE AGENCIES**

Commr. Staub commented on and discussions were held on the following topics/issues:

- suggestion to schedule an open meeting for a Staff briefing on County issues and to extend an invitation to County Commission candidates and Elected Officials, without objection
- request for Staff review of proposed Land Development Regulations (LDR) language in conjunction with the Evaluation and Appraisal Report (EAR) Ordinance relative to pre-clearing of lots without construction occurring, buffering/berms, and wildlife protection issues, without objection

12. OTHER BUSINESS - Continued

F. ELECTIONS/PLANNING AND DEVELOPMENT SERVICES/COMMUNITY SERVICES/ STATE AGENCIES - Continued

- Board vote on April 25, 2006, regarding the Englewood Community Redevelopment Area (CRA) height issues/request that Staff review mandatory basic architectural guidelines, without objection.
- request for Staff review of the driveways located at the Jacaranda Library as an example for future County standards, without objection
- County/City options regarding a Statute relative to an additional homestead exemption for persons 65 years of age or older living in an accessory unit.

(4:58:54)

G. ORGANIZATIONS/PLANNING AND DEVELOPMENT SERVICES

Commr. Mercier commented on and discussions were held on the following topics/issues:

- Manasota League of Cities meeting/consideration to hire a Lobbyist
- Turnpike meeting scheduled on May 18, 2006
- Southwest Florida Regional Planning Council (SWFRPC)/Sunshine Law violations relative to the Babcock Ranch/service on non-profit organizations
- consideration to establish a Local Area Planning Council composed of County and municipality Staff/request that Staff provide a report on the number of meetings held with area municipality Staff, without objection.

(5:04:07)

E. ORGANIZATIONS/ADVISORY BOARDS/ENVIRONMENTAL SERVICES/PUBLIC WORKS - Continued

Commr. Patterson commented on County Administrator James Ley's discussion during the April 25, 2006, Board meeting regarding revisions to the Transportation Commission to a Regional level. Individual comments followed on County participation/exemption from consideration.

(5:05:07)

H. PUBLIC WORKS/ORGANIZATIONS/AUDITS/PLANNING AND DEVELOPMENT SERVICES

Commr. Thaxton commented on and discussions were held with Deputy County Administrator Susan Scott on the following topics/issues:

- Fruitville Road Corridor/Interstate 75 (I-75) Sustainable Initiative report/request that Staff provide an update/progress report, without objection
- correspondence received by the Argus Foundation regarding a favorable audit report on the County's ability to process the County's Building Codes
- Bellagio Development on Blackburn Point Road/request that Staff review and provide a report, by e-mail, of inconsistencies of the development with the Land Development Regulations (LDR), without objection.

12. OTHER BUSINESS - Continued

**D. ORGANIZATIONS/MUNICIPALITIES/ADVISORY COUNCILS/LEGISLATION/
SUPERVISOR OF ELECTIONS/ COMMUNITY SERVICES/STATE AGENCIES/
PUBLIC WORKS** - Continued

Following comments by Deputy County Attorney Kathleen Schneider on State requirements regarding the 15 percent matching funds, Commr. Mercier moved to authorize the submittal of a certificate to the Supervisor of Elections, signed by the Chair, approving the matching funds for poll worker recruitment/training in the County for 2005-2006, in the amount of \$10,509.98. The motion, seconded by Commr. Thaxton, carried without objection. (See Item earlier this meeting.)

5. OPEN TO THE PUBLIC (Continued) - No one appeared at this time.

MEETING ADJOURNED: 5:15 p.m.