

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

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

Environmental Services Operations General Manager George MacFarlane

PLEDGE OF ALLEGIANCE

Commissioner Barbetta

PRESENTATION OF PROCLAMATIONS:

Early American History Month - Daughters of the American Revolution - May 2007
Early American History Month - Sons of the American Revolution - May 2007

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.

(9:13:20)

RATIFIED

1. ADMINISTRATION

To ratify the following previously issued Proclamations:

- A.** First Anniversary - University of Phoenix Sarasota - April 13, 2007;
- B.** Buck O'Neil Day - April 14, 2007;
- C.** Earth Day 2007 - April 22, 2007;
- D.** Cover the Uninsured Week - April 23 through April 29, 2007.

(9:13:20)

APPROVED/ADOPTED

2. ENVIRONMENTAL SERVICES

- A.** To approve a Contract, a Cooperative Funding Agreement, with the Southwest Florida Water Management District (SWFWMD) for the construction of the Siesta Heights-Matheny Creek Drainage Improvement Project, in the amount of \$425,000.00;
- B.** To adopt a Resolution, Budget Amendment No. B2007-041, amending the Fiscal Year (FY) 2007 Budget to appropriate SWFWMD funding for the Siesta Heights-Mathey Creek Drainage Improvement Project;
- C.** To approve a Contract, a Cooperative Funding Agreement, with the SWFWMD for the construction of the South Pelican Drive-Hudson Bayou Drainage Improvement Project, in the amount of \$200,000.00;
- D.** To adopt a Resolution, Budget Amendment No. B2007-042, amending the FY 2007 Budget to appropriate SWFWMD funding for the South Pelican Drive-Hudson Bayou Drainage Improvement Project.

(9:13:20)

ADOPTED

3. ENVIRONMENTAL SERVICES

To adopt a Resolution establishing the 2007 Price Index for franchise water and wastewater utilities.

(9:14:13)

ADOPTED

4. ENVIRONMENTAL SERVICES

To adopt a Resolution recognizing the public purpose in the acquisition of the assets of the Beekman Place Utility Corporation, pursuant to Florida Statute 125.3401.

(9:19:47)

ADOPTED

5. FINANCIAL PLANNING

To adopt a Resolution recommending Project No. 070401 for the Qualified Target Industry (QTI) Tax Refund Program and to commit local financial support of 20 percent to match the State's tax refund of 80 percent.

(9:22:50)

AUTHORIZED

6. FINANCIAL PLANNING

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

(9:13:20)

AUTHORIZED

7. FINANCIAL PLANNING

To authorize the conveyance of surplus property items to other governmental agencies, charitable organizations for auction and/or disposal.

(9:13:20)

APPROVED

8. FINANCIAL PLANNING

To approve payment to Allstate Insurance as subrogee of Jean Kelliher for full and final settlement of a subrogation claim, in the amount of \$6,999.99.

(9:24:02)

APPROVED

9. FINANCIAL PLANNING

To approve payment to Allstate Insurance as subrogee of Joan Domurat for full and final settlement of a subrogation claim, in the amount of \$5,608.67.

(9:13:20)

APPROVED

10. FINANCIAL PLANNING

To approve a Contract, amending the Tourist Development Fiscal Year 2007 Cultural/Arts Grant Agreement, for the Florida State University (FSU)/John and Mable Ringling Museum of Art - If You Haven't Been to the Ringling, You Haven't Been to Sarasota, as approved by the Board on July 12, 2006, approving the addition of a proposed Addendum requested by FSU.

(9:13:20)

REFERRED**11. FINANCIAL PLANNING**

To refer a conduit financing request by S.W. Retirement Center, Inc., d/b/a Village On the Isle, for refunding its existing Series 1993 A, C, and D bonds by issuing a combination of new fixed-rate and variable rate bonds to the County Health Facilities Authority and Industrial Development Revenue Bond Citizens Advisory Committee for review and recommendation, in an amount of not to exceed \$36,000,000.00.

(9:13:20)

REAPPOINTED**12. PLANNING AND DEVELOPMENT SERVICES**

To reappoint Judith Anne Johnson, George Dellos, Sandy Keith, and David Mitchell to serve three-year terms on the Osprey Revitalization Committee (ORC), effective through April 2010.

(9:28:03)

APPROVED**13. PUBLIC WORKS**

To approve a Contract, Amendment No. 1 to Contract No. 2007-221, with Oswald and Hazarene Henry for the purchase of a vacant lot to protect a significant archaeological site lying within the City of North Port, reducing the purchase price from \$50,000.00 to \$44,400.00.

(9:12:12)

DEFERRED**14. PUBLIC WORKS**

- A.** To approve a Contract, a Local Agency Program (LAP) Agreement, with the Florida Department of Transportation (FDOT) for the Alligator Creek Trail Phase I Project for the design and construction of 1.2 miles \pm of a 12-foot wide paved multi-purpose, non-motorized trail located along the south side of Alligator Creek between Jacaranda Boulevard and U.S. 41 South, in the amount of \$300,000.00;
- B.** To adopt a Resolution authorizing the execution of the LAP Agreement;
- C.** To adopt a Resolution, Budget Amendment No. B2007-029, amending the Fiscal Year (FY) 2007 Budget to appropriate the funding.

(9:13:20)

APPROVED**15. PUBLIC WORKS**

To approve a Contract, Amendment No. 1 to Contract No. 2006-343, with BMK Architects, Inc., for professional services for the design of the West Jail Sally Port and Booking Area Renovation Project, in the amount of \$50,062.50.

(9:13:20)

ADOPTED**16. PUBLIC WORKS**

To adopt a Resolution establishing a new process for Plat Vacation Petitions.

(9:13:20)

APPROVED

17. PUBLIC WORKS

- A. To approve a Contract, Amendment to Contract No. 2006-251, a Solar Energy Site Lease with PVONE, LLC, for the installation, construction, operation, and maintenance of a photovoltaic energy system under the Florida Power and Light (FPL) Company Sunshine Energy Program;
- B. To approve a Contract, Consent of Assignment Agreement with PVONE, LLC, to effectuate the assignment of the Solar Energy Site Lease from PVONE, LLC, to MMA FLA, LP.

(9:13:20)

RATIFIED/APPROVED

18. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To ratify and approve the warrants dated April 2 through April 13, 2007, in the amount of \$24,420,668.75, as detailed in the voucher packages filed in the Finance Department.

(9:13:20)

APPROVED

19. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To approve the Minutes of the meetings dated April 3, April 10, and April 11, 2007.

(9:28:37)

**SARASOTA COUNTY TRANSPORTATION AUTHORITY
CONSENT SECTION**

The Board of County Commissioners will convene as the Sarasota County Transportation Authority (SCTA) to consider the following item. All matters listed under the SCTA Consent Section are considered to be routine and will be enacted by one motion.

(9:34:02)

ADOPTED

20. PUBLIC WORKS

To adopt a Resolution authorizing the execution and submittal of a Grant Application to the U.S. Department of Transportation Federal Highway Administration for Intelligent Transportation Systems Operational Testing for Mitigation Congestion Project funding for Fiscal Year (FY) 2008 - FY 2010.

DISCUSSION SECTION

(9:35:05)

NO ACTION TAKEN

21. PLANNING AND DEVELOPMENT SERVICES

Presentation of the Englewood Area Planning Advisory Board (EAPAB) Annual Report by EAPAB Chairman Kreg Maheu.

(9:51:17)

APPOINTED

22. ENVIRONMENTAL SERVICES

To consider the appointments of three individuals to serve three-year terms on the Environmentally Sensitive Lands Oversight Committee (ESLOC), effective through April 2010, as follows:

- A. One individual to serve as the Citizen-At-Large Representative;
- B. One individual to serve as the Environmental Representative;
- C. One individual to serve as the Business/Development Representative.

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.

(10:00:38)

AMENDED AND CONTINUED THE PUBLIC HEARING TO JUNE 26, 2007

ADOPTED

AUTHORIZED A COMPREHENSIVE PLAN AMENDMENT TO THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP AND FUTURE LAND USE POLICY 3.2.3, IMPLEMENTING THE NOKOMIS CENTER REVITALIZATION PLAN AMENDMENT

23. PLANNING AND DEVELOPMENT SERVICES

- A. Public hearing to consider proposed Ordinance No. 2007-043, amending Ordinance No. 2001-008, the Nokomis Center Revitalization Plan (NCRP), revising Figure 1: The Future Land Use Map and Conditions for Development Approval, authorizing an amendment to the Comprehensive Plan's Future Land Use Map and Future Land Use Policy 3.2.3., implementing the NCRP Amendment, and authorizing an amendment to the Zoning Ordinance to allow the adopted Revitalization Plan to set the maximum density by right within the CG (Commercial General) and RMF-3/PUD (Residential, Multi-Family, 13 units/acre/Planned Unit Development) zone districts;
- B. (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-043 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption.)
- C. (Not a public hearing.) To consider a proposed Resolution renaming the Nokomis Center Revitalization Advisory Committee (NCRAC) to the Nokomis Revitalization Advisory Committee (NRAC), adding a Youth Representative, removing the prohibition of appointing elected officials, and changing the sunset date.

REPORTS SECTION

(11:59:26)

NOTED

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

- A. Filed for Record List.

(7:21:31)

DEFERRED TO APRIL 25, 2007

25. COUNTY ADMINISTRATOR'S REPORT

(7:21:31)

DEFERRED TO APRIL 25, 2007

26. COUNTY ATTORNEY'S REPORT

(7:21:31)

DEFERRED TO APRIL 25, 2007

27. COMMISSION AND COMMITTEE REPORTS

(7:21:31)

DEFERRED TO APRIL 25, 2007

28. ADMINISTRATION

Outstanding Board assignments.

(7:21:31)

DEFERRED TO APRIL 25, 2007

29. ADMINISTRATION

Review of Board Meeting Schedule.

1:30 p.m.

(1:34:08)

NO ACTION TAKEN

30. 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

(1:39:27)

AMENDED THE SCORING SYSTEM

REFERRED THE FUNDING REQUEST BY THE COMMUNITY HOUSING TRUST TO THE COUNTY ADMINISTRATOR REGARDING THE HATTON STREET AND LAUREL STREET AFFORDABLE HOUSING DEVELOPMENTS FOR REVIEW AND TO PROVIDE A DRAFT OF A LOAN AGREEMENT AND A REPORT ON THE COMPLETION TIME FRAME AND THE POTENTIAL REIMBURSEMENT OF FUNDS

31. PLANNING AND DEVELOPMENT SERVICES

To consider the process, matrix, and scoring system for proposals to the Community Housing Fund (CHF).

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.

(2:42:12)

ADOPTED, AS AMENDED

32. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider proposed Ordinance No. 2007-025, Rezone Petition No. 06-33, a petition by Brian Lichterman, Agent, to rezone 1.05 acres ± located west of Englewood Road and ¼ mile ± south of Shane Road, from RE-2 (Residential Estate, 1 unit/1 acre) to RMF-3 (Residential Multifamily, 13 units/1 acre) zone district. (No recommendation provided by the Planning Commission.)

(2:46:30)

ADOPTED, AMENDED

33. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider Ordinance No. 2007-026, Rezone Petition No. 06-34, a petition by Brian Lichterman, Agent, to rezone 3.06 acres ± located west of Englewood Road and ¼ mile ± south of Shane Road, from RE-2 (Residential Estate, 1 unit/1 acre) to RMF-3/PUD (Residential Multifamily, 13 units/1 acre/Planned Unit Development Overlay) zone district. (No recommendation provided by the Planning Commission.)

(6:35:57)

DENIED

34. PLANNING AND DEVELOPMENT SERVICES

Public hearing consider Ordinance No. 2007-004, Rezone Petition No. 06-06, a petition by Jeffery Boone, Agent, to rezone 10.8 acres ± located on the southside of Morningside Drive and 600 feet ± east of Pine Street, from OUE-1 (Open Use, Estate, 1 unit/5 acres) to RSF-1 (Residential, Single Family, 2.5 units/1 acre) zone district. (Planning Commission recommended denial.)

(7:21:44)

DIRECTED THE COUNTY ADMINISTRATOR TO PROVIDE A REPORT REGARDING THE LAND USE DESIGNATION OF PROPERTY LOCATED ON THE NORTHERN BOUNDARY OF THE STILLWATER SUBDIVISION

35. OTHER BUSINESS

(7:19:07)

NO ACTION TAKEN

36. OPEN TO THE PUBLIC (Three-minute time limit per person/per meeting, up to 30 minutes. Unheard speakers continued to end of meeting.)

5:01 p.m.

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.

(7:19:40)

NOTED THE SECOND PUBLIC HEARING ON MAY 9, 2007

37. PLANNING AND DEVELOPMENT SERVICES

First public hearing to consider proposed Ordinance No. 2007-047, Zoning Ordinance Amendment No. 22, amending Ordinance No. 2003-052, as amended, and codified in Appendix A of the County Code, creating Section 6.10.9., Reductions in front, side, and rear yards and front, side, and rear landscape buffers in the Commercial General (CG) zone district by Special Exception for mixed use projects which are part of a Development of Regional Impact (DRI). (Second public hearing scheduled on May 9, 2007.)