

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

**NORTH PORT CITY HALL CHAMBER
4970 CITY HALL BOULEVARD
NORTH PORT, 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

Also present were:

James Ley, County Administrator
Stephen DeMarsh, County Attorney
Karen E. Rushing, Clerk of the Circuit Court and County Comptroller
Latressa Preston, Deputy Clerk
Claudia Goodson, Deputy Clerk

INVOCATION

Environmental Services Environmental Specialist III Kelly Westover

PLEDGE OF ALLEGIANCE

Commissioner Barbetta

PRESENTATION OF PROCLAMATIONS:

National Clean Beaches Week - June 29 through July 5, 2007

CERTIFICATE OF APPRECIATION PRESENTATION:

Marylou Sasinowski-Hoffmann

SPECIAL RECOGNITION:

John Michael Zagrobelny

CONSENT SECTION:

9:20:28 Board Action: Approved Items 1-27, with separate discussions on Items 5, 9, 12, 15, and 17, and deferred Item 2, as follows. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

1. COMMUNITY SERVICES

Approved Contract No. 2007-367, Amendment No. 1 to Contract No. 2005-469, a Historic Preservation Grant Award Agreement, with the State of Florida, Division of Historical Resources, to provide a 180-day extension for the Nokomis Beach Pavilion Restoration Project.

2. ENVIRONMENTAL SERVICES

Deferred consideration to authorize submittal of the Stage One Community Baseline document for the Audubon International Sustainable Community Certification Process, to July 10, 2007.

3. ENVIRONMENTAL SERVICES

Authorized the submittal of a Fiscal Year (FY) 2008 Section 319 Non-point Source Management Program Grant Application to the Florida Department of Environmental Protection (FDEP) for the Hudson Bayou Water Quality Improvement Project.

4. ENVIRONMENTAL SERVICES

Approved Contract No. 2007-368 with Jon F. Swift, Inc., for construction services for the T. Mabry Carlton Water Treatment Plant Sediment Basin Structure Project, in the amount of \$186,315.15.

5. ENVIRONMENTAL SERVICES

9:24:17 Board Action: Approved Contract No. 2007-369, Change Order No. 1 to Contract No. 2007-004, with Westra Construction Corporation for construction of neighborhood sewer and water line extensions for the Phillippi Creek Septic System Replacement Program (PCSSRP) Area C, Phase III, increasing the Contract amount by \$1,071,128.07. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

6. ENVIRONMENTAL SERVICES

- A. Approved Contract No. 2007-370, a Cooperative Funding Agreement, with the Southwest Florida Water Management District (SWFWMD) for the development and implementation of the Tidal Creek Biological Index, in the amount of \$135,540.00;
- B. Adopted Resolution No. 2007-139, Budget Amendment No. B2007-062, amending the Fiscal Year (FY) 2007 Budget to appropriate the SWFWMD Grant funding.

7. ENVIRONMENTAL SERVICES

- A. Approved Contract No. 2007-371, a Cooperative Funding Agreement, with the Southwest Florida Water Management District (SWFWMD) for the Lemon Bay Watershed Management Plan, in the amount of \$600,000.00;
- B. Adopted Resolution No. 2007-140, Budget Amendment No. B2007-063, amending the Fiscal Year (FY) 2007 Budget to appropriate the SWFWMD Grant funding.

8. ENVIRONMENTAL SERVICES

- A. Approved Contract No. 2007-372, a Cooperative Funding Agreement, with the Southwest Florida Water Management District (SWFWMD) for the North Roberts Bay Watershed Management Plan, in the amount of \$600,000.00;
- B. Adopted Resolution No. 2007-141, Budget Amendment No. B2007-064, amending the Fiscal Year (FY) 2007 Budget to appropriate the SWFWMD Grant funding.

9. ENVIRONMENTAL SERVICES

9:28:49 Board Action: Adopted Resolution No. 2007-142, amending Resolution No. 2007-078, to extend the Declaration of Water Supply Emergency to September 3, 2007. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

10. ENVIRONMENTAL SERVICES

Authorized advertisement of a proposed Ordinance, amending Ordinance No. 99-004, as amended and as codified in Chapter 54, Article IV of the County Code, to continue the Environmentally Sensitive Lands Oversight Committee (ESLOC), and waived the requirement for an Economic Impact Statement (EIS).

11. FINANCIAL PLANNING

Authorized the disposal of vehicles and off-road equipment.

12. FINANCIAL PLANNING

9:33:27 Board Action: Authorized the conveyance of surplus property items to other Governmental agencies and charitable organizations, removal from the Fixed and Moveable Detail Inventory Listing, and for auction/or disposal. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

13. FINANCIAL PLANNING

Approved payment to Kelli Ruiz and Shapiro, Goldman and Babboni, P.A., for full and final settlement of a bodily injury claim, in the amount of \$10,000.00.

14. HEALTH AND HUMAN SERVICES

Approved the following appropriations for the Fiscal Year 2007 (FY07) Edward Byrne Memorial Justice Assistance Grant (JAG), for a total amount of \$206,248.00:

- A. Coastal Behavioral Healthcare, Inc., for the operation of the Mental Health Court, in the amount of \$186,248.00;
- B. Sheriff's Office for the cost associated with Crisis Intervention Team (CIT) training, in the amount of \$20,000.00.

15. PLANNING AND DEVELOPMENT SERVICES

9:35:13 Board Action: Adopted Resolution No. 2007-143, Budget Amendment No. B2007-058, amending the Fiscal Year (FY) 2007 Budget to transfer Community Development Block Grant (CDBG) funds from the South Venice Neighborhood Improvements Project to the Laurel Neighborhood Improvements Project, in the amount of \$180,850.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

16. PUBLIC WORKS

Approved Contract No. 2007-373, an Encroachment Agreement, with the City of Sarasota for the County Jail Sallyport Expansion Project.

17. PUBLIC WORKS

9:42:06 Board Action: Approved Contract No. 2007-374 with DeJonge Excavating Contractors, Inc., for the construction of the Garden Elementary School Area Sidewalk Project, in the amount of \$1,187,465.21. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

9:35:35 Board Action: Requested a future Board discussion/workshop regarding sidewalk infrastructure relative to future Budget constraints. Requested by Mercier, without objection.

9:39:16 Board Action: Requested an estimate for sidewalk cost per mile/foot and to provide it at the future Budget Workshop. Requested by Staub, without objection.

9:39:48 Board Action: Requested to include the anticipated commencement date in future construction contracts. Requested by Staub, without objection.

18. PUBLIC WORKS

Approved Contract No. 2007-375 with Misener Marine Construction, Inc., for the construction of the Blackburn Point Bridge Scour Repair Project, in the amount of \$186,477.05.

19. PUBLIC WORKS

Adopted Resolution No. 2007-144 approving Plat Vacation Petition No. 07-02, a petition by Douglas and Patricia Abde, to vacate the County's interest of a portion of a platted, public side lot six-foot ± wide utility and drainage easement lying within Lot 33060, Venice Gardens, Unit 33, to clear a title defect and to cure the encroachments of a pool deck and cage.

20. PUBLIC WORKS

Adopted Resolution No. 2007-145 for the installation of multi-way stop traffic controls at the intersections of Porter Road and Shadow Lakes Drive, Porter Road and Shadow Oaks Road, and Shadow Lakes Drive and Shadow Oaks Road, as recommended by the Traffic Advisory Council.

21. PUBLIC WORKS

Adopted Resolution No. 2007-146 to prohibit parking 50 feet on either side of the bus shelters on Sawgrass Road between Coburn Road and Bell Road, as recommended by the Traffic Advisory Council.

22. PUBLIC WORKS

Adopted Resolution No. 2007-147 to lower the speed limit in the Groveland Avenue area south of Wilkinson Road and adjacent to the Bee Ridge Park from 30 to 25 miles per hour, as recommended by the Traffic Advisory Council.

23. PUBLIC WORKS

Adopted Resolution No. 2007-148 for the installation of a four-way stop traffic control at the intersection of Beechwood Avenue and Hazelwood Street, as recommended by the Traffic Advisory Council.

24. PUBLIC WORKS

Adopted Resolution No. 2007-149 to prohibit stopping, standing, and parking on Rivendell Boulevard where the bicycle-pedestrian path connects to the Pine View School and intersects with Rivendell Boulevard.

25. PUBLIC WORKS

Adopted Resolution No. 2007-150 establishing route numbers for roadways that have an interchange with Interstate 75 (I-75).

26. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

Ratified and approved the warrants dated May 28 through June 15, 2007, in the amount of \$44,605,568.33, as detailed in the voucher packages filed in the Finance Department.

27. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

- A.** Approved the Minutes of the meetings dated May 31, June 5, June 6, and June 8, 2007;
- B.** Approved the revision to Item 11.C. of the May 23, 2007, Minutes (Book 75, Page 229).

(9:42:13)

SARASOTA COUNTY TRANSPORTATION AUTHORITY - CONSENT SECTION

Chair Patterson recessed the Board of County Commissioners (BCC) and convened as the Sarasota County Transportation Authority (SCTA).

28. PUBLIC WORKS

- A.** To approve a Contract, a Joint Participation Agreement (JPA), with the Florida Department of Transportation (FDOT) to appropriate Intermodal Development Program funds for the Bus Stop Improvement Project, in the amount of \$250,000.00;
- B.** To adopt a Resolution authorizing the execution of the JPA with FDOT;
- C.** To adopt a Resolution, Budget Amendment No. B2007-068, amending the Fiscal Year (FY) 2007 Budget to appropriate the funding.

9:43:29 Board Action: Approved Contract No. 2007-376, a JPA, with FDOT to appropriate Intermodal Development Program funds for the Bus Stop Improvement Project, in the amount of \$250,000.00. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

9:43:29 Board Action: Adopted Resolution No. 2007-151 authorizing the execution of the JPA with FDOT. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

Chair Patterson adjourned the SCTA and reconvened as the BCC.

9:44:07 Board Action: Adopted Resolution No. 2007-152, approving Budget Amendment No. B2007-068. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

DISCUSSION SECTION:

(9:44:13)

29. HEALTH AND HUMAN SERVICES

The Board considered the appointment of one individual to serve a three-year term on the Community Action Agency Board, as the Business, Industry, Labor, Religious, Welfare, Education or Other Major Community Group/Interest Representative, effective through June 30, 2010.

9:45:04 Board Action: Closed the nominations. Moved by Staub, seconded by Thaxton, carried without objection.

9:45:08 Board Action: Appointed Joseph Miller, without objection.

(9:46:16)

30. HEALTH AND HUMAN SERVICES

- A. The Board considered the temporary location of the Juvenile Assessment Center (JAC) to commercial space owned by Marriott Properties, LLC, located at 4533 Marriott Court, Sarasota, pending completion of the County Jail improvements/renovations by July 2008;
- B. The Board considered authorization to submit the Edward Byrne Memorial Justice Assistance Grant to support the temporary relocation of the JAC, in the amount of \$74,812.00;
- C. The Board considered the allocation of funds from the Strategic Initiatives and Opportunities (SIO) Fund to support the temporary relocation of the JAC, in the amount of \$92,188.00.

Staff Presenters: Health and Human Services Criminal Justice Policy Coordinator James Schulz and Health and Human Services Social Services General Manager Charles Taylor

9:47:41 Board Action: Noted that Items 30A and 30C are null and void due to provision changes in the Martin Lee Anderson Act. Noted by Patterson, without objection.

9:49:50 Board Action: Authorized submittal of the Edward Byrne Memorial Justice Assistance Grant to support the operating costs of the JAC, in the amount of \$74,812.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

PUBLIC HEARINGS:

(9:50:22)

31. PUBLIC WORKS

Second public hearing to consider a proposed Contract, a Supplemental Agreement, Amendment No. 4 to Contract No. 2006-170, with Diamond Homes of Southwest Florida, Inc., for the construction of necessary roadway improvements for the Clark Road/Honore Avenue Intersection Improvement Project. (First public hearing was held on June 5, 2007.)

Staff Presenters: Public Works Transportation Planning Policy and Project Manager Tom Polk and County Attorney Stephen DeMarsh

9:59:31 Board Action: Closed the public hearing. Moved by Staub, carried without objection.

9:59:54 Board Action: Approved Contract No. 2007-377, a Supplemental Agreement, Amendment No. 4 to Contract No. 2006-170, with Diamond Homes of Southwest Florida, Inc., for the construction of necessary roadway improvements for the Clark Road/Honore Avenue Intersection Improvement Project. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

(9:59:58)

32. PUBLIC WORKS

Second public hearing to consider a proposed Contract, a Supplemental Agreement, Amendment No. 5 to Contract No. 2006-170, with Antiques and European Pine, Inc., for the construction of necessary roadway improvements at the Clark Road/Honore Avenue Intersection Improvement Project. (First public hearing was held on June 5, 2007.)

Staff Presenter: Public Works Transportation Planning Policy and Project Manager Tom Polk

10:00:48 Board Action: Closed the public hearing. Moved by Staub, carried without objection.

10:01:01 Board Action: Approved Contract No. 2007-378, a Supplemental Agreement, Amendment No. 5 to Contract No. 2006-170, with Antiques and European Pine, Inc., for the construction of necessary roadway improvements at the Clark Road/Honore Avenue Intersection Improvement Project. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

(10:01:05)

33. PLANNING AND DEVELOPMENT SERVICES

- A. Public hearing continued from April 24, 2007, to consider proposed Ordinance No. 2007-043, amending Ordinance No. 2001-008, the Nokomis Center Revitalization Plan (NCRP), revising Figure 1: Future Land Use Map and the Conditions for Development Approval;
- 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. To consider direction to Staff to prepare the Zoning Ordinance Amendments necessary to implement the Amendments to the Conditions for Development Approval in Ordinance No. 2007-043;
- D. To consider direction to Staff to continue mapping the Commercial Corridor designation and preparing the data and analysis necessary to support higher densities in the Nokomis Revitalization Area and to bring back a future amendment to the Nokomis Revitalization Plan for Board consideration.

Staff Presenters: Planning and Development Services Neighborhood Services Manager Jane Grogg and Planning and Development Services Planning Director Anne McClung

Public Presenter: Nokomis Center Revitalization Advisory Committee (NCRAC) Chair Bruce Dillon

Items submitted: Copies of maps entitled "Nokomis Center Revitalization Plan (South)," "Nokomis Center Revitalization Plan (Middle)," and "Nokomis Center Revitalization Plan (North)"

10:24:14 Board Action: Requested to apply the concepts relative to the waterfront setbacks to the NCRP. Requested by Staub, without objection.

RECESS: 10:32 a.m. - 10:47 a.m.

Public Presenters: (Continued) John Ask and Attorney Charles Bailey

33. PLANNING AND DEVELOPMENT SERVICES - Continued

11:05:09 Board Action: Requested to revise the language in Section 4.B.2 on page A-2 of Attachment A of the proposed Ordinance, as follows (additions shown as underlined text/deletions shown as ~~strikethrough~~ text). Requested by Barbetta, without objection.

2. A ~~minimum 20 foot wide~~, .6 opacity landscape buffer area, no less than eight foot in width or ten foot in width, shall be required between any adjacent single family (RSF, RC, RE, or OUE) or manufactured home park (RMH) zoned land.

11:05:58 Board Action: Requested to renumber the items in Section 24.A.1 on page A-11 of Attachment A of the proposed Ordinance, as follows (additions shown as underlined text). Requested by Barbetta, without objection.

- 1a) Metal Roof
- 1b) Roof Overhangs
- 1c) Porches

11:06:08 Board Action: Requested to consider an override for development conditions with binding Development Concept Plans. Requested by Staub, without objection.

11:18:37 Board Action: Requested to apply the County Code provisions relative to signage with height restrictions to the NCRP. Requested by Patterson, without objection.

11:21:19 Board Action: Requested to revise the words "do not" to the words "shall be prohibited" throughout Section C., Signage, of the proposed Ordinance. Requested by Thaxton, without objection.

11:22:07 Board Action: Requested to delete the words "adequately" and "chain link fencing" in Section F.3 on page A-10 of Attachment A of the proposed Ordinance. Requested by Thaxton, without objection.

11:25:05 Board Action: Requested to delete the number "10" and add the number "15" after the words "minimum of" in Section 5.B.1 on page A-12 of Attachment A of the proposed Ordinance. Requested by Barbetta, without objection.

11:25:28 Board Action: Noted majority consensus by Patterson to review/outline provisions relative to the following items/issues and to bring back to the Board for consideration/discussion: signage, chain link fencing, the Key West style building design, height on smaller parcels, setbacks relative to the allowance of trees, spill lighting, and overrides/exceptions to development conditions.

11:32:36 Board Action: Continued the public hearing to September 25, 2007, at 9:00 a.m., or soon thereafter as possible and to provide a status report relative to Board recommendations made this date. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

(11:33:08)

34. PLANNING AND DEVELOPMENT SERVICES

Public hearing continued from May 22, 2007, to consider a proposed Resolution, Special Exception Petition No. 1649, a petition by Lauralee Westine, Agent, to allow a 190 foot \pm alternative tower structure on property located north of Laurel Road between U.S. 41 and Interstate 75 (I-75), in the OUE-1 (Open Use, Estate, 1 unit/5 acres) zone district. (Planning Commission recommended approval.)

Staff Presenter: Planning and Development Services Current Planning Manager Crystal Allred

Public Presenters: Agent Lauralee Westine, Byron Elkins, Siegfried Fick, Dr. Richard Sorace, and Sandra Hurst

34. PLANNING AND DEVELOPMENT SERVICES - Continued

Items submitted: Copies of correspondence on the proposal, copies of petitions, and a copy of a map entitled "Storm Surge Zones and Evacuation Routes 2006"

12:21:19 Board Action: Closed the public hearing. Moved by Staub, carried without objection.

12:24:20 Board Action: Adopted Resolution No. 2007-153, denying Special Exception Petition No. 1649. Moved by Barbetta, seconded by Thaxton, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

REPORTS SECTION:

(12:24:42)

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

Clerk of the Circuit Court and County Comptroller Karen Rushing noted the Filed for Record List.

RECESS: 12:24 p.m. - 1:37 p.m.

(4:39:09)

36. COUNTY ADMINISTRATOR'S REPORT - No Items were presented.

(4:35:57)

37. COUNTY ATTORNEY'S REPORT

Items submitted: Interoffice Memorandum Nos. 861 and 862

4:37:01 Board Action: Approved the Attorney's fees and costs settlement in the Case of Sarasota Riverside Development LLC v. Sarasota County, Circuit Court Case No. 2006-CA-09330-NC (Bert Harris Act suit), in the amount of \$30,000.00. Moved by Staub, seconded by Mercier, carried by a 5-0 vote.

4:38:47 Board Action: Approved the settlement in the Case of George Guion v. Sarasota County, Twelfth Judicial Circuit Court Case No. 2006-CA-4010-NC, in the amount of \$17,500.00. Moved by Mercier, seconded by Staub, carried by a 5-0 vote.

38. COMMISSION AND COMMITTEE REPORTS

(4:39:49)

A. COMMISSIONER STAUB

Commr. Staub presented and discussions were held on the following topics/issues: her attendance as the Board's Representative at the CHIP (Community Health Improvement Partnership) luncheon/celebration and photographing red light runners on County roads/intersections.

Staff Presenter: Administration Operations Manager Shirley Wittine

Items submitted: A copy of a brochure entitled "CHIP 4 Health" and a copy of a CHIP newsletter

4:40:50 Board Action: Requested that the County Administrator contact the Fire Chief regarding the need for a Declaration of Emergency relative to the drought season and upcoming July 4th firework celebrations. Requested by Patterson, without objection.

38. COMMISSION AND COMMITTEE REPORTS - Continued**A. COMMISSIONER STAUB - Continued**

4:44:50 Board Action: Approved travel expenses for Board members who attend the Climate Change Summit held by Governor Charlie Crist in Miami, Florida, on July 12 and 13, 2007. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:46:47 Board Action: Approved Staff's recommendation to terminate the membership appointments of Jean Vallery and Scott Dinenburg on the Bicycle, Pedestrian, and Trail Advisory Committee. Moved by Staub, seconded by Mercier, carried by a 5-0 vote.

4:49:08 Board Action: Dispensed with the regular attendance of a Court Deputy at Board meetings with future attendance requested by the Chair on an as needed basis. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:52:59 Board Action: Requested that the County Administrator refer a request for the County's purchase of 20 acres \pm located on the Gulf of Mexico and Lemon Bay to the Environmentally Sensitive Lands Oversight Committee (ESLOC). Requested by Patterson, without objection.

(4:53:17)

B. COMMISSIONER BARBETTA

Commr. Barbetta presented and discussions were held on the following topics/issues: appointment of a Metropolitan Planning Organization (MPO) alternate, Board meeting conflict with the Reality Check Regional meeting scheduled at the University of South Florida (USF) on July 10, 2007, a request for a County sponsorship in the amount of \$500.00 for ten tickets to attend the Sarasota "SMART" Code Seminar at Payne Park on August 9, 2007, and a citizen's e-mail on concerns with unrequested/unwanted free newspaper deliveries to area residents.

(4:57:45)

C. COMMISSIONER MERCIER

Commr. Mercier presented and discussions were held on the following topics/issues: a request for a traffic light by the Sarasota Bay Club on U.S. 41, business community requests relative to impact fees and the effect on commercial development, and right-of-way needs/size of the sidewalks and bicycle lanes relative to the Fruitville Road Corridor Plan.

4:58:58 Board Action: Requested to schedule a future Board discussion to review revisions to the Transmission Tower Ordinance. Requested by Mercier, without objection.

5:11:57 Board Action: Requested that the County Administrator provide a report to the Board on the design standards and right-of-way plans for the Fruitville Road Corridor Plan. Requested by Patterson, without objection.

(5:17:39)

D. COMMISSIONER THAXTON

5:19:37 Board Action: Appointed Chair Patterson as the Board's Representative and Commr. Barbetta as the Board's Alternate Representative to the Regional Transit Authority. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

5:23:35 Board Action: Requested that the County Administrator provide a report on the County's ditch maintenance policy relative to scouring and re-sodding. Requested by Thaxton, without objection.

5:24:48 Board Action: Requested to schedule a future Board discussion on the County's Urban Forestry Program and other tree-related programs. Requested by Thaxton, without objection.

38. COMMISSION AND COMMITTEE REPORTS - Continued**D. COMMISSIONER THAXTON - Continued**

5:31:07 Board Action: Requested that the County Administrator provide a Staff memorandum to the Board regarding a proposal to prohibit plastic garbage bags for yard waste. Requested by Thaxton, without objection.

5:37:11 Board Action: Requested that each Board member meet with the Sheriff relative to the issue of an exemption regarding Teen Night in the County's Ordinance regarding the prohibition of minors under the age of 21 from entering or remaining in alcoholic beverage establishments and drug use at the Siesta Key Beach Drum Circle event. Requested by Patterson, without objection.

(5:41:24)

E. CHAIR PATTERSON

Chair Patterson presented and discussions were held on the following topics/issues: scheduling of a joint meeting or two one-half day meetings with the City of Venice to address area compatibility issues and a roundabout as an alternative intersection improvement at Venice Avenue and Jacaranda Boulevard, the Stormwater Environmental Utility Advisory Committee's concerns on budgeting to address crumbling infrastructure, the Chair's response to correspondence received on the Board's position regarding the expansion of the Englewood Community Redevelopment Agency (CRA), and Kenningston Park residents' issues regarding neighborhood improvements, bus stop locations and gang graffiti.

(5:52:23)

39. ADMINISTRATION

The Board deferred the Outstanding Board Assignments to the June 27, 2007, meeting.

(5:52:23)

40. ADMINISTRATION

The Board deferred the Board Meeting Schedule to the June 27, 2007, meeting.

(1:37:58)

41. OPEN TO THE PUBLIC - Opened and closed without comment.**DISCUSSION SECTION - (Continued)**

(1:38:03)

42. ENVIRONMENTAL SERVICES

The Board considered a proposed Resolution to approve the Project Application Requests for Fiscal Year (FY) 2008 from the West Coast Inland Navigation District (WCIND) Waterway Development Program, in the amount of \$1,000,000.00.

Staff Presenters: Environmental Services Coastal Resources Manager Laird Wreford and County Administrator James Ley

Public Presenter: United States (U.S.) Coast Guard Auxiliary Flotilla 92 Representative Al Yeno

Item submitted: A copy of a document entitled "Proposed VYBA 2007/2008 Expenditures"

(Note: Commr. Staub arrived at 1:59:23.)

42. ENVIRONMENTAL SERVICES - Continued

1:58:40 Board Action: Requested clarification on the Port Charlotte address listed on the U.S. Coast Guard Auxiliary Flotilla 92 Application relative to the use of requested equipment in Charlotte versus Sarasota County. Requested by Mercier, without objection.

2:23:01 Board Action: Deferred consideration of the proposed Resolution regarding the FY 2008 Project Application Requests from the WCIND Waterway Development Program to the June 27, 2007, meeting and requested that Staff review the 2008 WCIND Budget reductions, contact past U.S. Coast Guard Auxiliary Flotilla Applicants regarding the non-submittal of 2008 Application Requests, provide a copy of the list of last years' requests, and a review of the \$3,500.00 cost of the Projector for Classroom Safety Training as requested by the U.S. Coast Guard Auxiliary Flotilla 92. Deferred by Patterson, without objection.

(2:24:15)

43. ENVIRONMENTAL SERVICES

The Board considered revisions to proposed Ordinance No. 2007-023, amending Ordinance No. 79-03, the Coastal Setback Code, as amended and codified in Chapter 54, Article XXII, of the County Code, to provide consistency with the Comprehensive Plan Amendments adopted during the Evaluation and Appraisal Report (EAR) process prior to the public hearing scheduled for September 25, 2007.

Staff Presenter: Environmental Services Environmental Specialist II Rachel Herman

(2:37:52)

44. PUBLIC WORKS

The Board considered a proposed Contract, Amendment No. 1 to Contract No. 2002-371, an Interlocal Agreement, with the City of North Port to update provisions related to the collection of County road impact fees within the City of North Port.

Staff Presenters: County Administrator James Ley, Public Works Executive Director Jim Harriott, and County Attorney Stephen DeMarsh

2:46:40 Board Action: Requested clarification regarding the establishment of service charges in paragraph (H) on page 3 of 4 of the proposed Contract. Requested by Mercier, without objection.

2:53:33 Board Action: Moved to approve Contract No. 2007-379, Amendment No. 1 to Contract No. 2002-371, an Interlocal Agreement, with the City of North Port to update provisions related to the collection of County road impact fees within the City of North Port. Moved by Staub and seconded by Mercier.

2:53:50 Board Action: Requested clarification regarding the proposed Contract provisions relative to the impact fee 25/75 percent split. Requested by Thaxton, without objection.

2:59:34 Board Action: Requested clarification regarding Table 1., Portion of County Road Impact Fee to Be Charged Within The City of North Port, of the proposed Contract. Requested by Patterson, without objection.

3:14:27 Board Action: The motion to approve Contract No. 2007-379 carried by a 5-0 vote.

PUBLIC HEARINGS: (Continued)

(3:15:29)

45. ENVIRONMENTAL SERVICES

Public hearing to consider the naming of the jointly-owned parcels of the Deer Prairie Creek Environmentally Sensitive Land Protection Program (ESLPP) site located south of Interstate 75 (I-75) as the "Deer Prairie Creek Preserve."

45. ENVIRONMENTAL SERVICES - Continued

Staff Presenter: Environmental Services Environmental Specialist III Lee Hayes Byron

3:16:54 Action: Closed the public hearing by Patterson, without objection.

3:16:58 Board Action: Approved the naming of the jointly-owned parcels of the Deer Prairie Creek ESLPP site located south of I-75 as the "Deer Prairie Creek Preserve." Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

RECESS: 3:18 p.m. - 3:33 p.m.

(3:33:23)

46. PLANNING AND DEVELOPMENT SERVICES

- A.** Public hearing to consider proposed Ordinance No. 2007-046, Rezone Petition No. 07-03, a petition by Alan Garrett, Agent, to rezone 4.9 acres \pm located at the northwest corner of Albee Road and U.S. 41 in Nokomis from OPI (Office, Professional, and Institutional) and District CG (Commercial General), to CG (Commercial General) zone district. (Planning Commission recommended approval.)
- B.** Public hearing to consider a proposed Resolution, Special Exception Petition No. 1645, a petition by Alan Garrett, Agent, to allow transient accommodations and an increase in height not to exceed 65 feet for property located at the northwest corner of Albee Road and U.S. 41, Nokomis, in the CG (Commercial General) zone district. (Planning Commission recommended approval.)

Chair Patterson opened the public hearings simultaneously.

Staff Presenters: Planning and Development Services Planner Adriana Trujillo-Villa, Planning and Development Services Current Planning Manager Crystal Allred, Public Works Watershed Management Engineering Section Supervisor Scott Woodman, County Attorney Stephen DeMarsh, and Public Works Transportation Mobility Planning Manager Paula Wiggins

Public Presenters: Attorney Charles Bailey, Agent Alan Garrett, John Ask, Bruce Dillon, Richard Howett representing the Living Waters Christian Fellowship, and Henry Rodriguez

Item submitted: A copy of an e-mail on the petition

3:42:48 Board Action: Requested clarification regarding the minimum/maximum number of proposed hotel rooms. Requested by Thaxton, without objection.

3:45:55 Board Action: Requested clarification of the maintenance requirements relative to the stormwater vault system. Requested by Thaxton, without objection.

3:49:21 Board Action: Requested clarification on Notation Nos. 1 through 5 on the Development Concept Plan (DCP) on page 2 of Staff's report regarding allowable uses relative to drive-in windows, in-structure parking/building heights, and proposed mixed use development. Requested by Mercier, without objection.

4:20:52 Board Action: Requested clarification regarding turn lanes relative to the U.S. 41/Albee Road intersection. Requested by Mercier, without objection.

4:26:14 Board Action: Closed the public hearings by Patterson, without objection.

4:27:03 Board Action: Adopted Ordinance No. 2007-046, approving Rezone Petition No. 07-03 with seven stipulations, including the addition of Stipulation No. 7 as follows. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

The buildings approved for the subject property as depicted on the Development Concept Plan shall be constructed using green building principles consistent with the standards of the Sarasota County Green Building Program outlined in Sarasota County Resolution No. 2005-048.

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

46. PLANNING AND DEVELOPMENT SERVICES - Continued

4:30:52 Board Action: Adopted Resolution No. 2007-154, approving Special Exception Petition No. 1645 with three stipulations, including the addition of Stipulation No. 3 as follows, and with the deletion of the words "Height increase to 65 feet on the entire site" under the Site Data on the DCP dated March 28, 2007. Moved by Thaxton, seconded by Mercier, carried by a 5-0 vote.

All buildings and portions of buildings within 100 feet of the subject's parcel's east property line abutting U.S. 41 shall have a maximum of 45 feet. All buildings or portions of buildings located on the subject parcel between 100 feet to 200 feet from the east property line abutting U.S. 41 shall have a maximum height of 57 feet. All other buildings or portions of buildings on the subject parcel shall have a maximum height of 65 feet (not to exceed five stories).

Note: Oath/Signature Cards Filed for Record.

DISCUSSION SECTION: - (Continued)

47. OTHER BUSINESS - No Items were presented.

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

MEETING ADJOURNED: 5:52 p.m.

MINUTES APPROVED: _____

Chair