

February 5, 2008

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

**SARASOTA COUNTY OPERATIONS CENTER
1001 SARASOTA CENTER BOULEVARD
CONFERENCE ROOM
SARASOTA, FLORIDA**

9:00 a.m.

Shannon Staub, Chair, District 3
Jon Thaxton, Vice Chair, District 5
Paul H. Mercier, District 1
Joseph A. Barbetta, District 2
Nora Patterson, Chair, District 4

Also present were:

James Ley, County Administrator
Stephen DeMarsh, County Attorney
Latresea Preston, Deputy Clerk

WORKSHOP

(9:05 a.m.)

1. ADMINISTRATION

The Board considered the LIFO (Life Orientations) Exercise.

Staff Presenters: Talent and Performance Management Executive Director Sue Marcinko, County Administrator James Ley, and County Attorney Stephen DeMarsh

(9:48 a.m.)

2. COUNTY ATTORNEY

The Board considered authorization to advertise a public hearing to consider a proposed Ordinance, amending Ordinance No. 92-065, the Adult Entertainment Ordinance, as amended and codified in Sections 26.31 and 26.36 of the County Code, and Ordinance No. 2003-052, as amended and codified in Appendix A of the County Code, to delete the sunset provision and to waive the requirement for an Economic Impact Statement (EIS).

Staff Presenter: County Attorney Stephen DeMarsh

9:48 a.m. Board Action: Authorized advertisement of a public hearing to consider a proposed Ordinance, amending Ordinance No. 92-065, the Adult Entertainment Ordinance, as amended, and Ordinance No. 2003-052, as amended and codified in Appendix A of the County Code, to delete the sunset provision and waived the requirement for an EIS. Moved by Patterson, seconded by Mercier, carried by a 5-0 vote.

9:52 a.m. Board Action: Noted majority consensus by Staub for consideration of a future Executive Shade Session to discuss proposed mediation/settlement of the case regarding the Adult Entertainment Ordinance.

(9:53 a.m.)

3. ENVIRONMENTAL SERVICES

The Board considered the settlement negotiations relative to the Florida Power and Light (FPL) Company's Bobwhite Transmission Lines in the Gum Slough Conservation Area.

Staff Presenters: Environmental Services Resource Protection Manager Amy Meese and County Attorney Stephen DeMarsh

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3. ENVIRONMENTAL SERVICES - Continued

Public Presenters: Mel Klein, Jack Hochheimer, Attorney Kenneth Hoffman, Susan Schoettle-Gumm, Richard Gumm, Dan Perka, and Roy Cohn

11:00 a.m. Board Action: Approved to modify the existing easement subject to compensation of the Environmentally Sensitive Lands Protection Program, including provisions for development agreements to allow siting of the Bobwhite Transmission Line within the Gum Slough Conservation Easement and to formalize the land exchange to provide compensation for the impact to the existing Conservation Easement. Moved by Mercier, seconded by Thaxton.

11:01 a.m. Board Action: Amended the motion to eliminate any reference to "University Parkway" throughout the proposed agreement. Moved by Thaxton, seconded by Patterson, carried by a 5-0 vote.

11:02 a.m. Board Action: Amended the motion to include provisions that in the event Dam Road is located through the Conservation Easement, the County would be compensated (in the form of land or cash, whichever value is greater) for the footprint and any part of the Conservation Easement lying east of Dam Road. Moved by Thaxton, seconded by Patterson, carried by a 5-0 vote.

11:03 a.m. Board Action: The main motion, as amended, carried by a 5-0 vote.

11:04 a.m. Board Action: Noted majority consensus by Staub to direct the County Attorney to bring back the proposed final agreement including recommendations made this date for Board consideration.

RECESS: 11:04 a.m. - 11:17 a.m.

(11:17 a.m.)

4. ENVIRONMENTAL SERVICES

- A.** The Board considered the Sarasota County Greenhouse Gas Emissions Analysis Report.
- B.** The Board considered the process for developing a Climate Action Plan and priorities for future analysis.

Staff Presenters: County Administrator James Ley, Environmental Services Resource Protection Manager Amy Meese, Environmental Services Solid Waste General Manager Gary Bennett, and Public Works Executive Director Jim Harriott

Item submitted: A copy of the PowerPoint presentation

12:15 p.m. Board Action: Requested to consider changing the name from "Climate Action Plan" to "Climate Change Plan." Requested by Staub, without objection.

12:16 p.m. Board Action: Requested to deter the use of repetitive language/words (i.e. Climate Change Plan) throughout the report. Requested by Patterson, without objection.

12:23 p.m. Board Action: Requested that during Staff presentations to the public, the Greenhouse Gas Emissions Report and the Climate Change Plan be shown as a subsection of the Sustainability Initiatives. Requested by Staub, without objection.

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4. ENVIRONMENTAL SERVICES - Continued

12:24 p.m. Board Action: Noted majority consensus by Staub to proceed with the process to develop a Greenhouse Gas Emissions/Climate Change Plan including the recommendations made by the Board this date.

(12:25 p.m.)

5. PUBLIC WORKS

The Board discussed burying power lines.

12:51 p.m. Board Action: Requested to defer discussion to a future Budget Workshop. Requested by Patterson, without objection.

RECESS: 12:51 p.m. - 1:32 p.m.

(1:32 p.m.)

6. PLANNING AND DEVELOPMENT SERVICES

The Board considered the Charlotte County Transfer of Development Units (TDU) System.

Staff Presenter: County Attorney Stephen DeMarsh

Public Presenters: Charlotte County Planning Director Jeff Ruggieri and Charlotte County Principal Planner Inga Williams

Items submitted: A copy of Charlotte County's PowerPoint presentation and a copy of a document relative to the 1994 and 2001 Charlotte County TDU Ordinances

2:28 p.m. Board Action: Noted majority consensus by Staub to direct the Office of the County Attorney to review the Harris Act provisions relative to Rezone Petitions and Comprehensive Plan designations that are greater than the minimum density requirements in a specified district and to bring back a report for Board consideration.

(2:29 p.m.)

7. PLANNING AND DEVELOPMENT SERVICES

The Board considered binding Development Concept Plans.

Staff Presenters: Planning and Development Services Zoning Administrator Tina Crawford, Planning and Development Services Planning Director Anne McClung, County Attorney Stephen DeMarsh, and County Administrator James Ley

Item submitted: A copy of Staff's Presentation

2:52 p.m. Board Action: Directed the County Administrator to review/outline provisions relative to binding Development Concept Plans, including clarification of definitions and flexibility options and to bring back for Board consideration.

2:54 p.m. Board Action: Requested to note that any additional resource/preservation conservation areas relative to the Development Concept Plans are binding. Requested by Thaxton, without objection.

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7. PLANNING AND DEVELOPMENT SERVICES - Continued

2:56 p.m. Board Action: Requested to change the term "Concept Plan" to "Development Plan." Requested by Patterson, without objection.

2:56 p.m. Board Action: Directed the County Administrator to schedule a Board discussion regarding Applicants that voluntarily submit binding Development Plans for Rezone Petitions. Moved by Patterson, seconded Thaxton, carried by a 5-0 vote.

(03:01 p.m.)

8. ADMINISTRATION

The Board discussed the priorities continued from December 13, 2007.

Staff Presenter: County Administrator James Ley

3:05 p.m. Board Action: Noted majority consensus by Staub to remove Item 30, Sheriff MSTU (Municipal Services Taxing Unit), from the Paired Choice Prioritization Worksheet Priorities.

(3:11 p.m.)

9. ADMINISTRATION

General Board discussion.

A. COMMISSIONER BARBETTA

Commr. Barbetta commented on and discussions were held on the following topics/issues: an update regarding concerns of the San Palermo Homeowners Association regarding the Benderson development near Cattlemen Road and concerns of the Manasota Key Association relative to the Coastal Setback Code.

3:22 p.m. Board Action: Noted majority consensus by Staub to schedule additional time for public input during the Coastal Setback Code (Ordinance No. 2007-023) public hearing scheduled in May 2008.

3:25 p.m. Board Action: Noted majority consensus by Staub that public hearing documentation be submitted to the Board prior to the public hearing date.

B. COMMISSIONER PATTERSON

Commr. Patterson commented on and discussions were held on the following topics/issues: the Budget Process and an update on the Mosaic Fertilizer negotiations.

3:46 p.m. Board Action: Requested to expedite the Redevelopment policies to stimulate the economy and increase funding. Requested by Barbetta, without objection.

C. COMMISSIONER MERCIER

Commr. Mercier commented on and discussions were held on the following topics/issues: a future joint meeting with the Manatee County Commission, the Metropolitan Planning Organization (MPO) meeting regarding a "fly over" at the interchange of Fruitville Road/Interstate 75 (I-75), and concerns regarding funding availability for right-of-way acquisitions on Fruitville Road.

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9. ADMINISTRATION - Continued

D. CHAIR STAUB

Chair Staub commented on and discussions were held on the following topics/issues: an update regarding right-of-way acquisitions for the North River Road Improvement Project.

Staff Presenter: Public Works Executive Director Jim Harriott

4:30 p.m. Board Action: Directed the County Administrator to schedule a discussion regarding the Don Shultz Neighborhood Planning Proposal and to bring back a status report on the estimate of resources/costs required following consideration by the Planning Commission. Moved by Patterson, seconded by Staub, carried by a 5-0 vote.

4:35 p.m. Board Action: Requested a status report on the Advance Traffic Management Systems (ATMS). Requested by Patterson, without objection.

4:38 p.m. Board Action: Requested a status report on the River Road Improvement Project (U.S. 41 to Interstate 75) regarding the Transportation Regional Incentive Program (TRIP) Grant Application and funding. Requested by Staub, without objection.

(12:36 p.m.)

10. OTHER BUSINESS

A. ADMINISTRATION

The Board discussed the Local Economic Stimulus.

Staff Presenter: County Administrator James Ley

Item submitted: A copy of an Interoffice Memorandum from County Administrator James Ley

12:50 p.m. Board Action: Noted majority consensus by Staub to accept the Local Economic Stimulus and to proceed with hiring for the Business Assistance position.

(4:44 p.m.)

11. OPEN TO THE PUBLIC

Daniel Melzer commented on audits, loss of revenues, and the bid process relative to cellular/telecommunication tower agreements/leases with the County.

MEETING ADJOURNED: 4:46 p.m.