

February 7, 2006

**MINUTES  
BOARD OF COUNTY COMMISSIONERS**

Book 74

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**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 Mercier, District 1  
Shannon Staub, District 3  
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  
Leah Von Leu, Deputy Clerk  
Claudia Goodson, Deputy Clerk

**INVOCATION**

Pastor Rocky Miller, Bayshore Mennonite Church

**PLEDGE OF ALLEGIANCE**

Commissioner Staub

**PRESENTATION OF PROCLAMATIONS:**

Hazardous Weather Awareness Week - February 12 through February 18, 2006

**PERFORMANCE RECOGNIZED AS OUTSTANDING (PRO) AWARDS:**

Exceptional Customer Service Team Award:

Shelley Rence, Health and Human Services

Angie Zongker, Health and Human Services

**27. COMMISSION REPORTS**

**A. SCHOOLS**

Chair Mills introduced Pine View High School student Liz Lieberman as the Board's guest.

**25. COUNTY ADMINISTRATOR'S REPORT**

**A. PUBLIC WORKS**

Upon request, County Administrator James Ley explained the remote conferencing technology available at the Sarasota County Operations Center building to provide a cost efficient link to Staff and the County. (See Item 9 later this meeting.)

**CONSENT MOTION**

A motion was made by Commr. Thaxton, seconded by Commr. Staub, and carried by a 5-0 vote to approve Items 1-17 as follows, with the exception of Items 1 and 9, considered later this meeting.

**1. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER**

See consideration for authorization to execute the State of Florida Annual Local Government Financial Report for Fiscal Year 2004-2005, later this meeting.

**2. CONTRACTS**

Approved Contract No. 2006-181, Amendment No. 2 to Contract No. 2004-322, a Subgrant/Cost Reimbursement Agreement, with the Florida Department of Community Affairs (FDCA) for the State Homeland Security Grant Program (SHSGP), extending the Contract date to March 31, 2006.

**3. RESOLUTIONS**

Adopted Resolution No. 2006-024 relating to the enhancement and preservation of waterway access.

**4. RESOLUTIONS**

Adopted Resolution No. 2006-025 granting a utility easement to Dolomite Utilities Corporation over lands owned by the County for the purpose of constructing and maintaining above ground and underground fire flow utility facilities.

**5. FINANCIAL PLANNING**

Approved payment to State Farm Insurance, as subrogee of James and Marta Strafacci, for full and final settlement of their property damage claim, in the amount of \$6,057.77.

**6. ADVISORY COUNCILS**

Appointed Kevin Cook to serve a four-year term on the Well Driller's Advisory Board, as the Citizen-at-Large Representative, effective through February 2010.

**7. ADVISORY COUNCILS**

Appointed the following individuals to serve three-year terms on the Public Facilities Financing Advisory Board (PFFAB), effective through January 2009:

- A.** Jon Kleiber and John Harshman as Development Building and Construction Community of Interest Representatives;
- B.** B. Edwin Wyatt, Jr. and Victoria Szurant as Public Facilities/Financial Professionals Community of Interest Representatives;
- C.** Wade Matthews as Civic Organizations Community of Interest Representative.

**8. CONTRACTS**

Approved Contract No. 2006-182, with Lucas Marine Construction, Inc., for the Caspersen Beach Bridge Replacement Project, in the amount of \$1,362,644.46.

**9. CONTRACTS**

See consideration of a Contract with Lovin Construction, Inc., for the Venice Avenue Drawbridge Pedestrian Access Facilities Project, later this meeting.

**10. CONTRACTS**

Approved Contract No. 2006-184, with Tenbusch Construction for the purchase of a residential lot to protect a significant archaeological site lying within the City of North Port, in the amount of \$53,000.00. (See Item later this meeting.)

**11. RESOLUTIONS**

Adopted Resolution No. 2006-026 to lower the speed limit in the Willowbend Community from 30 miles per hour to 25 miles per hour, as recommended by the Traffic Advisory Council.

**12. RESOLUTIONS**

Adopted Resolution No. 2006-027 to lower the speed limit on Commonwealth Drive from 30 miles per hour to 25 miles per hour, as recommended by the Traffic Advisory Council.

**13. RESOLUTIONS**

Adopted Resolution No. 2006-028 to install stop signs on Mount Pleasant Road at Old Trail, on Mount Pleasant Road at Forest Street, on Browns Road at Old Trail, and on Chandler Road at Old Trail, as recommended by the Traffic Advisory Council.

**14. RESOLUTIONS**

Adopted Resolution No. 2006-029 to install a four-way stop traffic control sign at the intersections of Caribbean Drive at Cove Terrace and Starfish Drive, as recommended by the Traffic Advisory Council.

**15. CONTRACTS**

Approved Contract No. 2006-185, Amendment No. 1 to Contract No. 2001-036, with The Baltimore Orioles, Inc., for the Ball Fields, Observation Tower, and Building B within the Buck O'Neil Baseball Complex located at Twin Lakes Park, 6700 Clark Road, to extend the Lease Agreement through December 31, 2007.

**16. WARRANTS**

Ratified and approved the warrants dated January 16 through January 27, 2006, in the amount of \$17,995,089.07, as detailed in the voucher packages filed in the Finance Department.

**17. MINUTES**

Approved the Minutes of the meetings dated January 24 and January 25, 2006.

**1. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER - Continued**

Upon inquiry, Clerk of the Circuit Court Finance Director Peter Ramsden explained the budget process for reconciliation of revenues and expenditures.

Commr. Staub moved to authorize execution of the State of Florida Annual Local Government Financial Report for Fiscal Year 2004-2005 in accordance with State Statute 218.32. The motion, seconded by Commr. Thaxton, carried without objection.

(9:13:29)

**9. CONTRACTS - Continued**

Upon inquiry regarding the Venice Avenue Drawbridge and the Pedestrian Access Facilities Project pertaining to the Americans with Disabilities Act (ADA), discussion ensued with County Administrator James Ley, Public Works Road and Bridge Engineering Section Supervisor Thai Tran, and Public Works Road and Bridge Senior Technical Specialist Luis Herrera (via remote conferencing) on the following topics/issues:

- construction of two stairways/ramps for pedestrian access for ADA compliance/original contract versus tag-on/pedestrian access project
- a Joint Participation Agreement with the City of Venice/maintenance on additions/funding allocations/Contract terms/painting/finish/deletion options.

**9. CONTRACTS - Continued**

Commr. Staub moved to approve Contract No. 2006-183 with Lovin Construction, Inc., for the Venice Avenue Drawbridge Pedestrian Access Facilities Project in the amount of \$576,294.08. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(See Item 25A earlier this meeting and Item 25C later this meeting.)

(9:20:24)

**10. CONTRACTS - Continued**

Upon request, Public Works Mobility Land Acquisition Manager John Herrli clarified the purchase of lots for archeological significance and explained the acquisition process. Discussion ensued on the following topics/issues:

- exhibit of artifacts from the site at the History Center/public visits
- City of North Port/matching funds.

(See Item earlier this meeting.)

**18. ADVISORY COUNCILS**

The Board considered the appointment of one individual to serve a two-year term on the Development Services Advisory Committee (DSAC), effective through February 2008.

Commr. Patterson nominated Frank John LaCivita. Commr. Thaxton nominated Scott R. Rushing.

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

Upon inquiry regarding nominees serving on multiple Boards as Alternates, Planning and Development Services Chief Building Official Paul Radauskas discussed the policy and attendance pertaining to Alternates.

Following a vote on the nominations, Chair Mills noted the unanimous appointment of Frank John LaCivita to serve a two-year term on the DSAC, effective through February 2008.

(9:28:00)

**19. ADVISORY COUNCILS**

General Contractors Licensing and Examining Board Chairman Richard Ienna summarized the Board's activities, member attendance, and reviewed the application process. Discussions were held on the following topics/issues:

- identification of alternates/request to separate from the regular appointees, without objection
- peer review/"attribute to the community."

Discussion followed commending the members of the General Contractors Licensing and Examining Board for their service to the County.

**20. ADVISORY COUNCILS**

Osprey Revitalization Committee (ORC) Chair Judith Anne Johnson summarized the Committee's activities, concerns, future projects, and completion time frame. Discussions were held on the following topics/issues:

**20. ADVISORY COUNCILS - Continued**

- status of the Blackburn Point Road Project
- attendance of Committee members.

Discussion followed commending the members of the ORC for their service to the County.  
(9:40:46)

**21. ADVISORY COUNCILS**

The Board considered the following items:

- A. Reappointment of Jonathan Patrice to serve a one-year term on the Osprey Revitalization Committee as the STAR (Students Taking Active Roles) in Government Representative, effective through January 2007;
- B. Appointment of one individual to fill an unexpired three-year term on the Osprey Revitalization Committee, effective through April 2007.

Commr. Staub moved to reappoint Jonathan Patrice to serve a one-year term on the Osprey Revitalization Committee as the STAR Representative, effective through January 2007. The motion, seconded by Commr. Thaxton, carried without objection.

Commr. Thaxton nominated Sandy Keith. Commr. Mercier nominated Sean Powers.

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

Following a vote on the nominations, Chair Mills noted the appointment of Sandy Keith to fill an unexpired three-year term on the Osprey Revitalization Committee, effective through April 2007.

(9:42:27)

**22. CONTRACTS/RESOLUTIONS**

The Board considered the following Items:

- A. (Not a public hearing.) A Contract, a Sale and Purchase Agreement, with Mictron, Inc., a Delaware Corporation, for the acquisition of 11.22 acres  $\pm$  of land and improvements, located at 6050 Porter Way, in the amount of \$6,300,000.00;
- B. (Not a public hearing.) Approval and authorization to execute a Post Closing Agreement to allow the current owner to retain temporary possession of 1.015 acres  $\pm$  of land and the machine shop located thereon;
- C. Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-032, to amend the Fiscal Year (FY) 2006 Budget to appropriate funds for the purpose of purchasing the Mictron Property and for the operations and maintenance of the facility for the remainder of FY 2006.

Having been duly sworn, Public Works Facilities Services General Manager Michael Kirk summarized the proposed Contracts and Resolution regarding the acquisition of the Mictron property and noted Staff's recommendation for approval.

Discussions were held with Mr. Kirk, Public Works Mobility Land Acquisition Manager John Herrli, duly sworn, County Administrator James Ley, and Public Works Transit/Fleet Administrative Manager Michael Perry, duly sworn, on the following topics/issues:

- identification of the Mictron property on the map/identification of key colors
- endorsement of the Plan/need for additional information/Facilities Master Plan/Sarasota County Operations Center building appraisal

**22. CONTRACTS/RESOLUTIONS - Continued**

- trees on the property/environmentally sensitive land
- parking area
- amount of General Fund contribution/fund balance/source of funds/potential for impact fees/reimbursement of funds/request for Staff assessment of proportional allocation, without objection.

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

Commr. Mercier moved to approve Contract No. 2006-186, a Sale and Purchase Agreement, with Mictron, Inc., a Delaware Corporation, for the acquisition of 11.22 acres  $\pm$  of land and improvements, located at 6050 Porter Way, in the amount of \$6,300,000.00. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Commr. Mercier moved authorization to execute a Post Closing Agreement to allow the current owner to retain temporary possession of 1.015 acres  $\pm$  of land and the machine shop located thereon. The motion was seconded by Commr. Patterson. Following discussion with Mr. Herrli regarding the existing machine shop, the motion carried by a 5-0 vote.

Commr. Mercier moved to adopt Resolution No. 2006-030, approving Budget Amendment No. B2006-032, to amend the FY 2006 Budget to appropriate funds for the purpose of purchasing the Mictron Property and for the operations and maintenance of the facility for the remainder of FY 2006. The motion, seconded by Commr. Staub, carried by a 4-1 vote, with Commr. Thaxton voting "No."

Commr. Staub requested that Staff advise the owner of the machine shop to contact the Economic Development Council (EDC) regarding the location of a new building, without objection.

(10:06:06)

**23. CONTRACTS/RESOLUTIONS**

- A.** Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-020, to amend the Fiscal Year (FY) 2006 Budget to appropriate funding in the Utility System Budget for the Shore Road Water Distribution System, in the amount of \$900,000.00;
- B.** (Not a public hearing.) To consider a Contract with Westra Construction Corporation for the construction of water distribution lines for Shore Road, in the amount of \$1,647,200.63.

Having been duly sworn, Environmental Services Program Management General Manager Roger Rasbury discussed the proposed Resolution and Contract regarding the design phase and construction of the Waterway Extension Projects. Discussions were held with Mr. Rasbury, Environmental Services Operations General Manager George MacFarlane, duly sworn, and County Attorney Stephen DeMarsh on the following topics/issues:

- assessment of the cost per parcel/price quotes/capacity fee/notification to citizens regarding capacity fee
- larger versus smaller lots/density issue
- bid process
- explanation of price increases

**23. CONTRACTS/RESOLUTIONS - Continued**

- Shore Road versus Bay Point bids/cost related to “pipes carrying water over longer distances” versus density issue
- time frame to rebid Shore Road/consideration of repackaging for lower bid
- inquiry regarding the process for competitive bids
- Examine policies/establish long-term relationship with the entities involved with infrastructure
- Project rebid/set Policy to subsidize the cost for low-income families/sale of escheated lots
- economic development/underutilization of affordable housing in the Nokomis area/use of escheated lot funds for income-qualified individuals to promote affordable housing initiatives.

**RECESS:** 10:33 a.m. - 10:46 a.m.

- options for the Shore Road bid/Westra Construction Corporation’s 60-day bid price extension for Board consideration
- survey results/voting outcome related to subsidy
- “buy down” rates/water connection/options/safety of drinking water/inability to pay rates/qualifications for assistance.

Commr. Staub moved to delay the discussion for 60 days and to extend the bid time for Board consideration of the utilities Program. The motion was seconded by Commr. Mercier. Following comments, Commr. Mercier amended the motion to include a report on the impacts/effects of percentages/costs associated with the number of customers (hook-ups) within 60 days, without objection. The main motion carried without objection. Individual comments followed.

(10:59:06)

**24. CLERK’S REPORT**

- A.** The Filed for Record List was noted.

**25. COUNTY ADMINISTRATOR’S REPORT - Continued****B. PUBLIC WORKS**

County Administrator James Ley requested the ratification of the appointment of Jim Harriott as Executive Director of Public Works.

Commr. Thaxton moved to ratify the appointment of Jim Harriott as Executive Director of Public Works. The motion, seconded by Commr. Staub, carried without objection.

Individual comments followed commending Mr. Harriott on his commitment and service to the County.

**C. FEDERAL AGENCIES/LEGISLATION/MUNICIPALITIES/STATE AGENCIES**

County Administrator James Ley presented and discussion ensued with Planning and Development Services Planning Director Anne McClung and Public Works Executive Director Jim Harriott on the following topics/issues:

**25. COUNTY ADMINISTRATOR'S REPORT - Continued****C. FEDERAL AGENCIES/LEGISLATION/MUNICIPALITIES/STATE AGENCIES - Continued**

- Federal Telecommunications Legislation revisions  
Commr. Mercier moved to authorize correspondence, under the Chair's signature, to U.S. Congresswoman Katherine Harris regarding revisions to the Federal Telecommunications Legislation. The motion, seconded by Commr. Staub, carried without objection.
- Venice Avenue Bridge/correspondence from the City of Venice/architectural finish/shared maintenance with City of Venice (See Item 9 earlier this meeting.)
- City of Venice Comprehensive Plan Amendments/number of Comprehensive Plan Amendments before the Florida Department of Community Affairs (FDCA)
- FDCA report on the Objections, Recommendations, and Comments (ORC)/transportation impact issues/Laurel Road area/developer issues/need for communication/policy decision/road capacity/Regional Planning Council (RPC) correspondence/recommendations/RPC Staff objections
- review of Staff's correspondence by the County Administrator
- inquiry regarding joint meeting with Venice.

Commr. Staub moved to schedule a Joint Meeting with the Venice City Council as soon as all schedules permit. The motion was seconded by Commr. Thaxton. Following discussion, the motion carried by a 4-0 vote, with Commr. Patterson not present.

(11:21:33)

**26. COUNTY ATTORNEY'S REPORT****A. LEGAL**

County Attorney Stephen DeMarsh submitted and reviewed the following items:

- Interoffice Memorandum No. 782, Angelo Casella and Marilyn Casella v. Board of County Commissioners, Circuit Court Case No. 2004-CA-012485 NC.  
Commr. Thaxton moved to authorize the County Attorney's Office to proceed with the appeal. The motion, seconded by Commr. Mercier, carried by a 4-0 vote, with Commr. Patterson not present.
- Interoffice Memorandum No. 783, City of Venice Annexations 05-1AN/S & J Properties and 05-2AN/S & J Properties of SW FL, LLC.  
Following discussion, Commr. Thaxton moved that no legal action be pursued on the annexations and approved the County Attorney's recommendation that notifications be made regarding annexations of the remaining parcels. The motion was seconded by Commr. Staub. Following individual comments, the motion carried by a 4-0 vote, with Commr. Patterson not present. Discussion ensued with County Attorney DeMarsh regarding the annexation of parcels.

(11:30:15)

**27. COMMISSION REPORTS - Continued****B. PLANNING AND DEVELOPMENT SERVICES/ORDINANCES**

Commr. Mercier commented on and discussions were held with County Attorney Stephen DeMarsh on the following topics/issues:

- correspondence from Attorney Brenda Patten regarding "For Sale" signs pertaining to condominiums

Commr. Mercier moved to send correspondence under the Chair's signature regarding unauthorized signs. The motion was seconded by Chair Mills. Commr. Staub moved to amend the motion to direct (Code Enforcement) Staff to send correspondence to all parties to remove "For Sale" signs that do not have construction approval. The amended motion, seconded by Commr. Thaxton, carried by a 4-0 vote, with Commr. Patterson not present. Following discussion, Commr. Staub moved a substitute motion to send correspondence under the Chair's signature advising that parties should contact the Zoning Administrator regarding compliance pertaining to signs. The motion, seconded by Commr. Thaxton, carried by a 4-0 vote, with Commr. Patterson not present.

- Fast-Tracking Projects

Commr. Mercier moved to direct Staff to provide a report regarding Ordinance amendments/deletions for fast-tracking purposes regarding apartments and hotels. The motion, seconded by Commr. Staub, carried without objection.

- cost of right-of-way/development rights.

(11:38:03)

**C. COMMUNITY SERVICES/LEGISLATION/HOUSING/LEGAL**

Commr. Staub commented on and discussions were held with County Administrator James Ley and County Attorney Stephen DeMarsh on the following topics/issues:

- requests to purchase golf courses for parks/green space/costs to purchase urban parks/prioritization of sites to purchase/community assessment districts
- time frame on urban green space criteria report
- affordable housing/review of Legislation filed/mobile homes/Law/direct Staff to review the Board's authority on land use issues, without objection.

(11:45:05)

**D. MUNICIPALITIES/ENVIRONMENTAL SERVICES/ORGANIZATIONS**

Commr. Thaxton commented on and discussions were held with County Administrator James Ley on the following topics/issues:

- news article regarding Sarasota's ranking in Florida as the most livable city for renters
- news article regarding the intermediate aquifer study/water quality/existing wells/request for Staff to assess impacts of current and prospective wells tapping into the intermediate aquifer relating to water quality and quantity, without objection
- Mote Marine Aqua Center/Economic Development Corporation/Aquaculture initiative/products

**27. COMMISSION REPORTS - Continued****D. MUNICIPALITIES/ENVIRONMENTAL SERVICES/ORGANIZATIONS - Continued**

- participation in a class designed for County employees to improve presentation skills.

**A. MUNICIPALITIES/ORDINANCES/INSURANCE/ORGANIZATIONS/PLANNING AND DEVELOPMENT SERVICES/LEGAL - Continued**

Chair Mills commented on and discussions were held with County Administrator James Ley and County Attorney Stephen DeMarsh on the following topics/issues:

- Pineapple Square issue/anticipated vote/view ability on the County's Web site
- Keep Sarasota County Beautiful Program/school participation
- towing of vessels/request for Staff to review towing motor homes from public property, without objection
- rental policy on cars/lines of insurance to be purchased while on County business/additional insurance coverage
- Renaissance Manor/group homes/clustering/building permits/legal action/time standards for response/contact with the U.S. Department of Justice.

**RECESS:** 12:00 p.m. - 1:30 p.m.

**30. OPEN TO THE PUBLIC****A. STATE AGENCIES/MUNICIPALITIES**

Attorney Jeffrey Russell commented on concerns with the inclusion of a proposed cement plant relocation petition with four residential/commercial development petitions submitted to the Florida Department of Community Affairs (FDCA) in a Comprehensive Plan Amendment Cycle, commented on correspondence submitted by Staff to the FDCA relative to traffic impacts from the proposed petitions, and requested correspondence be submitted to the FDCA clarifying the County's traffic impact concerns relative to the residential/commercial development petitions separate from the cement plant relocation petition.

Upon inquiry, County Attorney Stephen DeMarsh commented on the clarification of the County's issues/concerns relative to a specific parcel and the FDCA Comprehensive Plan Amendment Cycle process and County Administrator James Ley advised of the submittal of the Comprehensive Plan Amendments by the City of Venice.

Subsequent to comments, Chair Mills noted no objection to direct Staff to submit correspondence to the FDCA, clarifying the County's concern relative to traffic impacts from the cement plant relocation petition versus the residential/commercial development petitions and noting no objection to separate consideration of the cement plant relocation petition. (See Item 25 earlier this meeting.)

(1:40:01)

**31. BUDGETS/ORGANIZATIONS**

The Board considered authorization to utilize Tourist Development Tax (TDT) revenues to fund the promotion of the 2007 and 2008 Florida Police and Fire Games in the County to be used principally to attract tourism to the County, in the form of two annual "bid fee" payments of \$25,000.00 each.

**31. BUDGETS/ORGANIZATIONS - Continued**

Financial Planning Administrative Assistant II Terry Colombo presented an overview of Staff's report on the request to use TDT funds by the Sheriff's Office to host the Florida Police and Fire Games, commented on the bid fee process, and noted the economic benefits to the County.

Subsequent to comments, Commr. Staub moved to authorize use of TDT revenues to fund the promotion of the 2007 and 2008 Florida Police and Fire Games in the County to be used principally to attract tourism to the County, in the form of two annual "bid fee" payments of \$25,000.00 each. The motion was seconded by Commr. Thaxton. Following comments, the motion carried by a 4-0 vote, with Commr. Patterson not present.

**27. COMMISSION REPORTS - Continued****A. BCC - Continued**

Chair Mills noted the absence of Commr. Patterson for the remainder of the meeting.  
(1:44:32)

**32. CONTRACTS**

The Board considered a Contract, Amendment No. 1 to Contract No. 2005-280, with Coastal Technology Corporation for Phase II of the Scope of Services associated with the development of an integrated Inlet Management Plan (IMP) for Big Sarasota Pass and New Pass, in the amount of \$411,745.00.

Environmental Services Coastal Resources Manager Laird Wreford gave an overview of the Phase 1, Scope of Services and Dr. Cliff Truitt of Coastal Technology Corporation summarized Phase II of the Scope of Services associated with the development of an IMP for Big Sarasota Pass and New Pass.

Discussions were held with Mr. Wreford and Dr. Truitt on the following topics/issues:

- scientific review/input relative to the sand management component of the Project
- stakeholder concerns regarding the data used
- time frame to complete the Phase II study
- benefits from the study/data collection
- implementation of a study by the West Coast Inland Navigation District (WCIND).

Commr. Staub moved to approve Contract No. 2006-187, Amendment No. 1 to Contract No. 2005-280, with Coastal Technology Corporation for Phase II of the Scope of Services associated with the development of an IMP for Big Sarasota Pass and New Pass, in the amount of \$411,745.00. The motion was seconded by Commr. Thaxton.

(2:12:04)

Mr. Wreford commented on the availability of Federal funds to address Regional projects, noted a future meeting with the U.S. Army Corp of Engineers (USACE) to address funding costs of the Phase II, Scope of Services Project, and suggested to modify the Contract with contingency language, as presented on page A-12, regarding the task items.

Discussion ensued with Mr. Wreford and Dr. Truitt on the following topics/issues:

- USACE management/control of the Project's task implementation/timing
- future funding of area projects
- time frame for Board review/consideration
- field work/survey completion during winter conditions.

**32. CONTRACTS - Continued**

Commr. Staub moved a substitute motion to direct Staff to proceed with the Contract with the appropriate contingency language as approved by the County Attorney and the County Administrator, in an amount up to \$411,745.00. The motion, seconded by Commr. Mercier, carried by a 4-0 vote.

(2:21:07)

**33. RESOLUTIONS**

The Board considered a proposed Resolution regarding State and Local Housing Trust Funds funded under the Sadowski Act.

Planning and Development Services Housing and Community Development Services General Manager Donald Hadsell presented an overview of Staff's report on the proposed Resolution requesting the Florida Legislature to fully fund the State and Local Housing Trust Funds created by the William Sadowski Affordable Housing Act for Fiscal Years (FY) 2006 and 2007 and noted the funding benefits to the County under the State Housing Initiatives Partnership (SHIP) Program. Upon inquiry, Mr. Hadsell commented on the additional fund capabilities for down payment assistance and rehabilitations.

Commr. Thaxton moved to adopt Resolution No. 2006-031, requesting the Florida Legislature to fully fund the State and Local Housing Trust Funds created by the William Sadowski Affordable Housing Act for FY 2006 and FY 2007. The motion, seconded by Commr. Staub, carried by a 4-0 vote. Individual comments followed.

(2:25:52)

**34. RESOLUTIONS**

**NOTE: The Applicant has requested withdrawal of the following Petition:**

Public hearing continued from January 11, 2006, to consider a proposed Resolution, Special Exception Petition No. 1623, a petition by George Aubin, Agent, to allow a height increase for a proposed 55 unit transient accommodation facility on 1.53 acres ± located in the southwest quadrant of Interstate 75 (I-75) and Fruitville Road, north of Cattlemen Road, and West of Packinghouse Road in a CHI (Commercial Highway Interchange) zone district. (Planning Commission recommended approval.)

Upon inquiry, Planning and Development Services Senior Planner Shelley Hamilton, duly sworn, commented on the Applicant's decision to lower the height of the proposed project to comply with the CHI zone district height regulations and the request to withdraw the petition.

(2:27:18)

**35. RESOLUTIONS**

Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-013, to provide for the allocation of the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) Grant for the Early Childhood Mental Health Partnership Project, in the amount of \$1,000,000.00, which includes a \$100,000.00 match from the Florida Center for Child and Family Development (FCCFD) and a \$233,333.00 match from the County's Strategic Initiatives and Opportunities (SIO) Fund.

Having been duly sworn, Health and Human Services Social Services General Manager Charles Taylor commented on the proposal regarding the receipt of U.S. SAMHSA grant funds for the implementation of the Early Childhood Mental Health Partnership Project and noted the funding matches by the FCCFD and the County's SIO Fund.

**35. RESOLUTIONS - Continued**

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

Upon inquiry, Mr. Taylor commented on the use of the grant/matching funds and the management for the Project.

Commr. Staub moved to adopt Resolution No. 2006-032, approving Budget Amendment No. B2006-013. The motion, seconded by Commr. Mercier, carried by a 4-0 vote.

(2:31:34)

**36. RESOLUTIONS**

Sitting as the Water and Navigation Control Authority (WNCA):

Public hearing to consider a proposed Resolution, amending Resolution No. 2004-076, to modify Stipulation No. 29 to delete language requiring propeller guards and to incorporate language requiring the installation, monitoring, and maintenance of a Monofilament Recovery and Recycling Bin associated with WNCA Major Work Permit No. NAT2002-01019.

Having been duly sworn, Environmental Services Resource Protection Supervisor Matthew Osterhoudt commented on the request by the Eden Harbor Homeowners Association to amend Stipulation No. 29 of the previously approved WNCA permit to revise the requirement for propeller guards to allow for the installation of a Monofilament Recovery and Recycling Program (MRRP), discussed the impacts from the use of propeller guards to manatees/marine life, and noted Staff's recommendation for approval.

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

- State requirements regarding propeller guards
- recyclable monofilament lines/volume of line collections
- use of propeller guards versus monofilament lines.

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

Commr. Mercier moved to adopt Resolution No. 2006-033, approving the amendment of Resolution No. 2004-076, to modify Stipulation No. 29 to delete language requiring propeller guards and to incorporate language requiring the installation, monitoring, and maintenance of a Monofilament Recovery and Recycling Bin associated with WNCA Major Work Permit No. NAT2002-01019. The motion, seconded by Commr. Thaxton, carried by a 4-0 vote.

Chair Mills adjourned as the WNCA and reconvened as the Board of County Commissioners.

(2:40:00)

**30. OPEN TO THE PUBLIC (Continued) - No one appeared at this time.****27. COMMISSION REPORTS - Continued****A. ENVIRONMENTAL SERVICES/ORDINANCES/PUBLIC WORKS - Continued**

Chair Mills commented on and discussions were held with County Administrator James Ley on the following topics/issues:

- Contract provisions regarding waste collection time frames

**27. COMMISSION REPORTS - Continued**

**A. ENVIRONMENTAL SERVICES/ORDINANCES/PUBLIC WORKS - Continued**

- correspondence received from the Animal Welfare Advisory Committee regarding their review of the Animal Control Ordinance
- Venetian Waterway Project options/funding/competitive bid request that Staff provide an e-mail regarding the Project's location, costs, and the bid process, without objection
- Trail Construction Project/relocation of the gopher tortoises found in the area request that Staff provide an e-mail on the status of the Project, without objection.

(2:46:54)

**29. BCC**

Following comments on the Board of County Commissioners Meeting Schedule, Commr. Staub requested that Staff review the possibility to schedule a joint meeting with the Englewood CRA Advisory Committee on March 27, 2006, at the Robert L. Anderson Administration Center, without objection. (See Item later this meeting.)

**28. BCC**

The Board reviewed the County Commission Outstanding Board Assignments Report dated February 3, 2006. The following assignments were noted/discussed:

- Item No. 05124, ID No. 01
- Item No. 06013, ID No. 02
- Item No. 06003, ID No. 03
- Item No. 06016, ID No. 05
- Item No. 05116, ID No. 07

**29. BCC - Continued**

The Board reviewed the Board of County Commissioners Meeting Schedule.

**MEETING ADJOURNED: 2:51 p.m.**