

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

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

9:00 a.m.

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

INVOCATION

Pastor David Taiz, Youth Minister at Fellowship of Believers

PLEDGE OF ALLEGIANCE

Commissioner Staub

PRESENTATION OF PROCLAMATIONS:

Geographic Information System (GIS) Day - November 15, 2006
Sarasota County Health Department's 60th Anniversary
Florida National Family Week - November 19 through November 25, 2006

RECOGNITION

Charles Ballenger, Community Service

PERFORMANCE RECOGNIZED AS OUTSTANDING (PRO) AWARDS:

Melanie Michael, Health Department, Individual Accomplishment

RECOGNITION OF RETIREMENTS

Jim Papale, Community Services - 36 years of service

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.

RATIFIED

1. ADMINISTRATION

To ratify the previously issued Proclamation for the South Gate Community Association 50th Anniversary.

APPROVED

2. EMERGENCY SERVICES

To approve a Contract, a Funding Agreement, with Sarasota K-9 Search and Rescue, Inc., for volunteer aid, in the amount of \$28,000.00.

APPOINTMENTS MADE**3. ENVIRONMENTAL SERVICES**

- A. To appoint Debra Gardow, as the City of Venice Representative, to serve a four-year term on the Solid Waste Managements Citizens Advisory Board (SWM CAB), effective through January 2011;
- B. To appoint Todd Kucharski, as the City of Sarasota Representative, to serve a four-year term on the SWMCAB, effective through January 2011;
- C. To reappoint Mary Jelks and Dennis Laabs to serve four-year terms on the SWMCAB, as Citizen-At-Large Representatives, effective through January 2011.

APPROVED**4. ENVIRONMENTAL SERVICES**

To approve a Contract, a Specific Operating Agreement, with the Florida Department of Environmental Protection (FDEP) for the Air Pollution Control Program.

APPROVED**5. ENVIRONMENTAL SERVICES**

To approve a Contract, with Frederick Derr and Company, Inc., for the construction of various stormwater drainage improvement projects over the next three years, in an amount not to exceed \$3,699,150.00.

AUTHORIZED/ADOPTED**6. ENVIRONMENTAL SERVICES**

- A. To authorize execution of an application for a construction State Revolving Fund (SRF) Loan for Phillippi Creek Septic System Replacement Program (PCSSRP), Area "K;"
- B. To adopt a Resolution, establishing pledged revenues and authorizing the Environmental Services Executive Director as the representative to provide the assurances and commitments required by the loan application and to authorize the Chair to execute the SRF Loan agreement;
- C. To adopt a Resolution, Budget Amendment No. B2007-009, amending the Fiscal Year (FY) 2006 Budget to increase the Utilities State Revolving Fund for the construction of PCSSRP Area K, in the amount of \$957,017.00.

AUTHORIZED**7. ENVIRONMENTAL SERVICES**

- A. To confirm the policy and methodology established by the County Utility System to address the problem of the existing water wells located within 25 feet, or between 25 feet to 50 feet, of a new sewer line constructed as part of the improvements in Area "A" of the Phillippi Creek Septic System Replacement Program (PCSSRP);
- B. To authorize the County Utility System Staff to make the necessary payments, refunds or credits associated with mitigating the impacts from the construction of certain sewer lines in Area "A" of the PCSSRP to those owners of existing, impacted water wells in Area "A" of the PCSSRP.

APPROVED**8. HEALTH AND HUMAN SERVICES**

To approve a Contract, a Funding Agreement, with the Florida Department of Health for the provision of public health services to the citizens and residents of the County for the Fiscal Year (FY) ending September 30, 2007, in the amount of \$3,201,291.00.

APPROVED**9. FINANCIAL PLANNING**

To approve a full and final settlement to Nationwide Insurance, as subrogee of Connie Dryden, in the amount of \$7,954.48, and to Connie Dryden for a rental reimbursement claim, in the amount of \$1,257.21.

AUTHORIZED**10. FINANCIAL PLANNING**

To authorize the disposal of property items and removal from the Fixed and Movable Asset Detail Inventory Listing.

REFERRED**11. FINANCIAL PLANNING**

To refer a conduit financing request by Habitat for Humanity Sarasota, Inc., for land acquisition to the County Health Facilities Authority and Industrial Revenue Bond Citizens for review and a recommendation, in an amount not to exceed \$4,500,000.00.

ADOPTED AS AMENDED**12. PLANNING AND DEVELOPMENT SERVICES**

To adopt Ordinance No. 2006-068, Rezone Petition No. 06-09, a petition by Brenda Patten, Agent, to rezone 18.27 acres \pm located at the southeast corner of U.S. 41 and South Holiday Drive, from RSF-2 (Residential Single Family, 3.5 units per acre) to CG (Commercial General) zone district, as approved by the Board on October 11, 2006, by a 3-2 vote, with Comms. Mercier and Thaxton voting "No."

ADOPTED**13. PLANNING AND DEVELOPMENT SERVICES**

To adopt Ordinance No. 2006-069, Rezone Petition No. 06-10, a petition by Brenda Patten, Agent, to rezone 13 acres \pm located south of the terminus of South Holiday Drive, lying westerly of Tamiami Trail/U.S. 41 from OUA (Open Use, Agriculture, 1 unit/160 acres) to RMF-3 (Residential, Multi-Family, 13 units/1 acre) zone district, as approved by the Board on October 11, 2006, by a 3-2 vote, with Comms. Mercier and Thaxton voting "No."

GRANTED**14. PUBLIC WORKS**

To grant a permanent utility easement to the Florida Power and Light (FPL) Company for the construction, operation, and maintenance of a new pad mounted electrical transformer and appurtenant equipment for the Tatum Road Pump Station facility located at University Parkway/Interstate 75 (I-75).

AUTHORIZED**15. PUBLIC WORKS**

To authorize advertising of a public hearing to consider a proposed Ordinance, providing for the establishment of the Siesta Key Village Public Improvement District (PID).

RATIFIED/APPROVED**16. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER REPORT**

To ratify and approve the warrants dated October 16, 2006, in the amount of \$37,404,560.98, as detailed in the voucher packages filed in the Finance Department.

APPROVED

17. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER REPORT

To approve the Minutes of the meetings dated October 23, October 24, October 25, and November 3, 2006.

DISCUSSION SECTION

REQUESTED STAFF TO PREPARE A REPORT ON REGULATING SMOKING ON AREA BEACHES

REQUESTED THE KSBAB (KEEP SARASOTA BEAUTIFUL ADVISORY BOARD)/STAFF TO REVIEW A STATE/LOCAL INITIATIVE RELATIVE TO A "HOT LINE" TO REPORT DISCARDING CIGARETTE BUTTS OUT OF AUTOMOBILES (INCLUDING LITTERING)

18. ENVIRONMENTAL SERVICES

Presentation of the Keep Sarasota Beautiful Advisory Board Annual Report.

DEFERRED

19. COMMUNITY SERVICES

To consider the County's role relative to golf facilities.

AUTHORIZED ADVERTISING FOR A PROPOSED RESOLUTION AND ORDINANCE

20. ENVIRONMENTAL SERVICES

- A.** To consider authorization to advertise proposed Resolution No. 2006-219, Notice of Intent to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments to fund sewer improvements within the reinstated Lake Sarasota Public Improvement District (PID);
- B.** To consider authorization to advertise proposed Ordinance No. 2006-077, providing for the reinstatement of the Lake Sarasota PID.

NO ACTION

21. ENVIRONMENTAL SERVICES

To consider area reprioritization of the Phillippi Creek Septic System Replacement Program.

REPORTS SECTION

NOTED

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

- A.** Filed for Record List.

AUTHORIZED STAFF TO SEEK A CBIR FUND, IN THE AMOUNT OF \$4,000,000.00, INCLUDING THANK YOU CORRESPONDENCE TO SENATOR BENNETT

23. COUNTY ADMINISTRATOR'S REPORT

APPROVED A SETTLEMENT AGREEMENT WITH CIRCLE WOODS FOR A NEW EASEMENT AND BILL OF SALE TO COMPLETE THE TRANSFER OF THE UTILITY.

APPROVED FINAL SETTLEMENT TO JOSEPH WHEATON IN THE AMOUNT OF \$18,000.00

24. COUNTY ATTORNEY'S REPORT

APPROVED THE REQUEST TO STAFF TO SEND FLOWERS TO COMMR. MERCIER IN APPRECIATION FOR REPRESENTING THE COUNTY ON THE CANVASSING BOARD

APPROVED THE REQUEST TO STAFF TO SEND CONGRATULATORY CORRESPONDENCE TO STATE REPRESENTATIVES ELECT DOUG HOLDER, KEITH FITZGERALD, MICHAEL GRANT, AND LISA CARLTON.

APPROVED THE REQUEST TO STAFF TO PREPARE A REPORT ON THE BOARD'S OPTIONS RELATING TO THE STORAGE OF AN AIRPLANE ON PRIVATE PROPERTY.

APPROVED THE REQUEST TO STAFF TO PREPARE A REPORT REGARDING CORRESPONDENCE FROM ATTORNEY FUREN REGARDING ZONING OPTIONS FOR REDEVELOPMENT OF PROPERTY CURRENTLY ZONED PUBLIC INDUSTRIAL DISTRICT (PID)

APPROVED THE REQUEST TO STAFF TO CONTACT MIKE MILLER (OWNER OF THE CONCRETE PLANT PROPERTY) REGARDING THE POSSIBLE DEVELOPMENT/ USES/FACILITIES ON THE VENICE TRAIN DEPOT PROPERTY

APPROVED THE REQUEST TO STAFF TO CONTACT THE FLORIDA POWER AND LIGHT COMPANY REGARDING NET METERING FOR RENEWABLE ENERGY

APPROVED THE REQUEST TO STAFF FOR A REPORT CLARIFYING THE OPTIONS TO WORK WITH THE CITY OF NORTH PORT REGARDING THE STREET TREE PROGRAM.

APPROVED THE REQUEST TO STAFF TO DRAFT A PROPOSED ORDINANCE ALLOWING RESTAURANT OWNERS TO PERMIT DOGS INSIDE THE RESTAURANT

APPROVED THE REQUEST TO STAFF FOR A REPORT ON THE PLANS FOR THE USE OF THE HISTORY CENTER

APPROVED THE REQUEST TO STAFF TO EXPEDITE AN AGENDA ITEM REGARDING THE REQUEST FROM THE CITY OF VENICE FOR TOURIST DEVELOPMENT TAX FUNDS FOR THE LIMESTONE REEF ISSUE

APPROVED THE REQUEST TO STAFF TO DRAFT CORRESPONDENCE TO THE FLORIDA POWER AND LIGHT COMPANY IN APPRECIATION OF MEL KLINE FOR HIS ASSISTANCE TO THE COUNTY.

APPROVED THE REQUEST TO STAFF TO DEVELOP LANGUAGE FOR THE SIGN ORDINANCE ALLOWING POLITICAL SIGNS AT POLLING LOCATIONS

APPROVED CONSIDERATION OF THE CREATION OF A "VOTING SYSTEM OVERSIGHT GROUP" TO EVALUATE THE TECHNOLOGY AND NEEDS OF A NEW VOTING SYSTEM AND SCHEDULE AS A DISCUSSION ITEM

APPROVED AUTHORIZATION OF THE CHAIR'S SIGNATURE ON A RESOLUTION SUPPORTING THE CONTINUATION OF THE FLORIDA FOREVER PROGRAM

APPROVED A THREE PERCENT INCREASE IN SALARY AND A THREE PERCENT CONTRIBUTION INTO A HEALTH SAVINGS ACCOUNT FOR THE COUNTY ADMINISTRATOR

APPROVED THE REQUEST TO STAFF FOR A REPORT ON THE CORRESPONDENCE RECEIVED FROM THE RESIDENTS OF TRI PAR ESTATES REGARDING A ROAD ACCESS ISSUE

APPROVED THE REQUEST TO STAFF TO DRAFT CORRESPONDENCE IN APPRECIATION OF FLORIDA POWER AND LIGHT COMPANY'S CONSIDERATION OF THE PLACEMENT OF THE BOBWHITE TRANSMISSION LINE

25. COMMISSION REPORTS**NO ACTION****26. ADMINISTRATION**

Outstanding Board assignments.

NO ACTION

27. ADMINISTRATION

Review of Board Meeting Schedule.

1:30 p.m.

REFERRED THE ALLEGED COUNTY CODE VIOLATION FOR THE PROPERTY LOCATED AT 5111 OCEAN BOULEVARD TO THE COUNTY ADMINISTRATOR FOR REVIEW

28. 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

APPROVED STAFF'S RECOMMENDATION OF THE PRIORITY RANKING OF PROJECTS FOR FISCAL YEAR 2008 SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) COOPERATIVE FUNDING CYCLE

29. ENVIRONMENTAL SERVICES

To consider priority ranking of Projects for the Fiscal Year (FY) 2008 Southwest Florida Water Management District (SWFWMD) Cooperative Funding Cycle and to consider approval of the recommended Priority Listing for County Projects for submission to SWFWMD and Manasota Basin Board for Cooperative Funding.

AUTHORIZED ADVERTISING

30. ENVIRONMENTAL SERVICES

To consider authorization to advertise a proposed Ordinance, to provide for mandatory setback guidelines, for readiness-to-serve charges and additional enforcement action for violations, including enforcement of mandatory sewer connection requirements, amending Ordinance No. 2000-079 as amended and codified in Chapter 126, Article II, amending Section 126-58 of the County Code relating to the County Water and Sewer Utility System.

AUTHORIZED ADVERTISING

31. PUBLIC WORKS

To consider authorization to advertise a proposed Ordinance, a Proportionate Fair Share, amending Ordinance No. 89-103, as amended and codified in Chapter 94, Article VII of the County Code, relating to Concurrency Management Regulations, pursuant to Senate Bill 360.

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.

CONTINUED TO DECEMBER 4, 2006

32. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, authorizing the transmittal of Comprehensive Plan Amendment No. RU-134 to the Florida Department of Community Affairs (FDCA) for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01, a

32. PLANNING AND DEVELOPMENT SERVICES - Continued

petition by Sharon Tarmon, Agent, a privately-initiated revision to the Future Land Use Map (FLUM) to redesignate 15.3 acres \pm located on the north side of Bay Street east and adjacent to Pine Ranch Road from Low Density Residential (<2 dwelling units/acre) to Moderate Density Residential (≥ 2 and <5 dwelling units/acre). (Planning Commission recommended denial.)

ADOPTED**33. PLANNING AND DEVELOPMENT SERVICES**

Public hearing to consider a proposed Resolution, authorizing the transmittal of Comprehensive Plan Amendment No. RU-135, to the Florida Department of Community Affairs (FDCA) for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01, a County-initiated petition to amend the Capital Improvements Element (CIE), revising Table 10-3: Five-Year Schedule of Capital Improvement Components of the Comprehensive Plan, to be consistent with the Fiscal Year (FY) 07-FY 11 Capital Improvements Program (CIP) to the Florida Department of Community Affairs (FDCA) for their review and comment. (Planning Commission recommended approval.)

CONTINUED TO DECEMBER 4, 2006**34. PLANNING AND DEVELOPMENT SERVICES**

Public hearing to consider a proposed Resolution, authorizing the transmittal of Comprehensive Plan Amendment No. RU-136, to the Florida Department of Community Affairs (FDCA) for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01, a County-initiated petition to amend the Future Land Use (FLU) Chapter policies to provide clarity regarding development rights of Residential Multi-Family (RMF) zoned parcels to the Florida Department of Community Affairs (FDCA) for their review and comment. (Planning Commission recommended approval.)

CONTINUED TO DECEMBER 4, 2006**35. PLANNING AND DEVELOPMENT SERVICES**

Public hearing to consider proposed Ordinance No. 2006-049, Zoning Ordinance Amendment No. 6A, a County-initiated petition to clarify Section 6.6.1. of the County Zoning Regulations regarding density as it applies to duplex development on non-conforming Residential, Multi-Family (RMF) lots of record. Applicable RMF-zoned non-conforming lots of record are proposed to be exempt from the maximum gross densities of the zoning district. (Planning Commission recommended approval.)

CONTINUED TO DECEMBER 4, 2006**36. PLANNING AND DEVELOPMENT SERVICES**

Public hearing to consider proposed Ordinance No. 2006-050, Zoning Ordinance Amendment No. 6B, a County-initiated petition to clarify the development standards for duplex structures on non-conforming Residential Multi-Family (RMF) zoned parcels on the Barrier Islands and the Mainland areas. Proposed changes include the creation of Section 8.4.5, Requirements for Non-conforming Lots on Barrier Islands, which addresses the development standards along with other revisions to provide appropriate cross-referencing to the new section. (Planning Commission recommended approval.)

CONTINUED TO DECEMBER 4, 2006**37. PLANNING AND DEVELOPMENT SERVICES**

Public hearing to consider a proposed Resolution, authorizing the transmittal of Comprehensive Plan Amendment No. RU-138 to the Florida Department of Community

37. PLANNING AND DEVELOPMENT SERVICES - Continued

Affairs (FDCA) for review and comment, and to defer transmittal until action has been taken on all amendments in the Comprehensive Plan Amendment Cycle 2007-01 for a County-initiated petition to amend Chapter 7, Housing, of the Comprehensive Plan to provide a definition of Affordable Housing to the Florida Department of Community Affairs (FDCA) for their review and comment. (Planning Commission recommended approval.)

NO ACTION

28. OPEN TO THE PUBLIC - Continued (Three-minute time limit per person/per meeting.)