

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

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

9:00 a.m.

David R. Mills, Chair, District 2
Nora Patterson, Vice Chair, District 4
Paul H. 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
Paula Clintsman, Deputy Clerk

INVOCATION

Community Services Parks and Recreation General Manager John McCarthy

PLEDGE OF ALLEGIANCE

Commissioner Staub

PRESENTATION OF PROCLAMATIONS:

Veteran's Day - November 11, 2006

Health Information and Technology Week - November 5 through November 11, 2006

CONSENT SECTION:

9:08:51 Board Action: Approved Items 1-21, with separate discussions on Items 6, 9, 18, and 19. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

1. ADMINISTRATION

Ratified the previously issued Proclamation for the National Business Women's Week in Sarasota County - October 16 through 20, 2006.

2. EMERGENCY SERVICES

Approved Contract No. 2007-018, a Mutual Automatic Aid Agreement, with the Myakka City Fire Control District for fire and emergency medical services.

3. EMERGENCY SERVICES

A. Approved Contract No. 2007-019, a Subgrant Agreement, with the Florida Department of Community Affairs (FDCA), Office of Domestic Preparedness (ODP), for the State Homeland Security Grant Program (SHSGP) award;

B. Adopted Resolution No. 2006-222, Budget Amendment No. B2007-001, to appropriate the funding for the ODP SHSGP Agreement, in the amount of \$58,330.00.

4. FINANCIAL PLANNING

Authorized the disposal of vehicles and off-road equipment.

5. FINANCIAL PLANNING

Authorized the donation of property disposal items and removal from the Fixed and Movable Asset Detail Inventory Listing.

6. FINANCIAL PLANNING

9:12:10 Board Action: Referred a conduit financing request by The Glenridge on Palmer Ranch, Inc., to the County Health Facilities and Industrial Development Bond Citizens Advisory Committee for review and recommendation of County Industrial Development Revenue Bonds to refinance existing debt. Moved by Patterson, seconded by Staub, carried by a 5-0 vote.

7. ENVIRONMENTAL SERVICES

Approved Contract No. 2007-020, Specific Authorization No. 4 to Contract No. 2005-193, with Vanasse Hangen Brustlin, Inc., for professional environmental services for the T. Mabry Carlton, Jr., Memorial Reserve Water Use Permit Environmental Monitoring, in the amount of \$338,577.00.

8. ENVIRONMENTAL SERVICES

Approved Contract No. 2007-021, Specific Authorization No. 3 to Contract No. 2005-193, with Vanasse Hangen Brustlin, Inc., for stream discharge data collection and analysis, in the amount of \$203,801.00.

9. ENVIRONMENTAL SERVICES

- A.** 9:13:19 Board Action: Approved Contract No. 2007-022 with The RMPK, Group, Inc., for professional engineering and design services, in the amount of \$1,000,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote;
- B.** 9:13:19 Board Action: Approved Contract No. 2007-023 with Glatting Jackson Kercher Anglin Lopez Rinehart, Inc., for professional engineering and design services, in the amount of \$1,000,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote;
- C.** 9:13:19 Board Action: Approved Contract No. 2007-024 with King Engineering, Inc., for professional engineering and design services, in the amount of \$1,000,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.
- D.** 9:13:19 Board Action: Approved Contract No. 2007-025 with Kimley-Horn and Associates, Inc., for professional engineering and design services, in the amount of \$1,000,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

10. ENVIRONMENTAL SERVICES

- A.** Approved Contract No. 2007-026, an Assignment of Option to Purchase, with The Nature Conservancy to authorize acquisition of Lot 3, Block H, Warm Mineral Springs from Oleg Mityanski;
- B.** Adopted Resolution No. 2006-223 authorizing the County Administrator to exercise the Option to Purchase the Oleg Mityanski property upon completion of all due diligence involved in the acquisition.

11. ENVIRONMENTAL SERVICES

- A.** Approved Contract No. 2007-027, an Assignment of Option to Purchase, with The Nature Conservancy to authorize acquisition of Lot 5, Block H, Warm Mineral Springs from Volodymyr Mityanski;
- B.** Adopted Resolution No. 2006-224 authorizing the County Administrator to exercise the Option to Purchase the Volodymyr Mityanski property upon completion of all due diligence involved in the acquisition.

12. ENVIRONMENTAL SERVICES

- A. Approved Contract No. 2007-028, an Assignment of Option to Purchase, with The Nature Conservancy to authorize acquisition of Lot 1, Block H, Warm Mineral Springs from Tatiana Zinchuk;
- B. Adopted Resolution No. 2006-225 authorizing the County Administrator to exercise the Option to Purchase the Tatiana Zinchuk property upon completion of all due diligence involved in the acquisition.

13. PLANNING AND DEVELOPMENT SERVICES

Reappointed Cliff Stone to serve a four-year term on the Building Code Board of Adjustments and Appeals, as the Electrical Engineer Representative, effective through October 2010.

14. PLANNING AND DEVELOPMENT SERVICES

Approved the Policy Guidelines for the Special Needs Housing Program.

15. PLANNING AND DEVELOPMENT SERVICES

Approved the revised Policy Guidelines for the Owner-Occupied Housing Rehabilitation Program.

16. PLANNING AND DEVELOPMENT SERVICES

Approved the Englewood Community Redevelopment Area (CRA) community sign applications for placement in public right-of ways.

17. PLANNING AND DEVELOPMENT SERVICES

Authorized execution of Substitute Ordinance No. 2004-054, Zoning Ordinance (No. 2003-052) Amendment No. 3b, Clean Up Amendment, revising Section 6.10.3.d.

18. PUBLIC WORKS

9:19:57 Board Action: Approved Contract No. 2007-029, an Access Agreement, with SDC Communities, Inc., to authorize access opportunities consistent with the terms and locations of the State Road (S.R.) 681 Access Management Plan. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

19. PUBLIC WORKS

- A. 9:33:40 Board Action: Approved Contract No. 2007-030, a Professional Services Agreement, with the Sarasota Conservation Foundation for land acquisition and management services, in an amount not to exceed \$1,500,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.
- B. 9:33:40 Board Action: Approved Contract No. 2007-031, a Professional Services Agreement, with The Trust for Public Land for land acquisition and management services, in an amount not to exceed \$1,500,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

9:31:20 Board Action: Directed Staff to provide the total expenditure for each Contract in the Board's quarterly financial report. Requested by Staub, without objection.

9:32:26 Board Action: Directed that the fee schedule/hours spent on a project be included in Staff's report at the time of consideration of an acquisition Contract. Requested by Thaxton, without objection.

20. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

Ratified and approved the warrants dated October 2 through October 13, 2006, in the amount of \$29,014,043.37, as detailed in the voucher packages filed in the Finance Department.

21. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

Approved the Minutes of the meetings dated October 5, October 10, and October 11, 2006.

(9:35:55)

22. PUBLIC WORKS

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

- A. 9:35:05 Board Action: Approved Contract No. 2007-032, an Interlocal Agreement, with the Manatee County Board of Commissioners d/b/a Manatee County Area Transit (MCAT) to coordinate bus operations along U.S. 41 between Palmetto and the Downtown Intermodal Transfer Station and to accept funding for extending the SCTA Route 18 to Coquina Beach on Anna Maria Island, in the amount of \$60,000.00 annually. Moved by Staub, seconded by Thaxton, without objection;
- B. 9:35:05 Board Action: Adopted Resolution No. 2006-226, Budget Amendment No. B2007-008, to appropriate the funding. Moved by Staub, seconded by Thaxton, without objection.

Chair Mills adjourned the SCTA and reconvened as the BCC.

(9:37:06)

DISCUSSION SECTION:**23. ENVIRONMENTAL SERVICES**

The Board considered the presentation of the Stormwater Environmental Utility Advisory Committee (SEUAC) Annual Report.

Staff: Environmental Services Water Resources General Manager Theresa Connor

Participants/Presenters: SEUAC Chair Gary Nieskes

9:48:50 Board Action: Directed that SEUAC/Staff address the reuse issue next year and be aware/review fees/current financing structure/alternatives for water/infrastructure. Requested by Staub, without objection.

(9:55:54)

24. PLANNING AND DEVELOPMENT SERVICES

The Board considered authorization to advertise a public hearing to consider a proposed Resolution to amend the Englewood Community Redevelopment Agency (CRA) Plan to add a Stormwater Project.

Staff: Planning and Development Services Community Redevelopment Area Coordinator Christine Davis and Environmental Services Water Resources General Manager Theresa Connor

24. PLANNING AND DEVELOPMENT SERVICES - Continued

10:06:36 Board Action: Directed Staff to provide options/develop a system for repayment and provide the cost and time table for a stormwater plan. Requested by Mills, Staub, and Mercier, without objection.

10:13:13 Board Action: Authorized advertising of a public hearing to consider a proposed Resolution to amend the Englewood CRA Plan to include a Stormwater Project. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

(10:13:09)

25. COMMUNITY SERVICES

The Board considered the appointment of one individual to serve a three-year term on the Parks Advisory and Recreation Council (PARC), as the At-Large Representative with a background and experience in real estate or business interests, effective through October 2009.

10:14:19 Board Action: Directed Staff to provide background information on the current members. Requested by Patterson, without objection.

10:14:54 Board Action: Closed the nominations, without objection.

10:17:50 Board Action: Appointed John Sargent, without objection.

26. PLANNING AND DEVELOPMENT SERVICES

The Board considered authorization to submit a "My Safe Florida Home" Grant Application, in the amount of \$1,000,000.00.

Staff: Planning and Development Services Housing and Community Development Services Deputy Director Daniel Schmelzinger

10:30:56 Board Action: Authorized Staff to submit the "My Safe Florida Home" Grant Application. Moved by Thaxton, seconded by Patterson, carried by a 5-0 vote.

RECESS: 10:31 a.m. - 10:39 a.m.

27. ENVIRONMENTAL SERVICES

The Board considered the Dona Bay Watershed Management Program and Regional Water Supply Plan.

Staff: Environmental Services Executive Director Rob Patten, Environmental Services Water Resources General Manager Theresa Connor, Environmental Services Environmental Specialist III Michael Jones, Dr. Ernie Estevez of Mote Marine Laboratory, Consultant Steve Suau of Integrated Water Solutions, Dr. David Tomasco of Post Buckley Schuh, and Jernigan, Inc., Environmental Services Water Operations Manager David Cash, and Environmental Services Operations General Manager George MacFarlane

Items submitted: A copy of Staff's PowerPoint presentation

12:16:17 Board Action: Directed Staff to complete the Dona Bay Watershed Management Plan, develop scope of services for Preliminary Design and Engineering Services of Phase I, and to engage the Authority in discussions of potential contractual relationship to develop water supply for a regional system. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

REPORT SECTION:**28. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER'S REPORT**

Clerk of the Circuit Court Karen Rushing presented and discussed the following items: Noted The Filed for Record List and the review process for future summary Minutes.

RECESS: 12:17 p.m. - 1:30 p.m.

29. COUNTY ADMINISTRATOR'S REPORT

County Administrator James Ley presented and discussed the following items: boater improvement funding and a proposal to create another Special District/Isles of Athena.

(4:41:16)

30. COUNTY ATTORNEY'S REPORT

County Attorney Stephen DeMarsh submitted and reviewed the following items: Final Plat of Lakewood Ranch Corporate Park, Unit 5A; Final Plat of Healthquest, Parcel 1; Interoffice Memorandum No. 823; and Interoffice Memorandum No. 824.

4:41:41 Board Action: Approved the Final Plat of Lakewood Ranch Corporate Park, Unit 5A. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

4:42:07 Board Action: Approved the Final Plat of Healthquest, Parcel 1. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:44:19 Board Action: Approved the settlement in a Workers' Compensation Claim, James Barnes v. Sarasota County, OJCC Case No. 05-001465DBB, in the amount of \$49,750.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:49:20 Board Action: Approved the settlement the Case of RMTS, LLC v. Sarasota County. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

(4:49:22)

31. COMMISSION REPORTS

A. COMMISSIONER STAUB

Commr. Staub commented on and discussions were held on the following items: public hearing on the Bee Ridge Road Extension, Venice Golf and Country Club facility stormwater/conservation award, Buster Longino's receipt of an Agricultural Hall of Fame Award, Coastal Setback Ordinance public hearing schedule, habitat protection of bald eagles, and the construction of a sewer line by Sarasota Memorial Hospital.

4:50:56 Board Action: Directed Staff to schedule a Board tour of the Venice Golf and Country Club in January or February 2007 regarding their stormwater/conservation efforts. Requested by Staub, without objection.

4:51:44 Board Action: Directed Staff to prepare a proclamation for a presentation to Buster Longino relating to an Agricultural Hall of Fame Award. Requested by Staub, without objection.

4:52:56 Board Action: Directed Staff to reschedule the Gulf Beach Setback Ordinance public hearing to February 2007 versus November 2006, to accommodate the request by the Casey Key residents. Requested by Staub, without objection.

4:56:05 Board Action: Directed Staff to allow the use of the County sewer line located at Interstate 75 (I-75) at Pinebrook and Laurel Roads by Sarasota Memorial Hospital. Requested by Staub, without objection.

B. COMMISSIONER PATTERSON

Commr. Patterson commented on and discussions were held on the following items: preparation of a proclamation for Jono Miller, options for advertising the public hearing relating to the time frame for underage individuals in night clubs, and the Board meeting schedule relating to the locations (North versus South County).

4:56:33 Board Action: Directed Staff to prepare a proclamation for a presentation to Jono Miller in recognition of a Lifetime Achievement Award. Requested by Patterson, without objection.

31. COMMISSION REPORTS - Continued**B. COMMISSIONER PATTERSON - Continued**

4:58:45 Board Action: Directed Staff to advertise an earlier time frame of 9:00 p.m. in the Ordinance (title block) relating to underage individuals in night clubs. Requested by Patterson, without objection.

5:02:22 Board Action: Directed Staff to review the petitions scheduled for North versus South County petitions relative to the Board meeting schedule. Requested by Patterson, without objection.

6:37:35 Board Action: Cancelled the Board's noon event scheduled for October 25, 2006, due to a public hearing. Requested by Patterson, without objection.

C. COMMISSIONER THAXTON

Commr. Thaxton commented on and discussions were held on the following items: appointment of Sandra Terry to the Infrastructure Surtax Committee; a request from the Metropolitan Planning Organization's (MPO) for funds for State/Federal educational activities and refreshments; request by the Friends of Myakka State Park to support a historic preservation grant; and a private property owner's (Mr. Rigby) drainage ditch/issue.

6:39:02 Board Action: Appointed Sandra Terry to the District 5, Infrastructure Surtax Committee. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

6:40:29 Board Action: Directed Staff to draft correspondence to the MPO supporting a transfer of funds, in the amount of \$1,000.00, for State and Federal educational activities and \$250.00 for meeting refreshments. Moved by Thaxton, seconded by Patterson, carried by a 5-0 vote.

6:41:32 Board Action: Directed Staff to draft correspondence in support of a historic preservation small matching grant. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

6:43:48 Board Action: Directed Staff to offer Mr. Rigby a remedy of the drainage ditch issue if he will grant an easement to the County to allow the placement of the drainage feature at the rear lot line. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

D. CHAIR MILLS

Chair Mills commented on and discussions were held on the following items: traffic signal at Clark Road and Ibis Street/warrant study to be completed by the Florida Department of Transportation (FDOT) and a news article relating to Pine Street.

(6:45:55)

6:48:21 Board Action: Directed Staff to review concerns expressed by the GlenRidge Building project pertaining to providing the costs of the impact fees at the time of a request. Requested by Mills, without objection.

32. ADMINISTRATION

The Board reviewed the County Commission Outstanding Board Assignments Report dated October 18, 2006.

6:48:35 Board Action: Directed Staff to add a Board Assignment to provide a Staff report on alternative signage and a graphic representation of a revetment relating to the Spoils Restoration Project. Requested by Thaxton and Patterson, without objection.

33. ADMINISTRATION

The Board reviewed the Board of County Commissioners Meeting Schedule.

34. OPEN TO THE PUBLIC

Del Borgsdorf, Jay Brady, Lee Brown, and Kerry Kirschner commented on impact fees.

RECESS: 2:00 p.m. - 2:01 p.m.

DISCUSSION SECTION - Continued**35. HEALTH AND HUMAN SERVICES**

The Board considered an allocation of funds from the Strategic Initiatives and Opportunities (SIO) Fund for Fiscal Year (FY) 2007 for the Voluntary Interim Placement-Enhanced Recovery (VIP-ER) Program (Phase 2 of the Community Alternative Residential Treatment (CART) Initiative).

Staff: County Administrator James Ley and Health and Human Services Social Services General Manager Charles Taylor

Participants/Presenters: Vice President of First Step, Inc., Bob Piper, and Vice President of Coastal Behavior Healthcare Dr. Kenneth Nutter

2:20:19 Board Action: Approved the allocation of funds from the SIO Fund for FY 2007 for the VIP-ER Program (Phase 2 of the CART Initiative), in the amount of \$241,556.00. Moved by Mercier, seconded by Patterson, carried by a 5-0 vote.

36. PLANNING AND DEVELOPMENT SERVICES

The Board considered the following Items:

- A.** Authorization to advertise a proposed Ordinance, amending Ordinance No. 89-097, as amended and codified in Chapter 70, Article III of the County Code, relating to impact fees for Road Facilities;
- B.** Authorization to advertise a proposed Ordinance, amending Ordinance No. 89-099, as amended and codified in Chapter 70, Article V of the County Code, relating to impact fees for Park Facilities;
- C.** Authorization to advertise a proposed Ordinance, amending Ordinance No. 91-068, as amended and codified in Chapter 70, Article II of the County Code, relating to impact fees for Library Facilities.

Staff: Planning and Development Services Senior Planner Gene Engman, County Administrator James Ley, County Attorney Stephen DeMarsh, and Public Works General Manager Clarke Davis

Participants/Presenters: Clancy Mullen of Duncan and Associates, Inc., and Dr. James Nicholas

Items Submitted: Revised page 8 of Staff's PowerPoint presentation.

3:34:01 Board Action: Authorized advertisement of a proposed Ordinance, amending Ordinance No. 89-097, as amended, relating to impact fees for Road Facilities. Moved by Mercier, seconded by Thaxton, carried by a 4-1 vote; Mills voted "No."

3:34:01 Board Action: Authorized advertisement of a proposed Ordinance, amending Ordinance No. 89-099, as amended, relating to impact fees for Park Facilities. Moved by Mercier, seconded by Thaxton, carried by a 4-1 vote; Mills voted "No."

3:34:01 Board Action: Authorized advertisement of a proposed Ordinance, amending Ordinance No. 91-068, as amended, relating to impact fees for Library Facilities. Moved by Mercier, seconded by Thaxton, carried by a 4-1 vote; Mills voted "No."

36. PLANNING AND DEVELOPMENT SERVICES - Continued

3:37:11 Board Action: Directed Staff to schedule/prepare a sliding scale to mitigate impact fees for affordable housing. Requested by Thaxton, without objection.

RECESS: 3:37 p.m. - 3:48 p.m.

37. PUBLIC WORKS

The Board considered authorization to the Sarasota County Area Transit (SCAT) Staff to coordinate with the Federal Transit Administration (FTA) and with the Florida Department of Transportation (FDOT) to develop a Small Starts Capital Grant Application for Regional Transit Services.

Staff: Public Works Transportation Planning Senior Planner Sarah Blanchard and Public Works Mobility Transit General Manager Anthony Beckford

Items Submitted: Copy of the PowerPoint presentation

3:53:43 Board Action: Authorized Staff to coordinate with FTA and with FDOT to develop a Small Starts Capital Grant Application for Regional Transit Services. Moved by Patterson, seconded by Staub, carried by a 5-0 vote.

3:53:47 Board Action: Directed Staff to provide copies of the revised bus schedules. Requested by Thaxton, without objection.

38. PLANNING AND DEVELOPMENT SERVICES

The Board considered a proposed Resolution, declaring eight parcels located within the City of Sarasota and in the unincorporated area of the County as surplus property for proposed affordable housing development.

Staff: Planning and Development Services Community Housing Manager Wendy Thomas

Participants/Presenters: Former Sarasota City Commissioner Carolyn Mason and Zeb Portanova, representing Habitat for Humanity, Inc.

4:08:16 Board Action: Adopted Resolution No. 2006-227, approving the surplus property for proposed affordable housing development, as recommended by Staff. Moved by Staub, seconded by Patterson, carried by a 5-0 vote.

PUBLIC HEARINGS:**39. PLANNING AND DEVELOPMENT SERVICES**

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1632, a petition by David Bowles, Agent, to expand an existing therapeutic horse riding day facility on 76.28 acres ± located on the north side of Ranch Road, east of Calusa Lakes Boulevard, in the OUE-1 (Open Use, Estate, 1 unit per 5 acres) zone district. (Planning Commission recommended approval.)

Staff: Planning and Development Services Senior Planner Kirk Crane and Public Works Transportation Mobility Planning Manager Paula Wiggins

Participants/Presenters: Executive Director of Therapeutic Horse Riding Facility Donna Blem and Planner Joel Freedman

Public Testimony: Jim Peterson

39. PLANNING AND DEVELOPMENT SERVICES - Continued

4:26:08 Board Action: Closed the public hearing. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

4:27:28 Board Action: Adopted Resolution No. 2006-228, approving Special Exception Petition No. 1632 with eight stipulations. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

Note: Oath/Signature Cards Filed for Record.

34. OPEN TO THE PUBLIC (Continued) - No one appeared at this time.**40. PLANNING AND DEVELOPMENT SERVICES**

- A.** Second public hearing to consider proposed Ordinance No. 2006-066, amending Ordinance No. 2003-052, as amended, and codified in Appendix A of the County Code, to add Section 4.10.7., creating the East Venice Avenue Overlay District. (Planning Commission recommended approval.) (Note: First public hearing was held on September 26, 2006.)
- B.** (Not a public hearing.) To consider a proposed Resolution establishing an Access Management Plan for East Venice Avenue, pursuant to Ordinance No. 2006-066.

Staff: Planning and Development Services Principal Planner Tate Taylor and Public Works Transportation Mobility Planning General Manager Clarke Davis

Participants/Presenters: Anne Merrill, of AMDS, Inc.

Public testimony: Attorney Michael Furen, Len-en Chung, and Les Monk

5:21:59 Board Action: Closed the public hearing. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

5:26:10 Board Action: Adopted Ordinance No. 2006-066, amending Ordinance No. 2003-052, as amended, creating the East Venice Avenue Overlay District. Moved by Staub, seconded by Patterson, carried by a 5-0 vote.

5:26:43 Board Action: Adopted Resolution No. 2006-229 for an Access Management Plan for East Venice Avenue. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

Chair Mills recessed the Board of County Commissioners (BCC) and convened as the Land Development Regulation Commission (LDRC).

5:28:27 Board Action: Sitting as the Land Development Regulation Commission, found proposed Ordinance No. 2006-066 consistent with the Sarasota County Comprehensive Plan as recommended by Staff. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

Chair Mills adjourned the LDRC and reconvened as the BCC.

Note: Oath/Signature Cards Filed for Record.

(5:28:34)

41. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider proposed Ordinance No. 2006-078, amending Ordinance No. 2003-052, the Zoning Ordinance, as amended and codified, as Appendix A of the County Code, adding Article 12, Community Housing Development (CHD) to establish the Affordable Housing Overlay District (AHOD). (Planning Commission had no recommendation.) (Note: Second public hearing will be held on November 15, 2006.)

41. PLANNING AND DEVELOPMENT SERVICES - Continued

Staff: Planning and Development Services Community Housing Manager Wendy Thomas and County Attorney Stephen DeMarsh

Public testimony: Joe O'Hara (submitted a written statement), John Pecilunas (submitted a copy of an e-mail), Attorney Dan Bailey, and Martina Guilfoyle

6:24:14 Board Action: Directed Staff to revise the language in the proposed Ordinance, page C-5, Item (3), as follows (additions shown as underlined text). Requested by Thaxton, without objection.

Properties must be owner occupied for at least ten years from the original closing date of purchase. If sold . . .

6:24:50 Board Action: Directed Staff to revise the language relative to income "to define earned income by the HUD (Housing and Urban Development) or by the applicable regulations/all income sources." Requested by Thaxton, without objection.

6:30:18 Board Action: Directed Staff to clarify the language referenced on page C-6, Item 3, Timing, and to maintain a balance between "Community Housing Units and/or Affordable Housing Units." Requested by Thaxton, without objection.

6:34:11 Board Action: Requested Staff to discuss with the developers the Unit Specifications relative to the number of bedrooms/bathrooms, appliances, and utilities. Requested by Patterson, without objection.

6:36:11 Board Action: Directed Staff to review the advertising publication and Consistency Review. Requested by Thaxton, without objection.

6:36:41 Board Action: Closed the public hearing. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

Chair Mills noted the second public hearing to be held on November 15, 2006.

Note: Oath/Signature Cards Filed for Record.

MEETING ADJOURNED: 6:53 p.m.

MINUTES APPROVED: _____

Chair