

**MINUTES
BOARD OF COUNTY COMMISSIONERS**

**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
David Bullock, Deputy County Administrator
Stephen DeMarsh, County Attorney
Claudia Goodson, Deputy Clerk
Tricia Granger, Deputy Clerk

INVOCATION

Pastor Jim McClelland, Fishers of Men Bible Church

PLEDGE OF ALLEGIANCE

Commissioner Mercier

PRESENTATION OF PROCLAMATIONS:

Extension Living Well Week - March 19 through March 25, 2006

CERTIFICATE OF RECOGNITION:

Sarasota County Arts Council Executive Director Patricia Caswell

1. RESOLUTIONS

The Board considered the following items:

- A. A proposed Resolution approving the issuance of \$980,000.00 in non-utilities commercial paper borrowings through the Florida Local Government Finance Commission's tax exempt Commercial Paper Loan Program for general government projects (Draw A-55);
- B. A proposed Resolution approving the issuance of \$5,190,000.00 in non-utilities commercial paper borrowings through the Florida Local Government Finance Commission's tax exempt Commercial Paper Loan Program for general government projects (Draw A-56).

Financial Planning Budget Management Analyst Steve Botelho summarized the proposed Resolutions for the issuance of commercial borrowing for General Government Projects and noted Staff's recommendation for approval. Discussions were held with Mr. Botelho and Sheriff's Office Major William Fleeman on the following topics/issues regarding the Knight's Trail Gun Range Expansion Project:

- total cost of the Project
- impact of additional personnel costs
- shared use of the facility/use by agencies outside of the jurisdiction
- basis for the expansion/training needs
- Florida Department of Law Enforcement (FDLE) funding
- request for a diagram of the expansion plan, without objection.

1. RESOLUTIONS - Continued

Commr. Staub moved to adopt Resolution No. 2006-064 approving the issuance of \$980,000.00 in non-utilities commercial paper borrowings through the Florida Local Government Finance Commission's tax exempt Commercial Paper Loan Program for general government projects (Draw A-55). The motion was seconded by Commr. Mercier. Following comments, the motion carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-065 approving the issuance of \$5,190,000.00 in non-utilities commercial paper borrowings through the Florida Local Government Finance Commission's tax exempt Commercial Paper Loan Program for general government projects (Draw A-56). The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

(9:23:22)

2. RESOLUTIONS

Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-033, amending the Fiscal Year (FY) 2006 Budget to incorporate various supplements, revenue adjustments, grants, and transfers.

Having been duly sworn, Financial Planning Budget Management Analyst Robert Horn reviewed and submitted a revised copy of Staff's memorandum and the proposed Resolution, noting the basis for deletion of Item No. 3(d) regarding the increase in the General Fund by \$81,500.00 from Strategic Initiatives and Opportunities Grants-In-Aid and funding for the Teen Court and Juvenile Assessment Center (JAC) activities. Mr. Horn summarized the proposal and noted Staff's recommendation for approval.

Discussions were held with Mr. Horn, Financial Planning Budget Process Coordinator Gary Schroeder, duly sworn, and County Administrator James Ley on the following topics/issues:

- funding source for Teen Court
- basis of the budget increases/revenue sources
- Interim Courtrooms Capital Improvement Project, Item 3(f)/request for information on the conversion of existing space for two new courtrooms, without objection
- allocation of infrastructure surtax funds.

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

Commr. Staub moved to adopt Resolution No. 2006-066, approving Budget Amendment No. B2006-033. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

(9:30:11)

6. PLANNING AND DEVELOPMENT SERVICES

Chair Mills advised that the presentation on Sarasota 2050 Resource Management Area (RMA) Comprehensive Plan Amendment would not be considered this date.

3. RESOLUTIONS

Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-034, amending the Fiscal Year (FY) 2006 Budget to appropriate \$2,500,000.00 of General Fund Budgetary Fund Balance and \$4,000,000.00 of the Waterfront Acquisition Reserve for the purchase and closing costs of the lott property located on the Gulf of Mexico west of Midnight Pass Road in the amount of \$6,425,000.00, and for the operations and maintenance of the property for the remainder of FY 2006, in the amount of \$75,000.00.

3. RESOLUTIONS - Continued

Having been duly sworn, Public Works Transit/Fleet Administrative Manager Michael Perry summarized the proposed Resolution for the purchase and closing costs of the lott property and the operations and maintenance of the property for the remainder of FY 2006 and noted Staff's recommendation for approval.

Discussions were held with County Administrator James Ley on the continued use of the property for motor homes and campgrounds and the need for public input prior to an area management plan.

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

Commr. Patterson moved to adopt Resolution No. 2006-067, approving Budget Amendment No. B2006-034. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

(9:33:56)

Following comments on the shortage of beach parking on Siesta Key, Commr. Patterson moved to direct Staff to provide a report on the utilization of the public beach parking area on Siesta Key relative to special events/Arts and Crafts Fairs. The motion was seconded by Commr. Staub. Discussion ensued with Community Services Parks and Recreation General Manager John McCarthy, duly sworn, on the following topics/issues:

- request that Staff's report include review of the use of shuttle buses/trolleys from an off-site parking area, without objection
- past efforts by the Siesta Key Village Association to implement trolley service/signage concerns
- use of available land/open space areas to address parking needs
- future review of paid parking at Siesta Key Beach
- time frames/locations for the scheduling of special events/Arts and Crafts Fairs
- public workshops conducted relative to the Siesta Key Beach Improvement Project/Staff review of environmental/stormwater/health concerns
- use of other beach areas as locations for special events/Arts and Crafts Fairs.

Following comments, the motion carried by a 5-0 vote.

(9:46:37)

4. ADVISORY COUNCILS

The Board considered the following items:

- A.** Appointment of two individuals to serve four-year terms on the Stormwater Environmental Utility Advisory Committee (SEUAC) as County Representatives, effective through March 2010;
- B.** Appointment of Norman Siegel to serve a four-year term on the SEUAC, as the City of Sarasota Representative, effective through March 2010.

Commr. Thaxton moved to appoint Norman Siegel to serve a four-year term on the SEUAC, as the City of Sarasota Representative, effective through March 2010. The motion, seconded by Commr. Mercier, carried by a 5-0 vote. Following comments on previous correspondence submitted to Mr. Siegel relative to meeting attendance, Commr. Staub requested that advisory board meetings scheduled on religious holidays be rescheduled, without objection.

4. ADVISORY COUNCILS - Continued

Commr. Thaxton nominated John Finnimore. Commr. Staub nominated Gary Nieskes.

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

Following comments, Chair Mills noted the reappointments of John Finnimore and Gary Nieskes to serve four-year terms on the SEUAC as County Representatives, effective through March 2010, without objection.

Following comments by Commr. Thaxton commending Mr. Finnimore for his service to the County, Commr. Staub requested that correspondence be sent to SEUAC member Frank von Allmen regarding the Board's advisory board meeting attendance policy, without objection.

(9:40:38)

5. PUBLIC WORKS

The Board considered the Metropolitan Planning Organization (MPO) Major Improvement and Transportation Enhancement Project Priorities.

Public Works Transportation Planning Manager Clarke Davis presented an overview of Staff's report on the MPO Major Improvement and Transportation Enhancement Project Priorities. Discussions were held with Mr. Davis and County Administrator James Ley on the following topics/issues regarding the County's Major Improvement Priorities:

- funding for the U.S. 301 Project/right-of-way acquisition and construction costs/
location of the Project/Fruitville Road and U.S. 301 intersection improvements
- location of the U.S. 41/State Road (S.R.) 681/Scherer Project
- Englewood Interstate Connector (EIC) Project as a Charlotte County priority
- ranking of the EIC Project/Federal funding advantages/impacts to funding of other projects
- Federal funding allocations relative to District funds received/Florida Department of Transportation (FDOT) funding equity within the District
- addition of the U.S. 41/S.R. 681/Scherer Project to the priority list
- State/Federal funding availability
- EIC Project/use as a hurricane evacuation route
- funding for the Venice Bypass Project
- U.S. 301 Project/coordination efforts with the City of Sarasota and Wal-Mart to address stormwater concerns
- ranking of the Bee Ridge Road Project
- seasonal/tourism traffic impacts/traffic congestion concerns
- future discussion item scheduled at the March 24, 2006, Joint Meeting with the City of Sarasota/FDOT's request regarding the use of local government funding for the U.S. 301 Project.

(10:21:10)

Commr. Staub moved to recommended the County's Major Improvement Priorities as shown in Table 1 of Staff's report for adoption by the MPO Board and inclusion in the development of FDOT's Fiscal Year (FY) 07/08 - FY 11/12 Work Program. The motion was seconded by Commr. Mercier. Following discussion with Mr. Davis on the status of the Central Sarasota Parkway/Interstate 75 (I-75) Project, the motion carried by a 4-1 vote, with Commr. Thaxton voting "No."

5. PUBLIC WORKS - Continued

Following comments on County traffic concerns in comparison to Fort Lauderdale/Broward County, discussion ensued with County Administrator Ley and Mr. Davis on funding for improvements on the north end of Fruitville Road, designated section improvements, and FDOT funding allocations for Work Programs.

Commr. Staub moved to recommend the Midnight Pass Road Pedestrian Safety Improvement Project as the County's Enhancement Project Priority for adoption by the MPO Board and inclusion in the development of FDOT's FY 07/08 - FY 11/12 Work Program. The motion was seconded by Commr. Patterson. Following discussion with Mr. Davis on the time frame for the Project, safety issues, and Project cost estimates, the motion carried by a 5-0 vote.

Following comments by Mr. Davis noting a scrivener's error and the addition of the words "University Parkway," Commr. Staub moved to recommend the University Parkway/Honore Avenue (westbound to south left-turn lane) Improvement Project as the County's Congestion Management Project Priority for adoption by the MPO Board and inclusion in the development of FDOT's FY 07/08 - FY 11/12 Work Program. The motion was seconded by Commr. Thaxton. Following discussion with Mr. Davis on traffic congestion on Tuttle Avenue/implementation of a right-turn lane, impacts from construction/improvements to Lockwood Ridge Road, implementation of the Resourceful Use of Streets and Highways (RUSH) Program, and status/time frame of the Lockwood Ridge Road/Tuttle Avenue Improvement Project, the motion carried by a 5-0 vote.

(10:33:45)

Mr. Davis reviewed Staff's recommendation on the County's Transportation Regional Incentive Program (TRIP) priority and discussion ensued with Mr. Davis on the following topics/issues:

- status of the design plans for the Honore Avenue from Bee Ridge Road to Fruitville Road Improvement Project
- TRIP fund allocations for District 1
- TRIP fund requests by other counties/jurisdictions
- eligibility of multi-modal/transit projects
- request for additional funds for Honore Avenue
- consideration for the addition of other project requests.

Commr. Patterson moved to approve the recommendation of the Honore Avenue from Bee Ridge Road to Fruitville Road as the County's TRIP priority with a request that \$5 million in TRIP funds be allocated to the Project in FDOT's FY 07/08 - FY 11/12 Work Program and to direct Staff to select two additional priority projects. The motion was seconded by Commr. Staub. Following discussion with Mr. Davis, Chair Mills clarified the motion to recommend Honore Avenue from Bee Ridge Road to Fruitville Road for right-of-way acquisition, Honore Avenue from Bee Ridge Road to Fruitville Road for construction funding, and the Englewood Transfer Station/bus garage as the County's TRIP priorities, without objection. Following comments, the motion carried by a 5-0 vote.

(10:44:08)

Mr. Davis reviewed Staff's recommendation regarding an amendment to reallocate Federal funding from the Fruitville Road East Project to the Dearborn Street. Following comments, Commr. Patterson moved to direct Staff to coordinate preparation of a Transportation Improvement Program amendment to reallocate Federal funding from the Fruitville Road East Project to the Dearborn Street Project and to prepare necessary Capital Improvement Program (CIP) amendments to insure that the Fruitville Road East and Dearborn Street Projects remain fully funded. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

5. PUBLIC WORKS - Continued

Following comments on previous Board direction regarding bicycle lane designations on the eastern section of Fruitville Road, Commr. Thaxton requested that the shoulder widths be adequate to accommodate bicycle lanes, without objection. Discussion ensued with Mr. Davis and County Administrator Ley on the status of the Intelligent Transportation System (ITS) in relation to the CIP and TRIP matching funds.

Chair Mills commended Mr. Davis for his efforts and service to the County.

RECESS: 10:52 a.m. - 11:18 a.m.

7. EMERGENCY SERVICES

Following comments by County Administrator James Ley, Emergency Services Public Safety Communications General Manager Robert Stuckey presented Staff's report on the Call Center Update, noted increased efficiencies and improved services to the public, and discussed the top ten knowledge-based inquiries.

Discussions were held with Mr. Stuckey and County Administrator Ley on the following topics/issues:

- inquires for information on local events
- after hour calls/use of "live" answering service
- process to address/report emergencies/traffic signalization outages
- methods/marketing efforts to educate the community on 2-1-1 services/use of the County's Call Center
- future plans to expand the call service time frames/after hour answering service costs
- call transferring process
- recyclable inquiries/number of solid waste/hazardous waste/disposal (special pick-up) calls
- City of Sarasota's policy regarding waste collections
- Selby Library and Gulf Gate Library inquiries
- number of calls transferred to Commissioners
- tools available to identify citizens' Commissioners by District.

Following comments, Mr. Stuckey introduced Office of Organization Performance Customer Service Call Center Manager Donna Campbell who commented on previous and current preparations regarding public information during hurricane/storm events and noted services provided by the County's Call Center. Discussions were held with Ms. Campbell on the volume of calls (43,000 calls in three months), public awareness of the County's Call Center service, and options to add the Call Center's telephone number on County vehicles.

Individual comments followed commending Ms. Campbell and Staff for their efforts and service to the County.

(11:54:29)

14. OTHER BUSINESS**A. AIRPORTS**

Following comments, Commr. Mercier moved to send correspondence, signed by the Chair, to the United States Department of Transportation with copies to the Legislative Delegation, noting the Board's support for U.S. Airways' request to provide direct flight service from the Sarasota-Bradenton International Airport to the Ronald Reagan Washington National Airport. The motion was seconded by Commr. Staub. Following comments by County Administrator James Ley, the motion carried by a 5-0 vote.

RECESS: 11:56 a.m. - 1:30 p.m.

8. OPEN TO THE PUBLIC - No one appeared at this time.

9. CONTRACTS/RESOLUTIONS

- A.** (Not a public hearing.) To consider a proposed Contract, Amendment No. 1 to Contract No. 2005-492, with the Sarasota Convention and Visitors Bureau (SCVB) to administer the Tourist Marketing and Promotion Program for Fiscal Year (FY) 2006, in the amount of \$355,500.00;
- B.** Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-046, amending the FY 2006 Budget and appropriating the funding.

Deputy County Administrator David Bullock advised of an advertising omission and noted the Item would be scheduled for consideration on a future Agenda.

(1:35:17)

10. ORDINANCES

Public hearing to consider proposed Ordinance No. 2006-018, Rezone Petition No. 04-16, a petition by Robert Medred, Agent, to rezone 30.9 acres \pm located south of Palmer Boulevard and 1,000 feet \pm west of Iona Road from OUR (Open Use, Rural, 1 unit/10 acres), OUE-1 (Open Use, Estate, 1 unit/5 acres) and RSF-1 (Residential, Single Family, 2.5 units/acre) to RSF-1 (Residential, Single Family, 2.5 units/acre) zone district. (Planning Commission recommended approval with six stipulations.)

Having been duly sworn, Planning and Development Services Planning Director Anne McClung summarized the proposal, noted the Planning Commission's recommendation for approval, and reviewed the Stipulations included in Staff's report. Discussions were held with Ms. McClung, Public Works Stormwater Acting Engineering Services Manager Jon Kramer, duly sworn, County Attorney Stephen DeMarsh, and Planning and Development Services Planner Edward Wolfe, duly sworn, on the following topics/issues:

- Policy 1.1.6. and Policy 3.2.3. relating to construction in the floodplain/direction of stormwater drainage flow from the property/conflicts between Stipulations and current Policies/Regulations
- stormwater concurrency requirements/review during the Site and Development Review process
- outcome of a previous Court case relating to denial of a previously considered Petition on a nearby parcel
- proposed location of the chain link fence/County Regulations/existing fencing on the parcel
- options for utilization of the stormwater retention area for irrigation purposes.

(1:50:48)

Attorney William Merrill, duly sworn, and Agent Robert Medred, duly sworn, commented on the proposed plans, opined consistency with Future Land Use Policy 3.1.1., noted agreement with the recommended stipulations, and supported approval. Discussions were held on the following topics/issues:

- options for other types of wall structures versus chain link fencing
- landscaping areas/buffer design
- proposed style/square footage/price range of units
- review of green building options
- options for central well/lake for irrigation purposes.

10. ORDINANCES - Continued

Commr. Mercier moved to incorporate an additional Stipulation (No. 7) to require a community irrigation system for the development. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

(2:06:20)

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

- Stipulation No. 3 relating to bicycle lanes/right-of-way requirements for bicycle lanes on both sides of Palmer Boulevard
- requirement for the construction of a sidewalk on the south side of Palmer Boulevard/contributions toward the cost of a bicycle lane on the north side of Palmer Boulevard
- number of proposed units/options to incorporate affordable/workforce housing units.

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

Commr. Staub moved to adopt Ordinance No. 2006-018, approving Rezone Petition No. 04-16, as amended, with seven stipulations. The motion was seconded by Commr. Thaxton. Following individual comments, the motion carried by a 5-0 vote.

(2:14:58)

11. ORDINANCES

Public hearing to consider proposed Ordinance No. 2006-021, Rezone Petition No. 05-06, a petition by Alan Garrett, Agent, to rezone 1.12 acres ± located at the southeast corner of Fruitville Road and Christie Avenue from RSF-3 (Residential, Single Family, 4.5 dwelling units/acre) and RMF-2 (Residential, Multi-Family, 9 dwelling units/acre) to OPI (Office, Professional and Institutional) zone district. (Planning Commission recommended approval with three stipulations.)

Having been duly sworn, Planning and Development Services Planning Director Anne McClung summarized the proposal, noted the Planning Commission's recommendation for approval, and discussed buffering requirements relating to the Fruitville Road Corridor Plan and proposed ingress/egress to the parcel.

(2:19:35)

Agent Alan Garrett, duly sworn, commented on the proposed plans, advised of the business uses of surrounding/neighboring properties and intended development of the parcel, noted agreement with the recommended stipulations, and supported approval.

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

Commr. Thaxton moved to adopt Ordinance No. 2006-021, approving Rezone Petition No. 05-06, with three stipulations. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

(2:23:40)

12. ORDINANCES

Public hearing to consider proposed Ordinance No. 2006-025, Notice of Proposed Change (NOPC) No. 06-03, a petition by Todd Pokrywa, Agent, to amend the Lakewood Ranch Corporate Park Development of Regional Impact (DRI). This amendment changes the required submittal timelines for the annual transportation monitoring report from an annual to a biennial basis.

Having been duly sworn, Planning and Development Services DRI Coordinator Tina Crawford summarized the proposal, noted Staff's recommendation for approval, and discussed options for biennial monitoring reports. Discussions were held with Public Works Transportation Mobility General Manager Clarke Davis, duly sworn, on the following topics/issues:

- review/reporting requirements/results and requirements for compliance
- impact of "background" traffic/mitigation requirements
- benefit of biennial reporting to Developer versus to the County
- development activity in the area/existing time frame for submission of reports.

(2:36:57)

Agent Todd Pokrywa, duly sworn, commented on the proposal and supported approval.

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

Commr. Staub moved to adopt Ordinance No. 2006-025, approving NOPC No. 06-03, to amend the Lakewood Ranch Corporate Park DRI. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

(2:40:53)

13. ORDINANCES

Public hearing to consider proposed Ordinance No. 2006-024, Notice of Proposed Change (NOPC) No. 06-04, a petition by James Paulmann, Agent, to amend the Palmer Ranch Development of Regional Impact (DRI) Master Development Order (MDO). This amendment will revise the Conceptual Master Development Plan and amend Development Order Land Use Condition A.3 regarding dwelling unit reallocation.

Having been duly sworn, Planning and Development Services Planning Director Anne McClung submitted a copy of correspondence from the Southwest Florida Regional Planning Council (SWFRPC) and summarized the proposal. Discussions were held with Ms. McClung on the following topics/issues:

- total number of units/build-out estimates
- impact of fewer units on previous/existing Stipulations/Conditions
- MDO versus DRI development review process
- review of allocation of units
- increased density/capacity in relation to concurrency/previous approvals
- review of the impact to the Future Land Use Map
- previous versus current land area for Palmer Ranch
- commercial versus residential development/capacity determination of the infrastructure
- conditions addressing maximum build-out of the development
- restriction on reallocation of units to other areas versus existing boundaries of the DRI/process for review of additional lands
- location of communication tower/portion of land owned by the County within the development.

(3:05:41)

13. ORDINANCES - Continued

Public Works Transportation Mobility General Manager Clarke Davis, duly sworn, discussed the following topics/issues:

- transportation review/impacts for reallocation of units/constructed versus approved number of units
- allocation/review of commercial versus residential capacity calculations
- consistency requirements.

(3:10:11)

Agent James Paulmann, duly sworn, commented on the development of Palmer Ranch and the proposed plans and supported approval. Discussions were held with Mr. Paulmann and County Attorney Stephen DeMarsh on the following topics/issues:

- review determination by the SWFRPC
- over-allocation determination
- options utilized by the Palmer Ranch Development for previous reallocations
- process for Board review/approval of future development
- previous consideration of Parcel B-10
- protection/maintenance of preservation/conservation areas
- proposed anticipated densities/requirements for development
- location of nature preserve/wetland on the property
- Exhibit "C," Chart of Unit Allocation For Palmer Ranch/existing vacant lots (page A-36 of Staff's report).

Ms. McClung commented on the attachments included in Staff's report (pages A-37 and A-38). Commr. Staub requested that the documents be incorporated to provide a correct reflection of the total unit allocations/assessments, without objection.

(3:34:50)

Ms. Barbara Vosse, duly sworn, commented on the proposed Ordinance.

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

Commr. Thaxton moved to adopt Ordinance No. 2006-024, approving NOPC No. 06-04, to amend the Palmer Ranch DRI MDO. The motion was seconded by Commr. Staub. Commr. Staub requested that the Ordinance be updated to reflect all increments of development, without objection. Following individual comments, the motion carried by a 5-0 vote.

8. OPEN TO THE PUBLIC (Continued) - No one appeared at this time.

MEETING ADJOURNED: 3:42 p.m.