

May 8, 2007

**ACTION AGENDA  
BOARD OF COUNTY COMMISSIONERS**

Page 1

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

8:30 a.m.

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

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

Commissioner Staub

**PRESENTATION OF PROCLAMATIONS:**

Older Americans Month - May 2007  
Building Safety Week - May 6 through May 12, 2007  
Bike Month - May 2007  
Bike-to-Work Week - May 14 through May 18, 2007  
Bike-to-Work Day - May 18, 2007  
Children's Mental Health Awareness Day - May 8, 2007  
Recognition of Robert Corley - May 8, 2007

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

Public Works Team Merit Award - Dan Smith, Franklin Twumasi, Gene Riggs, Phouc Hoang,  
and Tom McCaughey

**CERTIFICATES OF RECOGNITION:**

Sam Kimmel and David Kimmel

**NOTE:** Unfinished items may be carried over to tomorrow's agenda.

**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.**

(8:33:34)

**ADOPTED**

**1. FINANCIAL PLANNING**

Public hearing continued from April 11 and May 1, 2007, to consider proposed Ordinance No. 2007-042, repealing and replacing Ordinance No. 77-042, the Florida Power and Light Franchise Ordinance.

**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.

(9:16:12)

**RATIFIED****2. ADMINISTRATION**

To ratify the following previously issued Proclamations:

- A. Beta Sigma Phi Week - April 29 through May 5, 2007;
- B. Global Love Day - May 1, 2007;
- C. Red Hat Day in Englewood - April 25, 2007.

**AUTHORIZED****3. ENVIRONMENTAL SERVICES**

- A. To authorize submittal of a Grant Application to the U.S. Fish and Wildlife Service Coastal Program for the Warm Mineral Springs Creek Restoration Project;
- B. To authorize the Chair to execute the Grant Agreement upon receipt of the Grant Award.

**APPROVED****4. ENVIRONMENTAL SERVICES**

To approve a Contract, Amendment No. 1 to Contract No. 2006-227, with the Southwest Florida Water Management District (SWFWMD) to extend the expiration date to October 30, 2007, to allow time for final modifications, printing, and invoicing for the Dona Bay Watershed Management Plan.

**APPROVED/ADOPTED****5. ENVIRONMENTAL SERVICES**

- A. To approve a Contract, a Cooperative Funding Agreement, with the Southwest Florida Water Management District (SWFWMD) for the construction of exploratory wells of the Intermediate Aquifer System at the T. Mabry Carlton, Jr. Memorial Reserve, in the amount of \$450,000.00;
- B. To adopt a Resolution, Budget Amendment No. B2007-040, to appropriate the SWFWMD Cooperative Grant funding.

**APPROVED/ADOPTED****6. ENVIRONMENTAL SERVICES**

- A. To approve a Contract, a Cooperative Funding Agreement, with the Southwest Florida Water Management District (SWFWMD), for the construction of the Implementation of Best Management Practices (BMP) for the Alligator Creek Stormwater Improvement Projects, in the amount of \$1,500,000.00;
- B. To adopt a Resolution, Budget Amendment No. B2007-045, amending the Fiscal Year (FY) 2007 Budget, to appropriate the SWFWMD Grant funding.

**APPROVED****7. ENVIRONMENTAL SERVICES**

To approve Contract, a Professional Services Agreement, with Stantec Consulting Services, Inc., for the Nokomis Water Main Revitalization Plan, in the amount of \$949,249.00.

**APPROVED****8. ENVIRONMENTAL SERVICES**

- A. To approve a Contract, an Emergency Interconnect and Potable Water Service Agreement, with the City of North Port and to authorize the Chair's signature on the Agreement;

- 8. ENVIRONMENTAL SERVICES - Continued**  
**B.** To approve a Contract, an Interlocal Agreement, with the City of North Port and the Public Hospital Board, and to authorize the Chair's signature on the Agreement when the executed copies are received from the City of North Port and the Public Hospital Board.

**APPROVED**

- 9. FINANCIAL PLANNING**  
To approve payment to ALSCO, Inc., for full and final settlement of the property damage claim, in the amount of \$5,638.92.

**APPROVED**

- 10. FINANCIAL PLANNING**  
To approve payment to the Florida Department of Highway Safety and Motor Vehicles, for full and final settlement of the property damage claim, in the amount of \$7,365.91.

**REAPPOINTED**

- 11. PLANNING AND DEVELOPMENT SERVICES**  
To reappoint Ryan Clausen to serve a one-year term on the Development Services Advisory Committee, as the Students Taking Active Roles (STAR) in Government Representative, effective through April 2008.

**APPROVED**

- 12. PUBLIC WORKS**  
To approve a Contract, a Joint Participation Agreement, with the Englewood Water District for the costs relating to utility work performed during the construction of the Overbrook Bridge Replacement Project.

**ADOPTED**

- 13. PUBLIC WORKS**  
To adopt a Resolution to prohibit parking at the northwest quadrant of the intersection on Vamo Road and Mova Street, as recommended by the Traffic Advisory Council.

**ADOPTED**

- 14. PUBLIC WORKS**  
To adopt a Resolution to lower the speed limit on Ashton Road between Lockwood Ridge Road and Red Bug Slough from 30 miles per hour to 25 miles per hour, as recommended by the Traffic Advisory Council.

**ADOPTED**

- 15. PUBLIC WORKS**  
To adopt a Resolution to install a three-way traffic control at the intersection of Silk Oak Drive and Java Plum Avenue, as recommended by the Traffic Advisory Council.

**ADOPTED**

**REQUESTED A MAP ON THE LOCATION OF THE STOP SIGNS**

- 16. PUBLIC WORKS**  
To adopt a Resolution authorizing the installation of stop signs at the following intersections, as recommended by the Traffic Advisory Council:  
On LaSalle Way at Cadillac Street  
On Cadillac Way at LaSalle Street  
On Northwood Avenue at LaSalle Street

- 16. PUBLIC WORKS - Continued**  
On Northwood Avenue at Outer Drive  
On Shawnee Street at Las Lomas Drive  
On Shawnee Street at Northwood Avenue  
On Lee Lane at Northwood Avenue  
On Lee Lane at Las Lomas Drive.

**ADOPTED**

**17. PUBLIC WORKS**

To adopt a Resolution to lower the speed limit on Beneva Road between Schrock Street and Bahia Vista Street from 40 miles per hour to 30 miles per hour and to lower the speed limit on Beneva Road between Bahia Vista Street and the Seminole Gulf Railroad Crossing from 45 miles per hour to 30 miles per hour, as recommended by the Traffic Advisory Council.

**APPROVED**

**18. PUBLIC WORKS**

To approve a Contract, Supplemental Agreement No. 2 to Contract No. 2006-175, Schedule C, with Florida Power and Light (FPL) Company Services, LLC, to conduct a feasibility study regarding Energy Conservation Opportunities (ECO) at service locations provided in the Master Agreement, in the amount of \$17,405.00.

**AUTHORIZED**

**DIRECTED THE COUNTY ADMINISTRATOR TO PROVIDE A REPORT ON THE ENGINEERING OF TRAFFIC CALMING DEVICES AND THE CITY OF SARASOTA'S TRAFFIC CALMING MEASURES**

**19. PUBLIC WORKS**

- A.** To authorize submittal of a Grant Application to the Florida Department of Transportation (FDOT) for the Florida Safe Routes to Schools (SRTS) Program for the construction of sidewalks and traffic calming measures in the Sarasota Springs and the Brentwood Elementary School Neighborhoods, in the amount of \$498,000.00;
- B.** To authorize the Chair to execute the Grant Agreement upon receipt of the Grant Award.

**ADOPTED**

**20. PUBLIC WORKS**

To adopt a Resolution for the acquisition of Fee Simple Interests, Permanent Drainage Easement Interests, and Temporary Construction Easement Interests for improvements to the Catfish Creek Regional Stormwater Facility Project.

**RATIFIED/APPROVED**

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

To ratify and approve the warrants dated April 16 through April 27, 2007, in the amount of \$23,419,918.85, as detailed in the voucher packages filed in the Finance Department.

**APPROVED**

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

To approve the Minutes of the meetings dated April 24, April 25, and April 30, 2007.

**SARASOTA COUNTY TRANSPORTATION AUTHORITY  
CONSENT SECTION**

The Board of County Commissioners will convene as the Sarasota County Transportation Authority (SCTA) to consider the following item. All matters listed under the SCTA Consent Section are considered to be routine and will be enacted by one motion. There will be no separate discussion of the item. If discussion is desired by a Commissioner, the item will be considered at the end of the Consent Section.

(9:28:55)

**APPROVED  
REQUESTED THAT THE COUNTY ADMINISTRATOR SEND CORRESPONDENCE TO THE SENIOR FRIENDSHIP CENTER RELATING TO FUTURE FUNDING OF THE PARATRANSIT SERVICES**

**23. PUBLIC WORKS**

To approve a Contract, a Lease Agreement, with Schreckenghaust, Michel, and Pack, Inc., d/b/a The Ride for nine paratransit vehicles for the Transportation Disadvantaged Services, in the amount of \$1.00 each.

**DISCUSSION SECTION:**

(9:33:27)

**APPROVED**

**24. ENVIRONMENTAL SERVICES**

To consider a proposed Contract with Volt Information Services, Inc., for the construction of the Nokomis Water Main Revitalization Project, Areas 3A, 3B, 3C East, 3C West, and 3D, in the amount of \$7,183,005.91.

(9:40:20)

**GRANTED  
DIRECTED THE COUNTY ADMINISTRATOR TO ISSUE A NEW REQUEST FOR PROPOSAL**

**25. FINANCIAL PLANNING**

To consider an Appeal filed by Vending World, pertaining to Request for Proposal (RFP) No. 7425JH, to provide miscellaneous vending services for Community Services Parks and Recreation sites.

**PUBLIC HEARINGS:** (Continued)

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(10:24:06)

**ADOPTED**

**26. PUBLIC WORKS**

Public hearing to consider a proposed Resolution, Plat Vacation Petition No. PV06-16, a petition by Richie Ross, to vacate the County's interest of a portion of a 20-foot wide ± drainage easement and an eight-foot wide ± drainage and utility easement lying within rear lot line of Lot 2, Carroll Wood Estates, to clear a title defect and to cure the encroachments of a pool, pool deck, and cage.

(10:27:38)

**ADOPTED**

**27. PLANNING AND DEVELOPMENT SERVICES**

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1639, a petition by Walter Morey, Agent, to allow the expansion of an existing place of worship on 3.35 acres ± located west of Beneva Road and south of Eugene Street in a RSF-3 (Residential, Single Family, 4.5 units/1 acre) zone district. (Planning Commission recommended approval.)

**REPORTS SECTION:**

(10:39:39)

**NOTED**

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

A. Filed for Record List.

(10:39:44) (11:25:15)

**NO ACTION TAKEN**

**29. COUNTY ADMINISTRATOR'S REPORT**

(10:51:06)

**APPROVED THE PROPOSED CODE COMPLIANCE SETTLEMENT AGREEMENT IN THE CASE OF DEL AND MAYLU EINESS V. SARASOTA COUNTY**

**30. COUNTY ATTORNEY'S REPORT**

(10:57:37)

**DIRECTED THE COUNTY ADMINISTRATOR TO PROVIDE A FOLLOW-UP REPORT ON THE PETITION RECEIVED FROM THE CITIZENS OF THE GULF GATE AREA RELATING TO GAMBLING AND ILLEGAL ACTIVITIES IN THE AREA  
DIRECTED THAT THE COUNTY ADMINISTRATOR SCHEDULE A JOINT MEETING WITH ELECTED OFFICIALS, HOUSE REPRESENTATIVES, AND SENATORS AND TO DISTRIBUTE THE CORRESPONDENCE SENT BY CHAIR PATTERSON INVITING THE PARTIES MENTIONED TO A JOINT MEETING RELATING TO THE SPECIAL SESSION  
DIRECTED THE COUNTY ADMINISTRATOR TO SCHEDULE A JOINT MEETING WITH THE ECONOMIC DEVELOPMENT BOARD  
DIRECTED THE COUNTY ADMINISTRATOR TO PREPARE CORRESPONDENCE FOR THE CHAIR'S SIGNATURE TO THE ECONOMIC DEVELOPMENT BOARD CHAIR REQUESTING A REVIEW OF ADDITIONAL INCENTIVES FOR BUSINESSES INCLUDING A REVIEW OF PHASING IMPACT FEES OR ANY OTHER AREAS OTHER THAN TAX ABATEMENT  
DIRECTED THE COUNTY ADMINISTRATOR TO SCHEDULE A BOARD DISCUSSION ON THE CRITERIA FOR TAX ABATEMENT AND ANY OTHER ISSUES RELATIVE TO INCENTIVES FOR ECONOMIC DEVELOPMENT**

**31. COMMISSION AND COMMITTEE REPORTS**

(11:05:25)

**NO ACTION TAKEN**

**32. ADMINISTRATION**

Outstanding Board assignments.

(11:20:33)

**DIRECTED THE COUNTY ADMINISTRATOR TO ADD THE WEST COAST INLAND NAVIGATION DISTRICT MEETINGS TO THE BOARD'S MEETING SCHEDULE**

**33. ADMINISTRATION**

Review of Board Meeting Schedule.

**1:30 p.m.**

(1:29:40)

**DIRECTED THE COUNTY ADMINISTRATOR TO SEND CORRESPONDENCE SIGNED BY THE CHAIR TO THE VENICE CITY COUNCIL EXPRESSING CONCERNS THAT THE PROPOSED DENSITY IN THE REZONE PETITION (ANNEXED AREA NEAR SORRENTO RANCHES) DOES APPEAR INCOMPATIBLE WITH THE LAND USES PRINCIPLES PURSUANT TO THE COUNTY CODE AND THE PROVISIONS SET FORTH IN THE JOINT PLANNING AGREEMENT WITH THE CITY OF VENICE**

**34. OPEN TO THE PUBLIC** (Three-minute time limit per person/per meeting, up to 30 minutes.)

**PUBLIC HEARINGS:** (Continued)

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(1:59:05)

**ADOPTED**

**35. HEALTH AND HUMAN SERVICES**

- A.** Public hearing to consider proposed Ordinance 2007-041, amending Ordinance No. 2003-052, as amended and codified in Appendix A, amending Section 5.3.4. and adding new Subsection 5.3.4.o.10. of the County Code, to allow dogs in designated outdoor portions of public food service establishments;
- B.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-041 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption of the Ordinance.);
- C.** (Not a public hearing.) To consider a proposed Resolution to establish a fee schedule to cover the cost of processing the initial application for a permit, subsequent inspections, renewals, and enforcement.

(2:39:06)

**RESCHEDULED TO MAY 23, 2007, AT 1:30 P.M.**

**36. HEALTH AND HUMAN SERVICES**

Public hearing to consider proposed Ordinance No. 2007-015, creating Article IV, Sections 6-126 through 6-133 of Chapter VI of the County Code, relating to the prohibition of minors under the age of 21 from entering and remaining in alcoholic beverage establishments and to waive the requirement for an Economic Impact Statement (EIS).

**DISCUSSION SECTION:** (Continued)

(2:57:20)

**DIRECTED THE COUNTY ADMINISTRATOR TO BRING BACK THE FERTILIZER AND LANDSCAPE MANAGEMENT ORDINANCE REVIEW/DISCUSSION AND TO CONSIDER AUTHORIZATION TO ADVERTISE FOR A PUBLIC HEARING AT A FUTURE BOARD MEETING**  
**DIRECTED THE COUNTY ADMINISTRATOR TO MEET WITH THE FERTILIZER MANAGEMENT TEAM TO REVIEW THE RECOMMENDATIONS MADE BY THE BOARD THIS DATE AND TO PRIORITIZE THE RECOMMENDATIONS BY COST AND TIME**

- 37. ENVIRONMENTAL SERVICES**  
Presentation on Fertilizer Management.

(5:02:54)

**NO ACTION TAKEN**

- 38. OPEN TO THE PUBLIC** (Three-minute time limit per person/per meeting, up to 30 minutes.)