

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

June 07, 2011

9:00 a.m.

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

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATION OF PROCLAMATIONS:

PRESENTATION:

CONSENT SECTION:

APPROVED

1. CAPITAL MANAGEMENT SERVICES

Approved Contract No. 2011-439, Amendment No. 2 to Contract No. 2010-317, with P. J. Hayes, Inc., d/b/a Tandem Construction, for construction management services for the Buck O'Neil Sports Complex Spring Training Facility at Twin Lakes Park to establish the final proposed Guaranteed Maximum Price, in the amount of \$2,412,325.07.

APPROVED

2. CAPITAL MANAGEMENT SERVICES

Approved Contract No. 2011-440, Amendment No. 8 to Contract No. 2010-316, with W.G. Mills, Inc., for construction management services for the Ed Smith Sports Complex Spring Training Facility Project, in the amount of \$158,214.94.

APPROVED

3. CAPITAL MANAGEMENT SERVICES

Approved Contract No. 2011-441, Amendment No. 2 to Contract No. 2010-093, with Tech Logic Corporation, d/b/a Tech Logic Corporation of Minnesota, to provide for the implementation of the Automated Material Handling Systems at the North Port Library, the Venice Library, and the Gulf Gate Library, in the amount of \$1,786,944.75.

ADOPTED

4. CAPITAL MANAGEMENT SERVICES

Adopted Resolution No. 2011-102 declaring two tracts of land as public right-of-way, lying within Tracts 64, 65 and 66, Palmer Farms, Second Unit, for the property located east of the Bahia Vista Street and Cattlemen Road intersection; extending approximately 727 feet south of Porter Road along Cattlemen Road and extending approximately 335 feet north of Porter Road along Cattlemen Road; extending along Bahia Vista Street East approximately 370 feet to the intersection of South Packinghouse Road; and extending north along South Packinghouse Road approximately 790 feet from the intersection of Porter Road; and repealing and replacing Resolution No. 2010-050.

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APPROVED/ADOPTED

5. CAPITAL MANAGEMENT SERVICES

- A. Approved Contract No. 2011-442, Amendment No. 1 to Contract No. 2010-568, with the Southwest Florida Water Management District for the construction of the Blackburn Point Park Addition Project, in the amount of \$170,000.00;
- B. Adopted Resolution No. 2011-103, Budget Amendment No. B2011-043, amending the Fiscal Year (FY) 2011 Budget to appropriate the additional funding for the Blackburn Point Park Addition Project, in the amount of \$170,000.00.

APPROVED

6. CAPITAL MANAGEMENT SERVICES

Approved Contract No. 2011-443, Specific Authorization No. 1 to Contract No. 2008-429, with MWH Americas, Inc., for the construction of the Pump Station No. 3 Improvement Project, in the amount of \$242,213.00.

APPROVED

7. CAPITAL MANAGEMENT SERVICES

Approved the following Contract Amendments for the construction of Road Improvements, Public Transit Facilities, Trails, Sidewalks, and Drainage Improvement Projects at various locations within the County, to extend the Contract effective through February 9, 2012, to amend the County's Administrative Agent to Capital Management Services Construction Manager Ryan Newcomb, and to adjust the unit prices by 2.1 percent per the Consumer Price Index:

- A. Contract No. 2011-444, Amendment No. 1 to Contract No. 2010-197, with Frederick Derr and Company, Inc.,
- B. Contract No. 2011-445, Amendment No. 1 to Contract No. 2010-198, with Gator Grading and Paving, LLC.

APPROVED

8. CAPITAL MANAGEMENT SERVICES

Approved Contract No. 2011-446, Change Order No. 1 to Contract No. 2011-228, with Superior Asphalt Inc., for additional funding to cover the increased cost of bituminous material on the Phillippi Creek Septic System Replacement Program Area D Resurfacing Project, in the amount of \$9,500.00.

APPROVED

9. CAPITAL MANAGEMENT SERVICES

Approved Contract No. 2011-447, Change Order No. 1 to Contract No. 2011-266, with Frederick Derr and Company, Inc., to increase the South County Community Development Block Grant and American Recovery and Reinvestment Act funding for the Laurel Drainage Improvement Project and the Englewood Neighborhood Sidewalks Phase I Project, in the amount of \$99,333.00.

APPROVED

10. COMMUNITY SERVICES

Approved Contract No. 2011-448, a Sublease Agreement, with Sarasota Ringling Redskins, Inc., and Sarasota County Youth Baseball, Inc., consenting to Sarasota County Youth Baseball, Inc., subleasing to Sarasota Ringling Redskins, Inc., a portion of their leased area located at the Youth Athletic Complex, 2810 17th Street, Sarasota,

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with an effective date of May 24, 2011.

AUTHORIZED, AS AMENDED

11. EMERGENCY SERVICES

Authorized advertisement of a public hearing to consider a proposed Ordinance, amending Ordinance No. 2002-091, as amended and codified in Chapter 110, Article XII of the County Code, relating to the Emergency Medical Services District and deleting the requirement for the Emergency Medical Services Advisory Board.

AUTHORIZED, AS AMENDED

12. EMERGENCY SERVICES

Authorized advertisement of a public hearing to consider a proposed Ordinance, amending Ordinance No. 88-056, as amended and codified in Chapter 110, Article VII of the County Code, relating to the Fire-Rescue District, to delete the requirement for the Fire-Rescue District Advisory Board.

APPOINTED

13. ENVIRONMENTAL SERVICES

Appointed Elmer Berkel to a serve three-year term on the Stormwater Environmental Utility Advisory Committee, as a City of Sarasota Selected Member, effective through June 2014.

AUTHORIZED

14. ENVIRONMENTAL SERVICES

Authorized advertisement of a public hearing to consider a proposed Ordinance, repealing and replacing Ordinance No. 99-058, as amended and codified in Chapter 126, Article III of the County Code, relating to the County Uniform Water, Wastewater, and Reuse Systems Code.

APPROVED

15. FINANCIAL PLANNING

Approved the County's Underwriting Pool for a three-year period, effective through June 2014.

APPROVED

16. FINANCIAL PLANNING

Approved Contract No. 2011-449, a Financial Incentive Agreement, with LEDTOLITE Corp. (Project Spotlight code name) for expenses related to the relocation of its parent Company's manufacturing and assembling operations to the Company's existing County facility, in an amount not to exceed \$80,000.00.

AUTHORIZED/WAIVED

17. FINANCIAL PLANNING

Authorized advertisement of a public hearing to consider a proposed Ordinance, amending Ordinance No. 94-066, as amended and codified in Chapter 110, Article IX, Division 4 of the County Code, creating Section 110-374 of the County Code, providing for the disposition and closure of Stormwater Improvement Area Assessment Funds, and waived the requirement for an Economic Impact Statement.

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ADOPTED/APPROVED

18. FINANCIAL PLANNING

- A.** Adopted a Resolution, Budget Amendment No. B2011-042, amending the Sheriff's Fiscal Year (FY) 2011 Budget, to increase the revenues and expenditures of the Law Enforcement Forfeitures Fund, in the amount of \$2,500.00;
- B.** Approved the expenditure from the Law Enforcement Forfeitures Fund in the amount of \$2,500.00 for the Greatness Beyond Measure "Teen Summit" Program on the grounds that the Organization provides events to instruct teens on gang awareness, assists with job fair and mentoring opportunities, and activities that foster and develop self-character.

DEFERED/REQUESTED TO BRING BACK AS A DISCUSSION ITEM AND TO INCLUDE A SHORT-TERM CONTRACT OPTION THROUGH THE FISCAL YEAR

19. TALENT AND PERFORMANCE MANAGEMENT

Deferred consideration of a proposed Contract, Amendment No. 1 to Contract No. 2010-593, with Ad-Vance Personnel Services, Inc., to provide temporary agency staffing services for the County, increasing the annual amount from \$1,800,000.00 to \$2,800,000.00.

APPROVED

20. PUBLIC WORKS

- A.** Approved Contract No. 2011-450, an Interlocal Agreement, with the City of Sarasota and the City of North Port for the distribution of a six-cent per gallon Local Option Fuel Tax revenue, effective September 1, 2011;
- B.** Approved Contract No. 2011-451, an Interlocal Agreement, with the City of Sarasota and the City of North Port for the distribution of a five-cent per gallon Local Option Fuel Tax revenue, effective September 1, 2011.

APPROVED

21. PUBLIC WORKS

Approved Contract No. 2011-452 with Infrastructure Corporation of America for the operation, maintenance, and repair services for the County's movable bridges, for a term of three years effective July 1, 2011, with the possibility of two one-year extensions with the approval of both parties, in the amount of \$2,973,000.00.

APPROVED

22. PUBLIC WORKS

Approved Contract No. 2011-453, an Impact Fee Credit Agreement, with Taylor Morrison of Florida, Inc., to provide for issuance of reimbursement in the amount of \$49,250.00 and credits in the amount of \$33,325.00 towards road impact fees, equivalent to the capital contribution by its predecessor Sunrise Village Investments, LLC, in the amount of \$82,575.00, pursuant to Contract No. 2008-180, the Development Agreement for the Jacaranda Boulevard and Venice Avenue Intersection Improvement Project.

RATIFIED/APPROVED

23. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

Ratified and approved the warrants dated May 16 through May 27, 2011, in the amount of \$22,064,951.53, as detailed in the voucher packages filed in the Finance Department.

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APPROVED, AS AMENDED

24. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

Approved the Minutes of the meetings dated May 24 and May 25, 2011, as amended.

NOTED THE SECOND PUBLIC HEARING ON JUNE 8, 2011

25. PLANNING AND DEVELOPMENT SERVICES

The Board considered proposed Resolution No. 2011-085, amending the County Commission District Boundaries and repealing Resolution No. 95-290. (Second public hearing is scheduled for June 8, 2011.)

FOUND CONSISTENT/ADOPTED, AS AMENDED

26. PLANNING AND DEVELOPMENT SERVICES

- A. Second public hearing to consider proposed Ordinance No. 2011-015, Zoning Ordinance Amendment No. 56, amending Ordinance No. 2003-052, as amended and codified in Appendix A of the County Code, relating to Pain Management Clinics. (First public hearing was held on May 11, 2011.);
- B. (Not a public hearing.) Land Development Regulation Commission (LDRC) to find proposed Ordinance No. 2011-015 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to the adoption of A.)

ADOPTED, AS AMENDED

27 HEALTH AND HUMAN SERVICES

Public hearing continued from May 24, 2011, to consider proposed Ordinance No. 2011-016, amending Ordinance No. 2010-047, as codified in Article XI, Chapter 62 of the County Code, relating to the regulation of Pain Management Clinics.

NOTED THAT THE PUBLIC HEARING WOULD NOT BE CONTINUED OR NEEDED DUE TO THE APPROVAL OF ORDINANCE NOS. 2011-015 AND 2011-016. (SEE ITEMS 26 AND 27 EARLIER THIS MEETING.)

28. HEALTH AND HUMAN SERVICES

Note: Staff is requesting a continuance to June 28, 2011, at 9:00 a.m., or as soon thereafter as possible.

Public hearing to consider proposed Ordinance No. 2011-034, amending Ordinance No. 2010-047, as codified in Chapter 62, Article XI, Section 62-330 of the County Code, relating to a Temporary Moratorium on new Occupational Licenses/Business Tax Receipts for new Pain Management Clinics.

REPORTS SECTION:

NOTED

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

The Filed for Record List was noted.

APPROVED A CONTRACT, A TEMPORARY LOAN OF PERSONNEL AGREEMENT WITH MANATEE COUNTY, PROVIDING FOR THE SHARING OF PROCUREMENT MANAGEMENT SERVICES OF MANATEE COUNTY PURCHASING OFFICIAL ROBERT C. CUTHBERT, EFFECTIVE THROUGH AUGUST 23, 2011, IN THE AMOUNT OF \$1,650.00 PER MONTH

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APPROVED A CONTRACT AMENDMENT WITH IT CONVERGENCE, INC., FOR DATABASE ADMINISTRATION AND SERVICES TO EXTEND THE CONTRACT FROM JUNE 20, 2011, TO SEPTEMBER 30, 2011

30. COUNTY ADMINISTRATOR'S REPORT

APPROVED A CONFLICT OF INTEREST WAIVER REQUEST BY ATTORNEY EDWARD VOGEL, III, ON BEHALF OF HOLLAND AND KNIGHT, LLP, TO REPRESENT BRANCH BANKING AND TRUST COMPANY IN CONNECTION WITH CERTAIN FINANCING TRANSACTIONS AND TO REPRESENT THE COUNTY AS BOND COUNSEL IN VARIOUS PUBLIC FINANCE MATTERS, INCLUDING A CONDUIT FINANCING FOR OCTEX HOLDINGS, LLC

31. COUNTY ATTORNEY'S REPORT

REQUESTED THAT A DISCUSSION ITEM BE SCHEDULED REGARDING STATE STATUTES AND THE POTENTIAL CREATION OF A COUNTY WHISTLE BLOWER POLICY

REQUESTED THAT A DISCUSSION ITEM BE SCHEDULED REGARDING THE UTILITY PLANS FOR THE ASHTON ROAD/LOCKWOOD RIDGE ROAD AREAS AND SURROUNDING AREAS, INCLUDING OPTIONS ADDRESSING BUDGETARY/SCHEDULING ISSUES AND EXAMPLES OF SIMILAR INSTALLATIONS IN THE COUNTY

REQUESTED A REPORT, BY E-MAIL, REGARDING THE POTENTIAL INSTALLATION OF SPEED SIGNS IN THE SECTION OF LOCKWOOD RIDGE ROAD WHICH PROCEEDS FROM RED BUG SLOUGH TO BEE RIDGE ROAD

AUTHORIZED THE SUBMITTAL OF CORRESPONDENCE, SIGNED BY THE CHAIR, TO THE COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO THE COUNTY'S FERTILIZER AND LANDSCAPE MANAGEMENT CODE

APPROVED MEALS AND GROUND TRANSPORTATION EXPENSES FOR COMMISSIONER THAXTON TO PARTICIPATE IN THE NATIONAL COASTAL AND MARINE SPATIAL PLANNING WORKSHOP TO BE HELD IN WASHINGTON D.C. ON JUNE 21 THROUGH JUNE 23, 2011

DIRECTED THE COUNTY ATTORNEY TO CONTACT SHERIFF'S OFFICE MAJOR AND GENERAL COUNSEL KURT HOFFMAN REGARDING RETIREMENT AND CONFLICTING ISSUES RELATING TO HIS PROPOSED APPOINTMENT AS INTERIM COUNTY ADMINISTRATOR AND TO BRING BACK A REPORT FOR BOARD CONSIDERATION ON JUNE 8, 2011

32. COMMISSION AND COMMITTEE REPORTS

NO ACTION TAKEN

33. ADMINISTRATION

The Board reviewed the Outstanding Board Assignments Report dated June 1, 2011.

NO ACTION TAKEN

34. ADMINISTRATION

The Board reviewed the Board Meeting Schedule.

NO ACTION TAKEN

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35. OPEN TO THE PUBLIC

DISCUSSION SECTION:

NO ACTION TAKEN

36. COMMUNITY SERVICES

The Board considered a presentation of the Historical Commission Annual Report.

REQUESTED THAT A DISCUSSION ITEM BE SCHEDULED REGARDING THE CREATION OF AN ADVISORY BOARD INTEGRATING TOPICS/ISSUES CURRENTLY ADDRESSED BY THE STREET TREE ADVISORY COUNCIL (STAC) AND THE ENVIRONMENTAL POLICY TASK FORCE (EPTF) FOLLOWING INPUT FROM STAC AND EPTF MEMBERS

37. ENVIRONMENTAL SERVICES

The Board considered a presentation of the Environmental Policy Task Force (EPTF) Annual Report.

REQUESTED THAT THE RIBBONS OF VENICE PRESENTATION BE GIVEN TO THE PLANNING COMMISSION

38. PUBLIC WORKS

The Board considered a trails enhancement presentation on The Ribbons of Venice Project.

AUTHORIZED/APPROVED

39. PLANNING AND DEVELOPMENT SERVICES

The Board considered the Neighborhood Initiative Grant Program Applications and the recommendations made by the Neighborhood Initiative Grant Advisory Committee for the Neighborhood Initiative Grant Program Application Nos. 1 through 6, in the amount of \$32,641.99, and authorized the Chair to execute the Contracts.

FOUND CONSISTENT/ADOPTED

40. PLANNING AND DEVELOPMENT SERVICES

- A.** Second public hearing to consider proposed Ordinance No. 2011-021, Zoning Ordinance Amendment No. 52, amending Ordinance No. 2003-052, as amended and codified in Appendix A of the County Code, relating to parking facilities within the Government Use (GU) zone district. (First public hearing was held on April 26, 2011.);
- B.** (Not a public hearing.) Land Development Regulation Commission (LDRC) to find proposed Ordinance No. 2011-021 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to the adoption of A.)

ADOPTED

41. PLANNING AND DEVELOPMENT SERVICES

Public hearing continued from May 24, 2011, to consider proposed Ordinance No. 2011-026, Rezone Petition No. 11-04, a petition by Planning and Development Services Englewood Community Redevelopment Agency Coordinator Debbie Marks, Agent, to rezone approximately 1.12 acres located south of West Green Street and west of Mango Street from RSF-4/EBD (Residential, Single-Family, 5.5 units/acre, Englewood Business District) to GU (Government Use) zone district. (Planning Commission recommended approval.)

ADOPTED

42. PLANNING AND DEVELOPMENT SERVICES

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Public hearing continued from May 24, 2011, to consider proposed Ordinance No. 2011-027, Rezone Petition No. 11-05, a petition by Planning and Development Services Englewood Community Redevelopment Agency Coordinator Debbie Marks, Agent, to rezone approximately 1.34 acres located east of Cedar Street and approximately 300 feet north of Dearborn Street from CG/EBD (Commercial General/Englewood Business District) and RMF-1/RCTOD (Residential, Multi-Family, 6 units/acre, Residential Commercial Transition Overlay District) to GU (Government Use) zone district. (Planning Commission recommended approval.)

NO ACTION TAKEN

43. ENVIRONMENTAL SERVICES

The Board considered the status of the Low Impact Development (LID) Manual.

NO ACTION TAKEN

44. OPEN TO THE PUBLIC - Opened and closed without comment.

APPROVED A CONTRACT AMENDMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR ADDITIONAL PHASE 1 DESIGN SERVICES FOR THE SIESTA KEY BEACH IMPROVEMENT PROJECT

APPROVED THE CORRESPONDENCE, SIGNED BY ALL COMMISSIONERS, FOR SUBMITTAL TO COUNTY EMPLOYEES EXPRESSING APPRECIATION FOR THEIR SERVICE

APPROVED THE COUNTY ADMINISTRATOR RECRUITMENT TIMELINE AND DIRECTED THAT A SPECIAL MEETING BE SCHEDULED ON JUNE 30, 2011, TO CONDUCT THE INTERVIEWS OF EXECUTIVE SEARCH FIRMS

45. OTHER BUSINESS