

September 27, 2011

9:00 a.m.

SARASOTA COUNTY ADMINISTRATION CENTER

1660 RINGLING BOULEVARD

COMMISSION CHAMBER

SARASOTA, FLORIDA

Nora Patterson, Chair, District 4

Carolyn J. Mason, Vice Chair, District 1

Joseph A. Barbetta, District 2

Christine Robinson, District 3

Jon Thaxton, District 5

INVOCATION

PLEDGE OF ALLEGIANCE

Commissioner Mason

PRESENTATION OF PROCLAMATIONS:

National 4-H Week - October 2 through October 8, 2011

Mental Illness Awareness Week - October 2 through October 8, 2011

Italian Cultural Heritage Month - October 2011

CERTIFICATES OF RECOGNITION:

Chris Roland - 2011 Boys Nation Washington Delegate

Stevie Peacock - 2011 Nestle Very Best in Youth

PRESENTATION

Honoring the 343 Firefighters Lost on "9/11"

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.

1. ADMINISTRATION

To ratify the previously issued Proclamations as follows:

- A.** HealthSouth Rehabilitation Hospital of Sarasota 25th Anniversary - September 18, 2011;
- B.** Constitution Week - September 17 through September 23, 2011;
- C.** 2011 Tai Chi Awareness Day - September 17, 2011.

2. ADMINISTRATION

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3. COMMUNITY SERVICES

To appoint T.J. Nutter to serve a three-year term on the Historic Preservation Board, effective through October 2014.

4. **COMMUNITY SERVICES**

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31. PUBLIC WORKS

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33. PUBLIC WORKS

To accept a Special Warranty Deed conveyed to the County by the West Villages Improvement District, pursuant to Contract No. 2009-395, an Interlocal Agreement with the City of North Port and the West Villages West Villages Improvement District relating to the funding for the U.S. 41 and River Road Intersection Improvement Project.

34. PUBLIC WORKS

To authorize advertisement of a public hearing to consider a proposed Resolution declaring a Notice of Intent to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments within the South Creek Bayou Navigable Waterways Project Unit.

35. PUBLIC WORKS

A. To authorize advertisement of a proposed Ordinance, repealing Ordinance No. 79-100, as codified in Chapter 114, Article II of the County Code, dissolving language for an additional one-cent gas tax; as the November 6, 1979, Referendum failed; and to waive the requirement for an Economic Impact Statement (EIS);

B. To authorize advertisement of a proposed Ordinance, amending Ordinance No. 86-065, as codified in Chapter 114, Article II of the County Code, to revise the six-cent local optional gas tax revenue distribution formula to be consistent with Section 336.025, Florida Statutes and to waive the requirement for an EIS.

36. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To ratify and approve the warrants dated September 5 through September 16, 2011, in the amount of \$16,819,288.97, as detailed in the voucher packages filed in the Finance Department.

37. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER

To approve the Minutes of the meetings dated September 6, September 12, September 13, and September 14, 2011.

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(s). All matters listed under the SCTA Consent Section are considered to be routine and will be enacted by one motion.

38. PLANNING AND DEVELOPMENT SERVICES

- A.** To approve a Contract, a Subrecipient Agreement, with ITN of Sarasota for the Federal Transit Administration (FTA) Section 5317 - New Freedom Program for Fiscal Years (FY) 2009-2010, in the amount of \$112,666.00;
- B.** To approve a Contract, a Subrecipient Agreement, with Meals on Wheels Plus of Manatee, Inc., for the FTA Section 5317 - New Freedom Program for FY 2009-2010, in the amount of \$72,667.00;
- C.** To approve a Contract, a Subrecipient Agreement, with The Pines of Sarasota, for the FTA Section 5317 - New Freedom Program for FY 2009-2010, in the amount of \$92,667.00.

DISCUSSION SECTION:

39. PLANNING AND DEVELOPMENT SERVICES

To consider the display of Temporary Banners by Small Businesses for Special Events in conjunction with a Temporary Use Permit at a reduced fee.

40. COMMUNITY SERVICES

To consider Signs and Sponsorship Programs for County Parks.

41. PLANNING AND DEVELOPMENT SERVICES

To consider a presentation on blanket stipulations placed on Land Use Petitions and possible duplications and contradictions with existing County Codes.

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.

42. PLANNING AND DEVELOPMENT SERVICES

- A. Public hearing to consider a proposed Resolution, Land Development Regulations Variance Request No. 11-123132-DV, a request by Peter Logan, on behalf of Medallion Homes Gulf Coast, LC, to allow a five-year extension for the construction of sidewalks for the Stone Walk Subdivision.
- B. (Not a public hearing.) To consider a proposed Contract with Stone Walk LLC, for use of funds collected from a Letter of Credit to Stone Walk, LLC, for completion of the Stone Walk Subdivision sidewalks.

43. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, Land Development Regulations Variance Request No. 11-129093-DV, a request by Russell Smith, on behalf of Lennar Homes, LLC, to allow a three-year extension for the construction of sidewalks for Stoneybrook at Venice Unit 3 Subdivision.

44. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, Land Development Regulations Variance Request No. 11-129094-DV, a request by Russell Smith, on behalf of Lennar Homes, LLC, to allow a three-year extension for the construction of the final lift of asphalt for Stoneybrook at Venice Unit 3 Subdivision.

45. PUBLIC WORKS

Public hearing to consider proposed Ordinance No. 2011-061, amending Ordinance No. 83-046, as amended and codified in Section 98-11 of the County Code, relating to Solicitation on County Right-of-Way to extend the sunset date to September 30, 2018.

REPORTS SECTION:

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

Filed for Record List.

47. COUNTY ADMINISTRATOR'S REPORT

48. COUNTY ATTORNEY'S REPORT

49. COMMISSION AND COMMITTEE REPORTS

50. ADMINISTRATION

Outstanding Board Assignments.

51. ADMINISTRATION

Review of Board Meeting Schedule.

1:30 p.m.

52. OPEN TO THE PUBLIC - (Three-minute time limit per person, up to 30 minutes.)

DISCUSSION SECTION: - (Continued)

53. FINANCIAL PLANNING

Presentation of the Tampa Bay Partnership Regional Business Plan.

54. FINANCIAL PLANNING

- A. To consider the appointment of two individuals to serve two four-year terms on the Tourist Development Council (TDC) as Tourist Industry Representatives involved in the tourist industry and interested in tourist development, effective through October 2015;
- B. To consider the appointment of two individuals to serve two four-year terms on the TDC as Collector of Tax Representatives who are Owners/Operators of motels, hotels, recreational vehicle parks, or other tourist-related accommodations and subject to the Tourist Development Tax (TDT), effective through October 2015.

55. ADMINISTRATION

To consider authorization to advertise a public hearing to consider a proposed Ordinance, amending Ordinance No. 95-014, as amended and codified in Section 2-31 of the County Code, relating to compensation of the Board of County Commissioners effective for the period from October 1, 2011, through September 30, 2013, inclusive.

56. ENVIRONMENTAL SERVICES

- A. To consider a proposed Contract, a Dock License Agreement, with Michael Stafford to allow for the construction and maintenance of a single-family dock within the public right-of-way along the canal shoreline adjacent to the property located at 663 Avenida del Norte, Siesta Key, pursuant to Ordinance No. 81-012, Chapter 74, Section C.2 of the Road Construction Technical Manual;
- B. To consider a proposed Contract, a Dock License Agreement, with Vince Prevost to allow for the construction and maintenance of a single-family dock within the public right-of-way along the canal shoreline adjacent to the property located at 675 Avenida del Norte, Siesta Key, pursuant to Ordinance No. 81-012, Chapter 74, Section C.2 of the Road Construction Technical Manual.

57. COMMUNITY SERVICES

- A. To consider the allocation of funds from the West Coast Inland Navigation District (WCIND) County Navigation Improvement Fund (CNIF) for a portion of the Sea Plume Way Dredging Project, in the amount of \$100,000.00;
- B. To consider a proposed Resolution, Budget Amendment No. B2011-056, amending the Fiscal Year (FY) 2011 Budget to appropriate funds from the WCIND CNIF for the Sea Plume Way Dredging Project, in the amount of \$100,000.00.

PUBLIC HEARINGS: - (Continued)

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58. PLANNING AND DEVELOPMENT SERVICES

- A.** Second public hearing to consider proposed Ordinance No. 2011-055, Zoning Ordinance Amendment No. 62, amending Zoning Ordinance No. 2003-052, as amended and codified in Appendix A of the County Code, relating to the use of firearms and commercial use standards for wilderness camping and home occupations or home-based businesses. (First public hearing was held on September 14, 2011.);
- B.** (Not a public hearing.) Land Development Regulation Commission (LDRC) to find proposed Ordinance No. 2011-055 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to the adoption of A.)

59. HEALTH AND HUMAN SERVICES

Public hearing to consider proposed Ordinance No. 2011-054, amending Ordinance No. 72-018, as codified in Chapter 34 of the County Code, relating to Civil Emergencies; amending Ordinance No. 82-018, as codified in Chapter 86, Article III, of the County Code relating to Hunting from Highways and Roads; amending Ordinance No. 93-089, as codified in Chapter 26, Article IV, of the County Code relating to Secondhand Dealers; and providing an effective date for the regulation of Firearms and Ammunition, and to waive the requirement for an Economic Impact Statement (EIS).

60. COMMUNITY SERVICES

Sitting as the Water and Navigation Control Authority (WNCA):

Public hearing to consider a Resolution, WNCA Major Work Permit Application No. 2011-113546-RW, a petition by M.R. Friday and Associates, Inc., on behalf of Raymond and Nancy Swart, to create two new mooring slips for the proposed installation of a boat lift and personal watercraft lift at the existing community dock facility located on Puesta del Sol, Lot 10, Sunset Place Subdivision, Osprey.

61. OPEN TO THE PUBLIC - (Three-minute time limit per person.)

62. OTHER BUSINESS

NOTE:

Individuals with disabilities needing assistance to participate in any of these proceedings should contact County Administration at least three (3) working days in advance of the meeting date and time at (941) 861-5344.

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DISCUSSION SECTION:

39. PLANNING AND DEVELOPMENT SERVICES

To consider the display of Temporary Banners by Small Businesses for Special Events in conjunction with a Temporary Use Permit at a reduced fee.

40. COMMUNITY SERVICES

To consider Signs and Sponsorship Programs for County Parks.

41. PLANNING AND DEVELOPMENT SERVICES

To consider a presentation on blanket stipulations placed on Land Use Petitions and possible duplications and contradictions with existing County Codes.

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.

42. PLANNING AND DEVELOPMENT SERVICES

- A. Public hearing to consider a proposed Resolution, Land Development Regulations Variance Request No. 11-123132-DV, a request by Peter Logan, on behalf of Medallion Homes Gulf Coast, LC, to allow a five-year extension for the construction of sidewalks for the Stone Walk Subdivision.
- B. (Not a public hearing.) To consider a proposed Contract with Stone Walk LLC, for use of funds collected from a Letter of Credit to Stone Walk, LLC, for completion of the Stone Walk Subdivision sidewalks.

43. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, Land Development Regulations Variance Request No. 11-129093-DV, a request by Russell Smith, on behalf of Lennar Homes, LLC, to allow a three-year extension for the construction of sidewalks for Stoneybrook at Venice Unit 3 Subdivision.

44. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, Land Development Regulations Variance Request No. 11-129094-DV, a request by Russell Smith, on behalf of Lennar Homes, LLC, to allow a three-year extension for the construction of the final lift of asphalt for Stoneybrook at Venice Unit 3 Subdivision.

45. PUBLIC WORKS

Public hearing to consider proposed Ordinance No. 2011-061, amending Ordinance No. 83-046, as amended and codified in Section 98-11 of the County Code, relating to Solicitation on County Right-of-Way to extend the sunset date to September 30, 2018.

REPORTS SECTION:

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

Filed for Record List.

47. COUNTY ADMINISTRATOR'S REPORT

48. COUNTY ATTORNEY'S REPORT

49. COMMISSION AND COMMITTEE REPORTS

50. ADMINISTRATION

Outstanding Board Assignments.

51. ADMINISTRATION

Review of Board Meeting Schedule.

1:30 p.m.

52. OPEN TO THE PUBLIC - (Three-minute time limit per person, up to 30 minutes.)

DISCUSSION SECTION: - (Continued)

53. FINANCIAL PLANNING

Presentation of the Tampa Bay Partnership Regional Business Plan.

54. FINANCIAL PLANNING

- A. To consider the appointment of two individuals to serve two four-year terms on the Tourist Development Council (TDC) as Tourist Industry Representatives involved in the tourist industry and interested in tourist development, effective through October 2015;
- B. To consider the appointment of two individuals to serve two four-year terms on the TDC as Collector of Tax Representatives who are Owners/Operators of motels, hotels, recreational vehicle parks, or other tourist-related accommodations and subject to the Tourist Development Tax (TDT), effective through October 2015.

55. ADMINISTRATION

To consider authorization to advertise a public hearing to consider a proposed Ordinance, amending Ordinance No. 95-014, as amended and codified in Section 2-31 of the County Code, relating to compensation of the Board of County Commissioners effective for the period from October 1, 2011, through September 30, 2013, inclusive.

56. ENVIRONMENTAL SERVICES

- A. To consider a proposed Contract, a Dock License Agreement, with Michael Stafford to allow for the construction and maintenance of a single-family dock within the public right-of-way along the canal shoreline adjacent to the property located at 663 Avenida del Norte, Siesta Key, pursuant to Ordinance No. 81-012, Chapter 74, Section C.2 of the Road Construction Technical Manual;
- B. To consider a proposed Contract, a Dock License Agreement, with Vince Prevost to allow for the construction and maintenance of a single-family dock within the public right-of-way along the canal shoreline adjacent to the property located at 675 Avenida del Norte, Siesta Key, pursuant to Ordinance No. 81-012, Chapter 74, Section C.2 of the Road Construction Technical Manual.

57. COMMUNITY SERVICES

- A. To consider the allocation of funds from the West Coast Inland Navigation District (WCIND) County Navigation Improvement Fund (CNIF) for a portion of the Sea Plume Way Dredging Project, in the amount of \$100,000.00;
- B. To consider a proposed Resolution, Budget Amendment No. B2011-056, amending the Fiscal Year (FY) 2011 Budget to appropriate funds from the WCIND CNIF for the Sea Plume Way Dredging Project, in the amount of \$100,000.00.

PUBLIC HEARINGS: - (Continued)

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.

58. PLANNING AND DEVELOPMENT SERVICES

- A.** Second public hearing to consider proposed Ordinance No. 2011-055, Zoning Ordinance Amendment No. 62, amending Zoning Ordinance No. 2003-052, as amended and codified in Appendix A of the County Code, relating to the use of firearms and commercial use standards for wilderness camping and home occupations or home-based businesses. (First public hearing was held on September 14, 2011.);
- B.** (Not a public hearing.) Land Development Regulation Commission (LDRC) to find proposed Ordinance No. 2011-055 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to the adoption of A.)

59. HEALTH AND HUMAN SERVICES

Public hearing to consider proposed Ordinance No. 2011-054, amending Ordinance No. 72-018, as codified in Chapter 34 of the County Code, relating to Civil Emergencies; amending Ordinance No. 82-018, as codified in Chapter 86, Article III, of the County Code relating to Hunting from Highways and Roads; amending Ordinance No. 93-089, as codified in Chapter 26, Article IV, of the County Code relating to Secondhand Dealers; and providing an effective date for the regulation of Firearms and Ammunition, and to waive the requirement for an Economic Impact Statement (EIS).

60. COMMUNITY SERVICES

Sitting as the Water and Navigation Control Authority (WNCA):

Public hearing to consider a Resolution, WNCA Major Work Permit Application No. 2011-113546-RW, a petition by M.R. Friday and Associates, Inc., on behalf of Raymond and Nancy Swart, to create two new mooring slips for the proposed installation of a boat lift and personal watercraft lift at the existing community dock facility located on Puesta del Sol, Lot 10, Sunset Place Subdivision, Osprey.

61. OPEN TO THE PUBLIC - (Three-minute time limit per person.)

62. OTHER BUSINESS

NOTE:

Individuals with disabilities needing assistance to participate in any of these proceedings should contact County Administration at least three (3) working days in advance of the meeting date and time at (941) 861-5344.