

[Agenda](#)Agenda Packet  (/OnBaseAgendaOnline/Documents/Downloadfile/Tuesday\_-[\\_Consent\\_\\_\\_Discussion\\_\\_\\_Public\\_Hearings\\_1791\\_Agenda\\_Packet\\_12\\_13\\_2022\\_9\\_00\\_00\\_AM.pdf?documentType=5&meetingId=1791&isAttachment=True\)](#)[Switch to Accessible View](#)

December 13, 2022

9:00 a.m.

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

Ron Cutsinger, Chairman, District 5

Michael A. Moran, District 1

Mark Smith, District 2

Nancy C. Detert, District 3

Joe Neunder, District 4

**INVOCATION****PLEDGE OF ALLEGIANCE****NOTE:**

The Board may break for lunch, and as needed throughout the day. Attendees interested in specific agenda items should plan accordingly.

**1. OPEN TO THE PUBLIC**

This time is reserved for persons desiring to comment on items not scheduled for a public hearing. Persons wishing to speak at Open to the Public shall complete a Request to Speak card, including the number of the agenda item or, if not an agenda item, the topic to be addressed. Comments on scheduled agenda items will be heard first, followed by up to 5 speakers related to topics not on the advertised agenda. Any remaining speaker cards will be held for the final Open to the Public at the end of the meeting

**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.

**2. CAPITAL PROJECTS**

To approve agreements for continuing commissioning services for County projects, for a five-year period, with each of the following vendors:

- a. SGM Engineering, Inc.
- b. OCI Associates, Inc.
- c. Smith Seckman Reid, Inc.

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

To authorize a public hearing on an ordinance amending Article II, Chapter 42 of the County Code, relating to court costs for use in funding of law enforcement training.

**4. COMMISSION SERVICES**

To adopt a resolution authorizing a joint meeting with the Sarasota County School Board, North Port City Commission, Sarasota City Commission, Venice City Council, and Town of Longboat Key Commission, as required by Section 125.001, Florida Statutes, and as described in Contract No. 2008-387, the interlocal agreement for public school facility planning.

**5. COMMISSION SERVICES**

To adopt a resolution revising the Advisory Council and Appointed Board Member Rules of Procedure and repealing Resolution No. 2020-265.

**6. HEALTH & HUMAN SERVICES**

To appoint Achal Bhatt to serve a two-year term on the Health Planning Council of Southwest Florida, Inc. as a provider representative, effective through August 2024.

**7. HEALTH & HUMAN SERVICES**

To appoint Jenny Macias to fill an unexpired three-year term on the Seniors Advisory Council as the local lead agency serving older adults representative, effective through December 2025.

**8. HEALTH & HUMAN SERVICES**

To approve a memorandum of understanding with the Florida Department of Agriculture and Consumer Services to maintain eligibility for state arthropod control funding for Fiscal Year 2023.

**9. LIBRARIES & HISTORICAL RESOURCES**

To adopt a resolution formalizing the guidelines for the Sarasota County Historical Marker Program pursuant to Section 66-39 of the County Code, adopting a standard agreement for the installation of historical markers on private property, and authorizing the County Administrator, or designee, to execute such agreements.

**10. LIBRARIES & HISTORICAL RESOURCES**

To adopt a resolution authorizing a historical marker to be erected at the entrance to the Cherokee Park subdivision in the City of Sarasota.

**11. LIBRARIES & HISTORICAL RESOURCES**

- A. To appoint Wendy Ying to serve a four-year term on the Historical Commission, effective through December 2026;
- B. To appoint Philip Stutzman to serve a one-year term on the Historical Commission as the Students Taking Active Roles Government representative, effective through July 2023.

**12. LIBRARIES & HISTORICAL RESOURCES**

To appoint Lindsey Hayes to serve a three-year term on the Historic Preservation Board, effective through December 2025.

**13. LIBRARIES & HISTORICAL RESOURCES**

To appoint Diya Nair to serve a one-year term on the Library Advisory Board as the Students Taking Active Roles Government representative, effective through July 2023.

**14. PARKS, RECREATION & NATURAL RESOURCES**

To approve a non-exclusive license agreement with Certus Pest, Inc., for use of a portion of The Legacy Trail south of Culverhouse Nature Park, adjacent to the property located at 119A Corporation Way, Venice (PID 0428020016), for a one-year period, in the amount of \$2,253.00.

**15. PARKS, RECREATION & NATURAL RESOURCES**

- A. To waive the competitive requirements of the County Procurement Code pursuant to Section 2-212 (c) for the extension of the concession agreement and the remediation and restoration of the restaurant portion of the concession area at Snook Haven;
- B. To approve Amendment No. 3 to Contract No. 2013-227, with Venice Pier Group Inc., and extend the agreement term to April 7, 2024.

**16. PLANNING AND DEVELOPMENT SERVICES**

To adopt a resolution authorizing the County Administrator, or designee, to execute all documents as may be necessary for Contract No. 2004-271, including an addendum to the original contract to extend time periods of first right to purchase option.

**17. PLANNING AND DEVELOPMENT SERVICES**

To approve an amended public/private stormwater easement and maintenance agreement relating to a joint use stormwater facility for the Artistry development and Lorraine Road, Sarasota.

**18. PLANNING AND DEVELOPMENT SERVICES**

To appoint Joseph Miller to serve a three-year term on the Mechanical Contractors Licensing and Examining Board as a citizen representative, effective through December 2025.

**19. PLANNING AND DEVELOPMENT SERVICES**

To authorize a public hearing on an ordinance amending Article VIII, Chapter 70 of the County Code, relating to the creation of a tiered affordable housing impact fee reduction system.

**20. PLANNING AND DEVELOPMENT SERVICES**

A. To authorize a public hearing on an ordinance amending Chapter 54, Article XVIII of the County Code (Trees Code);

B. To authorize a public hearing on an ordinance amending Chapter 54, Article XXII of the County Code (Coastal Setback Code).

**21. PLANNING AND DEVELOPMENT SERVICES**

To adopt a resolution continuing the Public Facilities Financing Advisory Board and superseding Resolution No. 2017-206.

**22. PLANNING AND DEVELOPMENT SERVICES**

A. To approve revised owner-occupied home rehabilitation guidelines, increasing the amount of funding for homeowners to repair their homes to \$75,000.00, and allowing homeowners to be eligible for assistance if their mortgage company has added forbearance clauses subsequent to the pandemic;

B. To approve revised down-payment assistance guidelines, increasing the amount of purchase assistance to \$75,000.00 per household, and linking maximum home prices to annually published amounts from the U.S. Department of Housing and Urban Development or the Florida Housing Finance Corporation.

**23. PLANNING AND DEVELOPMENT SERVICES**

A. To adopt a resolution approving the sale of real property located at Center Gate Blvd., Sarasota (PID No. 0066020007), to the Florida Department of Transportation (FDOT), in the amount of \$18,850.00;

B. To adopt a resolution approving the sale of a temporary construction easement located at Brookhaven Dr., Sarasota (PID No. 0052100013), to the FDOT, in the amount of \$1,550.00;

C. To grant a perpetual easement located at 6370 Porter Rd., Sarasota (PID No. 0239040030), to the FDOT, for construction of roadway and drainage.

**24. PLANNING AND DEVELOPMENT SERVICES**

To approve a subrecipient agreement with the City of North Port for Greenwood Avenue sidewalk construction, in the amount of \$305,000.00.

**25. PLANNING AND DEVELOPMENT SERVICES**

To approve a subrecipient agreement with the Laurel Civic Association, Inc. for social services case management, effective through September 30, 2023, in the amount of \$55,000.00.

**26. PLANNING AND DEVELOPMENT SERVICES**

To approve a subrecipient agreement with the City of North Port for social services case management, in the amount of \$55,000.00.

**27. PLANNING AND DEVELOPMENT SERVICES**

To approve a CDBG-CV subrecipient agreement for food distribution with All Faiths Food Bank, Inc., in the amount of \$532,306.00.

**28. PLANNING AND DEVELOPMENT SERVICES**

To approve a CDBG-CV subrecipient agreement with Boys and Girls Clubs of Sarasota and DeSoto Counties, Inc. for childcare.

**29. PLANNING AND DEVELOPMENT SERVICES**

To approve the termination and release of a reserved perpetual nonexclusive 24-foot-wide easement for ingress and egress, vehicular and pedestrian access on a parcel located at Alligator Place, Venice.

**30. PUBLIC UTILITIES**

To authorize the County Administrator, or designee, to approve individual purchases with Barney's Pumps, Inc., for the purchase of Fairbanks Nijhuis and Aurora-Layne-Vertiline pumps, parts, and service, for a three-year period, in a total amount not to exceed budgeted funds.

**31. PUBLIC UTILITIES**

To approve the 2024-2044 water demand projections as required by the Master Water Supply contract with the Peace River/Manasota Regional Water Supply Authority.

**32. PUBLIC WORKS**

To approve an amendment to an interlocal agreement, Contract No. 2020-495, with the Windward at Lakewood Ranch Community Development District, for the Fruitville Road widening from Debrecen Road to Lorraine Road.

**33. PUBLIC WORKS**

To adopt a resolution approving the Unified Flood Insurance promotion plan.

**34. SOLID WASTE**

To approve and authorize the County Administrator, or designee, to execute a construction contract with A2 Group, Inc. for household hazardous waste vault replacements, in an amount not to exceed \$1,127,000.00.

**35. TRANSIT**

To adopt a resolution authorizing the Chairman to execute a letter of intent for submittal to the Sarasota-Manatee Metropolitan Organization (MPO), requesting the MPO Board recommend to the Florida Commission for the Transportation Disadvantaged that the Sarasota County Board of County Commissioners continue to be the designated Community Transportation Coordinator for Sarasota County.

**36. TRANSIT**

**A.** To adopt a resolution authorizing the execution and submittal of the State Fiscal Year 2023/2024 grant application, supporting documents, and assurances to the Florida Department of Transportation for the Federal Transit Administration 49 U.S. Code Section 5310 Formula Grant for the Enhanced Mobility of Seniors and Individuals with Disabilities;

**B.** To authorize the submittal of the State Fiscal Year 2023/2024 grant application along with supporting documentation and assurances to the Florida Department of Transportation for the Federal Transit Administration 49 U.S. Code Section 5310 Formula Grant for the Enhanced Mobility of Seniors and Individuals with Disabilities.

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

To ratify and approve the warrants dated October 31, 2022 through November 25, 2022, in the amount of \$59,011,669.38, as detailed in the voucher packages filed in the Finance Department.

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

To approve the minutes of the meetings dated November 15 and November 16, 2022.

**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.

**39. TRANSIT**

To declare the identified tangible personal property as surplus property; authorize the disposal of the surplus property, and move the surplus property to a disposed of status.

**DISCUSSION SECTION:****40. GOVERNMENTAL RELATIONS**

To approve the Sarasota County 2023 Federal Legislative Program.

**41. GOVERNMENTAL RELATIONS**

To approve an interlocal agreement for the administration of a joint county/municipalities economic development program.

**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.

Time Limits: Petitioner Presentation - 20 minutes; Citizen Comments - 5 minutes per speaker (unless otherwise determined by the Chairman); Petitioner Rebuttal - 5 minutes

## **PUBLIC HEARINGS - PRESENTATIONS UPON REQUEST:**

### **42. GENERAL SERVICES**

- A. (Not a public hearing) To adopt a resolution amending the Fiscal Year 2023-2027 Capital Improvement Program (Resolution No. 2022-166) to add the Sheriff's Office Headquarters Additions & Renovations – Design as Project No. 83248;
- B. (Public hearing) To adopt a resolution, Budget Amendment No. B2023-009, amending the Fiscal Year 2023 Budget to appropriate funding to Capital Improvement Program Project No. 83248 – Sheriff's Office Headquarters Additions & Renovations – Design, in the amount of \$4,560,000.00.

### **43. PARKS, RECREATION & NATURAL RESOURCES**

- A. (Public hearing) To adopt a resolution, Budget Amendment No. B2023-012, amending the Fiscal Year 2023 Budget to appropriate additional funding for Parks, Recreation and Natural Resources custodial services, in the total amount of \$301,507.00;
- B. (Not a public hearing) To approve and authorize the County Administrator, or designee, to execute a term contract with Boro Building and Property Maintenance, to provide custodial services at parks facilities, in an amount not to exceed \$2,039,008.90 for the initial three-year term.

### **44. PLANNING AND DEVELOPMENT SERVICES**

- A. (Public hearing) To adopt a resolution, Budget Amendment No. B2023-003, to reflect an adjustment in the Emergency Solutions Grant CARES Act funds;
- B. (Not a public hearing) To approve submitting the Emergency Solutions Grant CARES Act funding plan as a substantial amendment to the Federal Fiscal Year 2019 Action Plan;
- C. (Not a public hearing) To authorize the County Administrator, or designee, to make minor modifications (correct scrivener's errors, electronic formatting issues, or the like) to the substantial amendment to the Federal Fiscal Year 2019 Action Plan that the U.S. Department of Housing and Urban Development requires for approval thereof;
- D. (Not a public hearing) To approve submitting the Emergency Solutions Grant CARES Act Part 2 funding uses, as requested by the Continuum of Care;
- E. (Not a public hearing) To approve subrecipient agreements for street outreach, emergency shelter, and rapid re-housing, as requested by the Continuum of Care.

### **45. PLANNING AND DEVELOPMENT SERVICES**

(Public hearing) To adopt Ordinance No. 2022-075, approving Rezone Petition No. 22-32 for property located south of Burney Road and west of Old Venice Road, Osprey, from RSF-1 to RSF-4.

**46. PLANNING AND DEVELOPMENT SERVICES**

(Public hearing) To adopt a resolution approving Special Exception Petition No. 1851, to allow outdoor recreation within a CG/EBD zone, for property located at 114 and 120 W. Dearborn Street, Englewood.

**47. PLANNING AND DEVELOPMENT SERVICES**

- A. (Public hearing) To adopt a resolution approving Special Exception Petition No. 1852 to allow an existing place of worship, located at 1800 Banyan Drive, Venice, in RSF-3 and CG zones;
- B. (Public hearing) To adopt a resolution approving Special Exception Petition No. 1854 to allow an existing childcare facility, located at 1802 Banyan Drive, Venice, in an RSF-3 zone.

**48. PLANNING AND DEVELOPMENT SERVICES**

- A. (Second public hearing) To adopt Ordinance No. 2022-052 approving Unified Development Code Amendment No. 51, a privately initiated amendment relating to the allowance of recreational vehicle parks/campgrounds in the RE zone by special exception. (First public hearing was held November 16, 2022.)
- B. (Not a public hearing) Land Development Regulation Commission to find Ordinance No. 2022-052 to be consistent with the Comprehensive Plan. (Must be done prior to the adoption of A.)

**49. PLANNING AND DEVELOPMENT SERVICES**

(Public hearing) To adopt a resolution approving Special Exception No. 1841 to allow a medical marijuana dispensary on property located at 1763 South Tamiami Trail, Venice, in a CSC zone.

**50. PLANNING AND DEVELOPMENT SERVICES**

(Public hearing) To adopt a resolution approving Special Exception Petition No. 1855, to allow special events in conjunction with an approved outdoor recreation use for property located at 7500 Island Cove Terrace, Sarasota.

**51. PUBLIC UTILITIES**

(Public hearing) To adopt a resolution granting the application of Sylvan Lea Utilities, LLC for the renewal of a wastewater-only utility franchise, for a 10-year period commencing December 13, 2022.

**52. OFFICE OF FINANCIAL MANAGEMENT**



(Public hearing) To adopt a resolution, Budget Amendment No. B2023-010, amending the Fiscal Year 2023 Budget to incorporate various supplemental appropriations, revenue adjustments, grants, and transfers in the amount of \$15,409,740.

**REPORTS SECTION:**

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

Filed for Record List.

**54. COUNTY ADMINISTRATOR**

**55. OFFICE OF THE COUNTY ATTORNEY**

A. To consider acceptance of Special Magistrate's recommended order in Achim Ginsberg-Klemmt Request for Relief under the Florida Land Use and Environmental Dispute Resolution Act (FLUEDRA).

B. To consider proposed settlement in *Robert Calhoun v. Sarasota County*.

C. Final plat approval for Skye Ranch Neighborhood Two Townhomes North.

D. Final plat approval for Kingfisher Estates.

**56. COMMISSIONER MORAN**

**57. COMMISSIONER SMITH**

**58. COMMISSIONER DETERT**

**59. COMMISSIONER NEUNDER**

**60. CHAIRMAN CUTSINGER**

**61. ADMINISTRATION**

Outstanding Board Assignments.

**62. ADMINISTRATION**

Board Meeting Schedule.

**63. OPEN TO THE PUBLIC**

This time is reserved for persons desiring to comment before the Board on items not scheduled for a Public Hearing. Persons wishing to speak at Open to the Public shall complete a Request to Speak card, including the number of the agenda item or, if not an agenda item, the topic to be addressed. Topics not on the scheduled agenda will be held for the final Open to the Public at the end of the meeting.

**DISCUSSION SECTION: (Continued)**

**64. PUBLIC WORKS**

Update from the Florida Department of Transportation on the pedestrian bridges over Clark Road and Bee Ridge Road for the Legacy Trail Extension.

**65. PUBLIC WORKS**

Presentation on Sarasota County I-75 Gateway opportunities.

**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.

Time Limits: Petitioner Presentation - 20 minutes; Citizen Comments - 5 minutes per speaker (unless otherwise determined by the Chairman); Petitioner Rebuttal - 5 minutes

**PUBLIC HEARINGS - PRESENTATIONS SCHEDULED:****66. PLANNING AND DEVELOPMENT SERVICES**

- A. (Public hearing) To adopt Ordinance No. 2022-074, approving Critical Area Plan Amendment 2001-01-SP-2022 (S.R. 776 Corridor Plan) for property located in the northwest quadrant of Artists Ave. and N. Indiana Ave., Englewood, from Commercial Center to Office/Multi-Family Residential, and to permit a maximum of 50 feet in height;
- B. (Not a public hearing) Land Development Regulation Commission to find Ordinance No. 2022-074 to be consistent with the Comprehensive Plan. (Must be done prior to the adoption of A.);
- C. (Public hearing) To adopt Ordinance No. 2022-073, approving Comprehensive Plan Amendment No. 2022-07 for property located in the northwest quadrant of Artists Ave. and N. Indiana Ave., Englewood, from Village I Commercial Center to Office/Multi-Family Residential;
- D. (Public hearing) To adopt Ordinance No. 2022-072, approving Rezone Petition No. 22-21 for property located in the northwest quadrant of Artists Ave. and N. Indiana Ave., Englewood, from PED to RMF-3.

**67. PLANNING AND DEVELOPMENT SERVICES**

- A. (Public hearing) To adopt Ordinance No. 2022-078, approving Comprehensive Plan Amendment No. SA-2022-05 for property located at the northwest quadrant of North River Road and Center Road, Venice, to change the future land use designation from MODR to Office/Multi-Family;
- B. (Public hearing) To adopt Ordinance No. 2022-079, approving Critical Area Plan Amendment No. 83-08-SP-2022 (River Road Major Employment Center Sector Plan) for property located at the northwest quadrant of North River Road and Center Road, Venice, to change the land use designation from Office to Residential;
- C. (Not a public hearing) Land Development Regulation Commission to find Ordinance No. 2022-079 to be consistent with the Comprehensive Plan. (Must be done prior to the adoption of B.);
- D. (Public hearing) To adopt Ordinance No. 2022-080, approving Rezone Petition No. 22-14 for property located at the northwest quadrant of North River Road and Center Road, Venice, to rezone approximately 17.17 acres from OUE-1 to RMF-3 with the approval of criteria of Critical Area Plan waiver of development standard contained in Figure 4 of River Road Major Employment Center Sector Plan No. 83-08-SP, as amended.

#### **68. OPEN TO THE PUBLIC**

This time is reserved for persons desiring to comment before the Board on items not scheduled for a Public Hearing. Persons wishing to speak at Open to the Public shall complete a Request to Speak card, including the number of the agenda item or, if not an agenda item, the topic to be addressed. This segment may include speakers deferred from the morning Open to the Public segment.

#### **69. OTHER BUSINESS**

#### **NOTE**

Sarasota County prohibits discrimination in all services, programs, or activities on the basis of race, color, national origin, age, disability, sex, marital status, familial status, religion, or genetic information. Persons with disabilities who require assistance or alternative means for communication of program information (Braille, large print, audiotape, etc.), or who wish to file a complaint, should contact: Sarasota County Americans with Disabilities Act (ADA)/Civil Rights Coordinator, 1660 Ringling Boulevard, Sarasota, Florida 34236, Phone: 941-861-5000, Teletype (TTY): 7-1-1 or 1-800-955-8771. Email: [adacoordinator@scgov.net](mailto:adacoordinator@scgov.net). Persons needing assistance are asked to provide notice as soon as practicable in advance of the event to allow time to accommodate the request.



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