



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Agenda - Final City Council

Tuesday, July 23, 2013

9:00 AM

Council Chambers

This meeting will be broadcast on Comcast Channel 189 on Saturday, July 27, 2013, at 9:30 a.m. and Wednesday, August 14, 2013. The entire meeting will be broadcast twice in the following week on Access 19 (Comcast Channel 19) (Verizon Channel 32). Log on to www.scgov.net, click on Access Sarasota Television to see when the meeting is scheduled to run. For further information, log on to www.venicegov.com.

CALL TO ORDER

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

I. RECOGNITION

1. [13-0033](#) 10-year Service Award, Gerard R. Stause, Venice Fire Department, Firemedic
2. [13-0034](#) Retirement Certificate Presented to Patrol Officer David A. Smyth, Police Department

Attachments: [Certificate](#)

II. AUDIENCE PARTICIPATION

Excluding Public Hearings (Five Minutes Each Speaker)

III. CONSENT SECTION:

All matters listed under the Consent Section are considered to be routine and will be enacted by one motion unless an item is removed by a council member. There will be no separate discussion of these items. If discussion is desired by a council member, the item(s) will be considered and voted upon at the end of the Consent Section.

A. MAYOR

- [13-0035](#) Approve Letter of Support to the Office of Criminal Justice Grants for the Distribution of \$117,186 of Federal Fiscal Year 2013 Justice Assistance Grant Program Funds for Mental Health Court

Attachments: [Letter](#)

- [13-0036](#) Reappoint Mike Horan and Reagan Leonard to the seven member Construction Board of Adjustment and Appeals to serve terms from August 1, 2013 until July 31, 2016, and Robert Kovarik as a consumer representative to the ten member Construction Board of Adjustment and Appeals to serve a term from August 1, 2013 until July 31, 2016

Attachments: [Memorandum](#)
[Horan Application](#)
[Leonard Application](#)
[Kovarik Application](#)

- [13-0037](#) Appoint Cynthia Hicks and Jim Woods to the Parks and Recreation Advisory Board to serve terms from August 1, 2013 until July 31, 2016

Attachments: [Memorandum](#)
[Hicks Application](#)
[Woods Application](#)

B. CITY CLERK

1. [13-0038](#) Approval of Minutes

Attachments: [Parking Workshop, April 30, 2012](#)
[Special Meeting - Police Dispatch and Solid Waste, July 25, 2012](#)
[Budget Workshop, July 30, 2012](#)
[Budget Workshop, August 1, 2012](#)
[Regular Meeting, October 9, 2012](#)
[Regular Meeting, June 11, 2013](#)
[Joint Meeting Charter Review April 22, 2013](#)

C. CITY ATTORNEY

1. [13-0039](#) Request Private Attorney Client Session: Jeffery L. Snyder vs. City of Venice

D. CITY MANAGER

1. [13-0040](#) Approve Agreement with the School Board of Sarasota County Defining Provision of Funds to Support School Resource Officers in Venice Schools - Providing Subsidy of \$126,141

Attachments: [Memo](#)
[Agreement](#)

2. [13-0041](#) Creation of City-wide Master Parks Plan

Attachments: [Memo](#)

3. [13-0042](#) Approve Agreement with Patrick Kavanagh, Workplace Safety Program/Employee Ethics & Behavior, not to exceed \$10,500
Attachments: [Agreement](#)
[Attachment](#)

Airport

1. [13-0043](#) Approve Second Amendment to Lease between the City and BVK, Inc. and Sublease between BVK, Inc. and Sarasota Avionics, Inc.
Attachments: [Memo](#)
[Exhibit](#)
[Letter from A.C. Schmieler](#)
[Second Amendment to Lease](#)
[Sublease](#)

Engineering

1. [13-0044](#) Acceptance of Utility Easement from Sarasota County Public Hospital Board for Venice Urgent Care Project
Attachments: [Memo with Easement](#)
2. [13-0045](#) Approve License Agreements between the City of Venice and the Villas of Venice, Inc. Condominium Association for the Flamingo Ditch Improvements
1. Restoration Work License Agreement
2. Corrective Work License Agreement
Attachments: [Memo and 2 License Agreements](#)
3. [13-0046](#) Accept Easements from Island Shores Owners Association, Inc. for the Flamingo Ditch Improvements
1. Permanent Utility Easement
2. Temporary Construction Easement 1
3. Temporary Construction Easement 2
Attachments: [Memo and 3 Easements](#)

4. [13-0047](#) Accept Temporary Construction Easements from Single Family Homes for the Flamingo Ditch Improvements
1. Campbell - Lot 2, Block 11, Golden Beach Unit No. 2
 2. Cossentina - Lot 6, Block 11, Golden Beach Unit No. 2
 3. Gambina - Lot 3, Block 11, Golden Beach Unit No. 2
 4. Hare - Lot 5, Block 11, Golden Beach Unit No. 2
 5. Hooper - Lot 8, Block 11, Golden Beach Unit No. 2
 6. Mason - Lot 9, Block 11, Golden Beach Unit No. 2
 7. Schiefele - Lot 10, Block 11, Golden Beach Unit No. 2
 8. Vasilion - Lot 7, Block 11, Golden Beach Unit No. 2
- Attachments:** [Memo and 8 Easements](#)
5. [13-0048](#) Accept Drainage Easement from Candace H. Borreson, Trustee for the Outfall 1 & 2 Project
- Attachments:** [Memo and Easement](#)
6. [CON. NO. 03-2013](#) Municipal Separate Storm System (MS4) Permit Monitoring Interlocal Agreement with Sarasota County
- Attachments:** [Agreement](#)

Fire

1. [13-0049](#) Accept 2012 Assistance to Firefighters Grant Award for Communication Equipment and Thermal Imaging Cameras, Approve Appropriation of Funds into the FY 2012-13 Budget, Authorize the Use of General Fund in Lieu of One Cent Sales Tax Funds for City's Match, Authorize Purchase of Equipment and Approve the Rollover of Any Unused Grant Award and City-Match Funds into the FY 2013-14 Budget
- Attachments:** [Memo](#)
- [Award Letter](#)
- [Detail Item List](#)
- [Equipment Narrative](#)
- [Application Detail Items](#)
- [Request Memo](#)

Utilities

1. [13-0050](#) Approve Work Assignment No. 4, King Engineering Associates, Inc., Environmental Campus Enhancement Project, Conceptual Planning, \$96,115
- Attachments:** [Memo](#)
- [Work Assignment](#)
- [Power Point Presentation](#)

2. [13-0051](#) Approve Work Assignment No. 14, Arcadis-US, Inc., Water Treatment Plant Odor Control System Improvements, \$401,450
Attachments: [Memo](#)
[Work Assignment](#)
[Power Point Presentation](#)
3. [13-0052](#) Approve Work Assignment No. 5, McKim & Creed, Inc., Eastside WRF Reclaimed Water Filtration System Improvements, \$299,797
Attachments: [Memo](#)
[Work Assignment](#)
[Power Point Presentation](#)

IV. PUBLIC HEARINGS

1. [13-0053](#) Grant Perpetual Easement from the City of Venice to Florida Department of Transportation for US 41 ByPass at Ruscelletto Park
Attachments: [Memo](#)
[Donation Letter](#)
[Perpetual Easement](#)
2. [13-0054](#) Execute City Deed for land donation from the City of Venice to Florida Department of Transportation for US 41 ByPass at Ruscelletto Park
Attachments: [Memo](#)
[Donation Letter](#)
[Deed](#)

ORDINANCES - FIRST READING

1. [ORD. NO. 2013-21](#) Amending Chapter 86, Land Development Code, Article IV, Development Review Procedures, Section 86-41, Public Workshop Requirements; Section 86-42, Conditional Use; Article VIII, General Administrative Provisions, Section 86-570, Definitions and Chapter 122, Zoning, Article V, Supplementary Zoning District Regulations, Division 1, Generally, Section 122-394, Exclusions from Height Limits (Text Amendment 13-2AM)
Attachments: [Staff Report](#)
[Planning Commission Minutes](#)
[Ordinance](#)

2. [ORD. NO. 2013-22](#) Amending Chapter 86, Land Development Code, Article V, Use Regulations, Division 3, Residential Zoning Districts, Regarding Signs, Section 86-80, RE Residential, Estate (Single-Family) District; Section 86-81, RSF Residential, Single-Family District; Section 86-84, RTR Residential, Tourist Resort District; Division 4, Business Zoning Districts, Section 86-94, CBD Commercial Business District, and Section 86-97, CMU Commercial Mixed Use District; Article VI, Design and Development Standards, Division 3, Signs, Adding Section 86-400, Signs, Section 86-401, Exemptions; Article VIII, General Administrative Provisions, Section 86-570, Definitions; Chapter 122, Zoning, Article V, Supplementary Zoning District Regulations, Division 4, Signs, Subdivision I, In General, and Deleting Subdivision II, Permit, Section 122-582, Exemptions, Section 122-558, Signs Advertising Property For Sale Or Lease (Text Amendment 13-3AM)
- Attachments:** [Staff Report](#)
[Planning Commission Minutes](#)
[Ordinance](#)
3. [ORD. NO. 2013-13](#) Amending the Code of Ordinances, Chapter 74, Utilities, by Modifying Utility Rates and Charges and Defining Maintenance Responsibilities
- Attachments:** [Ordinance](#)

V. UNFINISHED BUSINESS

ORDINANCES – FINAL READING AND PUBLIC HEARING

1. [ORD. NO. 2013-17](#) Adopting the Annual Update to the Five Year Schedule of Capital Improvements and Related Data and Analysis Contained in Volume I, Appendix C of the City of Venice Comprehensive Plan
- Attachments:** [Staff Report](#)
[Planning Commission Minutes](#)
[Ordinance](#)
[Exhibit](#)
2. [ORD. NO. 2013-14](#) Amending the Future Land Use Map of the City of Venice Comprehensive Plan by Designating the Ajax Plant Site Property as Gene Green Sector
- Attachments:** [Staff Report](#)
[Planning Commission Minutes](#)
[Ordinance](#)

3. [ORD. NO. 2013-20](#) Amending Chapter 54, Solid Waste, Article VI, Disaster Debris Management, by Deleting the Existing Sections and Replacing Them with More Specific Criteria for the Determination of When to Remove Debris from Private Streets and Roadways After a Natural Disaster
Attachments: [Ordinance](#)

4. [ORD. NO. 2013-15](#) Amending the Official Zoning Atlas Relating to Rezone Petition No. 12-2RZ, Ajax Plant Site, for the Rezoning of the Property Described Herein From Sarasota County Open Use Estate-1 (OUE-1) Zoning District to City of Venice Planned Industrial Development (PID) Zoning District (Quasi-Judicial)
Attachments: [Staff Report](#)
[Planning Commission Minutes](#)
[Ordinance](#)

VI. NEW BUSINESS

A. ORDINANCES

1. [ORD. NO. 2013-23](#) Annexing Certain Lands Lying Contiguous to the City Limits, as Petitioned by Donna Michele Nazare, Into the Corporate Limits of the City of Venice, Florida, and Redefining the Boundary Lines of the City to Include Said Additions (Vacant Lot on Guild Drive)
Attachments: [Exhibit](#)
[Petition](#)
[Ordinance](#)

2. [ORD. NO. 2013-25](#) Amending the City Charter, Part I, Charter and Related Laws, Subpart A, Charter, Article III, Legislative, Section 3.04, Elections, Terms of Office and Term Limits, Section 3.05, Compensation and Expenses, Section 3.06 Prohibitions, 3.07, Vacancies, Forfeiture of Office, Standard of Conduct, Filling of Vacancies, Emergency Succession, Procedure of Forfeiture, Section 3.08, City Clerk, Section 3.09, Procedure, Section 3.10, City Attorney, Article IV, Administrative, Section 4.02, Appointment, Qualifications, Compensation, Removal, Section 4.04, Powers and Duties of the City Manger, Article VIII, Charter Amendments, Section 8.03, Adoption of Amendment, Articles IX, Initiative and Referendum, Article X, Recall, Section 10.01, Recall, Article XI, General Provisions, Section 11.03
Attachments: [Ordinance](#)
[Mayor Holic's Proposed Amendment](#)

3. [ORD. NO. 2013-24](#) Amending Chapter 2, Administration, Article VI, Code Enforcement, Division 2, Code Enforcement Board, Section 2-331, Notices; to Conform to Florida Chapter 2013-193 Regarding Section 162.12, Florida Statutes as Amended

Attachments: [Ordinance](#)

4. [ORD. NO. 2013-26](#) Amending Chapter 62, Streets, Sidewalks and Other Public Areas, Article III, Driveways and Curbs, Section 62, Right-of-Way Use Authorization

Attachments: [Ordinance](#)

B. PRESENTATIONS

1. [13-0055](#) John Veneziano, Public Works Director, and Kathleen Weeden, City Engineer: South Jetty Parking Lot Update (5 min.)
2. [13-0056](#) City Manager Ed Lavalley and Finance Director Jeff Snyder: Proposed Fiscal Year 2013-2014 Budget; Set Millage Rate and Public Hearing Dates (20 min.)

Attachments: [Memo-Setting Millage Rate & Public Hearing Dates](#)

C. RESOLUTIONS

1. [RES. NO. 2013-07](#) Approval of Utility Work by Highway Contractor Agreement (at Utility Expense) with FDOT for the US 41 ByPass Project

Attachments: [Memo](#)
[Agreement](#)
[Power Point Presentation](#)
[Resolution](#)

2. [RES. NO. 2013-14](#) Conveying a Deed to the State of Florida Department of Transportation for the US 41 ByPass Project

Attachments: [Resolution](#)

3. [RES. NO. 2013-15](#) Conveying a Perpetual Easement to the State of Florida Department of Transportation for the US 41 ByPass Project

Attachments: [Resolution](#)

4. [RES. NO. 2013-16](#) Approval of Utility Work by Highway Contractor Agreement (at FDOT Expense) for US 41 ByPass Project with FDOT

Attachments: [Memo](#)
[Agreement](#)
[Power Point Presentation](#)
[Resolution](#)

5. [RES. NO. 2013-17](#) Supporting Home Rule and Requesting Repeal of Florida Statute, Section 509.032(7) Preempting City Authority to Control Vacation Rentals
 Attachments: [Resolution](#)
6. [RES. NO. 2013-18](#) Deleting Article XII, Transitional Provisions, Section 12.04, Transitional Terms and Section 12.07, Schedule, from the City Charter
 Attachments: [Resolution](#)
7. [RES. NO. 2013-19](#) Amending the Purchasing Card Program Policy and Procedures, Superseding Resolution No. 2008-25
 Attachments: [Resolution](#)

D. COUNCIL ACTION

1. [13-0057](#) Sharky's on the Pier Plan Revision - Addition of "Shark Fin" on top of Restaurant
 Attachments: [Memo with Exhibit](#)

VII. CHARTER OFFICER REPORTS

City Attorney

1. [13-0058](#) Wellfield Park/Pinebrook Park Update
 Attachments: [Letter](#)
2. [13-0059](#) Christine Davis vs. City of Venice Litigation Update
3. [13-0060](#) Sarasota Memorial Hospital vs. City of Venice Litigation Update

City Clerk

City Manager

VIII. COUNCIL REPORTS

Mayor Holic

1. [13-0061](#) 2013 VIVA Florida 500
 Attachments: [2013 VIVA Florida 500](#)
2. [13-0062](#) Bicycle Friendly Community Budget Request
 Attachments: [Budget Request](#)

3. [13-0063](#) Approve attendance at 2013 Florida Ethics Conference

 Attachments: [Conference Flyer](#)
4. [13-0064](#) Approve attendance at Florida League of Cities 87th Annual Conference

 Attachments: [Conference Flyer](#)
5. [13-0065](#) Joint Meeting with North Port Commissioners

 Attachments: [Letter from City of North Port](#)
6. [13-0066](#) Transfer of Roadways

 Attachments: [Letter from Sarasota County](#)

Council Member Carlesimo

1. [13-0067](#) Participation in Manasota League and Florida League of Cities' Efforts
 to Further Repeal HB 833

 Attachments: [Request Memo](#)

IX. AUDIENCE PARTICIPATION

Five minutes each speaker.

X. ADJOURNMENT

If you are disabled and need assistance, please contact the City Clerk's office at least 24 hours prior to the meeting.

NOTE: No stenographic record by a certified court reporter is made of this meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at this meeting upon which any appeal is based.