

AGENDA
VENICE CITY COUNCIL
JUNE 8, 2004 – 1:30 P.M.

This meeting will be broadcast on Comcast Channel 21 on Wednesday, June 9, 2004 at 9:30 a.m.

CALL TO ORDER

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

I. PROCLAMATION

National Garden Week, June 6-12, 2004 Presented to Maxine Ginn, President, Sandy Walters, First Vice President, and Mary Lou Levy and Gladys Susek, Past Presidents, Venice Area Garden Club

II. SERVICE AWARD

20-year Service Award, Gary Coble, Water Plant Operator C, Water Production Division, Utilities Department

III. BOARD APPOINTMENTS

Youth Advisory Board

Julianna Groff, Amanda Lasprogato, Martin Skol, Andrew Horan, Matthew Horan, and Kelly Shannon

Sarasota County Parks Advisory and Recreation Council

Lamont Andrews, City Representative

IV. APPROVAL OF MINUTES

Regular Meeting

May 25, 2004

V. AUDIENCE PARTICIPATION

Excluding Public Hearings (Five Minutes Each Speaker)

VI. PUBLIC HEARINGS

None

VII. UNFINISHED BUSINESS

ORDINANCES –FINAL READING AND PUBLIC HEARING

None

VIII. NEW BUSINESS

A. PRESENTATIONS

None

B. ORDINANCES – FIRST READING

None

C. RESOLUTIONS

1. Resolution No. 2004-22, Requesting Florida Department of Transportation Authorization for Landscape Improvements on U.S. 41 Business, Phase II, Road Improvement Project
2. Resolution No. 2004-23, Accepting Utilities and Improvements, Venetian Golf & River Club, The River Club
3. Resolution No. 2003-24, Accepting Utilities and Improvements, Venetian Golf & River Club, Phase 2H
4. Resolution No. 2004-25, Support of Metropolitan Planning Organization Membership Apportionment Plan

D. COUNCIL ACTION

1. Annexing 182± acres, Metes and Bounds, 520 Gene Green Road, North Venice, Florida, APAC-Southeast, Inc., a Florida Corporation; 648± acres, Metes and Bounds, 500 Gene Green Road, North Venice, Florida, R. Gene Smith; 5± acres, Metes and Bounds, 500 Gene Green Road, North Venice, Florida, Miami Valley Ready Mix of Florida, Inc.
 - a) Pre-Annexation Agreement, APAC-Southeast, Inc.
 - b) Pre-Annexation Agreement, R. Gene Smith
 - c) Pre-Annexation Agreement, Miami Valley Ready Mix of Florida, Inc.
 - d) Ordinance No. 2004-26 (First Reading)

IX. ADMINISTRATIVE REPORTS

- A. City Attorney
- B. Finance Director
 - 1. Summary of Major Revenues through May 2004
- C. City Clerk
- D. City Manager
 - 1. Amendment to Contract with Dan Ionescu, Venice Community Center, from \$185,000 to \$230,000
 - 2. Storm Pipe Repair by American Water Systems, Carlentini Subdivision
 - 3. Waive Formal Bidding for Emergency Sewer Repair at Eagle Point by B.J. Enterprises, Inc. with viable quote of \$18,600
 - 4. Waive Formal Bidding for Front-End Loader/Truck Purchase, Solid Waste Division from Container Systems & Equipment Co., priced at \$166,136
 - 5. Additional Street Lights at L’Pavia Blvd. at a cost of \$12 per month for each streetlight
 - 6. Charter Officer Evaluations
 - 7. Authorize expenditure of \$150,000 for Centennial Park Interactive Fountain

X. COUNCIL REPORTS

XI. AUDIENCE PARTICIPATION

XII. ADJOURNMENT

♦ ♦ ♦

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

NOTE:

The agenda materials can be viewed at www.venicegov.com or a CD in pdf format containing all background information for this meeting is available upon request to the City Clerk’s office for a \$2 fee. Adobe Acrobat Reader will be needed to open the file.

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.

CITY OF VENICE CODE OF ORDINANCES Section 2-53(3): Audience Participation

The Council will hear comment, concerns or questions from any citizen present at the meeting on matters not on the Agenda, it being understood that any single presentation must be limited to five minutes. Citizen’s comments will be permitted on Agenda items at the time the item is under consideration by Council if a request has been submitted to the City Clerk prior to Council’s consideration of the items.

MINUTES OF A REGULAR MEETING
CITY COUNCIL, VENICE, FLORIDA

JUNE 8, 2004

A Regular Meeting of the City Council was held this date in Council Chambers at City Hall. Mayor Calamaras called the meeting to order at 1:31 p.m.

ELECTED OFFICIALS AND OTHERS PRESENT

Roll was called with the following elected officials present: Mayor Dean Calamaras, Vice-Mayor Rick Tacy, Council members Jim Myers, John Simmonds, and Vicki Taylor. Fred Hammett and John Moore were absent.

Also present: City Attorney Bob Anderson, City Clerk Lori Stelzer, Finance Director Mike McPhail, City Manager Marty Black, Recording Secretary Marta Skol, and for certain items on the agenda: Planning and Zoning Director Tom Slaughter.

INVOCATION AND PLEDGE OF ALLEGIANCE

The City Clerk offered the Invocation followed by the Pledge of Allegiance led by Mayor Calamaras.

I. PROCLAMATION

Mayor Calamaras presented Maxine Ginn, President and Sandy Walters, First Vice President Venice Area Garden Club, with a Proclamation designating *National Garden Week, June 6-12, 2004*.

II. SERVICE AWARDS

Mayor Calamaras presented a 20-year award to Gary Coble, Water Plant Operator C, Water Production Division, Utilities Department.

III. BOARD APPOINTMENTS

Ms. Taylor moved to approve Mayor Calamaras' appointment of Julianna Groff, Amanda Lasprogato, Martin Skol, Andrew Horan, Matthew Horan, and Kelly Shannon to the Youth Advisory Board for a term from June 8, 2004 to June 8, 2005 or graduation, whichever is sooner. Seconded by Mr. Myers. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Simmonds moved to approve Mayor Calamaras' recommendation for appointment of Lamont Andrews as City Representative to the Sarasota County Parks Advisory and Recreation Council for a term from June 8, 2004 to June 8, 2006. Seconded by Ms. Taylor. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

IV. APPROVAL OF MINUTES

Mr. Tacy moved to approve the minutes of the regular meeting held May 25, 2004 with correction on third line, second paragraph, page 2, to read “Crossley Lewis”. Seconded by Ms. Taylor. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

V. AUDIENCE PARTICIPATION

(1:42) **Gary Anderson**, Venice resident, stated the need for controlled annexation and development in Venice and pointed out Council’s authority to deal with this issue as needed. Mr. Anderson requested issues relating to the skateboard park and Sharky’s lease be brought to a close and touched upon various aspects of concern, including relocation of the cement plants, proposed redevelopment plans along the Intracoastal Waterway, and lime ponds.

(1:46) **Herb Levine**, Venice resident, commented on previous administration’s efforts to keep the millage down, praised the current administration for not taking any funds from the enterprise funds since February, and urged the City Manager to set up a system, used by other municipalities, as a viable management tool, offering potential benefits.

VI. RESOLUTION NO. 2004-22, REQUESTING FLORIDA DEPARTMENT OF TRANSPORTATION AUTHORIZATION FOR LANDSCAPE IMPROVEMENTS ON U.S. 41 BUSINESS, PHASE II, ROAD IMPROVEMENT PROJECT – APPROVED AND ADOPTED

(1:50) Ms. Stelzer read the Resolution by title only.

Mr. Tacy moved that Resolution No. 2004-22 be approved and adopted. Seconded by Ms. Taylor.

ROLL CALL: MR. SIMMONDS, YES; MR. TACY, YES; MR. MYERS, YES; MS. TAYLOR, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

VII. RESOLUTION NO. 2004-23, ACCEPTING UTILITIES AND IMPROVEMENTS, VENETIAN GOLF & RIVER CLUB, THE RIVER CLUB – APPROVED AND ADOPTED

(1:52) Ms. Stelzer read the Resolution by title only.

Ms. Taylor moved that Resolution No. 2004-23 be approved and adopted. Seconded by Mr. Tacy

ROLL CALL: MS. TAYLOR, YES; MR. TACY, YES; MR. SIMMONDS, YES; MR. MYERS, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

VIII. RESOLUTION NO. 2004-24, ACCEPTING UTILITIES AND IMPROVEMENTS, VENETIAN GOLF & RIVER CLUB, PHASE 2H- APPROVED AND ADOPTED

(1:53) Ms. Stelzer read the Resolution by title only.

Mr. Tacy moved that Resolution No. 2004-24 be approved and adopted. Seconded by Mr. Myers.

ROLL CALL: MR. TACY, YES; MR. MYERS, YES; MR. SIMMONDS, YES; MS. TAYLOR, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

IX. RESOLUTION NO. 2004-25, SUPPORT OF METROPOLITAN PLANNING ORGANIZATION MEMBERSHIP APPORTIONMENT PLAN – APPROVED AND ADOPTED

(1:53) Ms. Stelzer read the Resolution by title only.

Ms. Taylor moved that Resolution No. 2004-24 be approved and adopted. Seconded by Mr. Tacy.

ROLL CALL: MS. TAYLOR, YES; MR. MYERS, YES; MR. TACY, YES; MR. SIMMONDS, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

X. COUNCIL ACTION: PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF VENICE AND APAC-SOUTHEAST, INC. - JEFF RUSSELL, ATTORNEY AND DANA WEST, ENVIRONMENTAL BIOLOGIST - APPROVED

XI. COUNCIL ACTION: PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF VENICE AND R. GENE SMITH – APPROVED

XII. COUNCIL ACTION: PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF VENICE AND MIAMI VALLEY READY MIX OF FLORIDA, INC. – APPROVED

Presentation

Mr. Slaughter explained that the annexation involves three properties, APAC-Southeast, Inc., R. Gene Smith, and Miami Valley Ready Mix of Florida, Inc., and utilized an aerial photograph to point out location of the respective properties, indicating main uses are mineral operations and small scale mineral extractions and processing to the south. Surrounding properties are Venetian Golf & River Club, Caribbean Bay, Hoskins property, and Triple Diamond and it is planned for commercial industrial uses. Mr. Slaughter briefed Council on efforts to create opportunities through the relocation of properties, including establishment of an advisory group by Mayor Calamaras. Mr. Slaughter noted that the area has been identified in the city's Comprehensive Plan for annexation and new development. The petition has undergone Development Review Committee and is consistent with standards of the Zoning Code, with no outstanding issues.

(1:59) Mr. Slaughter offered a brief update on development that has taken place in the area since the adoption of the Comprehensive Plan in 1999, including conversations with Sarasota County relative to traffic, as well as signalization and construction of an alternate road that would provide traffic relief in the area.

(2:04) Mr. Black indicated that as a result of meetings held regarding relocation of the cement plants, the city and county have encouraged relocation of the plants, with consideration given to compatibility with adjoining properties and showed an aerial view of the proposed site. He offered details of relocation plans, as well as a potential location for future reclaimed water storage with approximately 1.5 million gallon capacity, that the owner has agreed to grant to the city. Mr. Black pointed to county-owned property adjoining the Myakka River and mentioned the county's interest in purchasing a portion of the property under consideration. Due to concerns relating to possible city/county layers of regulations; the revised annexation ordinance would provide them with an option period of 120 days on approximately 553 acres to decide whether to proceed with the purchase, noting the property owner is willing to proceed with the annexation petition. Mr. Black stated the benefits for city and county in granting the county's petition and noted typographical error in the proposed ordinance.

Petitioner

(2:11) Mr. Russell concurred with staff's presentation and Mr. Black's comments relative to the county's intent to purchase a portion of the property under consideration and clarified the petitioner's primary intent is to annex into the city. Mr. Russell confirmed ongoing negotiations with the county for the described acreage, noting however that in the event the sale did not go through, that acreage would be annexed into the city.

Mr. Anderson addressed Mr. Tacy's comment relative to his disagreement with delaying annexation on portion of the property under negotiation between the property owner and Sarasota County and the property is not eligible for deannexation.

Responding to council members' inquiries relative to future uses of the property in the event the County did not go through with the purchase, Mr. West indicated approximately 80 percent could be a lake, as a result of the mining operation, or wetlands/preservation areas.

(2:21) Steve DeMarsh, Deputy County Attorney, noted County's support for the proposed annexation and advantages to the city by relocating the cement plants and to the County by acquiring environmentally sensitive land, as well as lands for stormwater purposes. Steve Suau, Sarasota County Director of Planning and Development Services and General Manager of Stormwater emphasized the great potential for the public/private partnership this effort entails.

Mr. Anderson offered details of the annexation presented for Council review, with Mayor Calamaras offering details of relocation of the cement plants, annexation benefits, and redevelopment efforts for the area to be vacated.

Mr. Simmonds noted three of the council members are relatively new and not acquainted with the entire issue, requesting in the future, a more comprehensive briefing on issues.

(2:36) Mr. Tacy moved to approve the pre-annexation agreement between the City of Venice and APAC-Southeast, Inc. Seconded by Mr. Myers. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Tacy moved to approve the pre-annexation agreement between the City of Venice and R. Gene Smith. Seconded by Mr. Myers. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Tacy moved to approve the pre-annexation agreement between the City of Venice and Miami Valley Ready Mix of Florida, Inc. Seconded by Mr. Myers. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XIII. COUNCIL ACTION: ORDINANCE NO. 2004-26, ANNEXING 182± ACRES, METES AND BOUNDS, 520 GENE GREEN ROAD, NORTH VENICE, FLORIDA, APAC-SOUTHEAST, INC., A FLORIDA CORPORATION; 648± ACRES, METES AND BOUNDS, 500 GENE GREEN ROAD, NORTH VENICE, FLORIDA, R. GENE SMITH; 5± ACRES, METES AND BOUNDS, 500 GENE ROAD, NORTH VENICE, FLORIDA, MIAMI VALLEY READY MIX OF FLORIDA, INC. – APPROVED

(2:37) Ms. Stelzer read the ordinance by title only.

Mr. Tacy moved that Ordinance No. 2004-26, as revised, be placed on first reading. Seconded by Mr. Myers.

ROLL CALL: MR. TACY, YES; MR. MYERS, YES; MR. SIMMONDS, YES; MS. TAYLOR, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

XIV. CITY ATTORNEY'S REPORT

(2:39) Mr. Anderson offered an updated relative to the skateboard park, indicating a draft has been forwarded to the YMCA and the Sarasota County Attorney for review pending receipt of their comments by this week and expected to be presented for Council review at the next meeting.

Ms. Taylor noted her concern that there is a request for approval of \$150,000 for a water fountain under the City Manager's report, yet the proposed skateboard park is not in place yet, with Mayor Calamaras and Mr. Tacy providing details of fund disbursements and ongoing efforts for both projects, unrelated to each other. Mr. Anderson provided specific details regarding the interlocal agreement. In response to (2:46) Mr. Simmonds Mayor Calamaras noted the issues between the city and the county have been resolved.

Mr. Anderson stated the Harbor Master Plan draft has been distributed and input is being received from various agencies.

In response to Mr. Simmonds, Mr. Anderson stated a preliminary draft report relative to composition of the Airport Advisory Board is to be presented to council upon Mr. Moore's return.

Regarding proposed changes to the ordinance that reflect a de novo review procedure in appeal cases to be considered by City Council, Mr. Anderson indicated that the document is ready for consideration by the Planning Commission to be followed by Council review, with Mr. Black explaining the required procedure. Mr. Anderson stated that in coordination with the City Clerk the ordinance would be prepared and ready next week.

XV. FINANCE DIRECTOR'S REPORT

Mr. McPhail presented the Summary of Major Revenues through May 2004 indicating it is as projected and noted preliminary taxable value from Sarasota County for next year is \$2.4 billion and represents 14.6 percent increase over last year's taxable value.

XVI. CITY CLERK'S REPORT

Ms. Stelzer had no report.

XVII. CITY MANAGER'S REPORT – ITEMS 1 THROUGH 5 AND 7 - APPROVED – ITEM 6 POSTPONED

- ITEM 1 - Amendment to contract with Dan Ionescu, Venice Community Center, from \$185,000 to \$230,000 due to design changes. Account # 309-9719-572.65-75
- ITEM 2 - Storm pipe repair by American Water Systems, Carlentini Subdivision by piggybacking from City of St. Petersburg contract 03053-10; contract amount is \$23,002.70, with funds available in Acct #480-0950-541.63-00
- ITEM 3 - Waive formal bidding for emergency sewer repair at Eagle Point due to depth of the line, by B.J. Enterprises, Inc. for \$18,600; funding source is Acct. #421-1204-535.46-00
- ITEM 4 - Waive formal bidding for 2003 Crane Carrier Demonstrator Chassis with Wittke front-end loader body, Solid Waste Division, from Container Systems & Equipment Co., priced at \$166,136, which represents \$11,000 savings
- ITEM 5 - Streetlights to be installed by FPL in accordance with the streetlight agreement on L'Pavia Blvd. at a cost of \$12 per month for each streetlight, funds from Public Works Maintenance budget

Mr. Tacy moved to approve Items 1 through 5 of the City Manager's Report. Seconded by Mr. Myers.

Mr. Simmonds requested more detail be provided in the minutes on items under Mr. Black's report.

MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

ITEM 6 - Charter Officer evaluations

Mr. Tacy moved to approve Item 6 of the City Manager's Report. Seconded by Ms. Taylor.

(2:58) In response to Mr. Tacy's inquiry regarding when the evaluations would take place, Mr. Black explained it would be appropriate to perform the evaluations as the goals are set for the coming year, therefore coinciding with the Strategic Planning Workshop typically held in March.

Mr. Simmonds pointed out that not all members of council are present and noted his observations relating to the evaluation forms as presented.

Mr. Simmonds moved to postpone the motion to the next meeting. Seconded by Mr. Tacy. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

ITEM 7 - Authorize expenditure of \$150,000 for Centennial Park (children's) interactive fountain

Mr. Tacy moved to approve Item 7 of the City Manager's Report. Seconded by Mr. Myers. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

For clarification, Mayor Calamaras pointed out the extent of city's involvement and contribution to the croquet greens approved at a previous council meeting.

XVIII. REPORT BY MR. SIMMONDS

(3:05) Mr. Simmonds commented on a presentation he offered at a recent Venice Taxpayers League meeting relative to growth, suggested informing the public regarding growth issues, and noted he would not like for this to become a campaign issue.

XIX. REPORT BY MR. TACY

(3:08) Mr. Tacy apologized for not attending Mr. Simmonds' presentation at the Venice Taxpayers League meeting.

Mr. Tacy commented on the untimely closing of Hatchett Creek and Venice Avenue Bridges at the same time as demonstrated by hours of heavy traffic as a result of an accident on US 41 ByPass.

XX. REPORT BY MR. MYERS

Mr. Myers congratulated Dan Boone for his inclusion in the Venice Hall of Fame for his involvement with the athletic teams of Venice High School and noted funding efforts for the Venice Community Center renovation project continue, with recognition given to all those that continue to contribute to its success.

XXI. REPORT BY MS. TAYLOR

Ms. Taylor noted her excitement regarding the new appointments to the Youth Advisory Board, stating she looks forward to August, when the meetings would be reconvened.

XXII. REPORT BY MAYOR CALAMARAS

Mayor Calamaras offered observations made during the recent nature walk held at the Curry Creek Preserve.

At Mayor Calamaras' request, Mr. Black indicated a study regarding audible signals at the Harbor Drive/Venice Avenue intersection is underway and Public Information Officer Pam Johnson is coordinating with the Florida Department of Transportation on Avenida del Circo/US. 41-Business intersection.

(3:13) At Mayor Calamaras' indication of a letter received from VASI President Joseph Rand, Mr. Black noted measures being considered regarding mitigation of airport's impact on residential areas, as requested during last Town Hall meeting, and indicated the update of the airport layout plan to begin later in the year would evaluate this issue. Mr. Black stated a response to VASI is expected later this week.

Mr. Black noted that, per conversations with City Manager Mark Roath, confirmation for a proposed upcoming joint meeting between North Port and Venice is forthcoming.

(3:15) Mr. Black offered a brief update on the Wellfield Park lime storage and city vehicle fleet assessment.

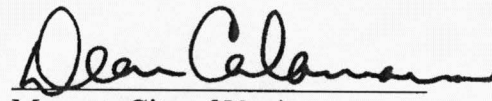
XXIII. AUDIENCE PARTICIPATION

(3:20) **Herb Levine**, Venice resident, thanked Mr. Simmonds for the presentation during last Venice Taxpayers League meeting and referring to the annexation approved earlier during the meeting, questioned the benefit to the city. Mr. Levine reiterated comments previously made during council meetings concerning a software program that would easily identify profits to the city relating to annexations.

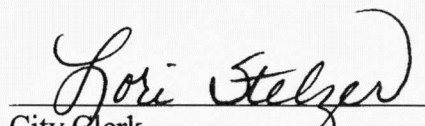
Mr. Black noted net increase based on taxable value without relocation of the plants is approximately \$14,000 per year; however, cautioned, that the city is precluded from anticipating uses and/or intensity of the property during the annexation process.

XXIV. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 3:29 p.m.


Mayor – City of Venice

ATTEST:


City Clerk

AGENDA
VENICE CITY COUNCIL
JUNE 22, 2004 – 1:30 P.M.

This meeting will be broadcast on Comcast Channel 21 on Wednesday, June 23, 2004 at 9:30 a.m.

CALL TO ORDER

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

I. SWEARING-IN

Firemedics Justin Cammarata, Jeremy Dowd and Eric Putnal, Venice Fire Department

II. RETIREMENT

Michael T. McPhail, Finance Director, Finance Department

III. CERTIFICATES

Advanced Institute for Elected Municipal Official Certificates of Completion to Council
Members Fred Hammett, John Simmonds, and Vicki Taylor

IV. APPROVAL OF MINUTES

Regular Meeting
June 8, 2004

V. AUDIENCE PARTICIPATION

Excluding Public Hearings (Five Minutes Each Speaker)

VI. PUBLIC HEARINGS

None

VII. UNFINISHED BUSINESS

ORDINANCES –FINAL READING AND PUBLIC HEARING

1. Ordinance No. 2004-26, Annexing 182± acres, Metes and Bounds, 520 Gene Green Road, North Venice, Florida, APAC-Southeast, Inc., a Florida Corporation; 648± acres, Metes and Bounds, 500 Gene Green Road, North Venice, Florida, R.

Gene Smith; 5± acres, Metes and Bounds, 500 Gene Green Road, North Venice, Florida, Miami Valley Ready Mix of Florida, Inc

COUNCIL ACTION

1. Item 6 of the City Manager's Report: Charter Officer Evaluations

VIII. NEW BUSINESS

A. PRESENTATIONS

1. Airport Manager Robert Hernandez: Overview of Airport Activities (10 Minutes)
2. Airport Manager Robert Hernandez, Airport Advisory Board Member Dr. Bart Bartanowicz and Assistant City Attorney Wayne Hall: Airport Business Park (30 Minutes)

B. ORDINANCES – FIRST READING

None

C. RESOLUTIONS

None

D. COUNCIL ACTION

1. Interlocal Agreement between the City of Venice and Sarasota County Relating to Gas Tax Allocation and Distribution
2. Annexing 60.44± acres, Metes and Bounds, Knights Trail and Gene Green Road, North Venice, Florida, Nokomis Groves, Inc., a Florida Corporation and Brenda Sue Henderson Kemerer
 - a) Pre-Annexation Agreement
 - b) Ordinance No. 2004-27 (First Reading)
3. Annexing 78.65± acres, Metes and Bounds, Knights Trail Road, North Venice, Florida, Knights Trail Excavating, LLC
 - a) Pre-Annexation Agreement
 - b) Ordinance No. 2004-28 (First Reading)

4. Annexing 9.62± acres, Metes and Bounds, North of 1032 Albee Farm Road, Charles F. Schiear
 - a) Pre-Annexation Agreement
 - b) Ordinance No. 2004-29 (First Reading)
5. Review of City Ordinance Provisions relating to Law Enforcement on Water Activities in the Venice Beach Area (Simmonds)

IX. ADMINISTRATIVE REPORTS

- A. City Attorney
- B. Finance Director
- C. City Clerk
 1. Council Liaison for Review of City Boards/Committees
- D. City Manager
 1. Waive sealed bidding requirements to piggyback onto Collier County, FL bid number 99-3005 with Paints and Coatings, Inc., to repair/rehabilitate 47 manholes; contract has established upper limit of \$195,000.00 budgeted for Infiltration/Inflow Reduction in FY '03/'04 for 489,714; Account #425-3278-535.65-72;
 2. Reject the low bid submitted by the Ten-8 Fire Equipment as unresponsive and award Bid No. 2779 to Porche Fire Equipment in the amount of \$127,440.00 for the purchase replacement of self-contained breathing apparatus (SCBA) for the Fire Department. Funding for the purchase of this equipment is from the Federal Assistance to Firefighters Grant in the amount of \$114,696.00, as accepted by City Council on October 13, 2003. The city's cost will be \$12,744.00, with matching funds budgeted in the FY 2004 budget
 3. Mayor to sign an agreement with Sarasota County and the South County YMCA to provide a proposed skateboard park to be constructed at the YMCA's facility on Center Road and consent to the County to utilize park impact fees collected in the City of Venice Park Facility Service District for \$100,000.00 toward construction of the skateboard park
 4. a) Maintain current city embossed corporate seal to signify an official city document b) Continue to apply the emblem with the seagull on all city vehicles as new vehicles become available; c) Maintain use of the logo with the rendering of city hall for all correspondence and other documents; and d) Not to undertake any other changes until City Council makes a decision on the community entrance signs
 5. Advance replacement purchase of the 1989 Ford Aerostar minivan support vehicle at a cost of \$27,000.00 as proposed in the FY'04/05 budget
 6. Suncoast Humane Society requests approval to permanently change the annual location for the Furry Skurry Special Event from Blalock Park to John Nolen Park. Suncoast Humane Society will distribute an informational flyer to residents surrounding the park, upon City Council's approval
 7. Venice MainStreet and MarineMax, request approval to hold new Special Event – the Venice MainStreet, Inc., Boat Show & Magic in the Park on July 8-10, 2004 in Centennial Park, use of the Showmobile and waiver of associated fees

8. Installation of three additional streetlights on Gulf Drive, per the lighting agreement with FPL. Estimated cost for these streetlights is approximately \$9.50 per month for each light, with funds budgeted in the Public Works Maintenance Division

9. First Baptist Church requests approval for relief from the two-hour street parking limit on June 28-29, 2004 for patching and resealing of church parking lot.

X. COUNCIL REPORTS

XI. AUDIENCE PARTICIPATION

XII. ADJOURNMENT

♦ ♦ ♦

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

NOTE:

The agenda materials can be viewed at www.venicegov.com or a CD in pdf format containing all background information for this meeting is available upon request to the City Clerk's office for a \$2 fee. Adobe Acrobat Reader will be needed to open the file.

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.

CITY OF VENICE CODE OF ORDINANCES Section 2-53(3): Audience Participation

The Council will hear comment, concerns or questions from any citizen present at the meeting on matters not on the Agenda, it being understood that any single presentation must be limited to five minutes. Citizen's comments will be permitted on Agenda items at the time the item is under consideration by Council if a request has been submitted to the City Clerk prior to Council's consideration of the items.

MINUTES OF A REGULAR MEETING
CITY COUNCIL, VENICE, FLORIDA

JUNE 22, 2004

A Regular Meeting of the City Council was held this date in Council Chambers at City Hall. Mayor Calamaras called the meeting to order at 1:32 p.m.

ELECTED OFFICIALS AND OTHERS PRESENT

Roll was called with the following elected officials present: Mayor Dean Calamaras, Vice-Mayor Rick Tacy, Council members Jim Myers, John Simmonds, Fred Hammett, and John Moore. Vicki Taylor arrived at 1:33 p.m.

Also present: City Attorney Bob Anderson, City Clerk Lori Stelzer, Finance Director Mike McPhail, City Manager Marty Black, Recording Secretary Marta Skol, and for certain items on the agenda: Planning and Zoning Director Tom Slaughter, Chief of Police Jim Hanks, Marine Officer Phil Phillips, and Airport Manager Robert Hernandez.

INVOCATION AND PLEDGE OF ALLEGIANCE

The City Clerk offered the Invocation followed by the Pledge of Allegiance led by Mayor Calamaras.

I. SWEARING-IN

Mayor Calamaras swore in Firemedics Justin Cammarata, Jeremy Dowd and Eric Putnal, Venice Fire Department.

II. RETIREMENT

Mayor Calamaras presented a retirement tribute to Mike McPhail, Finance Director, Finance Department.

III. CERTIFICATES

Mayor Calamaras presented the *Advanced Institute for Elected Municipal Official Certificates of Completion* to Council members Vicki Taylor, Fred Hammett and John Simmonds.

IV. APPROVAL OF MINUTES

(1:45) Mr. Tacy moved to approve the minutes of the regular meeting held June 8, 2004. Seconded by Mr. Myers.

MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

V. AUDIENCE PARTICIPATION

(1:48) **Bob Crossley**, Venice resident and Sarasota County representative on Southwest Florida Regional Planning Council (SWFRPC) noted that unless F.S. 320.60 amendment is utilized, it would be impossible to enforce any portions of the Harbor Master Plan (HMP), noting that one police officer is not enough to adequately handle all areas. Mr. Crossley expressed concerns relative to waterways and enforcement of boating regulations, urging Council to seek professional consultation.

Mr. Moore pointed out Council's support for the HMP and City Attorney's efforts to produce the best possible plan for the city.

(1:54) **Bob Rigby**, Nokomis resident, thanked Council for their endorsement of machines to clean up stormwater runoff.

(1:57) **Daniel Winick**, Nokomis resident, addressed the lack of police presence in the waterways in the areas of Dona Bay and Hatchett Creek, pointing out illegal activities taking place at midnight under the bridge, with Mayor Calamaras noting that the city has no jurisdiction in the matter.

(2:02) **Gary Richards**, Hatchett Creek resident, pointed out reckless boating activities taking place in the waterways and requested something be done to provide appropriate policing.

(2:05) **James Christman**, Nokomis resident, referred to correspondence relating to raising the bridge and stated his support for the project.

(2:07) **Dave Jordan**, 304 Dona Drive, referred to incidents in the waterway and indicated had the bridges had the appropriate height, the previously mentioned pursuit would have been successful. Mr. Jordan noted navigational hazards caused by the railroad trestle.

(2:11) **Lorraine Coccaro**, Venice area resident, referred to a Herald Tribune article relative to airport relocation and financial conversations held during shade meetings regarding the Venice Golf Association lease, which give the appearance of dubious negotiations.

(2:14) **Willie Mitchell**, 236 Grove Street and city employee, offered pictures and spoke of living conditions at Grove Terrace, noting his inquiries into the situation had fallen on deaf ears and questioned the Venice Housing Authority's accountability. Mr. Mitchell requested Council look at alternatives to remedy the situation at Grove Terrace rather than spending federal monies in repairs.

(2:22) **Claudia Anderson**, 741 Church Street, pointed out that Grove Terrace needs more than paint on the outside and requested Council look into the problems at Grove Terrace.

(2:27) **Gwen Mitchell**, Grove Terrace resident, commented on the sad conditions at Grove Terrace and noted that while the city is growing, the subject area remains the same.

(2:32) **Herb Levine**, Venice resident, referring to the situation at Grove Terrace, indicated the problem cannot be temporarily fixed and renting is not the answer, rather home ownership.

(2:36) **Paul Hollowell**, Venice resident and speaking on behalf of the Venice Aviation Society, Inc., touched upon several issues relating to proposed developments at the Airport Business Park, urging Council to keep those issues in mind when entertaining proposals. Mr. Hollowell noted the positive contribution that hiring Airport Manager Robert Hernandez has had for the airport.

(2:40) **John Patten**, veniceflorida.com, referred to the transcripts concerning the shade meetings relative to the Venice Golf Association (VGA), pointing out last Saturday's Herald-Tribune article on the issue was erroneous and misleading. Mr. Patten noted the cost of this issue to the city and its citizens, indicating Mr. Boone's recent comments, by implication suggest, legal action might be forthcoming against the city and suggested VGA should donate the parking back to the city. Mr. Patten congratulated Council for the outcome of the negotiations.

(2:46) **Dawn Stoddart**, 308 Cadiz Road, noted her concerns relating to possible Council decisions that could affect many city residents if taken while many of them are out of town. Ms. Stoddart noted her desire to continue the family's tradition of involvement in the city and offered her volunteer services to any committee/board addressing future airport development, with Mayor Calamaras suggesting she fill out a board application.

At Mr. Boone's prompting, Mayor Calamaras suggested he address the VGA issue after Mr. Anderson touches upon the subject later during the meeting.

(2:50) **Gary Anderson**, Venice resident, noted that everything Council does affects the citizens of Venice, requesting Council address the wishes of Venice citizens.

VI. ORDINANCE NO. 2004-26, ANNEXING 182± ACRES, METES AND BOUNDS, 520 GENE GREEN ROAD, NORTH VENICE, FLORIDA, APAC-SOUTHEAST, INC., A FLORIDA CORPORATION; 648± ACRES, METES AND BOUNDS, 500 GENE GREEN ROAD, NORTH VENICE, FLORIDA, R. GENE SMITH; 5± ACRES, METES AND BOUNDS, 500 GENE ROAD, NORTH VENICE, FLORIDA, MIAMI VALLEY READY MIX OF FLORIDA, INC. – APPROVED AND ADOPTED

(2:51) Mr. Hammett moved that Ordinance No. 2004-26 be placed on final reading. Seconded by Mr. Moore. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY

Ms. Stelzer read the Ordinance by title only. Mayor Calamaras opened the public hearing. Ms. Stelzer stated no written communications had been received in favor or in opposition to the petition.

No one in the audience came forward to speak on the ordinance.

Mr. Moore moved that Ordinance No. 2004-26 be approved and adopted. Seconded by Mr. Myers.

ROLL CALL: MR. SIMMONDS, YES; MR. TACY, YES; MR. MYERS, YES; MR. MOORE, YES; MR. HAMMETT, YES; MS. TAYLOR, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

Mr. Black announced that Sarasota County is moving forward with the purchase of the property at 500 Gene Green Road discussed at last meeting, with the agreement expected to be finalized for acquisition of the easternmost portion of the property.

**VII. COUNCIL ACTION - POSTPONEMENT FROM MEETING HELD JUNE 8, 2004,
ITEM 6 OF THE CITY MANAGER'S REPORT – CHARTER OFFICER EVALUATIONS -
APPROVED**

ITEM 6 - Charter Officer Evaluations

(2:54) Mayor Calamaras read the motion on the floor, "Mr. Tacy moved to approve Item 6 of the City Manager's Report. Seconded by Ms. Taylor".

Mr. Moore stated the evaluation forms are very comprehensive and feels comfortable with them as presented, with Mr. Hammett concurring.

In response to Mr. Tacy's inquiry, Mr. Black indicated that, with the exception of Mr. McPhail, it would be appropriate to evaluate the charter officers as part of the strategic planning effort, suggesting February or March.

Mr. Simmonds noted his objections to the proposed evaluation forms and suggested a line item in the annual budget be added to provide for merit increases for charter officers, offering suggestions. Mr. Black explained charter officer's pay increase is included as part of the overall budget; however, it would be Council's discretion to include it as a line-item, requesting their input prior to the last budget meeting.

MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Recess was taken from 3:04 p.m. to 3:27 p.m.

Without objection Mayor Calamaras rearranged the agenda to hear the Interlocal Agreement.

**VIII. INTERLOCAL AGREEMENT BETWEEN THE CITY OF VENICE AND SARASOTA
COUNTY REGARDING DISTRIBUTION FORMULA FOR THE ALLOCATION OF
REVENUE FROM THE LOCAL OPTION GAS TAX - APPROVED**

Mr. Tacy moved to approve the Interlocal Agreement between the City of Venice and Sarasota County regarding the Distribution Formula for the Allocation of Revenue from the Local Option Gas Tax Levied pursuant to Florida Statutes Section 336.025(1)(a). Seconded by Mr. Moore. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Black noted that due to recent changes in the size of incorporated cities, particularly North Port, the City of Sarasota no longer represents 50 percent of the incorporated population; therefore, two cities are required to enter into an interlocal agreement to provide for revenue sharing.

IX. AIRPORT MANAGER ROBERT HERNANDEZ - OVERVIEW OF AIRPORT ACTIVITIES

(3:29) Mr. Hernandez offered a brief update on accomplishments at the airport in recent months, including meetings with neighborhood associations; improvement of voluntary noise abatement program; developed improved coordination with aviation-related groups; achieved full compliance with federal governmental accounting office; obtained funds for rehabilitation of runway 31; completion of 34 new hangars; installation of positional approach path indicators; implementation of access control system in process; beautification efforts ongoing; improvement of airport tenant facilities; small asphalt repairs and ongoing cleanup efforts of hangars as a result of the recent fire. Mr. Hernandez noted efforts for upcoming projects, such as rehabilitation of runway 422; striping on both runways, updating airport traffic count and continued selection process for potential developer of the Airport Business Park.

X. AIRPORT MANAGER ROBERT HERNANDEZ - AIRPORT BUSINESS PARK (PARK)

(3:42) Mr. Hernandez noted Dr. Bartanowicz and Assistant City Attorney Wayne Hall were out of town and brought Council up-to-date on efforts that led to the re-submittal of proposals by three prospects for development of the Park. This included selection and qualifying processes, as well as the criteria used in the selection process, which culminates with the committee's recommendation that the city enter into a memorandum of understanding with WCI Communities, as the selected top candidate for the project to come forward with a proposed development of the Park at an agreed upon time. Mr. Hernandez noted recommendations to be required for the plan, such as public and businesses input for the design process in an effort to provide opportunity to balance economic interest of the airport and the community values, subject to Council approval.

(3:48) Mr. Simmonds noted the reasons why he is not ready to offer a recommendation for a specific developer for the project, including speculation relating to relocation of the airport, and requested a workshop on this issue.

Mr. Tacy noted the potential effects on the city's character that relocation of the airport would bring and suggested a public charette led by a facilitator be held with participation by the three developers, stressing the community feeling that public input has not been encouraged thus far.

(3:55) Mr. Moore concurred with the comments stated by Council members and requested more time be allowed on this issue.

Ms. Taylor concurred with previous comments and proposed the matter be placed on a referendum in the fall for voters to decide whether development should take place or not.

Mayor Calamaras offered factual information relating to relocation of the airport, stating the unlikelihood of it happening and noted his position to do nothing with the airport, except national advertising on aviation-related communications to seek interested parties who may want to relocate. Mayor Calamaras proposed to step back and approach the professional aviation industry nationally, one more time.

(4:03) Mr. Myers disagreed with Ms. Taylor's suggestion to place the issue on a referendum, pointing out that Federal Aviation Administration requires a self-sustained airport enterprise fund.

Discussion ensued relative to development of the airport property, including time and money invested by prospective developers, FAA's requirements and need for a workshop and/or charette.

(4:13) **Michelle Harvey**, Folsom Group-Arcadia Team representative, concurred with most of what has been stated relative to the Park development and noted steps taken by the Folsom Group since their original proposal was submitted, including seeking public input and amending the original design. Ms. Harvey stated that Folsom Group was under the assumption they would be allowed a second presentation to Council and therefore requested that a final decision not take place until amended plans by developers have been carefully reviewed.

(4:19) **Herb Levine**, Venice resident, stated he would like more public input and expressed his support for keeping the airport on the island.

(4:23) Mr. Tacy moved to postpone decision on selecting a developer for development of the Airport Business Park until a workshop for selection of a facilitator to organize a public charette that would include participation by organizations and members of the public take place. Seconded by Mr. Moore.

Mr. Tacy withdrew the motion.

Mr. Tacy moved to postpone any action in choosing a developer for the Airport Business Park. Seconded by Mr. Moore. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Tacy moved to schedule a workshop sometime in the near future, at staff's convenience, to discuss the direction to go with the airport and to choose a facilitator for a public charette. Seconded by Mr. Moore.

Prompted by Council's comments, Mr. Anderson suggested that the nature of the facilitator and the structure of the charette be addressed at the workshop and brought up at a subsequent Council meeting for appropriate action.

MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

Mr. Tacy moved to have staff prepare a resolution for the next meeting stating the airport is not going to be moved. Seconded by Mr. Simmonds.

MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XI. PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF VENICE AND NOKOMIS GROVES, INC., A FLORIDA CORPORATION AND BRENDA SUE HENDERSON-KEMERER – APPROVED

Presentation

Mr. Slaughter indicated the subject tract is approximately 60 acres, situated north of the Caribbean Bay Club and west of the mining operations recently annexed and explained standards of review consistent with the Comprehensive Plan, capital improvement elements and Zoning Code, with no outstanding technical issues. Mr. Slaughter noted provisions of the pre-annexation agreement, such as preservation of the right-of-way, proportional cost sharing and impact fee extraction, and relayed Planning Commission's recommendation for approval.

Petitioner

(4:36) Mr. Boone, agent, concurred with staff's presentation, noting this is a voluntary annexation contiguous to city property and offered illustrations depicting city boundaries throughout the years to the present time, noting respective land uses. Mr. Boone indicated that pursuant to the pre-annexation agreement the petitioner would assume costs for extension of utility lines, road improvements as identified in traffic studies, and all applicable impact fees, requesting Council approval.

Mr. Tacy moved to approve the pre-annexation agreement between the City of Venice and Nokomis Groves, Inc., a Florida Corporation and Brenda Sue Henderson-Kemerer. Seconded by Mr. Moore. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XII. ORDINANCE NO. 2004-27, ANNEXING 60.44± ACRES, METES AND BOUNDS, KNIGHTS TRAIL AND GENE GREEN ROAD, NORTH VENICE, FLORIDA, NOKOMIS GROVES, INC., A FLORIDA CORPORATION AND BRENDA SUE HENDERSON KEMERER – APPROVED ON FIRST READING

(4:53) Ms. Stelzer read the ordinance by title only.

Mr. Tacy moved that Ordinance No. 2004-27 be approved on first reading. Seconded by Mr. Myers.

ROLL CALL: MR. HAMMETT, YES; MR. MOORE, YES; MS. TAYLOR, YES; MR. TACY, YES; MR. SIMMONDS, YES; MR. MYERS, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

XIII. PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF VENICE AND KNIGHTS TRAIL EXCAVATING, LLC – APPROVED

Presentation

Mr. Slaughter stated location of the property consisting of approximately 79 acres as part of Knights Trail Excavation property and within the city's planning area map, noting adjacent industrial and residential land uses. Mr. Slaughter indicated there are no outstanding issues and petitioner would contribute proportionate cost sharing relative to transportation improvement and future impact fee extractions for new residential development. Planning Commission has recommended approval with no stipulations.

Petitioner

(4:56) Mr. Boone concurred with staff's presentation and requested the petitioner's presentation in previous item be included in the record.

Mr. Boone addressed Mr. Tacy's question relative to right-of-way, with Mr. Black clarifying that until the property is developed, the requirement is that, at time of platting, dedication of any needed infrastructure for development of that property take place. Mr. Tacy pointed out that per concurrency law the petitioner should pay for any necessary road improvements.

(5:03) Following an exchange of views on the matter, Mr. Anderson indicated that prior to second reading of the ordinance he would meet with Mr. Black regarding code provisions relative to site and development plan, as it refers to widening of a roadway and condemnation.

Mr. Tacy moved to approve the pre-annexation agreement between the City of Venice and Knights Trail Excavating, LLC. Seconded by Mr. Moore. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XIV. ORDINANCE NO. 2004-28 - ANNEXING 78.65± ACRES, METES AND BOUNDS, KNIGHTS TRAIL ROAD, NORTH VENICE, FLORIDA, KNIGHTS TRAIL EXCAVATING, LLC – APPROVED ON FIRST READING

(5:04) Ms. Stelzer read the ordinance by title only.

Mr. Tacy moved that Ordinance No. 2004-28 be approved on first reading. Seconded by Mr. Hammett.

ROLL CALL: MR. MOORE, YES; MR. TACY, YES; MR. MYERS, YES; MR. SIMMONDS, YES; MS. TAYLOR, YES; MR. HAMMETT, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

XV. PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF VENICE AND CHARLES F. SCHIEAR, JR. AS TRUSTEE – APPROVED

Presentation

Mr. Slaughter indicated the subject property lies on Albee Farm Road consisting of approximately nine and a half acres and is an enclave lying within the city's municipal boundary. Mr. Slaughter explained standards of review, noting the owner will provide a traffic study and pay the cost of any needed improvements as identified by the study and/or the city and requested Council approval.

Petitioner

Mr. Boone requested incorporation of his presentation under item XI in the minutes as part of the record and concurred with staff's presentation, noting petitioner's consent to all terms of the pre-annexation agreement, requesting approval.

Mr. Moore moved to approve the pre-annexation agreement between the City of Venice and Charles F. Schiear, Jr. as Trustee. Seconded by Mr. Hammett. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XVI. ORDINANCE NO. 2004-29, ANNEXING 9.62± ACRES, METES AND BOUNDS, NORTH OF 1032 ALBEE FARM ROAD, CHARLES F. SCHIEAR – APPROVED ON FIRST READING

(5:10) Ms. Stelzer read the ordinance by title only.

Mr. Tacy moved that Ordinance No. 2004-29 be approved on first reading. Seconded by Mr. Moore.

ROLL CALL: MS. TAYLOR, YES; MR. HAMMETT, YES; MR. MYERS, YES; MR. TACY, YES; MR. SIMMONDS, YES; MR. MOORE, YES; MAYOR CALAMARAS, YES. MOTION CARRIED.

XVII. REVIEW OF ORDINANCE PROVISIONS RELATING TO LAW ENFORCEMENT ON WATER ACTIVITIES IN THE VENICE BEACH AREA (SIMMONDS)

(5:11) Chief Hanks offered a brief historical background of police involvement in the marine patrol area for the past 14 to 15 years, with Officer Phillips providing a summary of marine activities and incidents in the past year that included 3,043 miles patrolled on the water for a five-mile coastline under Venice's jurisdiction.

Chief Hanks noted that Officer Phillips is the only marine officer on staff on a five-day a week schedule and indicated Venice is a water-borne community with 43 miles of coastline, not including the Intracoastal Waterway, noting the State of Florida's lack of resources in marine patrol. Chief Hanks mentioned that future plans include a special operations group to meet current needs, and an

additional marine officer to assist with the parks and waterways with the potential of a seven-day a week schedule.

Officer Phillips explained coordinating efforts with Sarasota County and the State of Florida toward the goal of boaters' safety and regulations, as well as with local lifeguards, pointing out these efforts are geared toward education, including boat-rental companies.

(5:21) Mr. Simmonds stressed that the major problem are the jet skis and speeding boats in proximity to a great number of swimmers and scuba divers from the jetties down to the beach, with Officer Phillips assuring they would pay closer attention. In response to Mr. Tacy's inquiry relative to the Harbor Master Plan, Officer Phillips indicated there are some areas that could be improved and are being reviewed by Mr. Anderson, with Mayor Calamaras emphasizing there is no speed limit going in/out of the inlet; speed limits are set by state and federal laws.

Mr. Moore shared Mr. Simmonds' concerns relative to jet skis and speeding boats and quoted City of Venice and Sarasota County codes regarding proximity of boats to the beach, questioning whether, other than information provided to watercraft renters, there were further suggestions. Chief Hanks stated that bringing this issue up for discussion is a first step toward bringing awareness through the boating community, encouraging Council members to ride with the marine patrol.

XVIII. CITY ATTORNEY'S REPORT

(5:34) Mr. Anderson furnished a brief update on the skateboard park, stating the second draft of the agreement was prepared and distributed on June 21 and is ready for adoption and execution.

Mr. Anderson offered a brief summary of events relating to the Federal Aviation Administration (FAA), Venice Golf Association (VGA) lease, and the Notice of Investigation (NOI), and the subsequent release of transcripts from the shade meetings held on the matter, which is now a public record. Mr. Anderson noted that as a consequence of this release, several comments have surfaced on the issue, as well as on collateral issues, including metered utilities, rate paid by VGA for reclaimed water, and the possibility of additional temporary parking for the dog park by sub-leasing a portion of the VGA leasehold; however, none of these issues were offered to the VGA as inducement to settle. Mr. Anderson discredited ongoing rumors of any secret deals and assured the public there will be no secret deals and should adjustments be necessary, they will be made openly following a thorough review by Council.

Mayor Calamaras delivered a brief overview of what transpired at the shade meetings and acknowledged the decision to keep the media out of the picture due to the disadvantageous position in which the city found itself and to keep any discussions about the dog park out of the negotiations.

(5:59) Mr. Moore stressed that the shade meetings were held to build a strategy between the attorney and its client, which in the private sector would have been privileged, with the knowledge that once the issue was resolved it would become subject of public scrutiny. Mr. Moore commended the outstanding job performed by the settlement committee who was able to reach a favorable agreement with the FAA in spite of the city's poor standing with them at the time.

(6:03) Mr. Anderson indicated he has not received a development proposal by Sharky's for proposed renovations.

XIX. FINANCE DIRECTOR'S REPORT

Mr. McPhail thanked Council and staff for their support throughout his tenure, stating it has been a pleasure to serve the city for the past 12 years.

XX. CITY CLERK'S REPORT - APPROVED

ITEM 1 - Council Liaison to work with City Manager and City Clerk to review the composition and purpose of existing city boards and committees

(6:06) Mr. Hammett moved to appoint Ms. Taylor as Council Liaison to work with City Manager and City Clerk to review the composition and purpose of existing advisory boards and committees. Seconded by Mr. Tacy. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XXI. CITY MANAGER'S REPORT – ITEM 6, POSTPONED; ITEMS 1 THROUGH 5 AND 7 THROUGH 9 – APPROVED

ITEM 6 - Suncoast Humane Society requests approval to permanently change the annual location for the Furry Skurry Special Event from Blalock Park to John Nolen Park. Upon Council approval, Suncoast Humane Society will distribute an informational flyer to residents surrounding the park

Don O'Connell, Venice resident, spoke against the proposed request as detailed on Item 6 of the City Manager's report pointing out John Nolen Park is half the size of Blalock Park and has insufficient parking, noting residents in the area rely on their ability to park near their homes. Mr. O'Connell cautioned against impacting the community with such an event without due notice to area residents.

(6:11) Mr. Tacy pointed out petitioner's requirements if the event were to take place and concurred with Mr. O'Connell's suggestion to make area residents aware of the request prior to any action.

Mr. Tacy moved to postpone Item 6 of the City Manager's Report until next City Council meeting. Seconded by Mr. Moore. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

- ITEM 1 - Waive sealed bidding requirements to piggyback onto Collier County, FL bid number 99-3005 with Paints and Coatings, Inc., to repair/rehabilitate 47 manholes; contract has established upper limit of \$195,000.00 budgeted for Infiltration/Inflow Reduction in FY '03/04 for \$89,714; Account #425-3278-535.65-72
- ITEM 2 - Reject the low bid submitted by the Ten-8 Fire Equipment as unresponsive due to failure to meet all of the specified items in the bid documents by providing price on only five out of six Self Contained Breathing Apparatus (SCBA) packs, and award Bid No. 2779 to Porche Fire Equipment in the amount of \$127,440 for the purchase replacement of SCBA for the Fire Department. Funding for the purchase of this equipment is from the Federal Assistance to Firefighters Grant in the amount of \$114,696, as accepted by City Council on October 13, 2003. The city's cost will be \$12,744, with matching funds budgeted in the FY 2004 budget
- ITEM 3 - Mayor to sign an agreement with Sarasota County and the South County YMCA to provide a proposed skateboard park to be constructed at the YMCA's facility on Center Road and consent to the County to utilize park impact fees collected in the City of Venice Park Facility Service District for \$100,000 toward construction of the skateboard park
- ITEM 4 - a) Maintain current city embossed corporate seal to signify an official city document b) Continue to apply the emblem with the seagull on all city vehicles as new vehicles become available; c) Maintain use of the logo with the rendering of city hall for all correspondence and other documents; and d) Not to undertake any other changes until City Council makes a decision on the community entrance signs
- ITEM 5 - Advance replacement purchase of the 1989 Ford Aerostar minivan support vehicle for the Venice Police Department at a cost of \$27,000 as proposed in the FY'04/05 budget
- ITEM 7- Venice MainStreet and MarineMax, request approval to hold new Special Event – the Venice MainStreet, Inc. Boat Show & Magic in the Park on July 8-10, 2004 in Centennial Park, use of the Showmobile and waiver of associated fees
- ITEM 8 - Installation of three additional streetlights on Gulf Drive, per the lighting agreement with FPL. Estimated cost for these streetlights is \$9.50 per month for each light, with funds budgeted in the Public Works Maintenance Division

- ITEM 9 - First Baptist Church requests approval for relief from the two-hour street-parking limit on June 28-29, 2004 for patching and resealing of church parking lot.

Mr. Tacy moved to approve Items 1 through 5 and 7 through 9 of the City Manager's report. Seconded by Mr. Hammett.

Mr. Hammett requested the signing of the skateboard park by the City and the YMCA be done expeditiously in order to meet County Commissioner's meeting this week.

XXII. REPORT BY MR. SIMMONDS

(6:17) Mr. Simmonds commented on a newspaper article regarding a petition to build a four-story structure in downtown Venice and questioned procedure. Mr. Black explained the review and approval process by Architectural Review Board (ARB) and the Planning Commission (PC) noting instances in which petitions appear before Council, with Mayor Calamaras clarifying ARB and PC's jurisdictions.

XXIII. REPORT BY MR. MOORE

Mr. Moore had no report.

XXIV. REPORT BY MR. TACY

(6:19) Mr. Tacy reported on the Venice Housing Authority, including activities undertaken, the benefits of having a professional executive director, funding efforts, expected repairs and renovations, grant monies received for a self-sufficiency program, Brad Baker's proposal, alternatives for low income housing in the area, and resolution of code enforcement violations.

Responding to Mr. Tacy concerning use of impact fees, Mr. Black indicated he had requested written confirmation two weeks ago regarding the status of Knights Trail Road transportation impact fees expenditures and total, and status of light improvements at Auburn Road and Venice Avenue, noting there are ongoing negotiations between the developer and the County on this issue.

(6:28) Mr. Black stated that Public Information Officer Pam Johnson and Florida Department of Transportation are coordinating placing markings on the pavement to direct right and/or left hand turns.

Mr. Tacy announced that Council meetings are now being broadcast on Saturdays at 9:30 a.m. in addition to Wednesdays at 9:30 a.m. on Comcast Channel 21.

XXV. REPORT BY MR. MYERS

Mr. Myers moved to approve expenditure of funds to reimburse Council members for reasonable meal expenses, including tax and tip while incurred in the pursuit of grant funds for specific city projects such as the Venice Community Center renovation; Administrative Services Director and City Manager to review and approve these expenses. Seconded by Mr. Hammett. MOTION CARRIED ON VOICE VOTE UNANIMOUSLY.

XXVI. REPORT BY MS. TAYLOR

Ms. Taylor had no report.

XXVII. REPORT BY MR. HAMMETT

Mr. Hammett had no report.

XXVIII. REPORT BY MAYOR CALAMARAS

Mayor Calamaras had no report.

XXIX. AUDIENCE PARTICIPATION

(6:34) **Jeff Boone**, Venice Golf Association (VGA) attorney, spoke about the number of lies and misinformation spread throughout the community and recounted events relating to the VGA lease. Mr. Boone noted the agreed upon price was approved by the previous Council and disclosed details of the negotiations, touching upon the irrigation system and drafting of the lease.

In response to Mr. Boone's request to schedule a presentation by the VGA at the next council meeting, Mr. Anderson noted he would not be in attendance at the July 27 meeting and requested VGA's presentation be scheduled for the August 10, 2004 meeting.

(6:41) **Dick Windgassen**, Venice resident offered his impression of the transcripts relative to the Venice Golf Association (VGA), including great concern on the stockholders of the VGA.

Mr. Windgassen pointed out the number and size of land being annexed into the city and questioned the uses this land would have, noting his concerns regarding annexations.

(6:44) **Maxine Barritt**, Venice resident, referring to the Venice Golf Association (VGA), questioned how VGA got into private hands, why is it not owned and run by the city and what is the big mystery about disclosure of the stockholders, with Mr. Tacy explaining the formation of the VGA and Mr. Black advising that information on the corporation could be easily obtained through the internet, Florida, Division of Corporations.

John Patten, veniceflorida.com, concurred with Mr. Simmonds reaction to the Venice Golf Association (VGA) transcripts regarding keeping the information away from the press and commented on several aspects of the transcripts and against the role played by former City Manager George Hunt. Mr. Patten proposed the VGA apologize to the city for the years spent on this matter and provide the parking for the dog park.

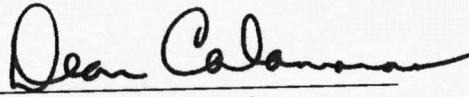
(6:52) **Burt Brown**, Venice resident and former Council member, spoke in defense of Mr. Hunt, alluding previous comments as slanderous.

Herb Levine, Venice resident, referring to Grove Terrace, expressed his hopes that the city explore every avenue to resolve that situation and touched upon various aspects relative to the transcripts of the Venice Golf Association shade meetings, including lease amount, attorney involvement, and the lease amendment. Mr. Levine proposed a municipally run golf course and pointed out the amount of profit that could be provided to the city.

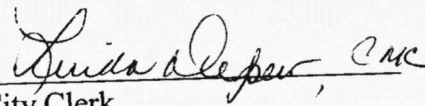
(7:00) **E.G. Dan Boone**, Venice Golf Association attorney, expanded on some areas in which he disagreed with the previous speaker.

XXX. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:04 p.m.


Mayor – City of Venice

ATTEST:


City Clerk