

SARASOTA COUNTY GOVERNMENT

Parks, Recreation and Natural Resources

TO: Sarasota County Commission
THROUGH: Jonathan R. Lewis, County Administrator
FROM: Carolyn Brown, Director, Parks, Recreation and Natural Resources
DATE: February 28, 2018
SUBJECT: **Interlocal Agreement for Parks and Recreation Services with the City of Venice**

BACKGROUND:

The first agreement between Sarasota County and the City of Venice related to parks and recreation services was in the form of a Recreation Agreement which was approved on January 23, 1969. The agreement describes a piece of property that the City designated for recreational purposes as well as serving as the main water supply and wellfield for the City (Wellfield Park). It notes that the County wished to cooperate with the City in the establishment of recreational facilities on or adjacent to the property. The County provided funding in the amount of \$2,500 for construction of a combination softball/Little League athletic field to promote public recreation for the citizens of both the County and the City. This 1969 agreement provided that the County and City would jointly cooperate in the management and supervision of the recreational improvements and development of the property. The City agreed to do all necessary preliminary work and provide water for drinking and irrigation at no cost to the County. The County agreed to maintain the completed athletic field at the County's expense.

In June/July 1978, the City of Venice and Sarasota County adopted an Interlocal Agreement for Parks Services (June 1978 Parks Interlocal). Each entity was mutually interested in providing recreational programs, activities and facilities for the use and benefit of the people of Sarasota County including the City of Venice. Since the City of Venice had recreational facilities but did not have a Parks and Recreation Department to operate recreational programs and activities, it was mutually agreed that the County would hire a qualified Recreation Supervisor to program the recreation facilities in the most economical manner at Chuck Reiter Park, Hecksher Park and Venice Recreation Center.

In November 1978, a new agreement was executed that was similar to the June 1978 Parks Interlocal, and the list of recreation facilities was expanded to include Venice Wellfield Park, Pinebrook South Recreation Area and Venice Community Center (November 1978 Parks Interlocal Agreement). This new agreement superseded and replaced the 1969 Recreation Agreement and the June 1978 Parks Interlocal Agreement. Subsequently, in July 1980, a new Interlocal Agreement was executed, adding Venice Municipal Beach to the list of recreation facilities and extending the term of the agreement to September 30, 1981, with automatic renewals unless terminated.

In May 1988, a stand-alone agreement was executed by the parties which provided that the County assume responsibility for scheduling activities at the gazebo located next to the Venice Municipal Parking Lot. The City was responsible for supervision of activities at the gazebo and maintenance.

In November 1989, the City and the County entered into a Stipulated Agreement for Entry of Order Settling Dual Taxation Dispute Between the City of Venice and Sarasota County (Case No. 76-1503-

CA-01). Although the Circuit Court found no dual taxation regarding Parks and Recreation services, the City and County agreed to the following stipulations regarding Recreational Facilities:

- 1) The County and City were to enter into a 20-year Interlocal Agreement providing that the County shall operate and maintain the Venice Community Center, Venice Beach, Wellfield Recreational Complex, Brohard Park Beach, the Venice Library, the boat launch ramp and Marina Park.
- 2) The City and the County were to enter into an agreement with respect to Park Impact Fees and the City was to adopt a resolution consenting to the imposition of County road and park impact fees pursuant to County ordinance.

As a result, the City and County entered into a Park Impact Fee Interlocal Agreement, dated June 26, 1990 (Contract No. 90-447) and a Recreational Facilities Interlocal Agreement, dated November 17, 1992 (1993 Parks Interlocal Agreement). The 1990 Park Impact Fee Interlocal Agreement is still in effect. The 1993 Parks Interlocal Agreement had a 20-year term, retroactive to April 1, 1991 and superseded and replaced the prior Parks Interlocal Agreements. The 1993 Parks Interlocal Agreement provided that it would be automatically renewed for an additional 20 years unless terminated pursuant to terms of the Agreement. The basic concepts of the previous Interlocal Agreements remained with the addition of a provision requiring that at least one City resident be appointed to the County Natural Resources and Recreation Advisory Board and the addition of recreational facilities for the County to maintain and operate. There were three amendments to the 1993 Parks Interlocal Agreement over the next 18 years.

In addition to the City of Venice parks and facilities included in the Interlocal Agreement, Sarasota County Parks, Recreation and Natural Resources (PRNR) operates and maintains the Venetian Waterway Park (VWP), a linear park that extends along both sides of the Intracoastal Waterway (ICW). The majority of the trail is located within the City of Venice, on the West Coast Inland Navigation District (WCIND) right-of-way of the ICW. The City of Venice has agreements with WCIND associated with this recreational trail and amenities located on the WCIND property. In addition, there are agreements with the School Board and private property owners for segments of the trail that cross other properties. On the east side of the ICW, the VWP extends approximately 3.8 miles south from Venice Avenue, linking to The Legacy Trail at the Venice Train Depot, and terminating at Shamrock Park. On the west side of the ICW, the VWP extends approximately five miles from the north bridge to Venice Island, where the Venetian Area Beautification, Inc. (VABI) office is located, south to Caspersen Beach.

Resolution No. 97-099 was adopted by the Sarasota County Commission on April 1, 1997, and indicates their support for the linear park, and it authorized staff to provide input and assistance in the development and implementation of the park. A March 19, 1998, letter from Commissioner David R. Mills, Chairman, to Maggie Turner, President of VABI, indicated that the County Commission formally approved the maintenance of the VWP by county personnel upon its completion. A 2002 letter from John McCarthy, former General Manager of Sarasota County Parks and Recreation, to City of Venice staff indicated that the intent would be to work together to clearly define the parameters of the park. The trail however, was never added to the Parks Interlocal Agreement.

On May 10, 2011, the City and County entered into the current Interlocal Agreement (2011 Parks Interlocal Agreement) regarding Parks and Recreation Services that superseded and replaced the 1993 Parks Interlocal Agreement. The term of the agreement was 10 years (ending October 1, 2021; Fiscal Year 2022) and could automatically renew for an additional five years.

The current agreement outlines the roles and responsibilities of the County and City, and includes a definition section which defines a Capital Repair as, “repairs that extend the life expectancy of an

improvement for 5 years or more and cost \$5,000 or more.” The County operates and maintains the 11 sites in the agreement. Brohard Park, listed as a single location in the agreement, includes Service Club Park, Pier Parking area (excluding the Fishing Pier and restaurant concession), Robert E. Clark Pavilion and associated parking, Maxine Barritt Park, Paw Park, South Brohard Park, and the remaining portions of Brohard Park). The City is solely responsible for the costs of all capital improvements and capital repairs. Joint quarterly inspections are scheduled between City and County staff.

At the November 28, 2017, Board meeting, the Sarasota County Commission voted for the County Administrator to send a notification of our intent to terminate the Parks Interlocal Agreements with the City of Sarasota, City of Venice and City of North Port. Subsequently, letters were sent to the city managers of each municipality on November 30, 2017.

RELEVANT PRIOR BOARD ACTION:

1. May 10, 2011 – Board approved Contract 2011-421, an Interlocal Agreement with the City of Venice regarding Parks and Recreation Services for City parks and facilities (5-0 vote).
2. November 28, 2017 – The Board requested the County Administrator send letters of notification to the City Managers of the Cities of North Port, Sarasota and Venice regarding the Parks Interlocal Agreements (3-2 vote; Commissioners Detert and Caragiulo voted “No”).

OUTREACH:

Several conversations and meetings have taken place between City and County staff. An editorial was written by the Sarasota County Parks, Recreation and Natural Resources Director and was published in the Sarasota Herald-Tribune. County staff shared this article with all athletic leagues as well as wrote letters and conversed with league representatives. Interviews were conducted with the Observer, the Sun and the Venice Gondolier. Additional outreach via phone and email took place between County staff, athletic league representatives and parents. A letter was crafted and sent to the league representatives.

ANALYSIS/NEXT STEPS:

Meetings between Sarasota County and City of Venice staff took place on January 10, 2018, January 24, 2018 and February 2, 2018. Discussions included the vision of the County to focus on managing and operating regional parks in accordance with the county’s adopted Parks Master Plan and that the goal of any future Interlocal Agreement is for the county to oversee regional parks, and to transfer non-regional parks back to the city.

On February 16, 2018, the County Administrator met with the City Manager to finalize a plan. An update will be provided during the Joint Meeting.

ATTACHMENTS:

1. Contract 2011-421 Interlocal Agreement Between the City of Venice and Sarasota County
2. Letter of Intent to Terminate
3. Sarasota Herald-Tribune Editorial
4. PowerPoint Presentation