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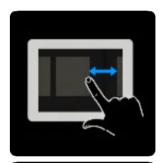
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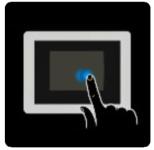
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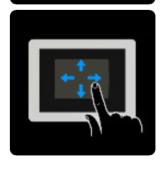


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# SARASOIA NEWS-IBADER

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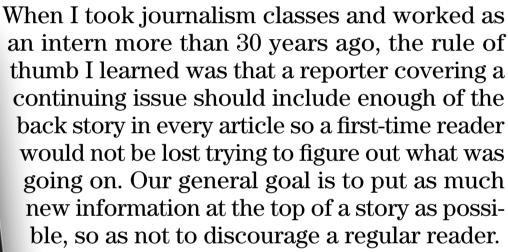


## Welcome

My colleagues often chide me that I tend to run on a bit too long in this space each week. Taking that into advisement, I will try to keep this missive a bit shorter.

Once again, this week was chock-a-block full of meetings — the City and County commissions and the School Board all tackled some pretty serious issues. Therefore, once again, it was our staff's job to try to figure out what would be of most interest — and most importance — to you as a reader and/or as a resident of Sarasota County.

Regarding both the city and county boards this week, a number of topics were recurring ones. They pose an additional challenge to a reporter. How much background should we include?



Sometimes, though, we need to find a way to weave in more background early on, just because we believe we should remind you of certain context, so you can comprehend the full impact of the latest details.

Sometimes we might include a tidbit in the back story that you had forgotten, which will open a new avenue of thinking for you as you go through the article. The better you understand all the parameters of an issue, the better a citizen you can be.

As always, we always enjoy hearing from you about how we are doing. Do not ever hesitate to comment!

Rachel Brown Hackney
Editor and Publisher



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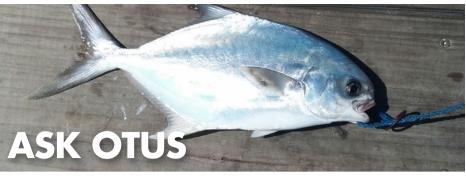


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Front cover: Mr. Squirrel noshes on a nut - Robert Hackney Sarasota Leisure: Selby Gardens serenity - Robert Hackney

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City Manager Tom Barwin congratulates Police Chief Bernadette DiPino after her swearing in in January. Photo courtesy City of Sarasota

# FORMER SARASOTA POLICE CHIEF JOHN LEWIS REPORTS HIS FINDINGS FROM INTERVIEWING OFFICERS, INCLUDING A YEARNING FOR MORE TRAINING

By Stan Zimmerman

 $City\ Editor$ 

Last November former Sarasota Police Chief ment agency in Florida and the southern

John Lewis was asked to provide a "comprehensive report in 30 days detailing what changes need to occur at the SPD to make the department the best trained law enforce-

Very little training has occurred for the last two or three years.

John Lewis Former Police Chief City of Sarasota United States," City Manager Tom Barwin said in a press release at the time.

It took Lewis about twice as long as expected, but his 24-page report, obtained by *The Sarasota News Lead*er, indicates there is a lot of work to be done to meet the ambitious goal outlined by Barwin.

Lewis was the SPD chief for more than a decade (1989-2000). He later was appointed to fill a two-year term on the Sarasota County School Board; then, he stood for — and won — election to that board (2000-2006).

"[T]he employees to whom I spoke at all ranks were, for the most part, positive in their image of the department and the city. Most were very open, candid and honest in sharing their views," his report states early on. "I commend all of the individuals with whom I spoke for providing information that will be of assistance to the incoming Chief."

Incoming Chief Bernadette DiPino started on New Year's Day 2013.

## TRAINING 'MINIMAL' IN A NUMBER OF AREAS

Lewis' primary focus was training, and he found it had declined over time. He said before 1997 officers received 64 hours of training per year. But after switching to a 12-hour patrol shift (from eight hours) in 2006, training per year was cut in half, to 32 hours. However, those on 12-hour shifts "were paid overtime to attend in-service training on their days off ...."

Nonetheless, because of budget cuts, "funding to pay patrol officers overtime to attend in-service training was virtually eliminated," wrote Lewis. "This resulted in minimal training for a number of areas" — among them, firearms training.

"Sometimes what is called 'Firearms Training' is simply a matter of going to the range for the

state-mandated qualification, qualifying, and leaving. This takes anywhere from 15 minutes to 45 minutes, but deviates greatly from the eight-hour firearms training given in the past," the report says.

"Training was a constant concern for almost all those interviewed who were department employees. Many concerns centered on high-liability items, such as firearms training, defensive tactics, and pursuit driving," Lewis wrote. "In addition concerns for new sergeants, lieutenants and captains were for the appropriate management/supervision training."

Lewis singled out one specific area of concern: "Incidents that were relayed to me indicate there is a definite need for training in building searches," he wrote. "This relates to buildings or homes that are found with a possible breakin and officers go through the building to determine if there are any subjects inside."

In all organizations with a formal rank structure, it is common for superiors to train their subordinates. But at the SPD, Lewis found this to be a sometime thing. "A number of officers have commented on the excellent training they have received from their sergeants during their shift when calls for service permitted, but this, apparently, is not a requirement and is not being done by all supervisors," the report says.

To begin filling the training gap, Lewis suggested finding out what kind of training is offered at the School Board's Sarasota County Technical Institute. And he proposed looking for retired officers from the SPD or other jurisdictions "who are well-qualified and versed in particular subject matter, and [contacting



A 9/11 memorial stands in the foyer of the Sarasota Police Department. Photo by Norman Schimmel

them] to see if they would be available to teach at the department or at SCTI at no charge to the department."

Lewis was told the lack of training is troubling to many officers.

dated."

bling to many officers.

"Firearms training, defensive tactics training, driver training and interpersonal actions between police and citizens are constant concerns by a majority of personnel," he wrote. "Very little training has occurred for the last two or three years. Recently the training that is conducted is only the training that is man-

Chief DiPino says she has already started to make changes. "I agree with Chief Lewis' observation about training," she wrote in an email to the *News Leader* while away on a training trip herself. "A well trained officer and police force reduces liability, increases morale and officer safety, and benefits the community. I have already increased training and approved upcoming in-service training for our officers," she added.

### PROBLEMS WITH PROMOTION

Lewis takes more than two pages to relate what he heard about problems with the SPD promotion system and its impact on policing the city. He found the old system widely reviled and its replacement so new virtually nobody had any experience with it.

"The old promotion process had been revamped and a new one had been adopted, but the new one had not yet been used by any of

Many of those interviewed stated that there may be some strong anti-Sarasota Police Department feelings within city government.

The Lewis Report



the employees. Therefore there was very little discussion, except that many of the officers felt that the previous promotional process was extremely flawed," the report says.

The old system ranked the candidates for promotion. When an opening became available, the top-ranked candidate was promoted.

"Most of those interviewed stated that the chief of police should pick the best person for the position, whether that's through a promotional exam and a list from which the chief could choose, or if the position is exempt, the chief could look at all personnel in the department and consider the best candidate for that position," Lewis wrote.

Some experiences obviously still rankled people with whom Lewis spoke. "[T]here were officers who asked to be off the night shift prior to the test that was to be given the following morning. For whatever reason, they were denied the time off and were required to work their 12-hour night shift and then take the promotional test that morning when they got off work," the report says.

Now the department is using a different system; the old promotion lists expired Jan. 12.

DiPino says she will keep her eye on the new promotion process. "I will be observing and monitoring the upcoming promotional process in order to determine whether this process sufficiently evaluates promotion potential," she wrote.

### **HUNGRY FOR LEADERSHIP**

"It can't be emphasized enough how many times the term 'strong leadership,' starting at the top, has been mentioned in the interviews, along with the need for accountability and responsibility," Lewis wrote. "A constant concern was accountability for all ranks from the chief on down."

This feeling may be driven by enforcement of the department's own standards. "Discipline needs to be fair, consistent and based on department goals and objectives, not on personalities or friendship. Officers feel that while they are sometimes held to strict standards, supervisory personnel are not," the report says.

Department policies came up as Lewis spoke with both uniformed and civilian SPD employees. "The department's pursuit policy needs to be reviewed, and the policy at SPD needs to be reviewed in light of policies used by other agencies in the region," the report says.

One person suggested a slow-motion overhaul of the department's standing orders. "It was recommended that each General Order have a sunset date so that it would have to be reviewed or it would be discontinued," the report adds.

One undercurrent mentioned by Lewis is a general mistrust of staff at City Hall: "Many of those interviewed stated that there may be some strong anti-Sarasota Police Department feelings within city government," the report says.

DiPino remains confident she can confront these issues. "Our agency can benefit from strong leadership, effective communication and direction," she wrote in the email to the *News Leader*. "The challenges we face are not insurmountable," she added. SNL

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The new Sarasota Police Department stands on Adams Lane in downtown Sarasota. Photo by Norman Schimmel

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The boat parade down Main Street in Sarasota has been a big attraction during the annual Suncoast Super Boat Grand Prix Festival. Photo by Norman Schimmel

# THE SUNCOAST CHARITIES BOARD SETS APRIL 5 AS THE DATE TO DECIDE WHETHER IT CAN AFFORD TO GO FORWARD WITH THE SUNCOAST SUPER BOAT GRAND PRIX FESTIVAL

By Rachel Brown Hackney Editor

April 5 is the date the board of directors of the Suncoast Charities for Children has set to determine whether it can afford to hold the

Suncoast Super Boat Grand Prix Festival this summer.

That was the news March 20 from Lucy Nicandri, vice president for marketing for Suncoast Charities and chairwoman of the festival.

Nicandri spoke with *The Sarasota News Leader* a day after the Sarasota County Commission approved a \$10,000 grant, plus \$3,500 in in-kind services, for

Are we willing to walk away from this ... and guess that we're going to be just as busy or even 75 percent as busy during [the July Fourth holiday period] and generate the same economic impact? I think it's a huge risk to take.

Joe Barbetta Commissioner Sarasota County in in-kind services, for the 2013 festival instead of the \$100,000 grant Nicandri had sought.

At 10 a.m. on Wednesday, March 27, Nicandri will host a press conference at the Hyatt Regency Sarasota, located at 1000 Boule-

### DEMOGRAPHICS & FACT SHEET

The Suncoast Super Boat Grand Prix in Sarasota, FL has one of the longest continuously running race venues in the country. Net proceeds over the past 28 years have been earmarked towards facilities serving special needs children valued at over \$14 million dollars. The race site on average attracts over 40 powerboats many racing in excess of 170 mph and generates \$14.3 million dollars of economic impact into the Sarasota community.

This annual Festival is organized by two staff members of Suncoast Charities for Children (benefiting charity) and engages over 200 volunteers. 100% of the net proceeds generated goes directly to the charity.

### Super Boat Demographics

Audience Gender: Male 68% and Female 32%

Super Boat's Website (Superboat.com) averages 30,000 hits per month and 60,000 page views a day

Audience Income	U.S. Population	Super Boat Fans
\$50-\$ 75,000	18.27%	19%
\$75-\$100,000	10.93%	23%
\$100,000+	15.73%	27%
Audience Age	U.S. Population	Super Boat Fans
18-34	30.90%	21%
35-44		
33-44	20.00%	33%

Race streamed live to 103 countries in 73 languages

### Sarasota Race Venue Demographics

- 107,000 Average Attendence / \$6,550,600 Direct Expenditures
- Average Age 35-45 Average Income \$80,000 Male 60% / Female 40%
- Most of those who attend have traveled over 100 miles to attend (65.7% other parts of Florida, 21.5% Other States in US, 12.8% Foreign Countries)
  - Average party is 3 people staying an average of 5 days in the area
- Festival website (www.suncoastoffshore.org) averages 100,000 monthly page views (May-July)
  - Festival Facebook averages weekly total reach 3,800 (May-July)

### **Approximate Attendance - 2012 Festival Events**

Golf Tournament / Approx. 200 Festival Kickoff Party/ Approx. 900 Car Show / Approx. 2,000

Hyatt Regency's "Grand Prix" Race Party / Approx. 1,500 Downtown Festival Parade of Boats / Approx. 40,000+

"Meet and Greet Who's In the Driver's Seat" Event / Approx. 500

Powerboats By The Bay / Approx. 25,000 (over 2 days)

Motorcycle "Speed Card" Ride / Approx. 300

Super Boat Grand Prix Race / Approx. 60,000+ (land and on the water)

Race Awards Celebration / Approx. 400

### **Advantages To Being A Sponsor**

- Excellent opportunity to promote your brand onsite at various venues with a large demographic reach
  - Strong media coverage (social, television, print, radio) prior to and during the Festival
  - Charitable tax deduction for your business not run by a promoter but by a charity
    - Proven safety record family friendly environment

vard of the Arts, to talk about the need for community support if the festival is to go on this year. She will present the same information to the public as she did to the County Commission during its regular meeting on March 19, she told the *News Leader*. Then, she will conduct a question-and-answer session with attendees. Boat racers who participate in the Grand Prix also will be present to offer comments, Nicandri said.

Asked if she hoped the event would generate the necessary public donations to make it possible for the festival to go on, Nicandri replied, "I hope so."

The County Commission on March 19 unanimously approved the \$13,500 contribution to the Suncoast Super Boat Grand Prix Festival, but that action followed a 3-2 vote against increasing the amount to \$82,700.

Commissioner Nora Patterson made the motion for the \$13,500, while Commissioner Joe Barbetta offered the amendment that would include the \$79,200 fee the festival needs to pay a sanctioning organization so it can hold the boat race.

Only Barbetta and Chairwoman Carolyn Mason supported the amendment.

As part of the commission's agenda material for the meeting, Suncoast Charities provided a "Visitor and Economic Impact Study" for the 2012 boat race and events. Prepared by Research Data Services Inc. of Tampa, the report shows the total direct and indirect economic impact on the county of all the events associated with the festival equaled \$14,306,173, up 12.1 percent from the 2011 figure of \$12.7 million, Nicandri pointed out to the County Commission.

### **MAJOR FESTIVAL EXPENSES**

Suncoast Charities for Children is responsible for securing funding from corporate and private sponsors to cover an average of \$152,784 in expenses to produce the Super Boat Grand Prix Race and July 4th Bayfront Fireworks

- 2013 Race Sanctioning Fee \$79,200
- Helicopters, Cranes, Police, Security, Race Control Room Rentals, and Marine Mammal Watch - \$11,000
- Tents (Powerboats By The Bay, Parade, Race Day) \$14,000
- 116 Room Night Reservations for Super Boat International Officials and Super Boat Medical/Rescue Staff (\$74 per night) - \$8,584
- July 4th Bayfront Fireworks (Since 2008) \$40,000

Of the estimated 107,000 people who attended the 2012 event, the report says, about 46.6 percent were year-round Sarasota County residents. Of the out-of-county attendees, 65.7 percent traveled from other parts of Florida, 21.5 percent from other states and 12.8 percent from foreign countries, according to the study.

Moreover, the 2012 boat race was streamed live to 103 countries, Nicandri said.

Eighty percent of the events associated with the Grand Prix, including the boat race itself, are free, she pointed out to the commission.

Last year, Nicandri told the board, Suncoast Charities realized a profit of about \$57,000 from the festival.

According to its website, Suncoast Charities has constructed facilities at an expense of about \$14 million to serve children with special needs in Sarasota County. "Suncoast Charities continues to maintain these facilities, and supports special project requests from these agencies, with proceeds raised through special events and festivals held throughout the year," the website notes.

### **PAST AND FUTURE**

Nicandri explained the festival has experienced a decrease in the value of in-kind services over the past several years, but its costs continue to increase.

The Florida Sports Commission this year also declined to give the event the \$10,000 grant it had provided in the past, she added, saying it no longer would fund boat races.

This year would mark the 29<sup>th</sup> year for the festival, she noted.

"Outside of the World Championships in Key West [each November]," she said, "Sarasota is the premier race site."

In fact, Nicandri added, Super Boat International representatives had approached her recently to talk about moving the World Championships to Sarasota. "I can't even have that conversation with them … because we don't have the funds … for the regular race," she said.

When Barbetta asked whether other Florida cities were vying to host the summer race — which is always scheduled close to July Fourth — Nicandri confirmed that. "July Fourth weekend is a prime weekend, because they can wrap so many events around the ... holiday and have that economic impact increase even more for their city," she said.

When Barbetta then asked about the sponsors for the festival in Sarasota, Nicandri replied, "With Sarasota, we don't have a huge corporate base like a lot of other cities do."

Her three biggest sponsors are Gold Coast Eagle Distributing, FCCI Insurance Group and Sarasota Ford, she added. "The next tier down is really small businesses," she pointed out, most of which are family-owned.

When the festival began in the mid-1980s, Nicandri said, "It was just a race and it was heavily supported by the construction industry. So you can imagine over the years how that financial support has waned ... because of the economic climate."

### **DIVERSE VIEWS**

Patterson told Nicandri she admired her personally. "Nevertheless," Patterson said, "I

have a problem with your request — \$100,000. There's no way to take it out of tourist development monies. It's basically going to come from the general fund. There are other events I would give up, maybe, before I would give up yours," Patterson continued. "But you're still making a profit."

Providing the \$100,000 grant would be "almost as if we were writing the check directly to the

[charity], which the county supports anyway, to the tune of millions of dollars a year," Patterson added

Commissioner Christine Robinson told Nicandri, "Nobody understands what you do for the community better than I. I have a child with special needs who received services [from one of the facilities supported by Suncoast Charities]."



Lucy Nicandri, vice president of marketing for Suncoast Charities, addresses the County Commission on March 19 in Sarasota. Photo by Rachel Hackney

However, Robinson said, she feared the \$100,000 would become a recurring expense for the county.

Additionally, Robinson pointed out, the Sertoma Club in Venice has raised private donations each year for the fireworks show it offers on July Fourth. Referring to the Suncoast festival's \$40,000 fireworks expense on the Sarasota bayfront, Robinson added, "I'm struggling to understand why we should pay for those opposed to Venice's fireworks or Englewood's fireworks or Siesta Key's fireworks."

Nicandri pointed out that the City of Sarasota stopped paying for the bayfront July Fourth fireworks in 2008. Yet, she expected only one in 10 people in the county realized that, she added.

Robinson continued, "I can't justify taking [\$100,000] out of the general fund year after year after year when I have so many other groups that do similar and great things for our community ... including giving back" but without asking for county financial support.

"We don't know if we're going to be getting funds this year," Nicandri responded. "We may very well have to pull the plug on this [festival]."

Commissioner Charles Hines called the Grand Prix and its related activities a "phenomenal event that really brings recognition to Sarasota County."

Nonetheless, he agreed with Robinson's concerns that the expense would become a recurring one for the county. Ideally, he said, the money should come out of tourist development tax revenue.

Patterson pointed out that the county already had allocated tourist development tax revenue for Benderson Park's bid to win the 2017 World Rowing Championships, noting that is "a substantial expense," including funding support for "the large meets that are leading up to it."

Nicandri asked whether the commissioners feel people who come to the area for rowing regattas spend as much money in restaurants and bars and at attractions as those who come for the Suncoast Festival.

No one responded.

"Are we willing to walk away from this and lose it and guess that we're going to be just as busy or even 75 percent as busy during [the July Fourth holiday period] and generate the same economic impact?" Barbetta asked. "I think it's a huge risk to take."

After the votes, Barbetta asked that Steve Botelho, the county's chief of financial planning, look over the tourist development tax revenue, which is running above projections again so far this year. Perhaps Botelho could determine whether any extra funds might be available for the Suncoast Festival, Barbetta said. Hines concurred.

"That would be extremely helpful," Nicandri told the board.

The next day, Nicandri pointed out to the *News Leader* that Suncoast Charities could plan a black-tie fundraiser every year to raise \$50,000 to \$60,000 to replace the profit from the festival. However, she said, "We don't want to give [the event] up; that is not our intent."



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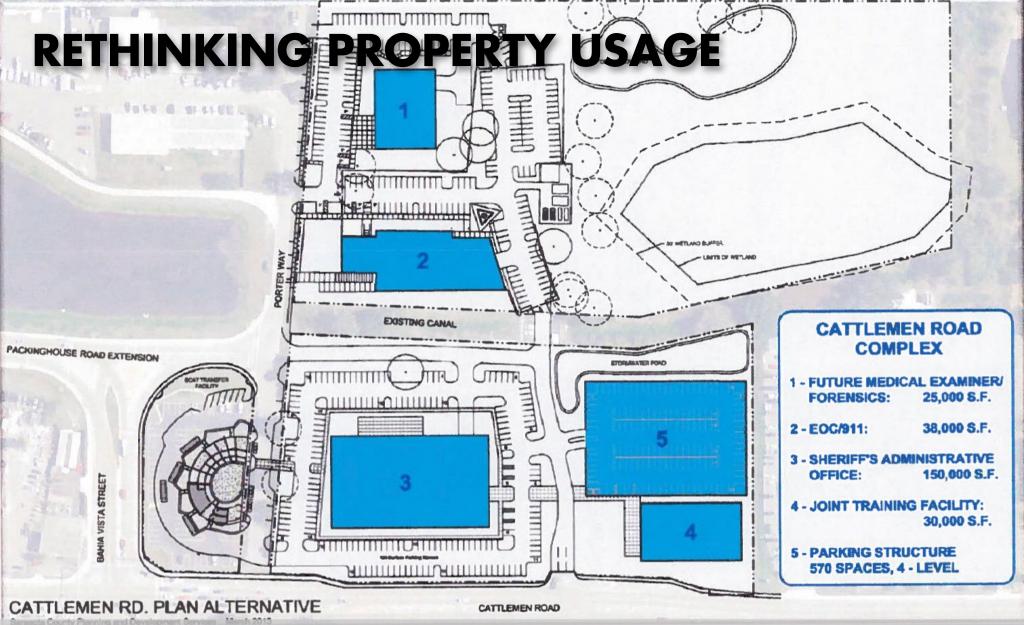
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A proposed site plan shows how Sarasota County Sheriff's Office facilities could be located on the site of the new county Emergency Operations Center at the Cattlemen Road/Porter Way intersection. Image courtesy Sarasota County

### THE COUNTY COMMISSION SEEKS ALTERNATIVES TO BUILDING NEW SHERIFF'S OFFICE FACILITIES NEXT TO ITS PLANNED EMERGENCY **OPERATIONS CENTER**

vote.

By Rachel Brown Hackney Editor

After listening to a March 20 staff proposal for Commissioner Joe Barbetta cast the "No" combining Sarasota County Sheriff's Office

facilities on the Cattlemen Road site of the

planned new Emergency Operations Center (EOC), the County Commission voted 4-1 to request staff reassess all other county-owned property in that area and report back in 60 days.

What I'm trying to avoid doing is what I've seen governments do numerous times — what makes them really lousy land speculators: Buy high and sell low.

> Nora Patterson Commissioner Sarasota County

"I couldn't possibly support this complex," Barbetta said of a proposal that would put Sheriff's Office buildings on what he called "prime commercial footage on a major highway."

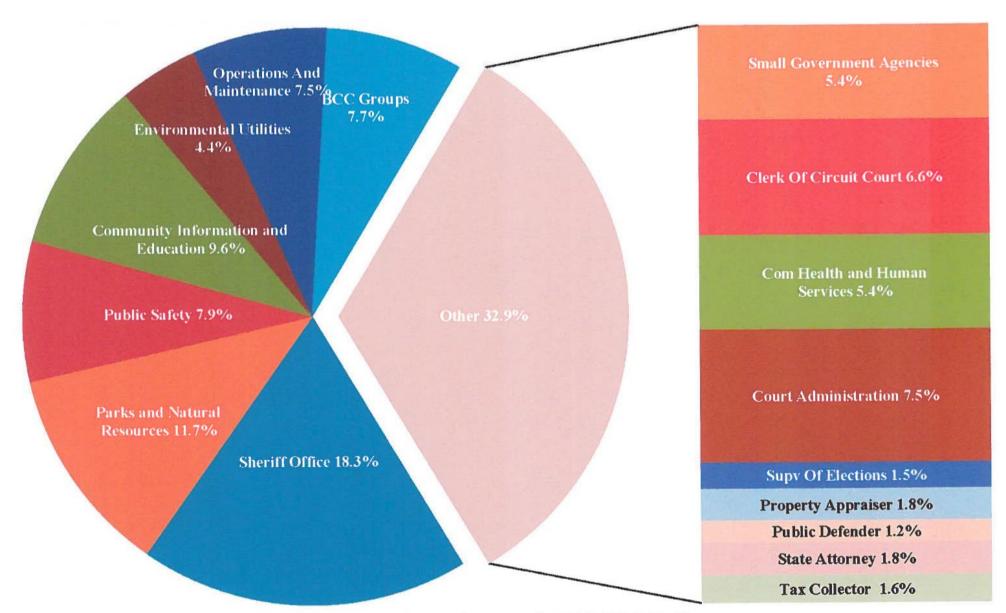
Speaking to Sheriff Tom Knight during a workshop at the downtown county Administration Center, Barbetta added, "I have no problem with what your needs are, just not at [the Cattlemen] location" as staff had proposed.

To staff, Barbetta said, "Either put [the proposed buildings] to the rear [of the site] or put them on another piece of property."

Ed Gable, the new director of the county's Facilities Services Office, had presented a graphic showing how a three-story, 150,000-square-foot Sheriff's Office administrative center; a joint training facility; a four-level, 570-space

parking garage; and a 25,000-square-foot building combining the Sarasota County Medical Examiner's Office with the Sheriff's Office's Forensics Unit all could be located on the 1301 Cattlemen Road property at the intersection of Porter Way. The new EOC is expected to be completed on that site by the June 1 start of the 2014 hurricane season.

"We have a lot of other properties," Barbetta said, adding that the sheriff's facilities should be put up on property "that could generate a lot of money for us and help us defray the cost of building these [new structures]."



Current County Owned and Leased Facilities: 2,679,000 Sqft

For that matter, Barbetta pointed out, "We have a vast parking lot with incredible air rights" behind the county Administration Center on Ringling Boulevard in downtown Sarasota.

### THE NEEDS

Early on in the discussion, Bill Spitler, director of research and planning for the Sheriff's Office, referenced a report the sheriff gave to the County Commission in January. Spitler explained how facilities are spread across the county, with evidence and investigations threatened by the inadequacies of some of those locations.

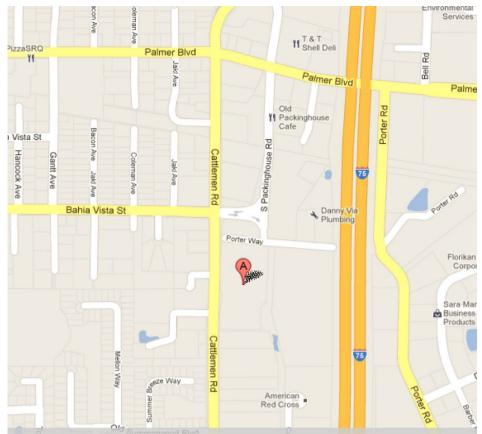
For example, he said, the office's fleet — including specialized vehicles — comprises about \$7.3 million of assets "that sit out in the weather ..."

For another example, Spitler noted, the Forensics Unit operates out of two storefronts on Bull Road, one of which is next to a dry cleaner's. The DNA lab is included in that unit, he added. Altogether, evidence for more than 100,000 criminal cases is stored there.

A recent chemical spill at the cleaner's could have threatened some of that evidence, Spitler told the commissioners.

The office's Property and Evidence work is split between two facilities, he noted. More than 800,000 pieces of property are held in downtown Sarasota.

Knight pointed out that after the EOC is completed, he would have up to 115 employees working in that facility. "The closer I am to them, the better we are," he added of his other staffing needs.



A map shows the site of the county-owned property at the intersection of Cattlemen Road and Porter Way, with its proximity to I-75. Map courtesy Google Maps

In examining Gable's diagram of the Cattlemen Road site, Commissioner Nora Patterson expressed reservations about the siting of the parking garage "more than anything [else] ..." She suggested it could be combined with the administrative center in a seven-story structure; one story would be below ground.

Commissioner Charles Hines — who had taken a tour of the current Sheriff's Office facilities after Knight's January presentation — said he agreed with Barbetta that buildings could be reoriented on the Cattlemen site to free up prime highway frontage. Nonetheless, Hines said, he liked the idea of locating the Sheriff's Office facilities in close proximity to Interstate 75.

### **NEXT STEPS**

Gable pointed out that the County Commission in August 2012 authorized staff to begin work on rezoning one parcel on the Cattle-

men site for commercial office or industrial use, in preparation for selling it. He suggested the board hold off on that rezoning until it decides how to proceed with new facilities for the Sheriff's Office.

"I've been waiting for that [rezoning and land sale] for two-and-a-half years," Barbetta said, "and I just don't think this is the place to put government buildings."

Patterson agreed with Gable. If there existed "even a 25 percent chance [the rezoning is] not the direction you're going to go," she said, it is better to wait. "It certainly isn't such a hot [real estate] market, unless you know of a buyer ... that will come in at a reasonable price" for that parcel, she told Barbetta.

"What I'm trying to avoid doing is what I've seen governments do numerous times — what makes them really lousy land speculators," Patterson continued: "Buy high and sell low."

She added, "The worst thing to do is to sell the property in a down market and then have to buy a property in an up market in order to meet [our] needs."

"First of all," Barbetta said, "I'm not suggesting we buy any property whatsoever."

He added that he would guess the cost of the new structures for the Sheriff's Office, as shown in Gable's diagram, would be between \$150 million and \$200 million. "We don't have the money to do it. I'm trying to raise money to do that," he pointed out, by selling county-owned property in desirable locations.

Commissioner Christine Robinson suggested a deadline be imposed on staff looking at alternative county-owned sites for the Sheriff's Office facilities. Knight said that was fine. He added, "I don't have all the answers on property. ... We need to do something. ... We've probably waited too long already."

### THE EOC PLAN

Barbetta also raised concern that county staff should have considered earlier the possibility of combining the EOC itself with a new administrative facility for the Sheriff's Office. "We're doing this piecemeal plan that's driving me crazy," he added.

Then Patterson asked for an update on the EOC.

Assistant County Administrator Tom Harmer explained the facility is at the 60 percent design phase and the firm the board had approved hiring to handle the project as a construction manager (CM) at risk already has reviewed the plans. (A construction manager at risk hires subcontractors and makes certain a project comes in at or below budget.)

The CM at risk's representative found the design was \$4 million over budget, Harmer continued, as reported during the County Commission's Feb. 8 budget workshop.

Already, he said, revisions in the design have reduced the overage by about 50 percent.

The board will hear an update in April, Harmer added.

"I think we're a little far down the line to start talking about designing it cooperatively with a sheriff's facility we don't have the money to build," Patterson said of the EOC. SNL



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**Building Foot Print** 

22,600 square feet (3 floors)

40,600 square feet (7 floors)

Gross Building Area @ 10 stories:

352, 000 square feet

One level of jail beds requires 2 story height and yields 384 beds per level. One floor could contain 5 to 7 court rooms.

Possible Build-Out:

384 jail beds:

81,200 square feet

10 - 14 court rooms:

81,200 square feet

Balance of building area:

189,600 square feet

Total Building Area:

352,000 square feet

A Sarasota County graphic shows a proposed new combination jail and courthouse facility in the place of the existing Sarasota County Sheriff's offices on Ringling Boulevard in downtown Sarasota. Image courtesy Sarasota County

### THE COUNTY COMMISSION HEARS PROPOSALS FOR A NEW CRIMINAL JUSTICE CENTER LANDSCAPE IN DOWNTOWN SARASOTA

### By Stan Zimmerman

City Editor

missioners on a walk through the future on Wednesday, March 20. Plans were offered to

Sarasota County staff led the county com- additional jail space, more courtrooms and a new "central energy plant" providing uninterruptible power.

move the downtown sheriff's 26-year-old office to a "campus" near the interstate. (See the related story in this issue.)

In its place, the staff proposed a 10-story building combining

The idea was to put a second judicial tower where the old city police department was located. That is still a viable option.

> Walt Smith Courts Administrator Sarasota County

The proposed sheriff's campus on Cattlemen Road would include a 150,000-square-foot administration center, roughly three times the size of the current 50,000-squarefoot building in downtown Sarasota. In addition, staff proposed a four-story parking garage with 570 spaces, a 30,000-square-foot training center and a 25,000-square-foot building for the medical examiner and forensics squad.

The total floor area would be about 243,000 square feet, plus the parking garage. Some or all of the buildings would be constructed to withstand a Category Five hurricane.

While no price tag was offered, several knowledgeable people suggested — because of physical security needs and storm resistance — the price could start at about \$300 per square foot. That would put the initial estimate at nearly \$73 million. Add in \$17 million for the parking garage, at \$30,000 per space, and the total price tag could be \$100 million or more.

Once the sheriff was relocated, work could begin on another criminal justice tower downtown.

### FROM BAD BLOOD TO GOLD MINE

Ten years ago the county embarked on a similar quest to create more office and courtroom space. The then-new Lynn Silvertooth Judicial Center tower on Ringling Boulevard was already strained, and the county administrator at the time demanded the city give land to the county for another court facility.

He threatened to move the county seat out of downtown Sarasota if the city did not surrender the land under the existing police headquarters. The city capitulated. A new glass and steel high-rise police headquarters was built, the old 1950s era headquarters was demol-



An older aerial map shows the location of county property in the vicinity of the judicial center complex in downtown Sarasota. Image courtesy Sarasota County

ished and the property was ceded in theory to the county.

However, the actual transfer of deed and title never occurred. While the deal was inked in an interlocal agreement, the necessary documents to make the deal official and permanent were never filed. Thus, the city still retains ownership of the old police HQ property on Ringling Boulevard, just east of U.S. 301.

When the county staff began looking for a site for another judicial tower, the old Sarasota Police Department HQ property was in contention. But another site — the current Sarasota County Sheriff's Office — was now a possibility.

"The idea was to put a second judicial tower where the old city police department was located. That is still a viable option," said Courts Administrator Walt Smith. "The idea came up if the [sheriff's] space became available, it would be the better location. It is attached to the county jail, and that would save on transportation, security and safety."

Smith sketched out a plan for the county commissioners in which the new tower on the old sheriff's office site would become the center of criminal justice, while the Silvertooth building across the street would focus on civil and non-criminal cases.

The proposed new judicial tower would be 352,000 square feet. Using the same \$300 per square foot construction cost, the price tag would be \$105 million. If that is added to the \$100 million for a new sheriff's campus on Cattlemen Road, the number rises to almost \$205 million. Assuming the county population is 500,000, that works out to a per capita figure of \$410.

### **MUM'S THE WORD ON NUMBERS**

While staff members were free with square footage figures, they were mum on construction costs. Parking garage costs per space are well known, but even those were not used in the presentation.



The Sarasota County Commission addresses a matter during its regular meeting on March 19. Photo by Rachel Hackney

The new downtown tower could provide an additional 394 jail beds per floor (although a "jail configuration" requires two floors of space). One floor could also provide five to seven new courtrooms. It would allow relocation of the central energy facility to a more hardened location, house the Public Defender and State Attorney's offices, and allow room for expansion of the Clerk of Court's services.

Construction of the sheriff's facilities on Ringling Boulevard has been a tale of overruns at virtually every step since the jail was moved out of the old courthouse basement. In some cases, the county fought contractor claims, resulting in lengthy — sometimes epic — courtroom challenges. Thus, history may indicate the \$200 million figure for this latest proposal could be a significant underestimation.

Commissioner Nora Patterson noted the county's local-option sales tax revenues are

already apportioned, and she hinted a bond issue might be the only mechanism available. "When you add up your needs and some of the other needs, we might have to go to the public," she told Sheriff Tom Knight. "You have to be able to tell them."

Any bonds would require a referendum, and that would be backed by property taxes because criminal justice uses provide no "revenue" against which to bond.

If the county used 30-year ad valorem bonds to fund the Cattlemen Road and Ringling projects, the cost would triple because — as with a mortgage — the interest is double the amount of the principle. Thus \$200 million in bonds could cost property taxpayers \$600 million over time — more than half a billion for law enforcement and criminal justice in the next 30 years. SNL

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Condominium owners in downtown Sarasota have asked the City Commission to maintain noise regulations already in the zoning code. Photo by Norman Schimmel

### CITY NOISE ORDINANCE REVISION 'SLOOGOOWS' DOWN

### By Stan Zimmerman

City Editor

The noise ordinance is the most polarizing issue of the year so far for the city of Sarasota. An effort by City Commissioner Paul Caragiulo to find a middle ground foundered Monday, March 18, when he urged his fellow commissioners not to take the next previously proposed step.

"One thing is clear. There is not really the trust on the enforcement issue that needs to

be there in order to have a good conversation on what needs to be changed," he said at the outset of the Monday evening City Commission discussion. "I am of the opinion the administration needs to focus on enforcement of what's on the books currently."

Two weeks earlier, Caragiulo proposed a staff review of regulations, formation of an *ad hoc* committee and possibly the hiring of a consultant. He said then, "If we go forward, it's going to be complicated with lots of community input and the legal and enforcement and science [issues] involved."

This is going from the oven to the food warmer. It is not ready to be served yet.

Paul Caragiulo Commissioner City of Sarasota On March 18, he said, "I'm not ready to do an *ad hoc* committee at this point."

By 4-1 vote, with Commissioner Terry Turner in the minority, the

commissioners scrapped the idea of an *ad hoc* committee and told City Attorney Bob Fournier to review the record of the matter to date.

## AD HOC OR AX-GRINDING COMMITTEE?

Following discussion at the March 4 City Commission meeting, City Manager Tom Barwin said, "We have the message on enforcement. We'll report back on that. With all the research and interest, I'd suggest an *ad hoc* committee and perhaps retain a consultant. They would come back in 90 or 100 days with a list of options."

He promised to bring back recommendations on March 18.

When he did, they were shot down. Barwin recommended five people for the committee: Mort Siegal, Rich Swier Jr., Peter Fanning, Jill Kaplan and Jay Sparr. At least four had participated in Caragiulo's two town hall-style meet-

ings on the noise ordinance and had spoken forcefully about their perceptions.

Fanning represents the Downtown Sarasota Condominium Association. He spoke the day after Monday's City Commission meeting — March 19 — to the Downtown Improvement District board members.

"Last night's decision only delays the solution to the problem and will frustrate musicians, residents and law enforcement personnel," he said. "Let's get a resolution to this problem that is giving our residents so much angst."

At present, two city regulations control outdoor sound. One, part of the zoning ordinance, bans amplified sound of any sort; the city has suspended enforcement of that under threat of a constitutional legal challenge.

The second regulation is the Sound Control Ordinance — the so-called "noise ordinance" — which regulates the loudness to a 75-decibel maximum and stipulates the hours when



(From left) City Commissioners Shannon Snyder, Willie Shaw, Terry Turner and Paul Caragiulo watch a special presentation early this year at a regular meeting. Photo by Norman Schimmel

music can be played. Many residents of downtown condominiums have objected to outdoor noise, while patrons of downtown establishments are urging a relaxation of the regulations to promote more "vitality" downtown.

However, downtown condominium residents object to the lack of enforcement of the sound ordinance downtown.

Jill Kaplan, representing Burns Square, also was proposed as a member of the *ad hoc* committee. She, too, spoke to the DID board on March 19: "[While] the City Commission shut down the process last night, I hope you as a group will urge them to reconsider their decision."

### WHAT IS NEXT AND WHY?

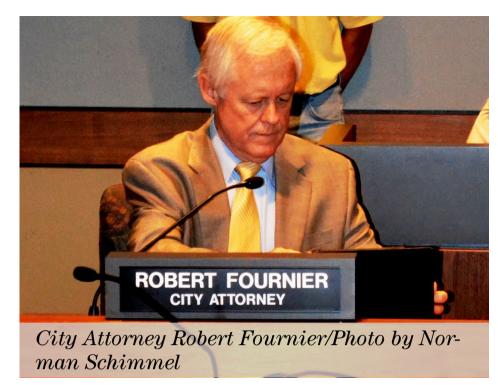
Caragiulo opened the early March commission discussion on the noise ordinance by saying, "You need to look at it as a land-use issue and a planning issue."

By mid-March, the Downtown Improvement District board was saying the same thing.

"The DID needs to decide what we want to be when we grow up. An entertainment district? A shopping district?" said member Dr. Mark Kaufman. "I think the residents here have a real problem, and I think the DID should make a statement supporting them. Or not."

"We came up with an ordinance. It's right here. It's in black and white and covers everything we're talking about," said Paul Thorpe, holding up a copy of the Sound Control document at the DID meeting. "The biggest problem is, we're not enforcing any of it."

That was the same message Caragiulo tried to get across the night before. "It's a very contentious issue. It's very emotional," he said. "It's critical to split this — look at the policy side;

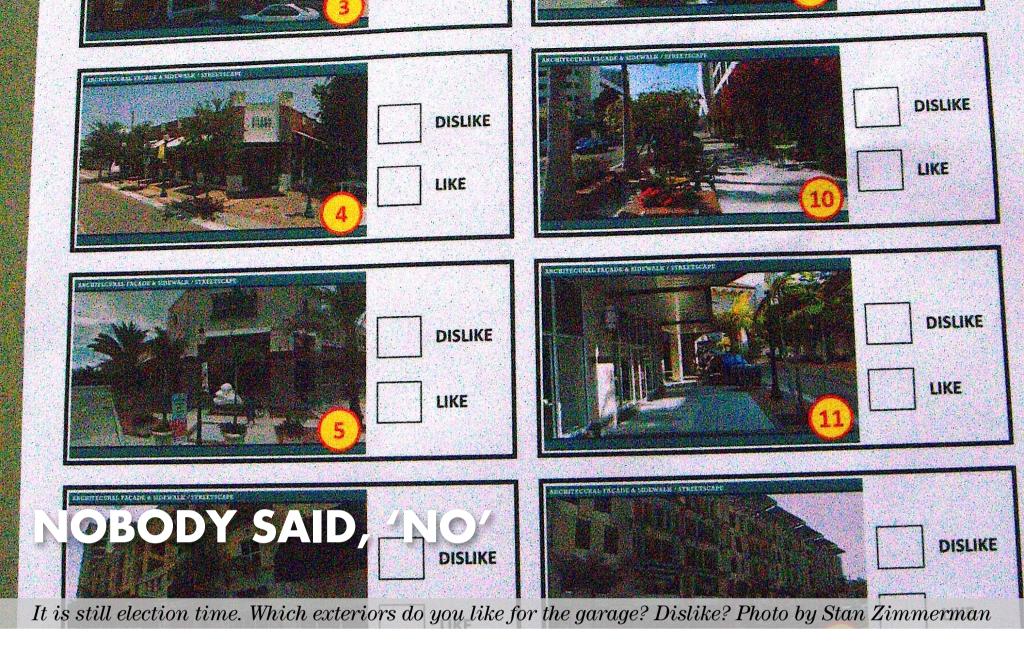


let the attorney look at that. And enforcement: Let the administration work with that," he told his fellow commissioners. "Let's be less subjective and more objective."

The DID agenda included a discussion item about supporting the city's *ad hoc* sound ordinance committee. But with the City Commission having nixed the idea the night before, there was little for the DID members to do except listen to the reactions of Fanning, Thorpe and Kaplan.

After the two town hall-style meetings and two lengthy City Commission discussions, Caragiulo is ready to give the issue a rest. The restaurateur used a culinary metaphor to describe its status to *The Sarasota News Leader*. "This is going from the oven to the food warmer. It is not ready to be served yet," he said. "Everybody needs to focus more."

In the meantime, pressure is on the city administration and police to begin enforcing the Sound Control Ordinance. At the same time, the section of the zoning code banning amplified recorded music outdoors remains unenforced — by order of the city manager — because enforcement threatens a legal challenge on First Amendment grounds.



### **ANALYSIS: STATE STREET PARKING GARAGE FORMING FROM THE BOTTOM UP**

### By Stan Zimmerman

City Editor

Funny how so few people can decide the future of downtown architecture. The face and footprint of the planned State Street parking garage in downtown Sarasota were opened to public whim on March 19. Discounting the designers, engineers, architects, builders and landscapers in the room who are involved in the project, the number of residents present for input — myself included — was fewer than 20.

The design of the 400-space garage is a bit of a gamble by City Hall. Unlike virtually every other developer presentation, this one started without elegant drawings of dreamlike buildings — those pastel renderings that belie the truth of the awkward and raw architectural products we see all around us.

This one started with an aerial photo of the current parking lot and one drawing of the ground floor plans that might be retail, commercial or maybe even residential (although nobody suggested that). In other words, this was like a blank sheet of paper: no façades; no elevations (exterior views); no preconceived or pre-baked plans.

The city's idea was to allow citizen input from Day One, maybe even Hour One, of the design process. Questionnaires were passed out seeking feedback on the exterior design. Unlike other design processes I have experienced, this one utilized local pictures. Citrus Square, the Palm Avenue parking garage, sites on Main Street and Palm Avenue and in other locales — like them or not? It was not a matter of "What is your favorite?" It was 12 choices for "like" or "dislike." Modern, retro, Disneyesque and more: Whadda ya prefer?

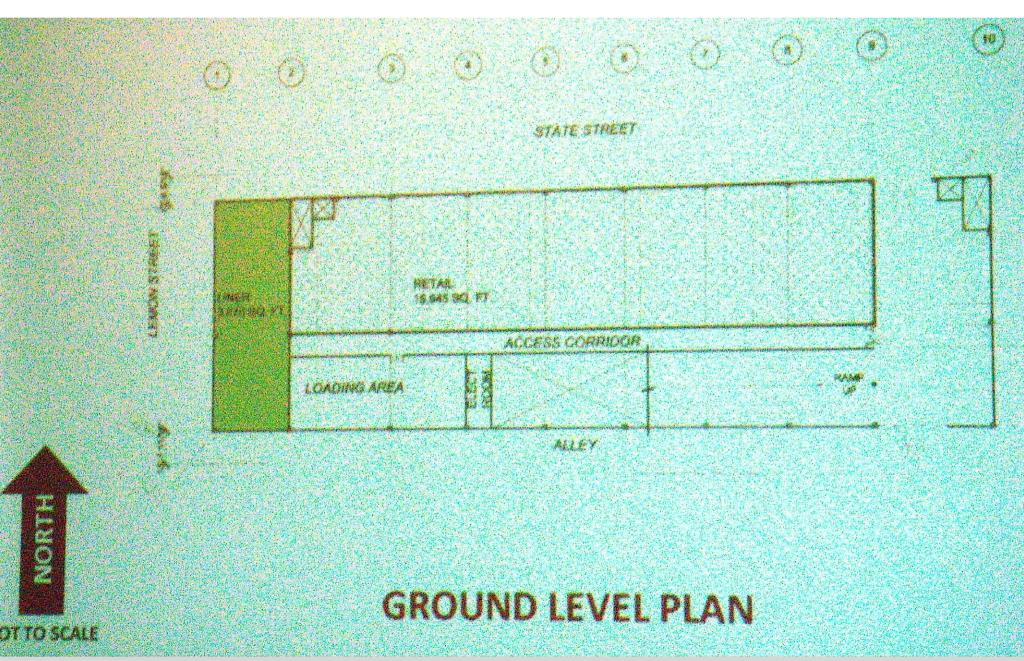
How wide a sidewalk do we want? Twelve feet? 20 feet? The more expansive sidewalk could be gained with no pain by eliminating parking on the south side of State Street. This is fundamentally a design for a parking garage, so killing 10 street spaces to pick up 400 in the building would not be a sacrifice.

Where will the elevator be placed? Do we park on a slope or flat slab? Is the roof reserved for parking in tropical swelter or could it be a green roof? Perhaps it could even be a pocket park or — gasp — a performing arts space?

Nobody said, 'No.'

### THE DRY DETAILS

There are parameters. The site is 43,000 square feet on State Street between Orange and Lemon avenues. The city is budgeting \$7.2 million to build it. And construction must be finished — over and done — by February 2015 under a complex contract between the city and the developers of Pineapple Square.



Aside from an image of the current parking lot, this was the only drawing offered to audience members. It shows the first floor of the proposed parking garage with shops, an alley to the rear and access from both State Street and Charles Ringling Boulevard. Photo by Stan Zimmerman

The project will include between 10,000 and 14,000 square feet of something besides parking on the ground floor. Most likely it will be retail, but other uses are possible, such as restaurants, offices and maybe even residential space.

Building designers call the site "tight." The parking specialist told me that about two-thirds of the parking spaces will be on a level slab, but the remainder will be on a slope. Because the depth of the building is constrained, there will be a double row of parking on one side and a single row on the other.

"The geometry dominates. The site is long but narrow," he said.

### A DOUBLE HANDFUL OF REMARKS

The very first public comment noted that Europeans have covered farmers markets in the centers of many towns. "I'd like to see that here," said one person. I echoed the comment later, suggesting the architects look at the Eastern Market on Capitol Hill in Washington, D.C., as an example of a covered urban produce market that has operated for decades and decades.

But advice offered over and over during the meeting was to include a housing component in the structure. "Could you add residential at the top?" asked more than one person.



Call them the designers of your future downtown. Fewer than 20 people showed up to discuss plans for the State Street parking garage. Photo by Stan Zimmerman



The Palm Avenue parking garage was designed with 'sails' to give it a distinctive look. Photo by Norman Schimmel

Secure bicycle parking was another idea — something more secure than the bicycle parking offered in the Palm Avenue garage. A You-Tube video from surveillance cameras shows a high-end bike being spirited away in 38 seconds from that "secure" space.

Because the city abandoned its downtown pay-for-parking plan, the State Street garage will be a public amenity, free for the taking. One person suggested the city could sell long-term parking permits. As a resident of an older condominium, his parking is constrained, he said, and he hoped the State Street facility could offer some relief.

Merchants who work near the site asked about construction staging. The erection of the 1350 Main condominium complex nearly bankrupted (actually did bankrupt) several Palm Avenue stores. The experience has created fear and dread in the hearts of all downtown retailers when they hear about planned nearby construction.

Merchants were told it is too early in the process — even the construction techniques have not been settled on yet — to know details about which trucks will park where for how long.

Ground should break for the State Street garage in February 2014, with a completion date by the very last day of that year. Between now and "golden shovel time," builder Rebecca Smith will arrange for more public comment. She has built more than 1,000 parking garages, and her team was there in the City Commission Chambers March 19 with blank pieces of paper, waiting to hear from the Sarasota public. Unfortunately, as with the election held on March 12, there were just a few of us interested enough for our voices to be heard.

Next month Smith will report to the City Commission about what the public wanted and what she can deliver. In mid-May, she will be back to face the public with more details, and she will ask again for further citizen guidance. If it is necessary, a third hear-the-public session is tentatively on the schedule.

I have written a lot about "overlay districts" recently — along the North Tamiami Trail, abutting Laurel Park, how they give "administrative site plan approval" to builders after one and only one meeting with neighbors using those pastel dreamy drawings.

The A.B. Morgan presentation on March 19—and the ground rules laid by the city—were as refreshing as a desert spring. Instead of "Oh, yeah; sure," it was, "Tell us more." And as refreshing as this was to a score of citizens, I detected it was a refreshing change for the professionals, too. They could drop the bait-and-switch tactics demanded by developers in the past and work their wings as well.

Maybe I am wrong. Maybe I was fooled. But I detected in the room the beginnings of a cooperative spirit. One of the presenters, Josh Harden, said, "This project will shape the city and the downtown area." Imagine that: Citizens and professionals shaping the future of the city and the downtown area together.

It has happened before, but just as the original New Urbanism Duany plan for the city was emasculated by builders and landowners, the process can come to a bitter end.

Hope springs eternal, and it is in fact springtime. Make no mistake: This is only a parking garage plan, but for one March evening, it was a breath of very fresh air — for very few people. SNL



Phoenix Academy is located off Shade Avenue in Sarasota. Photo by Rachel Hackney

### THE CLOSING OF A SARASOTA COUNTY SCHOOL FOR STUDENTS AT RISK OF DROPPING OUT IS PROPOSED AS A BUDGET-CUTTING MEASURE

#### **By Scott Proffitt**

Staff Writer

Barring the unexpected, Phoenix Academy will exist no more next year.

The public school opened in 2004 for students in grades 8 through 10 who needed extra academic assistance. With just shy of 200 youth

attending classes on a school-year basis, Phoenix has been historically underutilized since it was established, Sarasota County Schools Superintendent Lori White told the School Board during its March 19 workshop.

"Kids prefer to go to their district schools and be with their friends," she added.

"This has nothing to do with the quality of

nix Academy. But the per-student cost far exceeds other schools and is not sustain-

education at Phoe-

able," White pointed out.

Lori White Superintendent Sarasota County Schools

There is no low-hanging fruit. We

are cutting into the bone now.

All schools in the district offer extra help and specific programs for academically struggling students, district officials say.

However, some parents have felt Phoenix offered much-needed services.

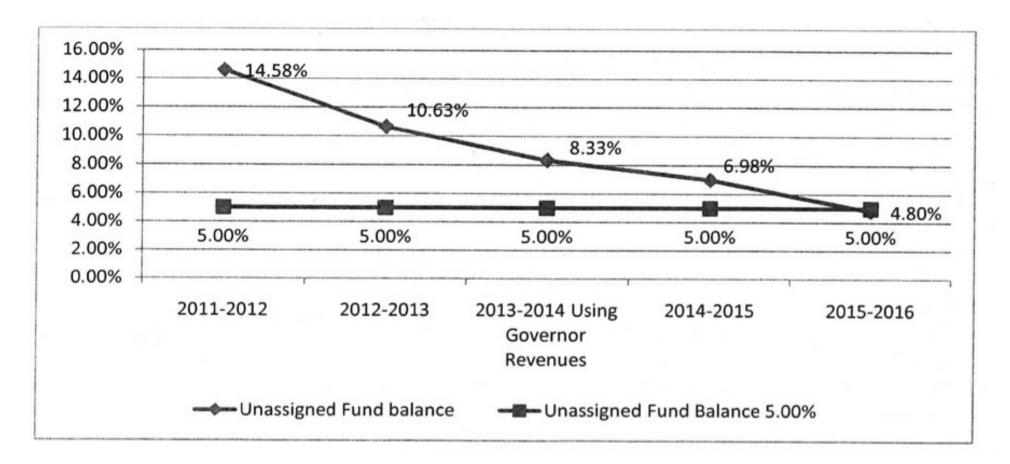
"My son needed help; his normal high school tried, but we saw no change until he went to Phoenix," a father who wished to remain anonymous told *The Sarasota News Leader*.

White explained to the School Board that the Phoenix teachers and other employees would be transferred to other schools; she anticipated no loss of jobs.

According to Al Weidner, the district's deputy chief financial officer, the cost per student at Phoenix Academy totals \$11,766, whereas the average cost for a middle school student in the district is \$8,622; for a high school student,



Sarasota County School Board Chairwoman Jane Goodwin (left) and member Carol Todd participate in a board workshop last year. File photo



A graph shows decrease in the Sarasota County School Board's reserve fund over the years. Image courtesy Sarasota County Schools

\$8,007. Weidner projected an annual savings of \$655,094 from the closing.

"I think this is a conservative estimate. The savings will exceed the \$650,000 annually," White added.

White made it clear that small schools such as Phoenix are always more expensive to operate per student than large schools.

"The process has been painful, but it's the absolute biggest responsibility we have," she added, referring to balancing the district's budget. "We cannot continue to rely on our reserves."

"We cannot afford to lose these students," said School Board Chairwoman Jane Goodwin, but she reluctantly agreed with White's plan. "I think we go forward," Goodwin added.

Board member Carol Todd objected. "We build programs, then we tear them down," she pointed out. Nonetheless, she also relented and said she would approve White's recommendation.

Formal votes on the next budget will come in July and September on a schedule set by the state.

"We have to budget based on what we have," said board member Frank Kovach. "The real estate bubble is a reality. We have to deal with it," he added.

The Phoenix Academy recommendation was one of more than two dozen proposed cuts presented to the board in an attempt to balance the budget for the 2014 fiscal year. White pointed out the district has been cutting the budget every year since 2007.

The total budget reductions in the last six years come to more than \$120 million, she said. The total district budget was about \$420 million in the 2007-2008 school year; it is less than \$375 million this year.

Still, the FY 2014 budget estimates, already in the red, "are not a worst-case scenario," White said, referring to the uncertainty of funding and mandates that might come out of the current session of the Florida Legislature, which began two weeks ago.

White told the board that the successive years of budget cuts had left her with painful, difficult and complicated options at this point, as she presented further recommendations involving trash pickup savings and Florida Power & Light energy rebate allocations. Her goal is to cut \$6 million from the budget, just to head off further use of reserves, she noted.

In the early 1990s the state held back funds from school districts because of its own losses during the national savings and loan debacle. The district had to let teachers go in the middle of the school year, according to White and Weidner. In subsequent lean years, the district had to borrow money to pay bills until local property tax revenue came in, they said.

At this stage, "There is no low-hanging fruit," White said. "We are cutting into the bone now." (SNL)



The City of Sarasota and the Sarasota Sailing Squadron plan to pursue creation of a kayak storage facility on City Island. Photo by Benreis via Wikimedia Commons

# KAYAK STORAGE FACILITY IDEA INCHES FORWARD; 'BOOM-CAR ORDINANCE' ENACTED; CITY AWAITS JUDGE'S DECISION ON 'CURE MEETING' FOR STATE STREET GARAGE BID RANKINGS

By Stan Zimmerman

City Editor

The City of Sarasota and the Sarasota Sailing Squadron inched closer this week to creating a place for people to store kayaks at what is described as the best place on Sarasota Bay to launch and recover the craft.

Squadron Commodore David Jennings presented the City Commission on March 18 with a set of schematic plans for a facility the volunteers would build on the old WSPB radio station property in Ken Thompson Park on City Island.

The squadron put the non-volunteer construction part of the project out to bid, received one response and is waiting for two more. The squadron would pay for the installation of the facility and collect rents until its expenses were repaid. Then the squadron would share the revenue with the city and county.

That will take a revised city-county interlocal agreement, which the city staff will work on. The city will also need to modify a 1993 ordinance banning leasing of any additional parkland to leaseholders. The Sailing Squadron has leased 9.5 acres of property on the island since 1958 for its clubhouse and storage and launching facilities.

Jennings said it would be far less expensive to secure the property than the individual storage racks. "I can't speak for my board, but I'm sure we'd be interested," he said.

The commission unanimously approved direction to staff to work on a separate 10-year lease for the kayak storage facility, rewrite the city's ordinance and pursue an amendment to the city-county interlocal agreement.



Sarasota Sailing Squadron boats are tied up at mooring buoys off City Island. Photo by Norman Schimmel

#### WALMART DENIAL CONFIRMED

In a formal but necessary step, the city commissioners approved a document confirming their denial of site plan approval for a Walmart Supercenter proposed for the old Ringling Shopping Center.

The document cites three reasons for the denial: inconsistency with the city's comprehensive plan, incorrect application of the zon-

ing code and incompatibility with the nearby neighborhood.

Once the document is signed by the mayor and certified by the city clerk and auditor, Walmart will have 30 days to appeal the city's decision. The document was approved 3-2, with Mayor Suzanne Atwell and City Commissioner Paul Caragiulo in the minority — the same voting pattern as in the original decision.

#### 'BOOM-CAR'ORDINANCE MODIFIED, ENACTED

The city's second attempt to control loud sound from vehicles was approved unanimously on March 18. The city shifted enforcement to a "plainly audible" standard. If a police officer can hear the sound from 50 feet away, the vehicle is in violation.

Upon a first offense, the officer can "warn" the driver. That warning — like a trespass warn-

ing — will stay in effect for 12 months. Any subsequent violation will result in a ticket.

The ordinance will go into effect April 1; it will apply between the hours of 10 p.m. and 7 a.m. on weekdays and 10 p.m. and 10 a.m. on weekends.

#### STATE STREET GARAGE SUNSHINE VIOLATION

A challenge to the city's award of a construction contract to a woman-owned company has voided the selection, and the city will be admitting to its violation of the Florida law governing open public meetings, the commissioners learned March 18.

City staff neglected to add in points that are awarded for a minority-owned business when considering the scoring sheet during a publicly advertised meeting. When staff added the points later as required by law — but in private — the action reordered the ranking significantly. Winner A.D. Morgan Construction was not even in the top four at the open meeting.

The project in question is the construction of the State Street parking garage.

On Friday, March 15, the selection committee held a duly advertised meeting and rescored all the applicants in the sunshine. City Attorney Bob Fournier believes the open re-scoring qualifies as a "cure meeting" under state law. A bid protest is possible from the losing firms, however; meanwhile, a judge will determine if the "cure meeting" was adequate or if the entire solicitation process is tainted and must be redone. The city is under a contractual deadline to finish the State Street parking garage or face penalties.

#### **HOMELESSNESS TASK FORCE DERAILED**

Good deeds sometimes do get punished. Responding to commissioner pressure to take action, any action, City Manager Tom Barwin late last year set up an *ad hoc* task force to tackle homelessness in Sarasota. He was new to town, still in his first 100 days.

The group met a couple of times before getting halted by a judge for violation of Florida's open meetings laws. Before its work was stopped, the group suggested the city hire caseworkers to inform homeless people of available social assistance. A budget was worked up, and a local foundation kicked in \$100,000. The proposal called for the city and county to contribute \$20,000 each.

While the task force work was halted, Barwin moved to put the plan in action, including listing on the March 18 agenda an item regarding the expense of the funds and the hiring of the caseworkers. On Friday, March 15, the judge in the public meetings case was asked to hold Barwin in contempt of court for taking action on a plan devised by a group the judge had already enjoined as acting illegally.

Barwin threw in the towel on March 18, pulling the spending plan from the City Commission agenda.



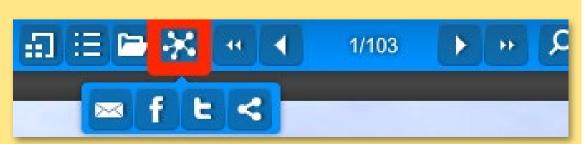
City Manager Tom Barwin speaks to the City Commission during his first meeting on Sept. 4, 2012. Photo by Norman Schimmel

City Attorney Fournier told the commissioners, "I would like to get the temporary injunction lifted and get on with it. That was made easier by the removal of [this] item on your agenda."

"The city manager can bring back the caseworkers when the injunction is lifted and hire a consultant and whatever other matters he may like," said Fournier. "Please indulge me and make a motion [not to formally establish the homeless task force]."

City Commissioner Terry Turner made the motion, which passed unanimously. SNL





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A graphic shows plans for a vegetation buffer along Siesta Key's Beach Road to shield stormwater project work from the public. Image courtesy Sarasota County

# THE COUNTY COMMISSION AGREES TO ALLOW MATERIAL EXCAVATED FOR A NEW SIESTA KEY STORMWATER RETENTION POND TO BE STOCKPILED FOR USE IN THE BEACH PARK PROJECT

By Rachel Brown Hackney Editor

The Sarasota County Commission vote was unanimous on March 19 to approve the stockpiling of excavated material from the Siesta Key stormwater project for use in the planned public beach park improvements. However, the vote came after one commissioner voiced ire over an engineer's error that led to bids

about three times higher than the original estimate for the stormwater work.

The board also voted unanimously to amend a contract with the

Southwest Florida Water Management District (SWFWMD) to extend the expiration date of a grant for the project until March 31, 2014, with the hope the district might be willing to increase the amount of funding it already has agreed to provide, to help make up the difference between the \$1.5 million estimate and

the recommended bid.

I still have a problem with the fact that we're eating \$3 million.

Joe Barbetta Commissioner Sarasota County "At the time that SWF-WMD put the grant out there [Feb. 12, 2008]," Commissioner Nora Patterson said, the amount "was about

two-thirds of the cost of the project, and I gather that they must have valued the project highly."

When she asked whether SWFWMD might consider increasing the grant above the current \$975,000 limit, Program Manager Carolyn Eastwood explained that staff already had been corresponding with SWFWMD on that point. "They've asked for some additional information in regards to the benefits of the project," Eastwood added, as well as information about the bids the county received.

"They haven't indicated a 'Yes' or 'No' answer," Eastwood noted.

The county's Procurement Department has recommended the project be awarded to Forsberg Construction Inc. of Punta Gorda, whose bid was \$4,550,683.28. Eastwood said the commission is scheduled to vote on that bid during its April 23 meeting.

During their presentation to the board, Eastwood and former Project Manager Spencer Anderson provided a history of the project, noting it was conceived in 2005 after "no swim" advisories had to be issued on Siesta Key Public Beach because of bacterial counts in the Gulf of Mexico deemed unsafe by Sarasota County Health Department staff.

The high bacterial levels were linked to stormwater runoff.

"I still have a problem with the fact that we're eating \$3 million," Commissioner Joe Barbetta told Eastwood, referring to the higher bids the county Procurement Department received on Jan. 23. "It's pretty bad when you're off by that amount on a \$1.5 million estimate," he pointed out. "It's *unconscionable*, but we're between a rock and a hard place, and the community needs to know that to correct the problems out there and move forward ... we have to eat this. But it's horrible."



A photo shows about 5 feet of fill material covered in grass at the temporary location of Fire Station 9 at the intersection of Apex Road and Palmer Boulevard. Image courtesy Sarasota County

In a Feb. 13 memo to the County Commission, staff explained that Erickson Consulting Engineers of Sarasota worked on the part of the project involving construction of an outfall pipe in the Gulf of Mexico — "the most challenging portion of the pipeline," according to the memo. Erickson estimated the cost at \$681,475. The corresponding cost in the lowest bid the county received — which staff had to reject because the firm lacked appropriate qualifications — was \$2,291,200, the memo noted.

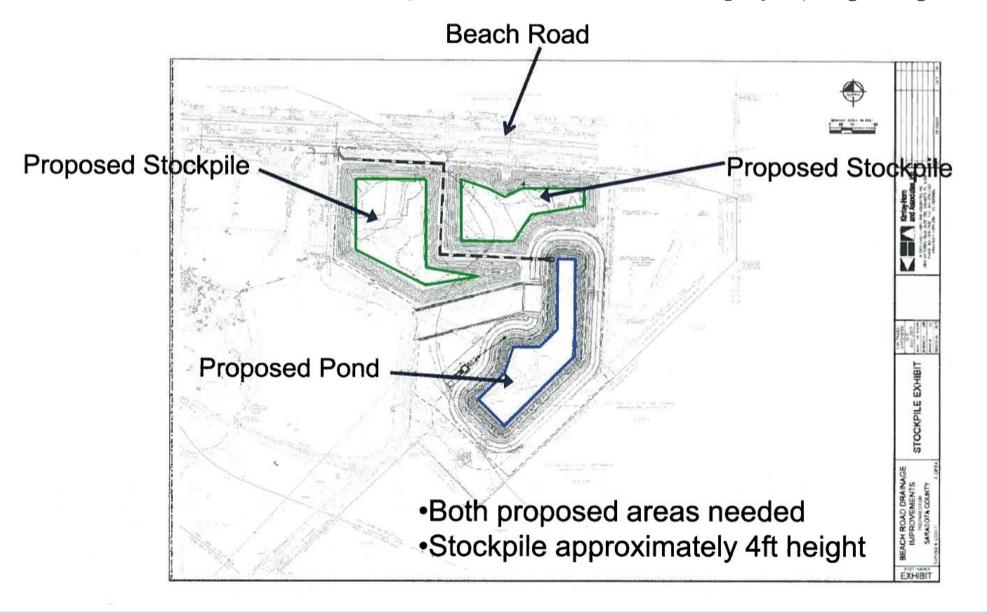
"I still have some serious problems with how the error occurred," Barbetta told Eastwood. "It's a major error."

Eastwood responded that staff had met with representatives of the County Attorney's Office to discuss the possibility of a legal remedy. "We don't have a recourse contractually," she told Barbetta. Nonetheless, she said, Erickson had indicated a willingness to forgo its fee for the portion of its contract involving the estimate.

"How about malpractice insurance?" Barbetta asked. "I don't want to roll over on this," he added. "The taxpayers cannot afford to eat \$3 million."

"The estimate is just that — an estimate," Eastwood responded. "Absolutely, it was not done well."

When the bid recommendation comes to the board next month, Commissioner Christine Robinson told Eastwood, "I would like to see the domino effect all the way down to the last dollar and the last project," regarding other



county work that will be delayed by the reallocation of funding to cover the shortfall in the stormwater project funds.

"Make sure I have a big clear picture of where this extra \$3 million is coming from," Robinson added.

#### STOCKPILING THE DIRT

In regard to the 26,000 cubic yards of spoil material that would result from excavating the new stormwater retention pond, Eastwood explained that if the County Commission agreed to stockpiling about 10,000 cubic yards of it for approximately one year next to Beach Road, that would save the county about

\$378,000 when it is ready to start on improvements at the Siesta Public Beach park.

Additionally, she said, the number of dump truck trips needed to remove the material would be reduced by 670. Likewise, she noted, 670 fewer dump truck loads would be required to bring fill onto the island for the park project. Altogether, the key would see 1,340 fewer dump truck trips for the projects.

The stockpile, which would be about 4 feet high, would be seeded for erosion control; it would cover about 2.5 acres. "It's really going to look more like a grass berm," Eastwood pointed out.



Carolyn Eastwood/Photo by Rachel Hackney

"I know no one wants a mountain out there," Commissioner Charles Hines said, though he cautioned staff to be sure only 10,000 cubic yards would be needed for the improvements at the beach park. It would be costly to underestimate the amount of fill and end up again paying more than estimated, he pointed out.

"I'm sure we can address that with our consultant," Eastwood replied.

When Hines then asked whether more money could be saved by finding a use for the rest of the spoil material, Eastwood explained that the remainder would be hauled to Nathan Benderson Park off University Parkway, where construction is under way on an international-level rowing facility. "They have a significant need for additional fill for that project," she noted.

In response to questions from Patterson, Eastwood pointed out that a vegetation buffer of about 20 feet would be maintained "right next to Beach Road" until work on the park improvements necessitate clearing that area for new tennis courts.

"I want to know what we're cutting down to facilitate the project," Patterson told her.

About 95 percent of the affected trees would be exotic species, mostly Australian pines, Eastwood replied. However, some Brazilian pepper trees and some cabbage palms would be included, she said.

When Hines asked whether the trees would have to be removed even if the commission nixed the idea of stockpiling the spoil material, Eastwood said that was correct. An 8-foot-high, temporary construction fence would help obscure the park improvements from Beach Road once they were under way, she added.

Chairwoman Carolyn Mason asked, "How are we communicating with the residents out there about this issue?" Her primary concern, she added, "is that we make some real extra special efforts to communicate with the residents about what they can expect."

Eastwood said staff could do that.

Patterson suggested Eastwood and her team contact the condominium complexes closest to the project site and ask the managers to distribute a letter with information for their owners.

Robinson also asked that the county website include detailed information about the work.

#### **BEACH ROAD ITSELF**

Patterson took the opportunity during the discussion to clarify whether the stormwater project will improve drainage on Beach Road.

Curtis Smith, the project manager, explained that the initiative would reduce or eliminate the tidal influence on the road's drainage system. Sometimes when the tide is very high, he added, water from the island's Grand Canal rises enough to flow into the stormwater treatment system. "So [the project] will help to minimize [that]."

Smith confirmed that it would not reduce the level of water standing on Beach Road during periods of heavy rain, for example, a situation that often draws complaints of residents and visitors to Siesta Key.



Commissioners Joe Barbetta and Christine Robinson listen to a presentation on March 19. Photo by Rachel Hackney

### THE COUNTY COMMISSION EVALUATES THE COUNTY ADMINISTRATOR AFTER HIS FIRST YEAR ON THE JOB

By Rachel Brown Hackney

Editor

During their evaluation of Sarasota County Administrator Randall Reid on March 19, all the county commissioners voiced a desire for better communication between staff mem-

bers and themselves, though they acknowledged that Reid had a number of challenges before him when he took the position in January 2012.

Chairwoman Carolyn Mason led off the comments, noting that she had given Reid an overall rating of "Satisfactory."

"I had a couple of issues," she pointed out.

"The big one centers around communication and he and I have talked about that."

Mason added, "I look forward to working with Mr. Reid and his staff, not just on communication issues" but on a variety of ways to

I think things have gotten better, but the 2,000 employees that are out there are supposed to be public servants and they are reflective of us. In the community, we're on the front line, hearing what's going on.

> Joe Barbetta Commissioner Sarasota County

make Sarasota County Government "a better place for everyone."

Commissioner Joe Barbetta was more critical, though he pointed out he also had rated Reid's performance "Satisfactory" for 2012.

"I think things have gotten better," Barbetta said, adding, "but the 2,000 employees that are out there are supposed to be public servants and they are reflective of us. In the community, we're on the front line, hearing what's going on."

Nonetheless, Barbetta continued, "I think the vast majority of the employees are great employees. They understand their role. They're honest, ethical ... but there is still a culture in this organization ... and it still permeates a lot of things and unfortunately it is in some key departments."

For example, Barbetta pointed out, earlier that day, he and other commissioners had voiced consternation over a consulting engineer's error in estimating part of a project cost, which had resulted in bids coming in about three times higher than expected.

He also complained that some staff members continue to delay bringing to the board updates requested on issues.

"I think it's incumbent upon staff to be proactive, not reactive," he said.

Still, Barbetta continued, "I know it's a big ship to turn around," referring to county government. "I know Mr. Reid inherited some serious problems."

Reid's move to bring in assistant administrators had been a great one, Barbetta pointed out. "They've hit the ground running."



Commissioner Nora Patterson asks a question during the March 19 regular meeting.

Photo by Rachel Hackney

Commissioner Christine Robinson concurred: "You made some excellent hires," she told Reid. "They've taken a real fresh look at some of the problems ... and really ... helped turn some of that round."

Moreover, Robinson said, "I'm really glad to see your emphasis this year on accountability. ... It's been a problem since I stepped into office" in late 2010.

However, she continued, "Communication is the biggest problem for me as well. Communication needs to flow past you to the commission."

#### **STAFF ACTIONS**

Robinson also pointed out that while County Attorney Stephen DeMarsh and his staff "pop into our offices all the time" to answer questions, "for whatever reason, [other] staff doesn't feel the ability to do that, and I'm not sure why. They feel the need that everything has to be formalized now," which causes de-

lays in the transmission of information, she pointed out.

Both Robinson and Commissioner Charles Hines rated Reid "Above Average," while Commissioner Nora Patterson rated him "Excellent."

"Staff used to pop in to see us rather frequently on stuff that we had brought up," Patterson said. "They're just starting to again."

Patterson said staff members had told her they had been given the impression they should not just stop by the commissioners' offices to speak with them on an informal basis. "So somehow there's been miscommunication between several administrators and staff" on that point, she added.

"I know absolutely after Mr. Ley left and Mr. Bullock left, there were ... several people who lost their jobs before Mr. Reid even came,"

she noted, referring to former County Administrator Jim Ley and his deputy administrator, Dave Bullock.

Additionally, "There is a bit of a paranoia, I think, still lingering with staff when they present to us," she continued. When commissioners questioned staff members strongly on a topic, Patterson said, some felt their jobs "may be on the line."

She also pointed out that the commissioners used to learn about matters such as sewage leaks before the news went public, so they were able to respond appropriately. Likewise, Patterson said, Ley used to let the board members know whenever a member of the news media was asking about a particular topic. She indicated that the commissioners should be patient. "I'm sure Mr. Reid's already making efforts to bring some better comfort level [on those points]."



County Administrator Randall Reid listens to a speaker during the March 19 meeting. Photo by Rachel Hackney

Turning to Reid, she said, "Overall, I think you've done a really good job. ... I think your goal has been to put things back on an even path."

She added, "I do think that 99 percent of our staff are hard-working folks who do see themselves as public servants and do try every day to do a decent job, and that's probably attributable to the upper-level staff."

Hines joined Robinson and Barbetta in commending Reid for the quality of the assistant administrators he had hired. "You've put together a phenomenal team that's doing a great job," Hines said, adding he was sure Reid had told his new assistants before they came on board, "You're not walking into a perfect place."

Hines said to Reid, "Now this is your year and your staff's year to shine and address some of these issues that have been presented."

He also noted the nervousness of some staff members in addressing the commission during meetings. Employees need to understand that questioning is not personal, Hines said.

"When it becomes personal to me is if bad news is not brought to us ... or held back out of fear," he pointed out.

Reid thanked the commissioners, adding he had enjoyed his first year and acknowledging, "It has been a challenge."

He said he would be happy to talk with them in a retreat setting about ways to improve communication. Finally, Reid told them, "We have a lot of employees that work very hard, and they have had a difficult year."

#### **SELF-EVALUATION**

In a Feb. 20 memo to the commissioners, Reid presented a self-evaluation.

He pointed out that when he was hired, county government had been wracked by the Procurement Department scandal that erupted in 2011, and staff had been disrupted "by the loss of top executive leadership ..."

He noted he had to "address employees who often exhibited a sense of malaise, paranoia and confusion ..."

His primary goal for 2012, he continued, is "rebuilding the leadership capacity, culture and organizational pride" of an entity that had been known as a premier county government.

As an administrator, he added, he has utilized "candid conversations and coaching at all levels of the organization" to put the focus on "cultural changes and technical skills required to rebuild the leadership and managerial capacity to again excel as a premier public service provider. My initial year's efforts remain a work in progress; each new review of procedures or problems showed us weekly, candidly, we were a weaker organization than I first imagined."

In his conclusion, Reid wrote, "These are challenging times in our county's history but I hope we are on the mend as our local economy slowly improves and the negativity of the past [is put] behind us."



Often the arena was a scene of controlled chaos, as robots needing 'medical attention' were helped off the field and new competitors rolled their robots into place. Photo by Scott Proffitt

### AFTER A REGIONAL WIN IN ORLANDO, THE JUNGLE ROBOTICS TEAM IS RAISING FUNDS FOR ITS TRIP TO THE BIG COMPETITION IN ST. LOUIS

**By Scott Proffitt** 

Staff Writer

The stadium reverbated with the chants and foot stomping of exuberant fans. Face paint was in no short supply; nor were costumes and shows of team colors. The decibel level was a constant reminder for those of us of a certain age that earplugs would have been a good idea, as screams for teams reverberated off our ear drums.

Perhaps the biggest clue for a casual observer that this was not another basketball, football or volleyball game was the fact that the "players" on the field were all a bit different. They were robots.

Competitions like the recent one in Orlando have been going on for 22 years now, involving

16 countries and more than 50,000 students: all building robots, programming, problem solving and having fun.

From NASA to Microsoft to GM, corporations see the youthful participants as the workforce of the future, and they back that up by providing more than 750 scholarship opportunities for the participants.

Three days of pitting contraptions against each other that were designed to throw Frisbees and climb a pyramidal jungle gym winnowed down the teams that would move on to the Nationals. This was the Orlando Regional FIRST (For Inspiration and Recognition of Science and Technology) Robotics competition.

Six weeks earlier, youth all over the world received the specifications for the machine they had to build, along with details about the nature of the competition.

In Orlando, creativity was the order of the day as a myriad of approaches to solving the challenges created entertainment — and amazement. Observers watched as a multitude of machines literally ran around — some throwing discs, others climbing — to see which dominated or devastatingly failed. The rules were complex, with different slots worth different points for sailing the Frisbees through; the distances for the throws added more variations to the point mix. Defense and offense of the opposing teams came into play as well. Suffice it to say the screams of the crowd usually were the best way to judge who was winning.

In this regional competition in Orlando, 62 teams were present. Most were from Florida, but some from the Dominican Republic, Bra-

zil, Massachusetts, Germany and elsewhere competed against the regional teams.

Teams from all over the globe will be at the Nationals — as will the Sarasota team, Jungle Robotics, as reported last week in *The Sarasota News Leader*. The local team won the prestigious Chairman's Award, the highest regional honor a team can earn. This automatically sends the members to the National Robotics competition in St. Louis on April 24.

The Chairman's Award recognized the local team's efforts in promoting science, technology, engineering and mathematics — referred to as STEM, and a key component of planning and discussions regarding the future of education.

The local team made presentations at Sarasota County schools and engaged in a variety of community promotions and charitable projects aimed at enhancing awareness of the robotics program, particularly in the schools.



Most of the students met after school four or five days a week, and all day on Saturdays, to build and rebuild and program and repair their 'baby.' Photo by Scott Proffitt

The team is composed of students from Pine View School, Riverview and Suncoast Polytechnical high schools, and the Out-of-Door Academy. Participation is open to students from any school in the county. Allowing youth to participate regardless of whether they are in a public, private or charter school has only enhanced the reputation of the program, FIRST representatives say.

The teacher and team sponsors, including Drew Wormington from Sarasota County Technical Institute and Mat Krotic from corporate sponsor JC Penney, were of great assistance to the team as well, which works under the guidance of Laura O'Connell, the captain.

Although the participants' spirits are high after their victory in Orlando, they are going to have to raise funds to make the trip to St. Louis.

Anyone wishing to help may contact Drew Wormington through his email, drew\_wormington@sarasota.k12.fl.us or digitalmuppet@gmail.com. SNL



Teacher/sponsor Drew Wormington takes in the victory. Photo by Scott Proffitt



Property owners on St. Armands Circle are engaged in their own election. Photo by Norman Schimmel

#### **ANOTHER ELECTION UNDER WAY ON ST. ARMANDS**

In the middle of the biennial election cycle for Sarasota city commissioners, the St. Armands Business Improvement District is holding an election of its own — but only property owners get a vote.

The district's charter is expiring, and the 57 property owners must decide if they want to continue it for another decade. The district raises about \$200,000 in extra property tax revenue each year for promotion and a high-

er degree of maintenance. For example, while the city pressure-washes the sidewalks twice a year, the district can pay for more frequent cleaning of them.

Ballots are due April 2, and the counting will take place the next day at 10 a.m. in the Sarasota City Auditor and Clerk's Office in City Hall.

Stan Zimmerman

#### **COUNTY LIBRARIES AND AARP OFFER FREE TAX RETURN ASSISTANCE**

Sarasota County libraries and the American Association of Retired Persons (AARP) are partnering to offer free assistance with the preparation of 2011 tax returns through April 17, the county has announced.

AARP Tax-Aide volunteers are available to assist with filing federal returns at the following libraries:

- Fruitville Library, 100 Coburn Road, Sarasota: Monday through Thursday, 10 a.m. to 1:30 p.m.
- Jacaranda Library, 4143 Woodmere Park Blvd., Venice: Monday and Wednesday, 10 a.m. to 4 p.m.

• Selby Library, 1331 First St., Sarasota: Monday through Thursday, 2 to 6 p.m.

AARP Tax-Aide, which would usually be offered at Gulf Gate Library during tax season, has relocated to the Chelsea Center at 2506 Gulf Gate Drive, east of St. Thomas More Church, a news release says. It will be offered on Wednesdays from 9 a.m. to 3 p.m. and Fridays from 10 a.m. to 4 p.m.

For more information, contact the Sarasota County Call Center at 861-5000, or visit the libraries' website at www.sclibs.net and click on "Taxes."

#### SHERIFF'S OFFICE SEEKING INFORMATION ABOUT DEATH IN PINECRAFT

The Sarasota County Sheriff's Office has identified the man found dead near the intersection of Fry Street and Carter Avenue in the Pinecraft area of Sarasota the morning of March 20.

A deputy who had responded to a separate call in the area found the body of Steven B. Palasz, 44, of 1350 File Ave., Sarasota, around 3:30 a.m., according to a Sheriff's Office report.

Detectives have confirmed his death is a homicide and are continuing to investigate the crime, the report adds.

Anyone with information is encouraged to call Criminal Investigations at 861-4900 or leave an anonymous tip with Crime Stoppers by calling 366-TIPS (8477); going online at www. sarasotacrimestoppers.com; or sending a text message by texting TIP109 plus a message to CRIMES (274637).



The Sarasota County Sheriff's Office is investigating the death of a man who lived on File Avenue in Pinecraft. Photo by Rachel Hackney

#### SARASOTA COUNTY WEBSITE WINS 'SUNNY AWARD' FOR TRANSPARENCY

Sarasota County's website, www.scgov.net, has been named a "Sunny Award" winner by the editors of Sunshine Review as one of the most transparent government websites in the United States, the county has announced.

The county's website scored an A-transparency grade on Sunshine Review's transparency checklist, a county news release says. Only 11 of 67 Florida counties received an A category grade, the release adds.

"The website scored high marks for providing budget information, meeting schedules and agendas, contact information for elected officials and administrators, online bids, financial reports and audits, building permits and zoning information, public records and

a procedure for public records requests, as well as local tax information and property tax allocations," the release notes.

Sunshine Review is dedicated to state and local government transparency. The nonprofit organization collects information and uses a 10-point "Transparency Checklist" to evaluate the content of every state website and more than 6,000 local government websites, the release points out. Additional information about the rankings is available from the organization online at http://sunshinereview.org.

For more information about the Sarasota County website, contact the Sarasota County Call Center at 861-5000 (TTY: 711) or visit the website at www.scgov.net.

#### NEW COLLEGE HOSTING PROGRAM ON SEA LEVEL RISE IN FLORIDA

On March 27 at 5:30 p.m., New College of Florida will host a program titled, Sea Level Rise in Florida: Is it Time To Start Building the Ark?

World-renowned climate scientists Pier Vellinga and Henry Pollack will discuss the latest science and predictions for sea level rise in Florida, a news release says. They will include information about the factors that affect sea level and how those factors produce changes that are different from place to place, the release adds.

"If sea levels continue to rise in Florida as predicted, how might we adapt to or mitigate the risks to our natural and built environments? What approaches are being tried in other parts of the world?" the release says.

"Vellinga and Pollack will share their knowledge and experience with examples from the Netherlands, Australia, Vietnam, the Mekong Delta, the cities of Venice and London and the East, West and Gulf coasts of the United States," the release notes.

Vellinga is a professor in climate change and flood risk at Wageningen University and in climate change and societal implications at the Vrije Universiteit in Amsterdam. Pollack is professor emeritus of geophysics at the University of Michigan.

The program will be in the Mildred Sainer Pavilion, located at 5313 Bay Shore Road. Tickets are \$15 for the public; the program is free for New College students, faculty and staff.

Reserve space online at donate.ncf.edu/events or call 487-4888.

#### **36-HOUR GIVING CHALLENGE RAISES NEARLY \$2.8 MILLION**

The 36-Hour Giving Challenge, the online philanthropy event which took place on March 5-6, raised more than \$2.78 million to benefit the 287 participating charitable organizations in Charlotte, DeSoto, Manatee and Sarasota counties, the Community Foundation of Sarasota County has announced.

Equally exciting for the organizers was the 65 percent increase in the number of gifts made over last year, a news release notes. "This year, 17,626 donations were made from all 50 states and 42 countries, expanding the area's donor pool and raising significant awareness of the work done by our local charities," the release adds.

The 36-Hour Giving Challenge was presented by the Community Foundation of Saraso-

ta County in partnership with The Patterson Foundation, with support from Gulf Coast Community Foundation, Manatee Community Foundation, Charlotte Community Foundation and the William G. and Marie Selby Foundation.

"It was incredible to see the community rally around the Challenge with enthusiasm, embracing the Internet and social media, along with more traditional fundraising tools," says Roxie Jerde, president and CEO of the Community Foundation, in the release. "Competition can be a derogatory word but, in this case, it was really a positive. It has motivated people to give, and learn about our area's nonprofit impact through The Giving Partner profiles," she added in the release.



Staff members from the Community Foundation of Sarasota County with performers from Circus Sarasota. Contributed photo

In addition to online donations, the participating nonprofits — all of whom have profiles in The Giving Partner, an online tool which helps enable donors to make more informed decisions about their giving — were going for their share of \$430,000 in 1:1 matching support for new and increased gifts over the last Challenge, and \$215,000 in grant incentives and special prizes.

An event such as the Challenge, with such wide exposure, "serves as a powerful donor cultivation tool," the release notes. "And with a \$25 minimum gift, anybody can be a philanthropist to any cause that touches their heart," it adds.

"With the total number of gifts climbing from 10,700 in 2012 to more than 17,600 this year, we know new donors played a big role in the success of the 36-Hour Giving Challenge," said Debra Jacobs, president and CEO of The Patterson Foundation, in the release. "Imagine the connecting possibilities ahead as the or-



(From left) Linda Desmarais, general manager of SNN Local News, and Debra Jacobs, president and CEO of The Patterson Foundation, during the 36-Hour Giving Challenge closing party. Contributed photo

ganizations thank these generous individuals. No doubt both donors and organizations will find ways to stay engaged in these missions that make our region vibrant," she added.

#### **ANNUAL EAT LOCAL WEEK RUNS MARCH 22-29**

Greater Sarasota's Eat Local Week, an annual celebration of the best of local food and farming, will take place March 22-29 at various locations throughout Sarasota and Manatee counties.

Headlining this year's festivities will be Woody Tasch, founder and chairman of the national nonprofit organization Slow Money, whose mission is to spur investment in local food systems, a news release says. Since its inception four years ago, 17 local chapters have been established and more than \$21 million has been invested into 180 small food enterprises nationwide, the release notes.

The members of the lead organizer of Eat Local Week, Transition Sarasota, say they hope Slow Money will take root in Southwest Florida, according to the release.

"Slow Money may just prove to be the missing link between consumers who are demanding more local food and the entrepreneurs who hope to provide it," said Transition Sarasota Executive Director Don Hall in the release.

Tasch will present the keynote lecture titled, Slow Money: Investing as If Food, Farms, and Fertility Matter, at the Ringling College of Art and Design's Academic Center Auditorium on Saturday, March 22; he will provide a

more in-depth briefing for potential investors the following day, the release continues.

Among other Eat Local Week events will be farm tours, an art exhibition, gourmet dinners, food and gardening related workshops and an old-fashioned country barn dance, the release notes. More information about Eat Local Week may be found online.

The mission of Transition Sarasota, part of the worldwide Transition Movement, is to act as a catalyst for rebuilding local community resilience and self-reliance in the face of peak oil, climate change, and economic crisis, the release points out.

#### **COMBATING OBESITY TO BE THE TOPIC OF MARCH 27 PROGRAM**

During Sarasota County Wellness Coalition's seminar on March 27, local health and fitness experts, armed with a "best practice" toolkit to combat obesity, will highlight practical ways to make behavior changes to help people achieve healthful lifestyles, Sarasota County has announced.

The free seminar, titled, *Healthy Sarasota County 5-2-1-0: What It Is and Ways to Use It*, will take place from 9 to 11 a.m. on Wednesday, March 27, in the Commission Chambers on the first floor of the Sarasota County Administration Center, 1660 Ringling Blvd., Sarasota.

"The program will highlight the vision for our community known as Healthy Sarasota County," a news release says. A panel of experts will address each element of the Healthy Sarasota County 5210 Initiative, the release notes. The presenters will be Kari Ellingstad from the Community Health Improvement Partnership (CHIP); Adriel Zahniser and Heather Brunette from Sarasota County Schools Food and Nutrition Services; Jennifer Tucker-Mogensen of the South County Family YMCA; Jessi Neitzel of Tidewell Hospice; and Andrea King of Sarasota County Parks and Recreation.

Results from the CHIP survey show that in Sarasota County the percent of overweight

adults increased from 32.3 percent in 2006 to 34.3 percent in 2010, and the percent of obese adults increased from 20.3 percent in 2006 to 21.2 percent in 2010, the release points out. Health officials say that achieving a healthy weight is a critical public health objective.

"According to empirical research conducted by the Centers for Disease Control and Prevention, health and well being is largely determined by the lifestyle choices people make every day. For many, the decisions about what to eat, drink and ingest are automatic," the release notes.

"The 5-2-1-0 initiative is a tested message that has proven successful in several other communities in the U.S.," the release adds. The message promotes five fruits or vegetables daily; no more than two hours of recreational screen time daily; one hour of physical activity daily and no sugary or sports drinks, including Gatorade.

For more information or to register for the seminar, contact Linda Glover at 927-9000, ext. 32101; or via e-mail at Linda\_Glover@doh.state. fl.us. Visit The Sarasota County Wellness Coalition's website at www.sarasotawellness.org. For more information about Healthy Sarasota County, visit www.HealthySarasota.com.

#### RESIDENTS REMINDED TO USE SLOW-RELEASE FERTILIZERS

In accordance with Sarasota and Manatee counties' urban fertilizer ordinances, the Sarasota Bay Estuary Program (SBEP) is reminding residents to use fertilizers with a minimum of 50 percent slow-release nitrogen if they fertilize their lawns or flower beds this spring.

Slow-release products (also called controlled-release or timed release) feed lawns and plants gradually and for a longer period of time, an SBEP news release notes. "They are more easily absorbed by the plants and

less likely to become stormwater runoff after heavy rains."

SBEP also is reminding residents that local ordinances prohibit fertilizer application in the summer months — from June through September. "Too much fertilizer has an adverse impact on water quality and aquatic life, the release adds.

Learn more by visiting the Be Floridian website at or the SBEP website.



The Sarasota Bay Estuary Program is reminding residents to be careful in their use of fertilizers, to protect the quality of area waters. Photo by Norman Schimmel

#### **COMMUNITY CONVERSATION TO FOCUS ON ELECTION REFORM**

WSLR FM 96.5, Sarasota's community radio station, is reaching out to engage the public in a series of conversations on issues facing Florida.

The programs will continue from 6 to 8 p.m. on the last Thursday of each month through April at the Fogartyville Community Media and Arts Center (525 Kumquat Court in Sarasota), the station has announced. The first hour is "a fairly structured conversation between a moderator and several guests knowledgeable in the area being discussed," a news release notes. That hour is broadcast live on WSLR 96.5 FM at 6 p.m. At 7 p.m. the audience members are invited to share their insights and join the conversation with the featured guests.

The next Community Conversation will focus on election reform. It will be offered on Thursday, March 28. Featured guests will be Susie Copeland, president of the Manatee County NAACP; Pat Price, past president of the League of Women Voters of Sarasota County; and Donna Cubit-Swoyer, board member of the Sarasota Alliance for Fair Elections.

This event is being co-sponsored by the Sarasota Chapter of the NAACP, the Sarasota League of Women Voters, *The Sarasota News Leader* and the ACLU of Sarasota/Manatee. Cooper Levey-Baker, associate editor of the *News Leader*, will moderate the conversation.

The Focus on Florida Conversation Series is free and open to the public. Those who attend are welcome to bring snacks or dinner, the release says. Beverages will be available for purchase.

#### 18-YEAR-OLD ALLEGED VEHICLE BURGLAR CAUGHT IN THE ACT

The Sarasota County Sheriff's Office has arrested an 18-year-old vehicle burglar who was caught in the act by a vigilant neighbor, the office has announced.

A man on Lahaina Drive in Sarasota called 911 around 10 p.m. on March 19 to say he and

another man were holding Austin Pokornik, of 3647 Bali Drive, inside a vehicle that Pokornik allegedly was burglarizing, according to the report.

The man, who was awakened by his barking dog, said he saw Pokornik try the door handles of different vehicles in the neighborhood, breaking into those that were unlocked, according to the report.

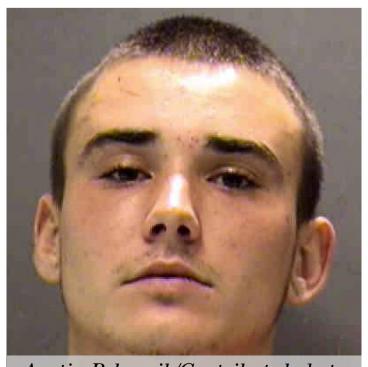
A deputy recovered a small bag of makeup on the sidewalk about 20 feet from a van whose passenger side door the resident said he saw Pokornik open, the report notes.

Pokornik had a plastic pellet gun in his right

pocket at the time of his arrest, the responding officer reported.

Pokornik is charged with two counts of Burglary, four counts of Attempted Burglary and four counts of Possession of Burglary Tools. He is also charged with violating his curfew, which was a condition of his probation for a prior burglary arrest,

the report notes. SNL



Austin Pokornik/Contributed photo

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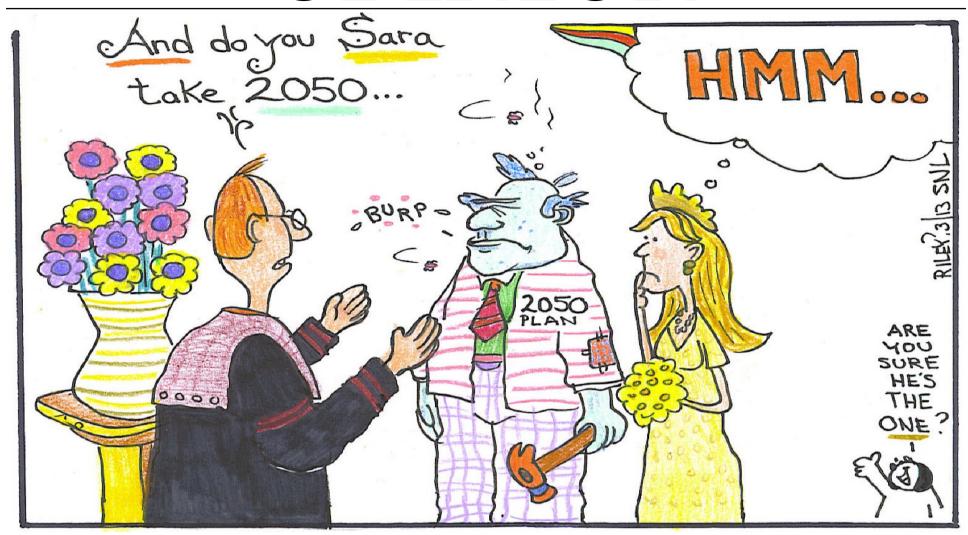
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## **OPINION**



#### 'JON, WE HARDLY KNEW YE'

Term limits — like Florida Gov. Rick

Scott — constitute *prima facie* evidence that voters sometimes make abysmal decisions. Term limits were the result of one of those tsunami-like political trends that sweep periodically through the public consciousness. But term limits have had a pernicious impact on democracy and good government.

Conceived as a way to get rid of entrenched career politicians, probably by their aspiring replacements, term limits have done nothing to improve government at the state or local level. Instead, arbitrarily casting seasoned politicians out of office has eliminated the institutional knowledge possessed by office holders, making their novitiate replacements dependent upon staffs for guidance on complex issues. Those staff members, themselves

mostly self-serving bureaucrats, often turn to the only remaining cadre of institutionally experienced cognoscenti — the lobbyists.

Lobbyists serve their masters. They are not elected by the public — although they frequently are former politicians intent on cashing in on their time in office — and they are not responsible to, nor do they care about, the citizens of the state or locality in which they ply their nefarious trade. Their bribes ... ahem, their *donations* ... have become the lubricious lucre that greases the machinery of government.

At both the state and local level, term limits have had the unfortunate effect of virtually handing the reins of power over to these unelected political incubi. And, as the citizenry figuratively sleeps, the lobbyists have their way with the body politic.

## **OPINION**

No better example exists of this unfortunate result than the recent departure from the Sarasota County Commission of Jon Thaxton. While no one — and most certainly not we — would characterize Thaxton as a liberal, he deserved his reputation as an advocate for limiting growth in the county, particularly controlling development in the more pristine areas of the county east of Interstate 75.

His forced exit from the County Commission as a result of term limits was a loss compounded by his replacement, Charles Hines. Hines, an attorney, has many ties to the development community. Indeed, disgraced Republican official Bob Waechter, the head of a real estate management company, strongly supported Hines during the campaign, referring to him in a letter at the time as someone with a "strong property rights and business philosophy," and calling Hines' replacement of Thaxton "an opportunity for a seminal shift on the Board of County Commissioners."

Now that "seminal shift" is being put to the test, as developers in Sarasota County — many of whom supported Hines in his bid — pressure the commission to make 38 revisions in the Sarasota County 2050 Plan. The development community is arguing that the 2050 Plan has stifled growth in the eastern part of the county.

Of course, that is like saying that the FAA cuts down on mid-air collisions between planes. The plan was supposed to limit growth in that area, requiring generous allowances for open space and the preservation of environmentally sensitive lands. At the same time, the plan called for the creation of residential/commercial "villages" that would offer greater walkability for residents, cutting down further on the waste of fossil fuels and resultant pollution.

Developers would like to count existing lakes and such developed areas as golf courses as "open space." They would like to be allowed more density than currently provided for, fewer buffers and more freedom in the location and amount of commercial development. But, most of all, they would like something called "fiscal neutrality" to simply disappear from the plan.

Fiscal neutrality requires developers "to pay the full costs of all public facilities and services that are required to support the development," according to language in the plan. That prevents other taxpayers in the county from having to subsidize infrastructure needs that benefit only the newly developed area. It is a great smart-growth strategy, but developers hate it because it costs them money.

When one considers what the development community is asking for in its proposed revisions — loss of wildlife habitat, increased pollution, greater density ... in short, everything that makes "urban sprawl" a pejorative — it is easy to see how environmentalists, neighborhood advocates and others are uniting in their opposition to any changes.

The question, however, is will the opposition be able to prevent a developer-friendly County Commission from eviscerating an 11-year-old plan that was supposed to preserve the unique

## **OPINION**

qualities of Sarasota County for half a century?

Thanks to term limits, Jon Thaxton will not be there in County Commission meetings to advocate for not only keeping the plan intact, but strengthening it. Thanks to the deep pockets of the development community, current commissioners may already have made up their minds.

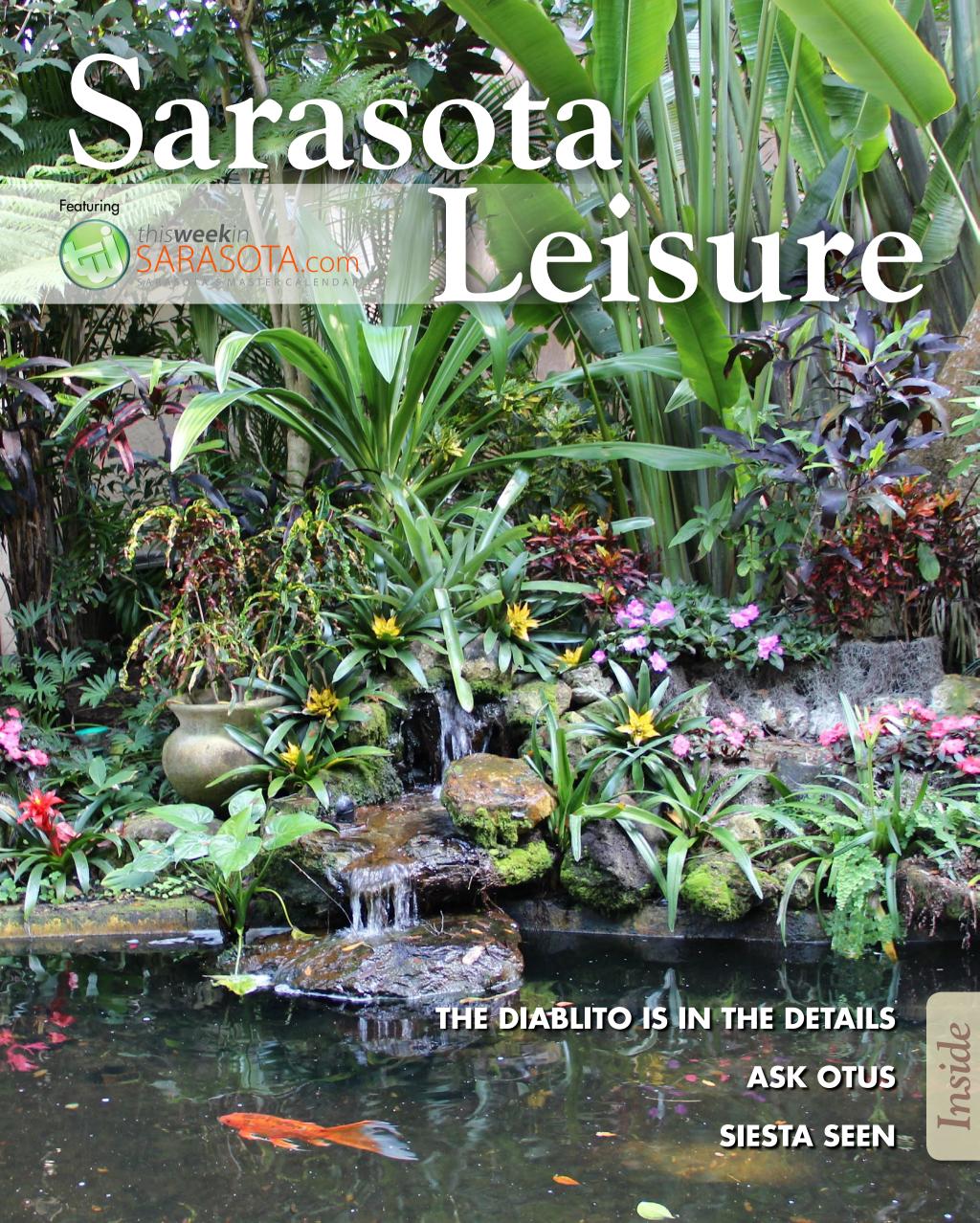
But thanks to an organized and growing opposition, the proximal result of the continual infusion of cash into government decision-making might be stymied — at least this time — and the 2050 Plan truly can protect and preserve Sarasota County for decades to come.



The Sarasota News Leader welcomes letters to the editor from its readers. Letters should be no more than 300 words

in length, and include the name, street address and telephone number of the writer. Letters should be emailed to Letters@SarasotaNewsLeader.com, with "Letter to the Editor" in the subject line. Letters actually printed will be selected based on space available, subject matter and other factors. We reserve the right to edit any letters submitted for length, grammar, spelling, etc. All letters submitted become the property of *The Sarasota News Leader*.







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Examples of the Diablito and combinados style Borucan masks are (top left) Aracari-Toothed Combinado by Randall Fernandez Gonzalez; (bottom left) Blue-Mouthed Diablo by Randall Fernandez Gonzalez; (center) Diablo Perfecto by Pablo Lazaro Fernandez; (top right) Crayola Diablo by Bernardo Gonzales Morales; and (bottom right) Toucan-tusked Combinado by Randall Fernandez Gonzalez.

Once used to scare people away, the *Diablito*, or *Little Devil*, masks produced by the indigenous Boruca people of the Puntarenas Province in southwestern Costa Rica have been revitalized by their makers to perform a very different function in recent years.

Attracting the interest and patronage of art collectors in the United States and worldwide, the masks have become a new source of prosperity for the community, creating enough commerce to support 17 families, or over 60 percent of the families who live on the indigenous reserve where the masks are produced.

A substantial amount of that trade happens in Sarasota during the annual *Rainforest Masks* of *Costa Rica* exhibition, which is hosted annually by Marie Selby Botanical Gardens. The latest such event — the ninth — began on Friday, March 8, and runs until Friday, April 19, featuring about 270 of the radiantly colored, evocative masks that fall into three distinct style categories.

#### THE MASKS

The more traditional masks portray the whimsical Diablitos, while newer designs, known as "ecológicos," or ecological masks, depict



Borucan artist Pedro Rojas Morales poses with one of his favorite Borucan masks, 'Three-horned, Three-frogged Combinado' (top left), made from balsa wood and acrylic paint by Domingo Rojas Morales, at Marie Selby Botanical Gardens. All photos by Arielle Scherr

the animals and surroundings of the Costa Rican rainforest and emphasize the importance of maintaining the environment. The "combinados," or combination masks, feature a synthesis of the two themes. While the majority of the masks are carved into wood from the fast-growing balsa tree and painted, there are a few specialty pieces that are carved from the harder cedar wood and left unadorned.

All of the masks are for sale, and, according to Selby Gardens Manager Marilynn Shelley, they go fast. By the end of the exhibition's opening reception, which lasted from 6 to 8 p.m. on March 7, more than 80 of the masks — with

prices ranging from a little more than \$200 to more than \$600 — had been sold.

Taking into account the fact that all of the masks except for one had sold by the end of last year's exhibition, as well as the fact that this year's opening night surpassed last year's in sales, Shelley predicted there may not be any unclaimed masks at the end of this year's showing.

Those who still plan to see the exhibition, however, need not worry they will be stepping into an empty gallery: All of the purchased masks will remain on display until the exhibition has concluded.



(From left) Borucan artists and brothers Francisco Rojas Morales and Pedro Rojas Morales pose with a few of their favorite 'combinados' style Borucan masks, made from balsa wood and acrylic. The masks above the mantle (from left) are Sunrise Orchid's Bird & Froggy Friends by Mario Rojas Morales, Meet Me at Sunset & Vines by Domingo Rojas Morales, Orchida Grande con Colibris by Marco Rojas Morales, More Humming than Hopping by Francisco Rojas Morales and Peaceful Spirit with Orchids by Francisco Rojas Morales.

#### THE ARTISTS

Two of the Borucan artists who produced some of the masks on display at Selby Gardens this year made their way to Sarasota in time for the opening reception. They were available for attendees' questions, often with the help of a Spanish translator.

One of the artists, Pedro Rojas Morales, has visited Sarasota for each exhibition since the program's inception. He told *The Sarasota News Leader* in an interview he is always excited to come to Sarasota because he is always bringing something new and improved with him: designs, styles and more detailed paint compositions.

In a translated follow-up email interview on March 12, Rojas Morales went into more detail with the *News Leader* about how selling the masks has changed life in the Borucan community. "The economic conditions of the families have improved — they can obtain better quality food, clothing, education and

more," he wrote. "This change is reflected in each of the families that survives based on this activity."

The masks were worn in traditional Borucan ceremonies for centuries before they were adapted to ward off Spanish conquistadors. The Borucans later started using them as part of an annual festival to commemorate that resistance, known as *Juego de los Diablitos*, or *Play of the Little Devils*. Though the tradition of producing the wooden masks was almost lost in the 1970s — when they began to be replaced by paper masks — a village elder named Ismael Gonzales Rojas Sr. helped preserve the art by passing it on to younger members of the community.

In the same email, Rojas Morales explained how the Borucan masks have evolved since the tradition was reinvigorated: "For almost 25 years we've given them a new connotation, utilizing paint and implementing new designs," he wrote, "which awoke the interest of collectors and people from other countries."



A set of unfinished Borucan masks made from balsa wood is on display during the Rainforest Masks of Costa Rica exhibition reception. The mask on the left has been carved, but not painted; the mask on the right has been designed, but not carved.

Rojas Morales added, "For about nine years, the Marie Selby Botanical Gardens has been playing an important role in the sale of the masks and, consequently, substantially improving the quality of life of the Borucan people, among others."

In an interview with the *News Leader*, the other artist present at the reception, Francisco Rojas Morales — Pedro Rojas Morales' brother — offered more details on the process of creating the masks. He said each one takes about three days to carve and three days to paint, for a total time investment of about one week per mask. His favorites to produce are the ecológicos and the combinados styles, he added.

Asked about his inspiration, he said it comes from his own imagination, which is influenced by seeing the animals and experiencing the environment of the rainforest where he lives.

#### THE PROGRAM

In addition to the exhibition, the Gardens has hosted a number of *Meet the Artists* events, as well as a lecture titled, *The Road to Boruca and Beyond*; a *Create Your Own Rainforest Mask* class; and a Costa Rican cooking demonstration. A final free lecture — *Riches of the Costa Rican Rainforest* — is coming up on Thursday, March 28, from noon to 1 p.m. in the Great Room by the Bay of Selby Gardens at 811 S. Palm Ave.

Those who were unable to participate in *Create Your Own Rainforest Mask* this year will likely have an opportunity to do so in 2014, when the *Rainforest Masks of Costa Rica* exhibition will be back at Selby Gardens once again.

Those who want to see or purchase the masks in the current exhibition — if any are still for sale — may do so with the purchase of regular admission to Selby Gardens until Friday, April 19.



Ecológicos style Borucan masks made from balsa wood and acrylic paint by Neftali Rojas Morales were on display during the Rainforest Masks of Costa Rica exhibition reception on the evening of March 7 at Selby Gardens.



Otus Rufous, an Eastern Screech-Owl, was born on Siesta Key and is a full-time resident there. An avid hunter, accomplished vocalist and genuine night owl, Otus is a keen observer of our local wildlife and knows many of nature's secrets. Otus will answer your questions about our amazing wildlife, but only if you Ask Otus. So please send your questions and photos to askotus@sarasotanewsleader.com. Thank you.

## A BIG PART OF THE SATISFACTION WITH ANY CATCH REMAINS THE THRILL OF THE HUNT

Thanks.

Dear Otus,

I am submitting a photo of a fish? Permit or

Pompano?

Dear Rick,

I love guessing games! I guess, "Permit." Oops.

I lose (again)!

Rick Wulterkens I sent your photo to Amy Benson, an eminent

Siesta Key ichthyologist with the U.S. Geological Survey



A Florida Pompano. Photo courtesy of Rick Wulterkens

in Gainesville. Actually, her title is "fishery biologist," but why use two words when you can use just one cool word and then use two or more words to define it?

She replied with the following:

"Yes, that fish appears to be a Florida pompano (*Trachinotus carolinus*). Unfortunately, it
looks to be under the size limit and would be
illegal to keep. This species must measure 11
inches from the tip of the nose to the fork in
the tail. The size limit is to protect the young
ones. I hope it was returned to the water. Here
is a link that has the size limits for many saltwater fish for you to pass on. Until the size
limits are learned, fishermen should probably
carry a copy of the regulations in their tackle
box."

Hmm ... Rick, I guess you lost, too — but only in a culinary sense! You won big time in gamesmanship. Both the Permit and the Pompano are wily, difficult-to-catch, greatly coveted game fish. Both are famous for their fighting spirit, but the latter is a particularly desirable catch because of its prized, delectable flesh. It is good news to learn Pompano are passing through Little Sarasota Bay.

When I crave a plump baby Florida marsh mouse (which is really a rat, but I do not want to scare off tourists), I fly to my oak by the mangroves, that same oak from which I first saw the lovely Ardea. While waiting for my "mouse" to betray its presence, I often spot Rick fishing off the dock. My impression from observing him and other fisherfolk is that so much of the elation and satisfaction in hooking that fish stem from the hunt, the thrill of the chase.

A bird of prey (that's me!) is born with the primeval instinct to hunt in order to eat. But parents must teach us how. The thrill of our first kill, sloppy as it usually is, is still a thrill, one that motivates us independently to hone our hunting skills. In many ways, people's pride in landing their wily catch of the day is no different from ours.

I feel a twinge of pity for captive wild creatures who can no longer enjoy that sense of accomplishment or take pride in their hunting prowess. They can no longer experience the mounting tension in that silent, intense concentration when stalking a meal; when watching its prey's every move and calculating counter moves; and sooo anticipating the fatal error on the part of the hunted. Oh! And the rush from that deadly, final swoop — wow!

For a fun demonstration of an owl's hunting skills, please click on this National Geographic link. The snow-covered grounds will remind you why you want to be in Florida this time of year!

Another thing I have noted while watching fisherfolk is that they take the same pride we do in presenting a trophy to a mate. Here is a charming homemade (really homemade, but sweet!) video of a Great Horned Owl presenting a "baby" bunny wabbit (I think it is actually an adult Marsh Rabbit) to its mate. There are few moments more gratifying to us birds of prey than when we show off our ability to provide for our wee ones.

Amy Benson also included a very helpful link to identifying Florida game fish. Even if you are not a fisher person, it is interesting to read through this professional, well-researched and well-documented publication with beautiful illustrations for both the Permit and Pompano, demonstrating how very similar they are in appearance, yet so different in their roles in the sport of fishing.

Rick, thanks for your high-quality photo and fun guessing game. When you finish plowing through the Florida Fish and Wildlife Conservation Commission (FWC) Saltwater Fishing Regulations guide, which Amy so kindly provided us, please pass it on to "Charley," one of our south Siesta Key Great Blue Herons. I swear his Gulf Toadfish lunch is under regulation size and I would hate to see him get in trouble with the FWC.

Otus



#### Dear Readers,

Yes! The mystery bird in last week's feature on Sarasota Jungle Gardens (SJG) is a kookaburra. Thank you for your fine sleuthing!

SJG actually has two kookaburras: Stanley and Foster. So you do not have to travel to the African or Amazon jungles to see and hear these birds because they do not exist there! But when Foster, native to Australia, performs his spooky trill and maniacal laughs during the

exciting and educational bird shows at SJG, and Stanley replies, you will feel yourself deep in the beastly heart of darkness along side with Tarzan, Indiana Jones and Lara Croft. Only you will actually be quite safe and comfortable here in Sarasota!

Please watch Crikey the kookaburra thrilling a crowd at the San Diego Zoo with his performance.

Otus SNL



Stanley the Kookaburra at Sarasota Jungle Gardens. File photo



Sure, it's a temptation to rush. Each issue of *The Sarasota News Leader* is brimfull of in-depth coverage of all the news and goings-on in Sarasota County. And it has delightful and informative feature stories. Thanks to its partnership with *This Week In Sarasota*, I always know what the most exciting happenings are each week. Plus, it is simply so beautiful, with photography that takes my breath away.

There is so much there, I don't know where to begin. So it is hard to resist the urge to read it all at once. But I know better. Take your time and indulge in all that it has to offer.

You have a whole week.

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# COUNTY COMMISSIONER VENTS FRUSTRATIONS OVER DELAY IN SETTLING CHRIS BROWN'S LAWSUIT; SKA AGAIN SEEKS MORE CODE ENFORCEMENT STAFF



By Rachel Brown Hackney Editor

County Attorney Stephen DeMarsh told the Sarasota County Commission this week that his office is "very close" to resolving an issue that has delayed the lawsuit settlement the county tentatively reached last month with Siesta Village property owner Chris Brown.

DeMarsh said he expected to have a document for board approval within a couple of weeks.

The discussion arose with a question from Commissioner Joe Barbetta on March 19, during the board's regular meeting in Sarasota. Barbetta said he had just received a memo



The Hub Baja Grill, at the intersection of Avenida Messina and Ocean Boulevard in Siesta Village, is busy on a recent March evening. Photo by Rachel Hackney

# Siesta Seen

the night before indicating Brown and all other parties had signed off on a settlement agreement.

DeMarsh reminded Barbetta he had told the board the settlement had hit a snag after the parties had gone through mediation on Feb. 8. "We're resolving that right now," DeMarsh said, adding, "It's really not appropriate at this time ... to go into the details."

The lawsuit was filed in October 2011, alleging the county had singled out Brown by charging him excessive parking assessments for three of his Village properties while assessments for other Village parcels had gone down.

Barbetta was persistent, nonetheless. Referring to the memo, he told DeMarsh, "As an attorney, I have a problem. This is a signed agreement — by our lawyer, by our risk manager."

"I'd be glad to speak to you privately, outside of this meeting," DeMarsh responded, "and tell you exactly where we are, but I don't think it's appropriate [to talk about it in open session].

I'm just not ethically or professionally able to do that, based upon where we are in the process."

Again, DeMarsh stressed, "I think we're very, very close to a resolution of all the factual concerns that arose after that document was signed."



County Attorney Stephen DeMarsh/Photo by Rachel Hackney

DeMarsh also pointed out it was about a month ago when he sent the commissioners the memo Barbetta was referencing.

"I said, 'Please don't take action; there's been a problem," DeMarsh said.

"It's the first I've seen it," Barbetta replied.

According to information provided by Brown's attorney, Morgan Bentley of Bentley & Bruning in Sarasota, the snag in settling the law-suit revolves around what county staff had thought was about 220 square feet of right of way. The tentative settlement offer to which the parties had agreed after about 10 hours of mediation on Feb. 8 was for the county to pay Brown \$75,000 and give him that amount of right of way.



Bentley said the square footage, along Avenida Messina — adjacent to Brown's restaurant, The Hub Baja Grill — ended up being about twice what county staff had estimated. Because the parcel in question is bound on all four sides by county property, the county, by law, cannot just deed it over to Brown. That meant the county would have to deed over about 8 extra square feet, Bentley said.

"There are real property issues that require specificity and accurateness on descriptions," DeMarsh explained to Barbetta on March 19.

"So we're going to incur more expenses," Barbetta retorted.

"No, I don't think we will," DeMarsh said.

Then Barbetta complained that Commissioner Nora Patterson had discussed Brown's lawsuit during the March 7 Siesta Key Association meeting, "and we're being told we can't talk about it publicly."

"You certainly can," DeMarsh told him. "I can't."

"This has just been a protracted process," Barbetta said. "I'm worried about credibility as a county, as attorneys, as the mediator involved ... Why does everybody sign off [on the agreement] and say, 'Oh, by the way: We made a mistake'?"

"Maybe the parties had a different understanding of the facts, and that's what I've tried to tell you," DeMarsh responded.

When Barbetta referenced a section of the memo saying Brown had paid for a survey of the property that is the crux of the settlement delay, DeMarsh said, "The plaintiff had a different understanding of the ... amount of square footage involved."

"But Mr. Pearce drew this [settlement up], and no square footage was mentioned in [the memo]," Barbetta said, referring to Assistant County Attorney David M. Pearce, who has represented the county in the lawsuit. "That's my problem, Steve."

"It's clear that I am not going to satisfy your concerns on this," DeMarsh responded.

"[The memo] doesn't say any minimum square footage or maximum square footage," Barbetta pointed out.

"The parties were looking at documents that had estimated square footage on them" during the settlement mediation, DeMarsh replied.

"Then Mr. Pearce should have put that in the settlement agreement," Barbetta said.

"I would agree with that," DeMarsh said, reiterating, "We are very, very close to having this resolved in a manner we can bring back to you with a recommendation."

"I'd like also to see an itemization of what we have spent to date on this case," Barbetta also told DeMarsh, noting that Brown at one point had offered to settle the case for \$315,000.



#### **RENEWING A REQUEST**

In a request similar to one it made last year, the Siesta Key Association is seeking County Commission approval for at least one extra full-time Code Enforcement officer.

In a March 15 letter to the commissioners, the SKA references its request for more Code Enforcement help prior to the start of the current fiscal year. At that time, the letter points out, County Administrator Randall Reid won board approval for a Code Enforcement offi-

cer to work 15 hours of overtime on weekends and in the evenings.

"The overtime hours are used county wide," the letter says. "We appreciate [the officer's] efforts."

"However," the letter continues, "these added hours are not adequate given the variety and volume of code enforcement issues reported. We are also aware of a reduction in FTE [fulltime equivalent] staffing for Code Enforcement during this most recent six-month period."



(From left) Deputy Jason Mruczek of the Sarasota County Sheriff's Office, Allan Worms and Siesta Key Association President Catherine Luckner share a laugh at a recent SKA meeting. Photo by Rachel Hackney



The letter adds, "Our community needs consistency in oversight, responsiveness and enforcement. Without Code Enforcement Staff availability, there isn't a reliable means to develop compliance to [the] ordinance."

Noise issues on the key were the primary focus of the March 7 SKA meeting. The organization's board of directors had invited Assistant County Zoning Administrator Donna Thompson; Kevin Burns, the Code Enforcement officer who handles the overtime work for the county; and other county staff members to that meeting. The ensuing discussion — which included representatives from the Sarasota County Sheriff's Office — lasted close to 75 minutes.

#### THE 2012 LETTER

In an Aug. 14, 2012 letter to the County Commission, the SKA board urged that an evaluation of staffing patterns in the Code Enforcement Office be undertaken before the commissioners made any decision about overtime or hiring new personnel.

Luckner also made it clear to me that she and Vice President Peter van Roekens did not want their actions or the SKA board's actions as a whole to be taken as a sign of opposition to Village businesses. "We do want the county to enforce the ordinances as they exist," she pointed out in mid-August 2012.

During a June 13, 2012 budget workshop, the County Commission did not indicate a will-

ingness to hire extra Code Enforcement personnel. County staff had figured the cost of a new employee for the office, with full benefits, would be \$70,029 a year.

In early July 2012, Reid notified the commissioners the estimated cost of one part-time position would be \$55,155 per year if the person worked 30 hours a week; the cost would decline to \$38,355 if the person worked 20 hours a week.

Those figures included equipment and uniforms, he pointed out.

Finally, the County Commission agreed to include \$21,060 in the 2013 fiscal year budget for a Code Enforcement officer to work up to 15 hours per week.

Commissioner Patterson, who lives on Siesta Key, made the motion for the budget adjustment. "I think it's a reasonable compromise," Patterson said at the time. "It's like speeding, where every once in a while you have to rattle someone's cage to let people know you really do want some cooperation," she added.

During the Feb. 7 SKA meeting, van Roekens told the audience, "In terms of code enforcement, there simply is not enough staffing ..." He added that the island's long-time Code Enforcement officer, John Lally, had been out on medical leave, "and we don't know what his status will be."

Moreover, van Roekens said, it is important for the county to have Code Enforcement staff on weekends and evenings, "not as some-



body's addition to their job but as a full, dedicated effort."

During the Siesta Key Village Association meeting that same week, van Roekens pointed out, President Russell Matthes — a co-owner of the Daiquiri Deck Raw Bar — had agreed that violations of the county's Noise Ordinance occur, "but we have to respect our neighbors."

He had talked with Matthes before the SKA's Feb. 7 meeting, van Roekens continued, and Matthes had said, "We will work together on this."

Patterson told the audience that although Reid had suggested the commission hire another full-time Code Enforcement officer, "the rest of the commissioners did not find that appropriate."

Patterson added, "You have my support for a full-time person. You need two other votes."

The new SKA letter concludes, "Siesta Key is a community of intense mixed use with dense population, making inevitable a need for consistent oversight of [the] existing ordinance. With Code Enforcement needs in other portions of Sarasota County as well, this request for additional Staff is essential."

In the meantime, the SKA board during its January meeting approved the establishment of an *ad hoc* committee to work on noise mitigation.

#### **AVENIDA DE MAYO**

Last week, *The Sarasota News Leader* reported on a tie vote of the Sarasota County Traffic Advisory Council regarding residents' request to prohibit parking on the south side of Avenida de Mayo.

Although a tie vote normally means the same as a denial, Chairman Frank Domingo told petitioner Marlene Merkle he expected the matter would go to the County Commission for ultimate resolution. This week, Susan Walsh, a county spokeswoman, told me the parking issue "has now been scheduled for consideration at the County Commission meeting on May 21."

#### **SKA ANNUAL MEETING**

As in the past, the community room at St. Boniface Episcopal Church, 5615 Midnight Pass Road, will be the setting this weekend for the Siesta Key Association Members Annual Breakfast.

The Saturday, March 23, event will begin at 8:15 a.m. and conclude at 10:45 a.m. Guest speakers will be Commissioner Nora Patterson and County Administrator Randall Reid.

Tickets are \$10 at the door. However, if you renew your SKA membership for this year, you get two free tickets.

The membership fee is \$25, so as Joe Volpe, the SKA publicity chairman, has pointed out, the membership renewal is a good deal. Regular attendees can testify that no one should go home hungry after partaking of the buffet spread the SKA offers.



Scottish pipes and drums will resound through the Van Wezel on March 24. Contributed photo

#### PIPES AND DRUMS TO RESOUND IN THE VAN WEZEL

Witness the majestic tradition of The Pipes and Drums of the Black Watch 3rd Battalion, the Band of the Scots Guards, at the Van Wezel Performing Arts Hall on March 24.

Having been involved in all major British military campaigns since the Guard's inception, the Scots Guard has been "steeped in the glorious history of the British Isles for the last 371 years," a news release notes.

The band itself, composed of more than 40 musicians today, "was instrumental in maintaining the well-being of the troops across

multiple theaters of war, serving as a significant boost to the morale of the battle-hard-ened warriors," the release adds. Today it tours the world as a tribute to the honor and bravery of the British military forces, the release points out. Additionally, the pipe band from Sarasota's own Sarasota Military Academy will perform as a special guest, the release says

Tickets are priced from \$10 to \$55. For more information, call the box office at 953-3368 or visit www.VanWezel.org.

#### DIDDAMS' WORK ON DISPLAY AT UU GALLERY

Through May 2, the Unitarian Universalist Church Gallery, located at 3975 Fruitville Road in Sarasota, is presenting an exhibit titled, *Bob's Boathouse and Other Wonders: Digital Photographs by Donald Diddams*.

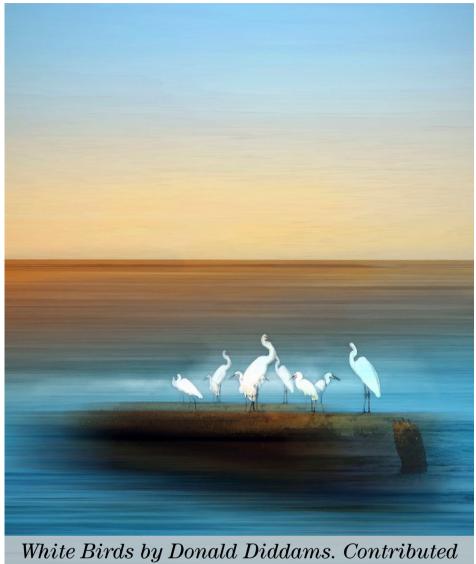
Before moving to Sarasota, Diddams spent most of his life in the upper Midwest, a news release says. He moved to the Caribbean in 1999, "where the colors, light, culture and lifestyle inspired him," the release adds. "Shifting perceptions is the common thread running through all his images," he notes in the release.

"With each original photograph he alters the literal material with digital brushes and other imaging tools, mixing in color, texture and abstract elements," the release continues. "At times the literal subject disappears entirely. The originals are chosen for their subject matter, for color and composition, or for a juxtaposition of elements that tells a story or raises a question," the release adds.

He creates limited edition prints of the resulting images, using "the finest archival pigment-



Bob's Boathouse by Donald Diddams. Contributed photo



photo

ed inks and substrates available," the release points out.

The Unitarian Universalist of Sarasota and its members have a rich history of support and involvement in the arts, the release adds. The complex was designed by Tolyn Twitchell, a member of the Sarasota School of Architecture; its stained glass windows were created by Syd Soloman; the chancellery sculpture is by Walt Billings; and the mandallas in the sanctuary were created by Dick Oxley, a former Ringling Art School instructor.

Gallery hours are 9 a.m. to 4 p.m. Tuesday through Friday and Sundays after services.

For more information, call 371-4974 or email engage@uusarasota.org.

#### THEATRE ODYSSEY TO PRESENT TEN-MINUTE PLAY FESTIVAL

Theatre Odyssey will present its eighth annual Ten-Minute Play Festival March 29 to 31 at the Westcoast Black Theatre Troupe, 1646 10th Way in Sarasota.

Eight plays will be featured at this year's festival: four comedies and four dramas, chosen from 51 entries, a news release notes. Additionally, the winning play from Theatre Odyssey's Student Playwriting Festival will be performed.

"This year's play selections have something for everybody and represent an impressive group of local playwrights," says Catherine Randazzo, Theatre Odyssey president, in the release. "We're also very proud to present the

play *Therapy*, which won this year's first annual Student Ten-Minute Play Writing Festival, open to all area high schools."

The plays and playwrights selected for the 2013 Ten-Minute Play Festival are *Excursions* by Brandon Cohela, *Reservations* by Dylan Jones, *War Hero* by Julian Olf, *White Castles* by Mike Phelan, *They're Gonna Kill Gerite* by Connie Schindewolf, *Leaving Nic* by Connie Schindewolf, *A Little Help* by Bernie Yanelli and *Little Miss Ice Cream Cone* by Bernie Yanelli, the release continues.

During the festival, Theatre Odyssey also will be selling anthologies of its past 10-minute plays, the release notes. *Volume One* features



Winners of the first Student 10-Minute Playwriting Festival and their director — from Saint Stephens Episcopal School — are (from left) Summer Bagalka, Cinda Goeken and Sabrina Viota. Contributed photo

the plays from 2006 to 2009. Festival attendees will be able to place orders for *Volume Two*, which will include plays from 2010 through this 2013 season. Both volumes will be sold at a discount during the festival, the release adds.

Theatre Odyssey was founded in 2006 to encourage and promote the efforts of local playwrights and actors. Over the years, the group has premiered almost 70 plays written, direct-

ed and performed by Gulf Coast playwrights, actors and directors, the release points out.

Friday and Saturday during the festival, the plays will be presented at 8 p.m. Matinee performances are being offered on Saturday (new this year) and Sunday at 2 p.m. Tickets are \$15 for adults and \$5 for students.

For more information or to purchase tickets, visit www.theatreodyssey.org/or call 799-7224.



Joshus Brinn and Don Walker appeared in Confessions a Deux by Stephen Cooper, which won the 2012 Ten-Minute Play Festival. Contributed photo

#### **BOOKER MIDDLE SCHOOL TO PRESENT NIGHT OF DIVERSE TALENT**

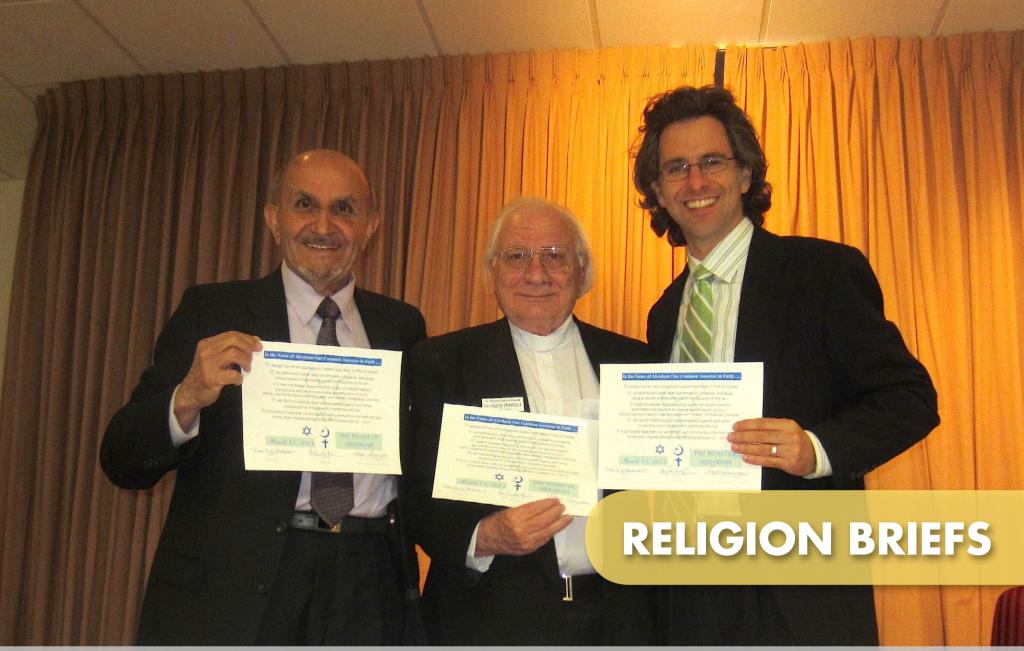
Students in the VPA Creative Writing program at Booker Middle School will showcase their artistic talents at 6:30 p.m. on March 28, the school has announced. Students will read their poetry aloud at the school's Dragonfly Café. Afterward, other students are welcome to share their own poems with the audience, a news release says.

"The Café is a classroom turned into a coffee house," says Joanna Fox, who teaches

creative writing at the school, in the release. "The students read their poetry to the crowd, and friends and relatives are there to support them," she adds.

Members of the public are welcome to attend, the release notes. Admission is free; donations will be gratefully accepted.

Booker Middle is located at 2250 Myrtle St. in Sarasota. SNL



(From left) Imam Hassan Hammami of the Islamic Community of Southwest Florida, Father Fausto Stampiglia of St. Martha Catholic Church and Rabbi Brenner J. Glickman of Temple Emanu-El display the signed pledges of mutual friendship and support made at the Feast of Abraham. Contributed photo

#### JEWS, CATHOLICS AND MUSLIMS UNITE AT FEAST OF ABRAHAM

Jews, Catholics and Muslims celebrated their shared heritage and pledged mutual support at the annual Feast of Abraham on March 13.

Held at St. Martha Catholic Church and attended by members of Temple Emanu-El and the Islamic Community of Southwest Florida, the Feast of Abraham included greetings from Father Fausto Stampiglia, Rabbi Brenner J. Glickman and Imam Hassan Hammami; the recitation and signing of a pledge of friendship; singing; and a festive meal, a news release says.

Speaking first was Hammami, who pointed out the similarities among the Hebrew, Arabic and Latin words for peace and explained the connections among the three faiths represented at the Feast. "I believe in Islam, but I also believe in Christianity and Judaism," he said. "Islam teaches us to revere the other faiths, and Islam requires Muslims to defend the religious freedom of other faiths. We have a lot more in common with each other than we seem to think," he continued.

"When I am asked to speak about Islam, it fills my heart with joy," he added. "But it pains me when I see people who wrap themselves in the mantle of religion and do things that are un-Muslim, or un-Christian or un-Jewish." Glickman began his remarks by wishing St. Martha parishioners "Mazel tov" on the newly elected pope, then he spoke about the Jewish holiday of Passover.

"Passover is the ancient celebration of our redemption out of Egypt," he said. "It reminds us of what is possible: that redemption can come; that salvation can come. I encourage us tonight to believe in that hope.

"Nights like this give us that hope," he concluded, "and that affirmation."

Stampiglia then led the assembled in reciting a pledge that "in the name of Abraham, our common ancestor in faith … we will courageously support each other in time of trouble. We will defend each other from discrimination, vilification and abuse ... We ask God to forgive our past hard-heartedness against each other, recognizing that it has its basis in ignorance and fear."

After the singing of *Let There Be Peace on Earth*, gatherers mingled and ate dinner with new and old friends of the different faiths.

Other events — including the fall Friendship Luncheon hosted by Temple Emanu-El — are scheduled throughout the year to strengthen the bonds among the religious communities, the news release notes.



(From left) Temple Emanu-El members Barbara and Marty Arch socialize with St. Martha Catholic Church parishioners James and Gladys Weir at the Feast of Abraham. Contributed photo

#### 500 'PILGRIMS' EXPECTED FOR GOOD FRIDAY PILGRIMAGE

The Church of the Redeemer, an Episcopal church in downtown Sarasota, and the Sarasota Ministerial Association invite all those in the Sarasota community to observe the Passion of Jesus Christ by participating in walking the Stations of the Cross down Sarasota's Main Street on Good Friday, March 29, beginning at 7:30 a.m.

Walking the Stations of the Cross is a centuries-old Christian tradition of remembering and experiencing 14 events along the way of Christ's journey to the cross, a news release points out. The Church of the Redeemer Friday Men's Breakfast Prayer Group founded this tradition of walking down Main Street in

1996; the event began with fewer than 15 participants, but it has since grown into a multichurch and community wide observance with approximately 500 "pilgrims," the release adds.

Because of the increasing popularity and size of the event, officers of the Sarasota Police Department will escort the pilgrims, provide traffic control and ensure the safety of all participating, the release notes.

Since 2002, the Sarasota Ministerial Association, comprising more than 50 downtown and local area churches and faith-based agencies, "has joined Redeemer in being a witness to



The Church of the Redeemer and the Sarasota Ministerial Association are inviting all community residents to walk the Stations of the Cross on Good Friday, March 29. Photo by Norman Schimmel

Sarasota of Christ's redemptive sufferings," the release continues. Many of the Association's churches will be represented in the walking of the Stations of the Cross, with pastors, priests, church leaders, choir members and youth groups taking part.

The Christian pilgrimage will gather at 7:15 a.m. in front of the Hollywood 20 theater on Main Street, the release says. The walking of the Stations will begin promptly at 7:30 a.m., when the Rev. Fredrick A. Robinson, Redeemer's rector, and members of the Men's Ministry of Redeemer and of the Sarasota Ministerial Association will lead the pilgrimage in prayer and singing. The cross will be carried throughout the walk by Redeemer's youth minister, Christian Wood, the release notes. Association choir members will follow in procession behind the cross, singing the *Trisagion* in refrain following each station reading.

Along the way, pilgrims will stop for worship and prayer at each of the 14 stations — an opportunity for reflection upon the different moments of Christ's passion journey; a service booklet sharing the acts of worship for each station is provided to all participating pilgrims, the release points out.

The procession down Main Street will include stations in front of the Sarasota Herald-Tribune building, the steps of the First Baptist Church, the First United Methodist Church and many other sites on and near Main Street. It will conclude at approximately 8:30 a.m., at the Church of the Redeemer, 222 S. Palm Ave., with a closing devotion. All pilgrims are invited to stay at Redeemer for the Morning Prayer service, which will immediately follow, with Father Robinson leading the prayer, joined by the Rev. Dr. Tom Pfaff, chairman of the Sarasota Ministerial Association, the release says.

For those who want to park at the final station at the Church of the Redeemer, buses will begin transporting pilgrims from Redeemer to the Hollywood 20 location at 6:45 a.m. After the 9 a.m. Morning Prayer service at Redeemer, bus transportation will again be offered from Redeemer to Hollywood 20.

For more information about the event, call 955-4263. To learn more about the Church of the Redeemer, visit www.redeemersarasota.org. SNL

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## THE BEST OF UPCOMING EVENTS

**22**+

Dabbert Gallery presents *Black & White & Red All Over,* art by Barbara Krupp and Allan Teger

Through March 30, 76 S. Palm Ave.; free admission; 955-1315 or DabbertGallery.com.

**22+**MAR

A Tribal Collection: Rainforest Masks of Costa Rica

Through April 19, 10 a.m. to 4:30 p.m.; Marie Selby Botanical Gardens, 900 S. Palm Ave. Exhibit free with regular admission. Free to members and to children under age 6. Admission for non-member adults, \$17; for children 6-11, \$6. Information: 366-5731 or Selby.org.

**24**MAR

The Pipes and Drums of the Black Watch 3rd Battalion

March 24, 7 p.m., Van Wezel Performing Arts Hall, 777 N. Tamiami Trail. Tickets: \$10-\$55; information: 953-3368 or VanWezel.org.

**29** MAR

WSLR presents Ronny Elliott and Rebekah Pulley

March 29, 8 p.m., Fogartyville Community Media and Arts Center, 525 Kumquat Court. Tickets: \$8 in advance; \$10 at door; purchase them at WSLR.org.

04 APRIL Jazz Club of Sarasota presents vocalist Rebecca Kilgore in Some Like it Hot: The Music of Marilyn Monroe

April 4, 7:30 p.m., Beatrice Friedman Symphony Center, 709 N. Tamiami Trail. Tickets: \$25 for members; \$35 non-members; \$5 students (as available). Information: 366-1552 or JazzClubSarasota.org.

14 APRIL The Best of Chroma Quartet

April 14, 2:30 p.m., Unitarian Universalist Church, 3975 Fruitville Road. Tickets: \$15, including wine and cheese reception with artists. Information at UU Sarasota Concerts.

To get all the details on these and other great activities — food, nightlife, music, art, theater, children's events, learning opportunities and more — go to Sarasota's No. 1 source for local events, hot spots, fun activities and hidden gems:





Each week, Staff Photographer Norman Schimmel searches Sarasota County for iconic shots that underscore why the community is a favorite with residents and tourists alike.