

THE SARASOTA

Vol. 2, No. 13 — December 13, 2013

News Leader

The Progressive Voice Of Southwest Florida

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SARASOTA NEWS LEADER

The Progressive Voice of Southwest Florida

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Welcome

With the County Commission wrapping up its meeting schedule in advance of the holidays, I figured we would have plenty of news this week. I did not imagine just how much news — or that the board's actions would be trumped by a plea deal in court.

Associate Editor Cooper Levey-Baker learned early this week that, after months of delays, action would be coming fast in Bob Waechter's identification theft criminal case. Cooper was there in court Thursday morning to hear the former chairman of the county's Republican Party agree to a plea deal.

Back on the local government side of things, County Editor Roger Drouin spent a long day in Venice Tuesday, when the County Commission heard hours of comments about a proposed puppy mill ordinance. Nonetheless, he was back on the beat Wednesday for discussions of a new panhandling ordinance and Sarasota Military Academy's middle school plans.

City Editor Stan Zimmerman has not been idle this week by any means — from writing about eye-opening statistics regarding the revenue potential for an extended Downtown Sarasota Community Redevelopment Agency to reporting on how the Downtown Improvement District might bring in more funds.

Not to be outdone, Staff Photographer Norman Schimmel was on St. Armands for the Dec. 6 holiday kickoff *and* at the Dec. 9 groundbreaking for the county's new Emergency Operations Center.

By all means, take your time going through this issue. I have barely begun to touch on the stories we covered.

Rachel Brown Hackney
Editor and Publisher





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WAECHTER PLEADS GUILTY

Bob Waechter (far left) watches as county commissioners are sworn in on Nov. 20, 2012. Photo by Norman Schimmel

FORMER SARASOTA GOP CHAIR ADMITS BREAKING THE LAW BY IMPERSONATING A POLITICAL OPPONENT

By Cooper Levey-Baker
Associate Editor

Former Republican Party of Sarasota County Chairman Bob Waechter this week pleaded guilty to breaking election laws and impersonating another person with the intent to harass. The deal put an end to a yearlong case that started when he used the personal information of a Republican opponent to make potentially damaging campaign contributions to Democrats.

But the victim, current Sarasota County Commission candidate Lourdes Ramirez, says justice has not

been served, arguing that political connections between Waechter and State Attorney Ed Brodsky put the state's objectivity in doubt.

The investigation into Waechter began last year, when Ramirez went to authorities after receiving a note thanking her for donating to Democrat Keith Fitzgerald's congressional campaign. She insisted she had never given money to Fitzgerald.

“*I lost sight of the dividing line between right and wrong and crossed it decisively.*”

Robert Waechter
In a Statement During His Plea Hearing
In 12th Judicial Circuit Court



The Sarasota County Sheriff's Office identified the prepaid credit card used to make the contribution. The same card was also used to make a \$35 donation to Democratic state House candidate Liz Alpert and to give \$250 to the Obama reelection fund in Ramirez's name. The Sheriff's Office discovered store surveillance footage that showed Waechter purchasing the card, and it also pinpointed the IP address for the donations as one affiliated with Waechter's company, RWR Installations.

Ramirez, uneasy with how the case was proceeding, met with the FBI in late November, according to a press release she sent out Tuesday, Dec. 10. She says the agency told her it was interested in pursuing the case. On Dec. 2, Ramirez met with Brodsky and the assistant state attorney assigned to her case, Brian Iten. They informed her they were pursuing a plea deal for a misdemeanor charge, to which Ramirez objected. When the FBI later asked to take over, Brodsky's office rebuffed the agency.

"I'm a little angry," Ramirez told *The Sarasota News Leader* two days before Waechter's plea hearing. She doesn't believe Waechter regrets his actions, and she said Brodsky's ties to Waechter have made her question his office's impartiality.

Waechter did in fact donate \$250 to Brodsky's 2012 campaign in June 2011, and his name pops up on a number of flyers advertising fundraisers for the candidate. Waechter also has ties to the man who acted as Brodsky's campaign treasurer, Eric Robinson. This March, Sarasota Demands Accountability, a political committee registered at Waechter's address, gave \$28,000 to Citizens Have Rights in Sarasota, a committee registered at



Lourdes Ramirez/Contributed photo

Robinson's address, the same Robinson who served as Brodsky's treasurer.

Brodsky told the *News Leader* he is unaware of any donations Waechter made to his bid for office, and he said Waechter in fact worked against him during the Republican primary. "He was very aligned with my opponent," Brodsky added.

Brodsky also defended the decision to offer a plea deal and to turn back the FBI. His office had been working the case for a year, he pointed out. Whether or not Waechter regrets his actions is immaterial. "A plea resolution is offered in every case," Brodsky pointed out, "remorse or no remorse."

The agreement he reached with the FBI says that if any further misdeeds surface, the agency will be welcome to become involved.

In her press release, Ramirez called for Brodsky to cede jurisdiction to the feds, a moot point after Thursday's plea deal.

With the agreement, Waechter will be hit with three months of community control, two years of probation and 100 hours of community service. He'll have to pay a \$5,000 fine, plus the costs incurred by the State Attorney's Office and the Sheriff's Office.

Waechter read a prepared statement during Thursday's hearing, calling his actions "a few moments of sophomoric hand-rubbing glee" that have cost him greatly. "I have embarrassed myself and I have caused great embarrassment to my family and friends," he said.

Calling "partisan politics" at times "competitive," "combative," "contentious" and "bruising," Waechter added that it should never be "underhanded."

"I lost sight of the dividing line between right and wrong and crossed it decisively," he said, apologizing to Ramirez.


Iten laid out the case the State Attorney's Office would have brought against Waechter



Bob Waechter is shown in his Sheriff's Office mugshot in December 2012. Contributed photo

if it had gone to trial, noting Waechter's ties to Republican Al Maio, who is running against Ramirez in next year's GOP primary. "Robert Waechter, in supporting Alan Maio's pursuit of Nora Patterson's commission seat, was trying to undermine Lourdes Ramirez's credibility," Iten charged.

Ramirez addressed the judge as well, mentioning her concerns about Brodsky's credibility. She said Waechter's actions weren't intended to harm just her, but to "undermine the democratic process." She added that a strong sentence was needed to not only send a message to Waechter, but to all political operatives.

After Thursday morning's hearing, Ramirez told the *News Leader* she was still unhappy with the result. "I really feel let down by the state," she said. But with a campaign to run, she doesn't have any more time to spend on the case: "I have a lot of work ahead of me." 



Ed Brodsky is the state attorney in the 12th Judicial District. Image from www.edbrodsky.net

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A PUPPY STORE DEBATE

Dozens of residents came to the meeting, representing both sides on the ordinance. Photo by Roger Drouin

ANIMAL ADVOCATES PUSH FOR PET STORE REGULATION; OWNERS SAY A COUNTY ORDINANCE WOULD RESTRICT FAMILIES' ABILITY TO CHOOSE PETS

By Roger Drouin
County Editor

The possibility that Sarasota County might enact an ordinance prohibiting the sale of puppies at commercial pet stores drew dozens of supporters and opponents to the County Commission meeting on Tuesday, Dec. 10.

People on both sides of the issue filled many of the seats in the Commission Chambers in Venice, with supporters and opponents sitting on opposite sides of the room. In one section, dozens of local animal rights advocates and

backers of the ordinance wore stickers that read "Vote Yes," while the opponents of the ordinance held signs that read "My Pet, My Choice!"

After almost two hours of public comments, the county commissioners voted 5-0

to request the county attorney to provide a legal opinion to them within 60 days on the proposed ordinance regulating the sale of dogs, cats and rabbits in retail stores. That opinion will likely

“ *I have been really torn on this thing since the subject came up. And I would like to do something.*

Nora Patterson
Commissioner
Sarasota County

”

prove pivotal in whether the board offers the ordinance for a public hearing.

The draft version under review this week would prohibit the sale of the pets in retail stores, of which there are four in Sarasota County. Under the ordinance, animals could be obtained only from an animal shelter, an animal control agency, a humane society or directly from a breeder.

If the county commissioners move ahead with a version of the ordinance, Sarasota County would join local governments throughout the country, such as those in San Diego, CA; Austin, TX; and Hallandale Beach that have recently passed laws restricting or banning the sale of dogs and other pets in retail stores.

Local animal rights advocates say prohibiting such sales in Sarasota County would help reduce the number of so-called “puppy mills,” a term they use to describe high-volume

commercial dog breeding operations that are the source, those advocates say, for the vast majority of puppies sold by retail businesses.

But pet shop owners, employees and those who work in the industry say such a ban would restrict people’s ability to choose the pets they want. Owners dispute the assertion that they get their puppies from inhumane “mills,” and they say a better means should be found to address the problems associated with such operations.

TWO VOCAL SIDES

In November 2012, local animal advocates, including the grassroots group Sarasota in Defense of Animals, began pushing for an ordinance in Sarasota County.

Backers say the pet store ban would encourage those seeking a family dog to consider adopting from local animal shelters.



Veterinarian Dr. Adam Cohen, who has worked for Petland since it opened in 1999, said the Fruitville Road store hired him to inspect animals before they are sold to families to ‘make sure they are healthy and fit to be sold.’ Photo by Roger Drouin

“We are working to make Sarasota County a no-kill county, and this is another step towards that goal,” Elise Matthes, a longtime animal rights activist in Sarasota County and co-founder of Sarasota in Defense of Animals, told the commissioners Tuesday.

Puppy mills supply virtually all pet shop dogs, according to the national nonprofit Friends of Animals.

More than two dozen bans across the country, all of which have taken effect in the past three to four years, are evidence of a rapidly growing movement to put an end to the puppy mills, supporters of the Sarasota County ordinance told the board.

Last year, the Hallandale Beach City Commission prohibited the sale of dogs

originating from puppy mills. Under Hallandale Beach’s law, retail-store owners have to provide a valid certification of the source for each animal. The commissioners in that community took up the issue after a city-wide outcry over puppy mill practices began three years ago. Hallandale Beach leaders say they hope the ban will encourage those seeking a family dog to consider adopting from the community shelter.

Flagler Beach has a stricter ordinance that prohibits the sale or disposition of live animals for “commercial gain” or “other commercial purpose.”

Michele Lazarow, a Hallandale Beach commissioner who drove from the state’s east coast for Tuesday’s County Commission meeting, said she began championing restrictions on



Clearly, there are some legal concerns.

Stephen DeMarsh
County Attorney
Sarasota County



Elise Matthes speaks in support of a ban. Photo by Roger Drouin

pet stores after she purchased a dog in 2004 only to discover it had congenital defects.

“I found there were multiple complaints over 15 years at this store in the city of Hallandale,” Lazarow told the County Commission.

In an email sent out before Tuesday’s meeting, Sarasota in Defense of Animals rallied local supporters: “Please help stop the retail sales of Dogs, Cats and Rabbits that are imported, from other [states’] factory farms, into Sarasota County.”

Elliot Metcalfe, a local lawyer and former public defender for the 12th Judicial Circuit, was another speaker who advocated for the proposed ban.

“If you’ve ever been [to a puppy mill], you’ll never buy a puppy from a pet store again. It’s

disgusting,” said Metcalf. “I think the community has a right to learn about this issue, and the best way is to advertise the proposed ordinance.”

Meanwhile, owners of animals purchased from the county’s pet stores — along with some out-of-town lobbyists — have rallied against local regulation of retail pet shops. The majority of opponents who spoke at the Tuesday meeting are employed by one of the county stores that sells pets or have worked in an associated business.

Dr. Adam Cohen, a veterinarian who has worked for Petland since it opened in 1999, said the store on Fruitville Road in Sarasota hired him to inspect animals before families purchase them to “make sure they are healthy and fit to be sold.”



Animal advocates on Tuesday showed images from puppy mills, where they say the Sarasota pet store Puppy Town purchases its puppies. Contributed Photo

K.T. Nguyen told the board he purchased a puppy named Henry from Puppy Town, as well as a puppy named Jackson from Petland, because he wanted a specific breed that would not trigger his families' allergies.

"We should have a right to choose where we purchase our puppies from," Nguyen said.

His comments were repeated by many of those who spoke against the proposed regulations.

"This ordinance tells me I can no longer purchase pets from pet stores that are regulated by the state," said Holly White. "It forces me to adopt a pet that doesn't fit into my family's needs."

Becca Way, the kennel manager at Petland, told the board she had purchased a puppy

commercially and had adopted a dog, and "both were the right decisions for me."

Way bought a Chihuahua puppy that already had been micro-chipped and checked by a veterinarian, she pointed out. It also was certified by the American Canine Association, she said.

(Microchips are often used to store information that can be used to identify specific animals, and some chips are used to record health history.)

Other ban opponents say the pet stores get puppies and other pets exclusively from breeders with good reputations.

"We only purchase from [U.S. Department of Agriculture-inspected] breeders; many have won awards," said John Harper, whose family



Some opponents of the measure brought signs to convey their positions. Photo by Roger Drouin

manages Petland in Sarasota. “We make trips to visit these breeders.”

Harper added that closing his store would result in the loss of 30 jobs.

“No one in this industry got in this industry because we want to hurt animals,” pointed out pet store owner Joseph Neuman.

But animal rights advocates said industry representatives are not being honest. They showed the commissioners photos and provided numerous accounts from people who bought pets at retail stores to stress that the puppies are coming from mills.

“We have an obligation to stop the pet stores from supporting nationalized animal cruelty,” said Laurie Walmsley, owner of the Ashton Animal Clinic.

Karen Ankerstar was one of the residents who showed the board photos of puppies in tight unclean kennels. “These are the cages where puppies are born,” she said. “And this is where this [breeding] dog stays most of her life.”

“The pet stores say they do not like puppy mills and do not purchase puppies from puppy mills,” Russell Matthes of Sarasota in Defense of Animals told *The Sarasota News Leader*



A supporter of the ban urges County Commission support for the ordinance. Photo by Roger Drouin

after Tuesday's meeting. "We have evidence they do."

THE LEGAL QUESTION

Commissioners seemed to agree that problems exist with puppies coming from less than ideal conditions.

"I have been really torn on this thing since the subject came up. And I would like to do something," said Commissioner Nora Patterson.

"Something needs to be done, it appears," added Commissioner Joe Barbetta.

However, commissioners had questions about the possibility of a legal challenge if they moved forward with the ordinance as proposed.

Patterson made a motion to ask the County Attorney's Office to explore potential legal issues. The motion was approved unanimously.

County Attorney Stephen DeMarsh will bring back a legal opinion in 60 days; then, the County Commission will discuss the topic further.

Barbetta said he was concerned the county was "treading water" on legal issues, including free commerce, in regard to the proposed ordinance.

DeMarsh replied that two possible issues could be raised by a ban. The first is whether such a law would impair existing contracts associated with the four pet stores operating in the county. The second is whether an ordinance would clash with provisions of the federal Commerce Clause, which regulates aspects of intrastate and interstate business.

"Clearly there are some legal concerns," DeMarsh pointed out.


Vice Chairman Charles Hines said the crux of the matter is not the sale of dogs in general but the sale of those bred at puppy mills. Hines added that he would like to see local animal rights advocates work with representatives from the industry to strike an agreement that would address puppy mills.

"Where is the compromise on this? I haven't seen that," Hines said. "Both sides said they don't like puppy mills."

Patterson added that she feels bad for the employees who might lose their jobs, but she does not think closing local retail pet stores that sell live animals will prevent people from finding the dog breeds they desire. "There would be a wide variety" of legitimate local breeders people could contact, who would be able to provide background on their puppies and the conditions in which they were bred, Patterson pointed out.

Russell Matthes of Sarasota in Defense of Animals told the *News Leader* he looks forward to the results of the county's review of the ordinance.

As for the potential impact on federal commerce laws, Matthes pointed to the lack of such problems with regulations adopted in other cities.

"We're certainly looking forward to the next 60 days for more discovery by county staff and attorneys, who will be looking into the Commerce Clause and how it impacts such an ordinance," Matthes added. "There is some precedent out there they can look at." 

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“We shouldn’t get to the point where \$77,000 is owed.”

Charles Hines
Vice Chairman
Sarasota County Commission

”

A STAFF ERROR

Sarasota County staff has stipulated that shoreline plantings be included on the Bob’s Boathouse property to help buffer noise. Photo by Rachel Hackney

BOB’S BOATHOUSE NEVER SHOULD HAVE BEEN ISSUED A TEMPORARY CERTIFICATE OF OCCUPANCY BECAUSE IT HAD NOT PAID COUNTY WATER AND SEWER CAPACITY FEES OF MORE THAN \$77,000, THE COUNTY COMMISSION LEARNS

By Rachel Brown Hackney
Editor

A temporary certificate of occupancy (TCO) never should have been issued to Bob’s Boathouse because the business had not paid \$77,063.44 in water and sewer capacity fees, the director of Sarasota County’s Planning and Development Services Department told the County Commission this week.

During the board’s regular meeting on Dec. 11, Tom Polk explained that county building regulations specify all fees must be paid, including capacity and impact fees, before a TCO is provided to a new business. Because of a staff error, [Bob’s Boathouse](#) received the initial TCO, he added.

In a Dec. 3 email exchange with Commissioner Joe Barbetta, Polk noted that not only did Bob’s win its initial TCO, but also an additional 30-day extension of that TCO was issued on Nov. 27.

As a result of the non-payment of the fees, Polk pointed out, staff sent letters this week to two entities involved with the business to notify them the fees must be paid by Dec. 30 or the water and sewer service to the restaurant will be terminated.

“We shouldn’t get to the point where \$77,000 is owed,” Vice Chairman Charles Hines pointed out.

The letters went to D.E. Murphy Constructors Inc. of Sarasota, listed on the Bob's Boathouse county business application as the restaurant's contractor; and The Best Restaurant on 41 LLC, which is listed as the lessee of the property where the restaurant sits.

Further, "[I]t has been brought to the County's attention that the entity applying for the certificate of occupancy for [Bob's Boathouse] is not The Best Restaurant on 41, LLC, but is instead ... Skipper Bob, LLC," David A. Cash, interim director of the county's Public Utilities Department, wrote in his Dec. 9 letter seeking payment of the utility capacity fees.

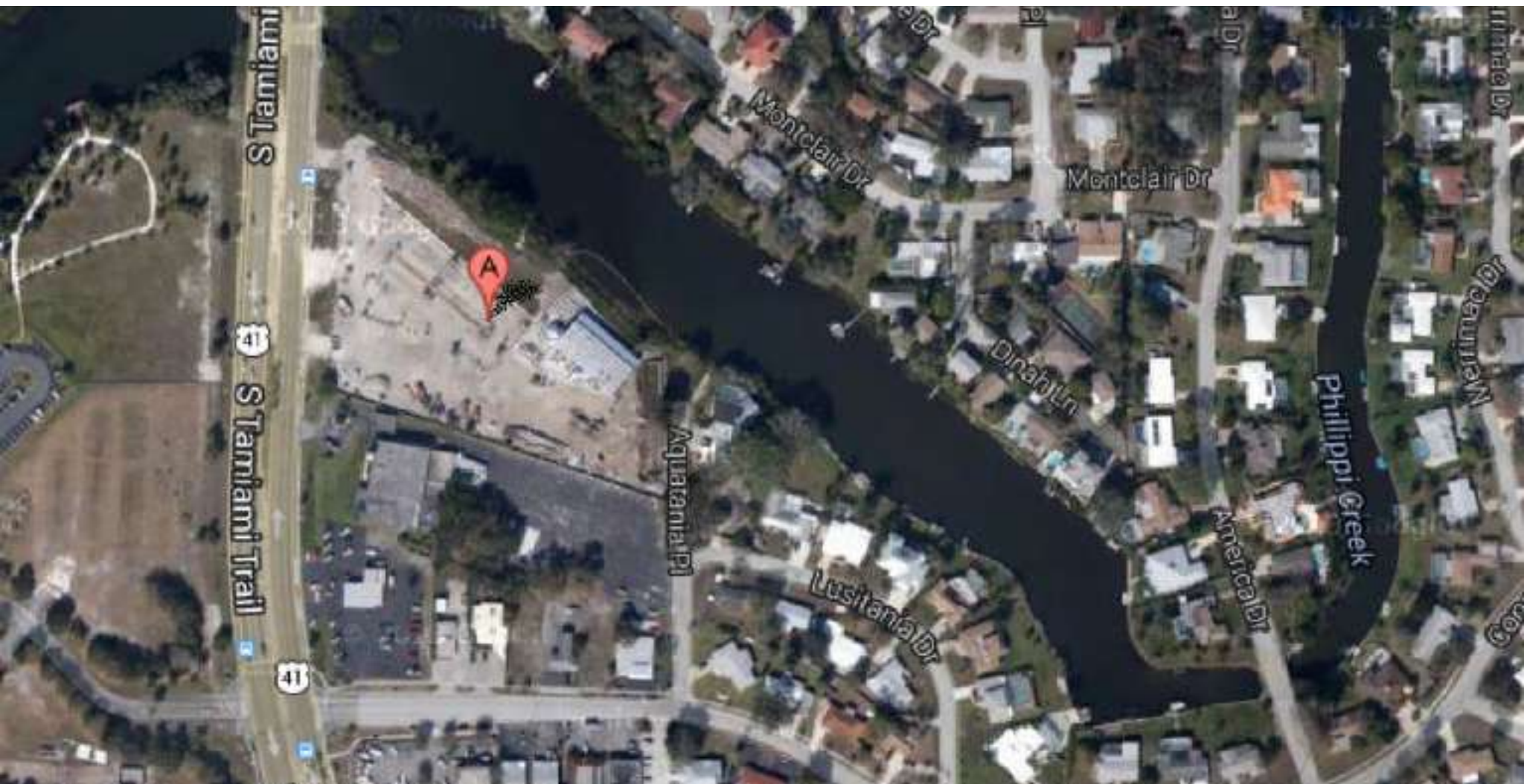
I would like to make sure that there's absolute clarity in whatever you bring back to us, that the people applying [for temporary certificates of occupancy] are clear and we're clear ... on the process.

Carolyn Mason
Chairwoman
Sarasota County Commission

Cash added, "Please provide information clarifying the relationship between The Best Restaurant on 41, LLC and Skipper Bob, LLC no later than December 30, 2013."

Because of a lack of cross-checking of documents and other questions that arose as a result of this particular case, Polk told the County Commission on Dec. 11 that he plans a Dec. 13 meeting with his staff to start reviewing all the processes related to helping new businesses open.

"We've already started a lot of this discussion," Interim County Administrator Tom Harmer added in remarks to the board.



An aerial view shows Bob's Boathouse's situation on South Tamiami Trail in Sarasota. Image from Google Maps

After close to 30 minutes of discussion, the commissioners unanimously approved two motions. The first calls for a board assignment seeking Harmer's "careful review," as Commissioner Christine Robinson put it, of the entire county process of issuing TCOs, with a report to come back to the board once that is complete.

Second, a motion by Commissioner Nora Patterson directed staff to continue providing regular updates to the board on code compliance issues involving the business, which is located at 5515 S. Tamiami Trail, right across Phillippi Creek from residents on Montclair Drive. Patterson especially asked that an update be offered after the end of the year, relative to the Dec. 30 utility payments deadline.

Barbetta also proposed — though he did not make it a motion — that staff look into crafting a requirement for a new business to put up a bond or provide a letter of credit before staff can grant it a TCO if outstanding issues must be resolved before a CO is issued.

THE EXPLANATION

Barbetta requested a follow-up this week relative to the board's Nov. 20 review of residents' complaints regarding noise and lighting issues at Bob's Boathouse. Polk told the commissioners he has been going through Building Department documentation to get a clear picture of all the relative issues. As a result, he said, he determined three other outstanding matters must be resolved, in addition to the water and sewer capacity fees issue. Those are the completion of site and development plans, which have to be certified by county staff; shoreline plantings required as a buffer to help protect neighbors from the noise generated by the business; and conveyance of utility easements to the county.

"I'm not happy seeing 'Not Completed' on what I consider to be key items," Barbetta told Polk, including the lack of the utility easements even though the county is providing water and sewer service to the property.

The Public Utilities Department made the decision to go ahead with that service, Polk



Boats are lined up in a row by the front door to Bob's Boathouse. File photo

December 9, 2013

The Best Restaurant on 41, LLC
5515 South Tamiami Trail
Sarasota, FL 34231
Attention: Tom LeFevre

Mailed Via Certified Mail
#7007 0220 0000 3309 2489

Mr. LeFevre:

On October 16, 2013, The Best Restaurant on 41, LLC, entered into a Utility Agreement (the "Agreement") with Sarasota County to provide water and wastewater utility service to Phase I of a Project located at 5515 South Tamiami Trail (the "Property") which was a restaurant that was under construction and nearing completion to be known as "Bob's Boathouse" (the "Restaurant"). Exhibit "C", Special Conditions of the Agreement, sets forth terms and conditions including the requirement to pay additional water and wastewater capacity fees for 14 Equivalent Dwelling Units (EDUs) for Phase I of the Project. The terms of Exhibit "C" require full payment of water and wastewater capacity fees in the amount of \$77,063.44 (water capacity fees of \$36,780.24 plus sewer capacity fees of \$38,080.00 plus 3" meter fee at actual cost of \$2,203.20) prior to the provision of water and wastewater service to the Property. As of the date of this letter, the capacity fees have not been paid, even though utility service was made available on October 30, 2013. The Agreement and Sarasota County policy require full payment of all fees prior to the provision of water and/or wastewater service to the Property. Given the capacity fees have not been paid in accordance with the Agreement, you are hereby put on notice that all fees required by the Agreement must be paid in full on or before December 30, 2013. Failure to do so will result in the termination of water and wastewater service to the Property on December 31, 2013, at 5:00 pm or soon thereafter.

As stated above, The Best Restaurant on 41, LLC, is the named Party to the Agreement and pursuant to that certain Lease dated September 1, 2010, with Royal Oldsmobile – GMC Trucks Company, is the tenant of the Property. However, it has been brought to the County's attention that the entity applying for the certificate of occupancy for the Property is not The Best Restaurant on 41, LLC, but is instead is Skipper Bob, LLC. Please provide information clarifying the relationship between The Best Restaurant on 41, LLC and Skipper Bob, LLC no later than December 30, 2013.

In a Dec. 9 letter to Bob's Boathouse owner Tom LeFevre, David Cash, the county's interim Public Utilities Department director, notes the county's expectation of LeFevre's payments of water and sewer capacity fees. Image courtesy Sarasota County

replied, “with the understanding these items would be complete.”

Polk added that, in an effort to help new businesses open as soon as possible, county staff has been working “in good faith” with them. In fact, Polk said, the county has granted TCOs to 65 businesses over the past three years under such circumstances.

Barbetta also raised the point of “dueling LLCs here,” referring to confusion about the involvement of the Skipper Bob and Best Restaurant on 41 firms with Bob’s Boathouse. “We don’t have anybody’s names. We don’t have individuals,” Barbetta pointed out. “I’m just trying to figure out how this all happened.”

MORE CONFUSION

Barbetta later referenced a report in another publication that Murphy Constructors had withdrawn as the contractor of record. Donald E. Murphy has been identified as the owner of that firm.

In a telephone interview later on Dec. 11, Polk explained to *The Sarasota News Leader* that he had checked with the county building official, who had confirmed for him, “Mr. Murphy is on the application and he will remain on the application.” Murphy’s name cannot be removed, Polk stressed.

The Dec. 6 letter Murphy sent to Deputy Sarasota County Building Official Kathleen Croteau says, “It has become very apparent to me that Mr. Tom Lefever [sic] does not have the financial resources to complete any of the items left open to acquire a permanent certificate of Occupancy.”

Tom LeFevre is identified on the Bob’s Boathouse website as owner of the business.

Murphy’s letter continues, “I have tried repeatedly to complete these items and hit a constant road block when it comes to spending money to finish all the items that are currently open. ... As it turns out the owner of this project has been less than honest on several occasions and I cannot continue to represent him as his contractor.”

CORRECTIVE ACTIONS

During the County Commission discussion, Barbetta also reiterated a remark he made during the board’s Nov. 20 meeting, that he believes the restaurant’s sidewalk was constructed in a meandering manner to comply with the section of county code mandating a minimum distance between a business serving liquor and a church. South Trail Church of Christ is adjacent to Bob’s Boathouse on South Tamiami Trail.

“I’m not happy with what I found through this TCO process,” Polk told Barbetta. “We are working toward making corrective actions to that with staff ... not only with staff, but the process itself. I found that the process allowed for some of these things to occur, and we need to be more vigilant with respect to the paperwork that’s being submitted at different times.”

Robinson commended Polk for appearing before the commission and for “the fact that ... we are admitting that there were problems and errors in this.”

Regarding residents’ complaints about noise and lighting issues at Bob’s Boathouse, she added, “It’s tough for us to tell those citizens that this occurred ...”

She also told Polk, “I fully expect us to get a full understanding as to how we can improve this [process of granting TCOs and COs].”

**D.E. MURPHY CONSTRUCTORS, INC.**

CONSTRUCTION MANAGEMENT

(941) 955-5980 Corp Office
(315) 369-9914 N.Y. Office
email: don@demurphy.com

12-6-13**Kathleen Croteau****Deputy Building Official****Sarasota Planning and Development Services****Re; Bob's Boathouse TCO #13-943137B4****Kathy.**

I am unfortunately writing this letter to request that my CGC 025855 number and insurance be removed as the contractor of record for Bob's boathouse. It has become very apparent to me that Mr. Tom Lefever does not have the financial resources to complete any of the items left open to acquire a permanent certificate of Occupancy. I have tried repeatedly to complete these items and hit a constant road block when it comes to spending money to finish all the items that are currently open.

Further, we have been led to believe that many of the items I had addressed in my T.C.O letter were going to be complete and had been contracted. As it turns out the owner of this project has been less than honest on several occasions and I cannot continue to represent him as his contractor.

I apologize for all the inconvenience, but find I have no other recourse.

Sincerely,

Donald E Murphy

D.E.Murphy Constructors Inc.

Although the contractor for Bob's Boathouse has asked county staff to be released from involvement with the project, the firm's name will stay on the application, per county regulations, staff says. Image courtesy Sarasota County

“All the paperwork that was in front of us was notarized,” Polk replied.

“If that’s the case,” Robinson responded, “I can only hope we’re turning that over to the appropriate authorities,” because people who notarize documents are doing so “under penalty of perjury.”

“We’ve worked through some of those [issues] and we’ll continue to try to improve the process,” Polk said, adding, “There are different entities in this instance, and we just never took the time to bring it all together.

Barbetta pointed out to Polk that he met the attorney for Bob’s Boathouse when the commissioners took a break earlier during the meeting. He suggested Polk talk with the attorney, who remained in the audience. “Let’s cut to the chase and get this thing resolved.”

When Patterson asked about whether the business owes the county impact fees, Polk said the staff member who handles that matter had confirmed no impact fees were required because another business previously occupied the property.

An Oldsmobile dealership used to be on that site, Barbetta pointed out. “This is a totally different use. The building’s been changed.”

“We will recheck it,” Polk responded.

CODE VIOLATIONS REDUX

Patterson told Polk she remained concerned not only about whether Bob’s Boathouse would comply with the county’s noise ordinance but also about whether it could become

a good neighbor. Many restaurant and bar owners, she pointed out, work to make certain they turn down the bass on their sound systems after 10 p.m., when the county noise ordinance dictates lower decibel levels from businesses, and determine the best locations for their speakers so as not to disturb nearby residents.


“We can’t expect people to live, night after night, with something they can sing along with,” Patterson said of continuing complaints from residents about live entertainment at Bob’s Boathouse.

“We’ve been working very diligently with the [restaurant] management staff,” Polk replied. “We’ve had staff on site meeting with them on a regular basis.”

Additionally, he said, county Code Enforcement staff has been monitoring Bob’s Boathouse “on a very regular basis.”

The only violation reported so far, Polk noted, has been service of food outdoors after 10 p.m.

After Robinson made her motion for the thorough review of the county’s practices for issuing TCOs, Chairwoman Carolyn Mason seconded it. “I would like to make sure that there’s absolute clarity in whatever you bring back to us, that the people applying [for TCOs] are clear and we’re clear ... on the process,” Mason told Polk.

“We will start with the application, which one can read in a lot of different ways,” Polk replied. 



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ON THE HOOK



A presentation to the County Commission this week included a recent aerial view of Benderson Park. Image courtesy Sarasota County

SARASOTA COUNTY TAXPAYERS TO PONY UP \$5 MILLION MORE IF THE BENDERSON ROWING PARK ECONOMIC IMPACT DOES NOT ADD UP

By Cooper Levey-Baker
Associate Editor

The state of Florida wanted to make sure that if its investment in the rowing facility at Nathan Benderson Park doesn't pan out, Sarasota County would pay it back. The county wanted no such thing. But the Board of County Commissioners this week went ahead anyway with a deal including just such a so-called "clawback" provision, after an at-times-tense meeting with Paul Blacketter, the head of the non-profit created to raise money for and manage the park.

The Florida Legislature has approved a total of \$10 million for the rowing project, in two \$5 million chunks. But the latest round of money, approved after this spring's legislative session by Gov. Rick Scott, comes with strings attached. Enterprise Florida, the public-private entity that manages economic development

in the Sunshine State, pushed for a clause in its contract with the county that requires Sarasota to pay back its investment if the rowing facility doesn't generate \$25 million in state sales tax money by the end of 2018.

“ This is the state saying, ‘We have faith in you, but you need to show you performed.’ ”

Charles Hines
Vice Chairman
Sarasota County Commission



The County Commission, faced with voting to accept the \$5 million with the clawback language to keep the money flowing, wrestled with the issue Wednesday, Dec. 11. Pretty much everyone agreed with Visit Sarasota County Director of Sports Nicole Rissler when she said that proving the facility generated \$25 million in state money would be a “challenge.”

“We have to make sure that we’re filling that facility with national, international and regional events,” she told the commission, describing a detailed methodology Visit Sarasota County has developed for tracking the often diffuse economic impact of visitors. According to her math, for example, this year’s USRowing Masters National Championships generated almost \$100,000 in sales tax for the state.

“Be very aggressive in measurement,” warned Commissioner Joe Barbetta. He argued that even just tracking visiting rowing teams

and spectators won’t capture the project’s full impact. What about people who come to watch a tournament, fall in love with the area and buy a house? he asked. How can the county quantify that?

Barbetta also pointed out that most of the current board members will be long gone by the time that 2018 deadline hits. Future commissioners will need “something to stand on that says, ‘These are the measurements we utilized,’” he pointed out. “Don’t leave any stone unturned.”

While Commissioner Nora Patterson said she didn’t agree that the clawback provision should have been included in the deal, Vice Chairman Charles Hines said he was OK with it: “This is the state saying, ‘We have faith in you, but you need to show you performed.’” Patterson responded that the county will “clearly” be asking the state for more money in the 2014 legislative session, and it needs to



Tents for participants and vendors dot Benderson Park in August during the USRowing Masters National Championships. File photo

be aware ahead of time if there might be any similar stipulations attached to future cash.

While the board eventually voted unanimously to approve the deal with the state, the commission specifically delayed executing a contract with Benderson, at least until the county has hammered out an operating agreement with Suncoast Aquatics Nature Center Associates and been presented with a long-term business plan for the property. Commissioner Christine Robinson pushed the issue aggressively, saying she was inclined to vote against the deal altogether till the operating agreement and business plan were in hand.

That didn't sit well with Patterson, who said she would only vote for the \$5 million deal with the state if it were unanimous. "We're either going to stick it out together or not," she added, "but if at least one of us feels like we ought to have the contract and the business plan prior to it, that's not unreasonable.

And we should have had it a while ago, as far as I'm concerned."

Hines specifically pressed Suncoast Aquatics Chairman Paul Blackketter, who is also executive director for planning with Benderson Development, why the organization has yet to finalize a long-range plan for the park. Blackketter's frustration mounted as he defended the nonprofit, saying the plan has evolved dramatically as the group has hosted different events and visited other rowing sites. "We've been working our butts off to make this succeed," he pointed out, appearing flustered. "We're putting our necks out on the line."

But the county is, too, Barbetta said. If the project doesn't have the impact the state is looking for, Sarasota taxpayers will be on the hook.


There are two major sticking points in the negotiations between Suncoast Aquatics and



Teams compete at Benderson Park during a regatta in April. Photo by Norman Schimmel

the county, Blackketter explained: insurance rules for the park and the extent of the property for which Suncoast Aquatics will be responsible. Suncoast Aquatics planned to just manage the island that houses the rowing facilities; the county wants the organization to handle the entire parcel.

After a short break that allowed everyone to simmer down, the board voted to go ahead with the \$5 million state contract, clawback and all, but to delay finalizing its deal with Benderson till Jan. 15, when the county will also see an operating agreement and business plan. Patterson said both sides were trusting that things would work out.

“There are leaps of faith all over the place,” she added, and the county’s leap on “the capital side” is “pretty huge.” 



Paul Blackketter is the chairman of the nonprofit organization that manages events at Benderson Park. Photo by Norman Schimmel



Major Milestones for the Nathan Benderson Park

- **December 2013:** West side trail pavement complete.
- **February 2014:** Wave attenuation system completed.
- **March 2014:** Starting line tower & docking complete.
- **April 2014:** Park hardscaping, trails, pedestrian bridge complete.
- **June 2014:** Island utilities & infrastructure complete.

This may take a while.

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POINTED QUESTIONS

A graphic shows the Erosion Control Line in red and the proposed locations for three groins on southern Lido Key. The southernmost groin appears to be on Sarasota County property. The area on the Gulf of Mexico side of the line is owned by the state. Photo by Rachel Hackney

THE U.S. ARMY CORPS OF ENGINEERS EXPECTS TO RELEASE A STUDY IN EARLY 2014 SHOWING POTENTIAL IMPACTS ON SIESTA KEY OF THE PLANNED DREDGING OF BIG PASS TO RENOURISH LIDO KEY BEACH

By Rachel Brown Hackney
Editor

A study the U.S. Army Corps of Engineers expects to release in early February will show the expected impacts on Siesta Key of the planned Lido Beach Renourishment Project, including effects of three groins planned on the southern end of Lido, Corps representatives told about 100 people at a two-hour Siesta Key Association (SKA) meeting on Dec. 5.

Additionally, the Corps hopes to submit an application to the Florida Department of Environmental Protection (FDEP) in late January or early February to obtain the necessary state permits for the work, the project manager for the Corps, Milan A. Mora, said during the presentation and question-and-answer session.

During the Sept. 18 meeting of the Sarasota County Coastal Advisory Committee, Mora said the Corps hoped to start the permitting process in late October or early November. County staff has indicated a delay is related to new information that subsequently arose regarding the project's potential encroachment on county property.

Just as he had added in September, Mora told the Siesta Key Association audience the Corps expects it will take about a year to obtain the state permit.

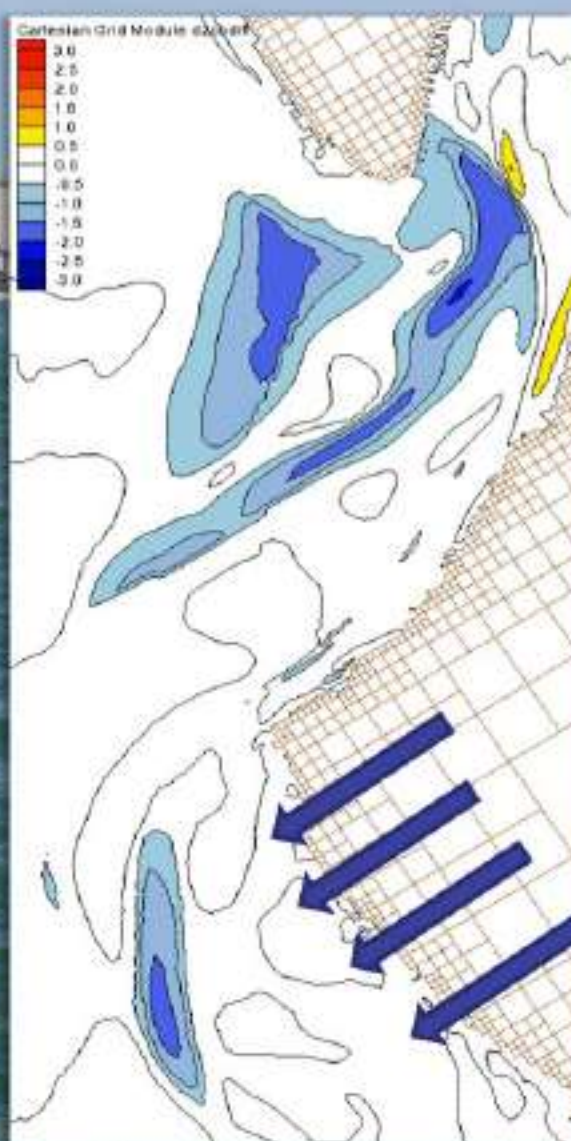
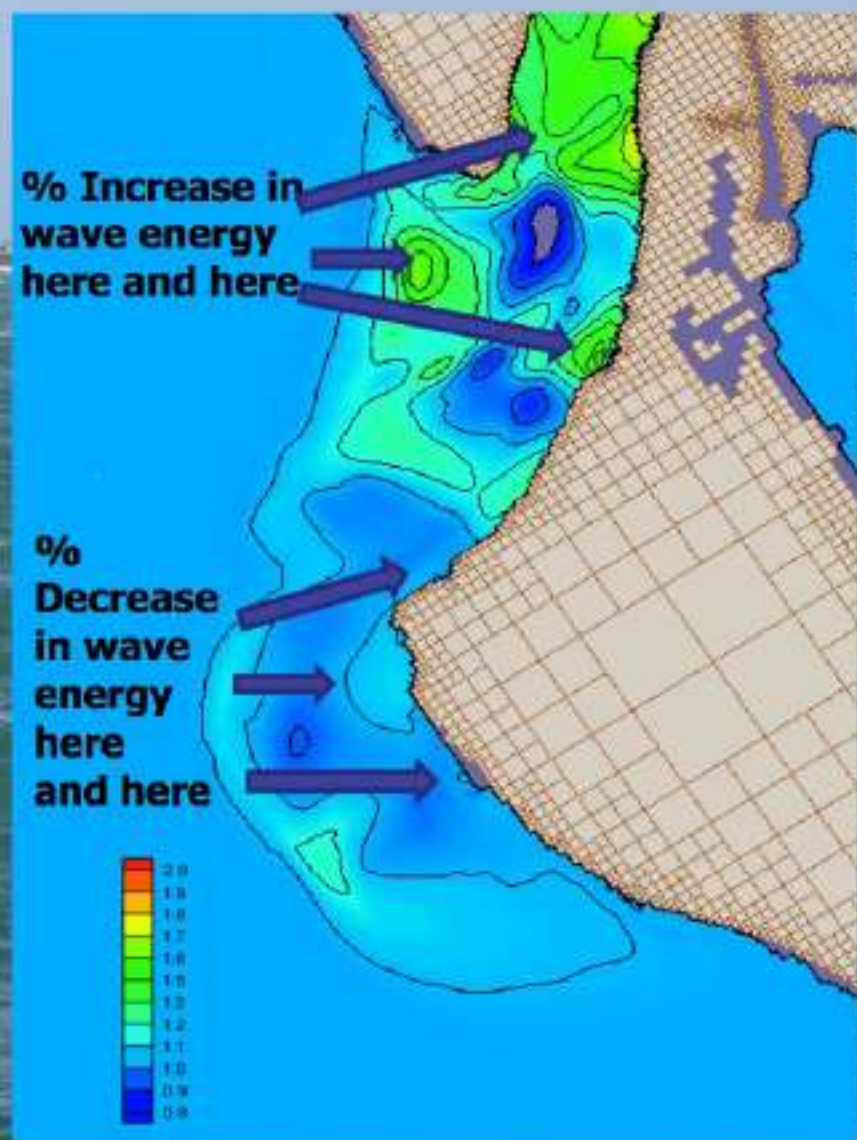
Moreover, Mora said on Dec. 5, a new engineering study the Corps has just finished "will

significantly reduce" the estimated \$22.7 million cost of the project.

Members of the audience — mostly Siesta residents — repeatedly questioned facets of the Lido plan and its potential for damage to Siesta Key. Among the people asking questions of Mora and Jason Engle, another Corps engineer, was Rob Patten, former director of environmental services for Sarasota County.

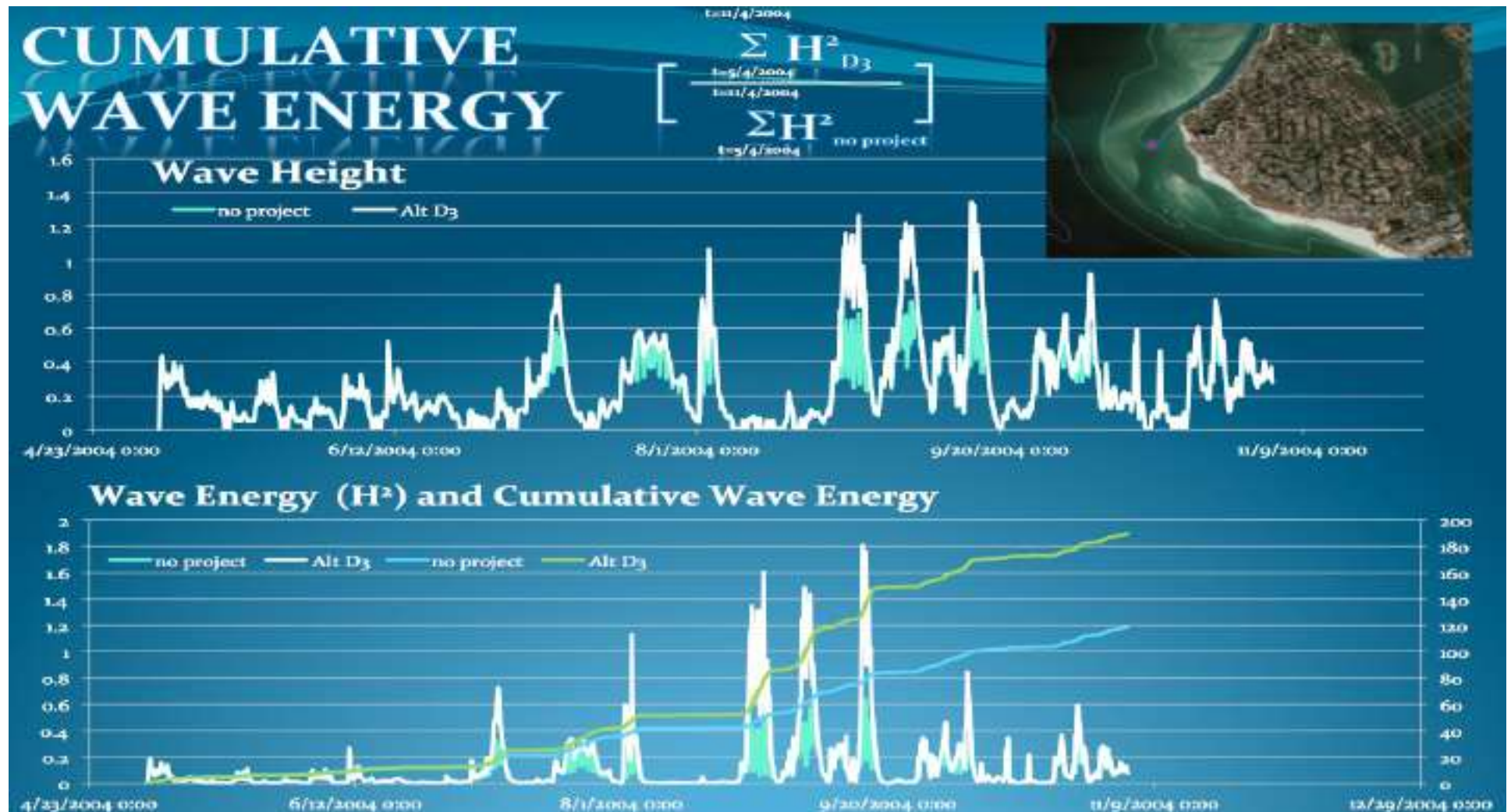
In an interview with *The Sarasota News Leader* following the meeting, Patten said the most important concern for local leaders is, "What level of risk are you willing to accept for a project that may damage your No. 1

HOW WILL THIS AFFECT SIESTA KEY?

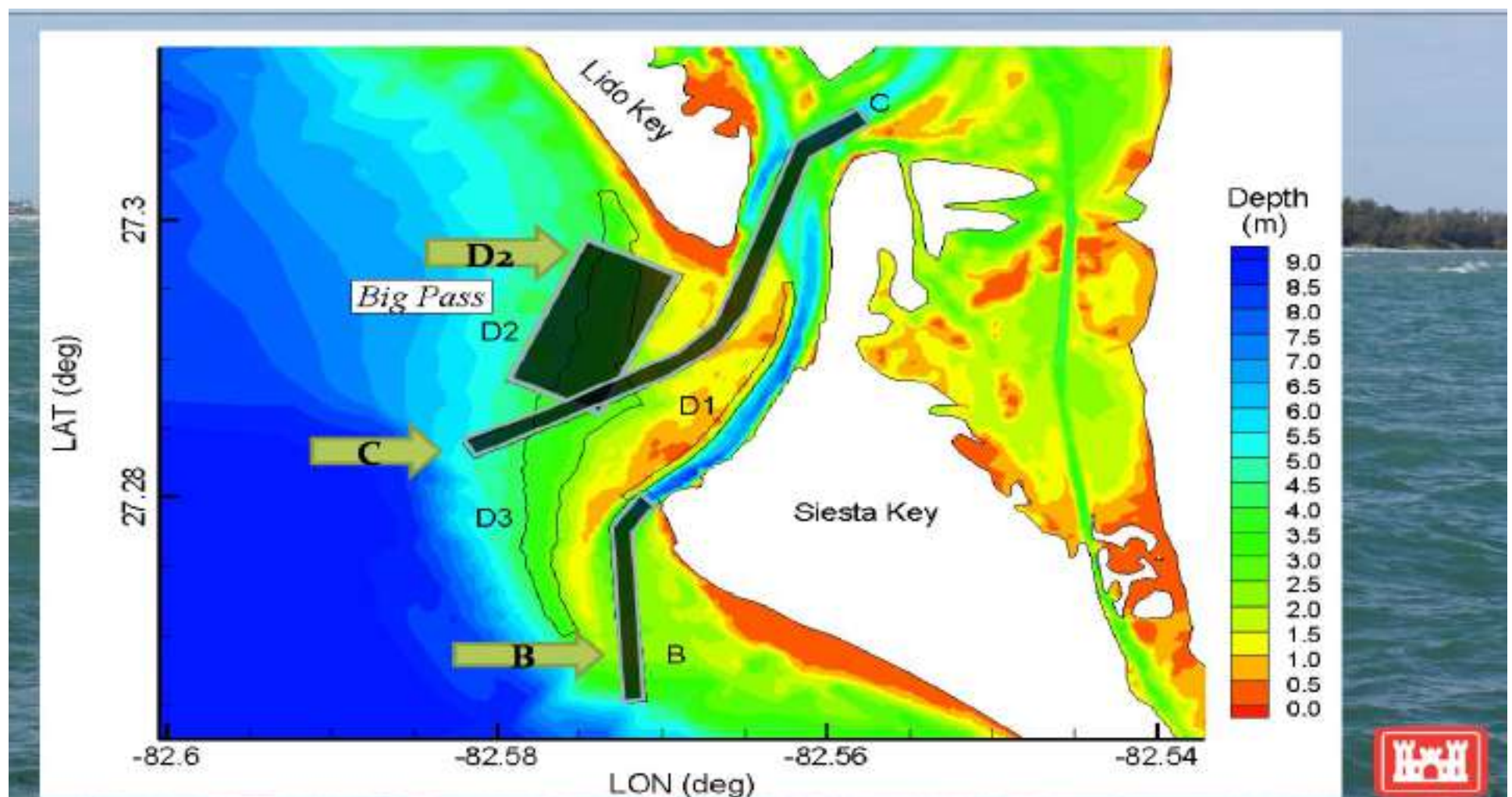


Results from the CMS morphologic model yields No indication of increased erosion over the Existing Condition at Siesta Key

A graphic shown to the City and County commissions by the U.S. Army Corps of Engineers in October shows little predicted impact on wave energy on northern Siesta Key as a result of the dredging of Big Pass. Image courtesy City of Sarasota



A graphic in the 2004 Inlet Management Plan shows a mathematical analysis of the potential effects on wave energy if Big Pass were dredged. Image courtesy City of Sarasota



An illustration shows the primary sources of sand for the proposed Lido Key Renourishment Project. Image courtesy City of Sarasota

natural tourist resource, Siesta Key? What's your level of comfort? It really comes down to that."

Alexandrea DavisShaw, engineer for the City of Sarasota, assured the audience members that the Corps' plan would undergo peer review as well as analysis by DEP staff. In response to a question from SKA Secretary Peter van Roekens — who also has been representing the Boaters' Coalition in discussions of the project — DavisShaw said the city "some time ago" hired two coastal engineering consulting firms: Coastal

Technology Corp., based in Sarasota; and Coastal Planning and Engineering, which has an office in Tampa. They would provide peer reviews of the Corps' analysis, she added.

"This project is so important ... that it requires more public input, then a public hearing and independent peer review," Patten told the *News Leader*.

DavisShaw also told the audience that because of the accretion of sand on the South Lido shoreline, it appears the city and Corps will have to seek County Commission approval of an easement for the construction

“What level of risk are you willing to accept for a project that may damage your No. 1 natural tourist resource, Siesta Key?”

Rob Patten
Former director
Environmental Services Department
Sarasota County



The Community Room at St. Boniface Episcopal Church began filling up 30 minutes before the Dec. 5 Siesta Key Association meeting began. Photo by Rachel Hackney

of the southernmost groin — a topic already raised by county staff.

The County Commission has scheduled another discussion of the project on Jan. 28.

THE BASICS

As he did during the Oct. 22 presentation to the City and County commissions and on Sept.

18 to the Sarasota County Coastal Advisory Committee, Mora outlined the general aspects of the Lido Renourishment Project on Dec. 5, including the determination in 2010-11 “that there is not enough sand [offshore]” to supply the necessary 1.1 million cubic yards needed for the first planned replenishment on Lido under the 50-year time frame for the current proposal. Therefore, the project calls for



Treasure Island



Aerial views show Treasure Island in Pinellas County, which U.S. Army Corps of Engineers representatives say is protected by a groin south of Blind Pass. Photo by Rachel Hackney

dredging the ebb shoal of Big Pass between Siesta and Lido keys — an undertaking that never has been done.

Some renourishment would be undertaken every five years, he explained, with part of the sand coming from New Pass in the future. Before Big Pass became the focus for the project, he continued, the Corps “spent a lot of funds, a lot of time and a lot of effort looking for sand offshore of Longboat Key.”

DavisShaw emphasized that the three key elements of the plan would be preserving Siesta Key, preserving navigation in Big Pass and protecting Lido Key. “We want all those things to be done.”

“If [the plan] hurts our beach, you’ll have no tourists here,” a woman in the audience told the Corps representatives and DavisShaw.

Mora stressed that the 1.1 million cubic yards of sand to be taken from Big Pass is only about 3 percent of the available sand in the channel. About 4 million cubic yards of sand put into the Big Pass system has come from previous Lido and Longboat renourishments, he pointed out.

The three groins that are part of the project would be built at the natural 5-foot elevation and be covered by sand, Mora continued. The groins, which would range in length from 350 feet to 500 feet, would help keep the new sand in place, he added.



U.S. Army Corps of Engineers representatives Jason Engle (left) and Milan Mora address the Siesta Key Association audience on Dec. 5. Photo by Rachel Hackney

MORE DETAILS

When audience member Jim Johnson of Siesta Key asked about the specific type of design planned for the groins, Engle of the Corps explained that it is called a “[terminal structure](#).” In response to a later question, DavisShaw said the groins would not be permeable.

In an interview with the *News Leader* in early April, DavisShaw noted, “I think there’s a lot of improvement in technology [regarding the design of groins], so they are better able to address the needs” of the areas where they are placed.

During the Dec. 5 meeting, Engle displayed an aerial view of a groin placed at Blind Pass adjacent to Treasure Island in Pinellas County. However, an audience member pointed out that structure is south of the channel, while the groins on Lido will be north of Big Pass.

Engle responded that the groins planned for Lido are “meant to do the same thing,” as the one at Blind Pass, drawing laughter from the audience.

“How can you propose anything now if you don’t know the risk?” another audience member asked. Patten made a similar point later in the meeting: “Shouldn’t we conduct these assessments before we design a plan and not after we design a plan?”

“This is not set in stone,” Mora responded. “This has to go to the State of Florida to be approved.”

Mora emphasized that the Corps study to be released early in 2014 would address the



*Siesta Key Association President Catherine Luckner welcomes the audience on Dec. 5.
Photo by Rachel Hackney*

impact of the groins on the downdrift flow of sand to Siesta Key.

He added, “This is the first of the public meetings.”

In his questions, Patten also referenced a segment of the Inlet Management Plan that outlined a number of significant environmental concerns any dredging proposal for Big Pass must address, including impacts on seagrass, essential fisheries, birds, manatees and water quality.

Patten told Mora, “I’m pretty baffled that a project of this size go to this point without ever having a public hearing or a peer review.”

When Mora later said the Inlet Management Plan was vetted through public meetings, a chorus of “No’s” came from the audience.

If the Corps had to find another source for the new Lido sand other than Big Pass, Mora

continued, the project would be set back 10 or 15 years, a point he also made at the Coastal Advisory Committee meeting.

“If one of you guys had a magic wand and could tell me there was sand 10 miles out or 8 miles out and I could go check it out, that would be the first thing I would do,” Mora added.

“Go look again!” a woman yelled at him.

Engle explained that since Lido is a man-made island, if it is not renourished, “[It] goes away.”

At what point would the Corps decide it no longer could take sand from Big Pass for future renourishments over the 50-year life of the project, SKA President Catherine Luckner asked. The Corps analysis due by early February will address that, Engle told her.

In response to questions about whether the dredging of the channel would create more wave energy on northern Siesta Key, Engle said, “That will be answered [by the analysis.] That is one of the prime objectives of this study. ... There is a way to dredge an inlet intelligently. We understand completely that by over-dredging an inlet, you can cause catastrophic damage.”

DavisShaw pointed out that the dredging of New Pass had not damaged Lido Key.

Pressed again about the potential increase in wave energy, Engle pointed to a model that showed an increase of 1.5 percent on northern Siesta Key as a result of dredging in Big Pass. “I would call that nearly within the margin of error of the model,” he added.


In response to another question, Engle said, “What we’re talking about doing is essentially taking the shoal back five years or 10 years,” before millions of cubic yards of sand had drifted into the pass from Lido and Longboat keys.

Asked about funding of the project, DavisShaw explained that 62.4 percent of the money would come from the federal government and the rest would be covered by a state grant and Sarasota County Tourist Development Tax revenue set aside for beach renourishment.

On Sept. 18, Mora told the Coastal Advisory Committee that funding for the Lido project was not included in the federal budget for 2014 but he hoped it would be granted for the 2015 fiscal year. “That’s the goal,” he pointed out at the time. “I cannot comment on internal policy of the Corps, but it could be as early as 2015 ... It all depends on what Congress decides to appropriate, and right now, all I know is we’re asking for it.”

Near the end of the Dec. 5 meeting, SKA President Luckner told the audience, “This is preliminary ... This is a work ... in progress right now.”

She added that the SKA is dedicated to protection of the environment and to the quality of life on Siesta Key. “You can count on that with us.”

Regarding the Lido proposal, she continued, “There will be nothing that will occur that will be a big surprise,” pointing out that the SKA already had asked for an independent peer review of the Corps’ plans and for further public meetings. 

PANHANDLING LAW CONSIDERED



People stand in the medians at the intersection of U.S. 41 and Gulfstream Avenue in April to solicit donations from drivers. Photo by Norman Schimmel

A PROPOSED COUNTY ORDINANCE UP FOR A PUBLIC HEARING IN MARCH WOULD REPLACE AN 'EMERGENCY ORDINANCE' NOW IN PLACE

By Roger Drouin
County Editor

Sarasota County is joining the City of Sarasota in taking a stance on roadside panhandling.

The county commissioners voted 3-2 Wednesday, Dec. 11, to hold a public hearing on a panhandling ordinance that would replace a temporary, “emergency” ordinance now in place. The hearing will likely take place in March, according to county officials.

Chairwoman Carolyn Mason and Commissioner Christine Robinson, who cast the dissenting votes, said

they did not want to set a public hearing without first collaborating on the issue with municipalities throughout the county.

At the joint city/county meeting held last month to hear homeless consultant Robert Marbut’s 12 strategic recommendations, the county commissioners agreed to work with the cities to address homelessness in the region.

“*I want the municipalities to be partners on this.*”

Carolyn Mason
Chairwoman
Sarasota County Commission

“We made an obligation and promise that we would collaborate, and this is not

collaborating,” Robinson said of the proposed action Wednesday.

“I just don’t think this is carrying through with the spirit of that meeting,” Mason pointed out, referring to the joint session on Nov. 25. “I want something permanent, but I am thinking back on that meeting and I want the municipalities to be partners on this.”

The three other commissioners agreed they want to work with the municipalities, but they voted for the ordinance after being cautioned by County Attorney Stephen DeMarsh to move forward “without delay” with the new law. The existing emergency ordinance was approved in February. That measure was enacted to prevent a legal challenge similar to one faced by the City of Sarasota over its panhandling ordinance. DeMarsh recommended it after a 12th Judicial Circuit Court ruling

struck down part of a city ordinance related to panhandling.

DeMarsh pointed out in February that the county ordinance was intended only as a temporary measure to keep people from holding signs in the middle of busy roadways.

On Wednesday, staff presented tweaks to the emergency ordinance that would better define places where people cannot solicit donations, including medians, sidewalks and road surfaces. The proposed law does not include exemptions or permits for charitable organizations.

If enacted, the new ordinance would regulate roadside panhandling only in the unincorporated areas of the county, but Patterson said she still wanted to hear comments on it from city leaders.



A man stands alongside Bee Ridge Road in April, asking for help. Photo by Norman Schimmel

“We are not imposing anything on municipalities, but should they have a desire to opt in, that would be great,” Patterson added. “And we are open to any suggestions. I don’t think it will be a problem.”

Patterson noted that she supported the ordinance process at this time because she was “listening to the attorney.”


The commissioners asked county staff to draft a letter to send to the cities to generate commission or council reactions. Patterson said she wanted the correspondence to “make it clear we are open to input.”

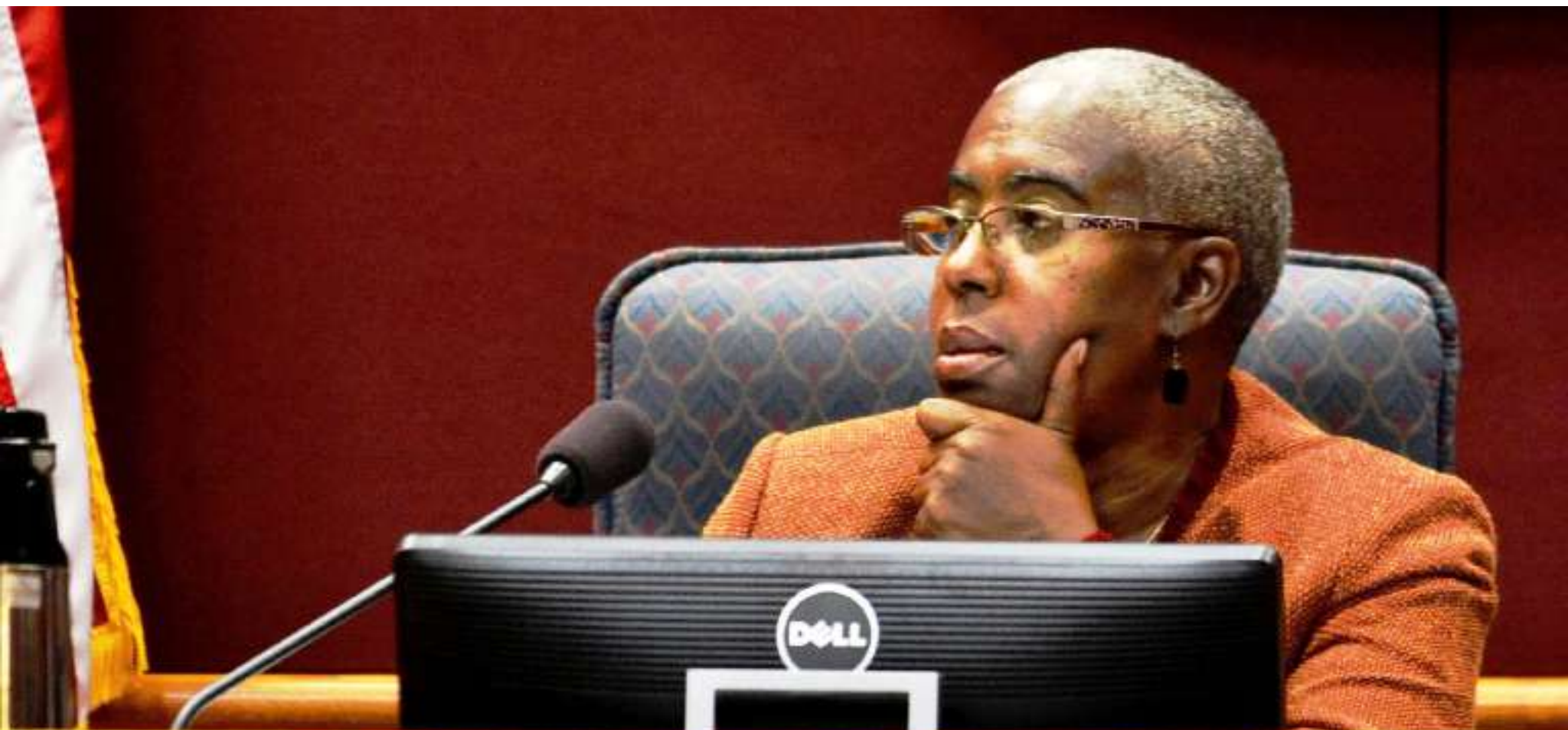
When it comes to regulating panhandling, a cohesive countywide approach is the ultimate goal, Commissioner Joe Barbetta pointed out.

“Hopefully, [the cities without such ordinances] would adopt ours, and there is no conflict with the city of Sarasota,” Barbetta said, referring to the latter municipality’s panhandling regulations.

Vice Chairman Charles Hines added that he, too, wants to work with the cities and that the board message was clear on that point from commissioners’ concerns expressed at the dais Wednesday. “Please watch this meeting,” he said in a comment directed to local elected officials in the municipalities. “We’re not trying to be Big Brother.”

During the upcoming public hearing, commissioners will be able to discuss the possibility of allowing charities to solicit donations in the public rights-of-way, a practice some cities allow.

According to a county staff report, six of the Florida local governments with a panhandling ordinance do not allow any solicitation by charitable organizations, while five allow exemptions or a permitting process for such groups. Tampa, for instance, allows charitable solicitations on Sundays only. 



County Commission Chairwoman Carolyn Mason listens to a presentation. Photo by Norman Schimmel



SPORTS, MUSIC AND HIGH-END WEDDINGS

Before taking public comment, Public Works Director Todd Kucharski walks the audience through the Payne Park master plan. Photo by Stan Zimmerman

CITY OF SARASOTA STAFF HEARS A LOT OF IDEAS FOR USE OF PAYNE PARK, ALONG WITH PLEAS TO RELAX THE RULES FOR RENTING THE AUDITORIUM

By Stan Zimmerman
City Editor

About 60 people came to the Payne Park Auditorium Monday, Dec. 9. More than a few were there to defend the building, for they feared the city was preparing to tear it down.

There was some substance behind their fear, for the Sarasota City Commission, during a budget workshop, heard the building needed a new roof, air conditioning and wooden floor. And it further heard the building was not drawing sufficient business to offset the costs. One option: Tear down the building.

The auditorium was purpose-built in 1962 as a community hall. Over the decades, it has hosted dances, expos, neighborhood

meetings, public hearings, dance instruction and more.

The city's Public Works Department called the meeting this week to solicit ideas about the future of the park and not specifically to address the future of the auditorium. "We're not going to tear it down tomorrow," said Todd Kucharski, public works director.

RE-PRIMING THE PUMP

Payne Park evolved from an eyesore to a jewel over the past decade. Deeded to the city as a 24-acre park in the 1920s by the Payne Family, it became a revenue source in the hardscrabble 1930s when the city converted

part of it to a parking lot for “tin-can tourists” who drove their Model A Fords south, towing trailers they could live in for the winter. Major League Baseball Spring Training games were held in a nearby wood-frame stadium.

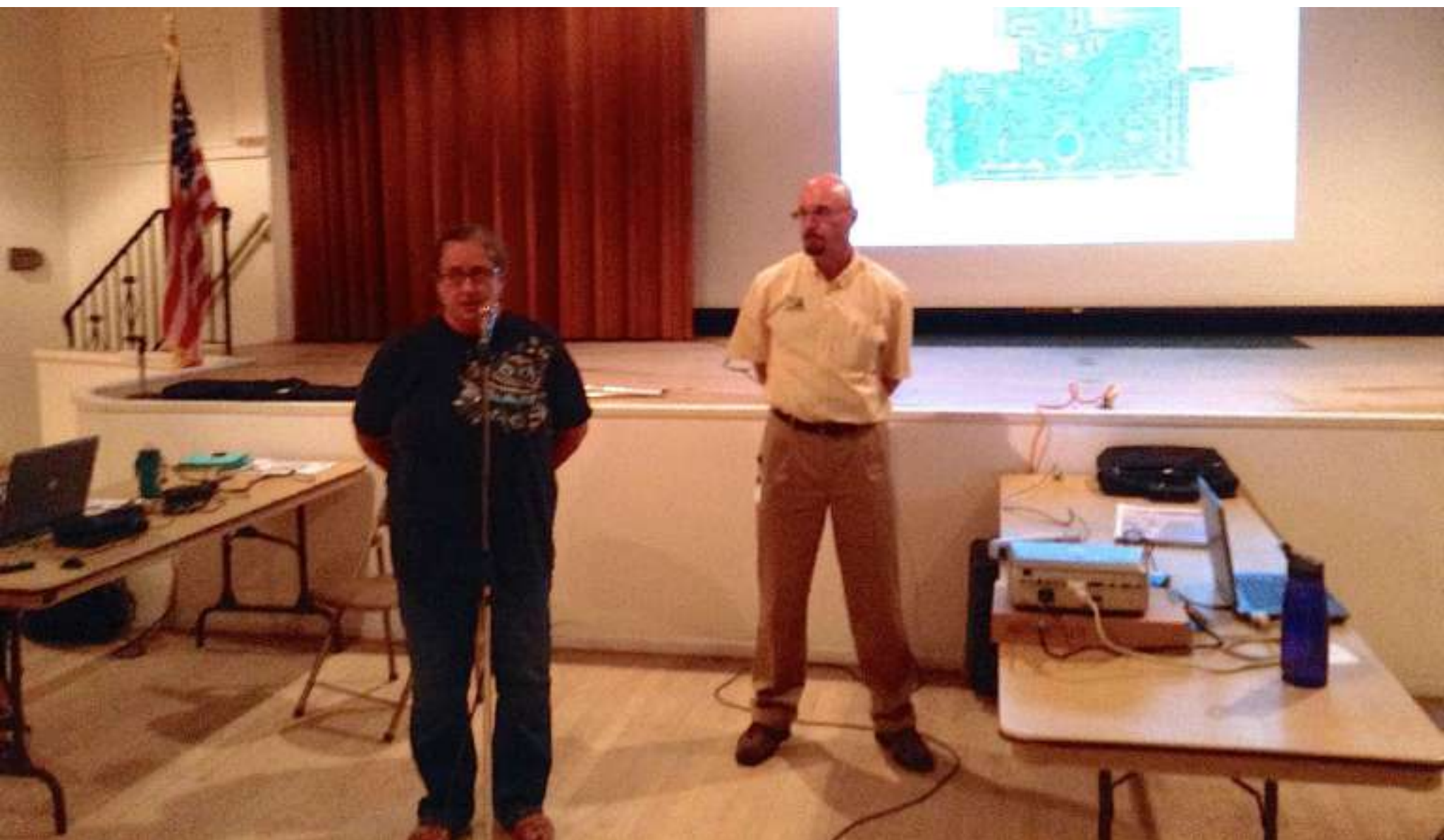
The parking lot morphed into a community of not-so-mobile homes that became a neighborhood in its own right. Eventually, the city banned any new mobile homes and let attrition take its toll. The last few holdouts were given a severance package, and the land again became vacant.

“With a 32-court covered facility, you could stage district, state and national tournaments. I can visualize the best shuffleboard courts in the world here.”

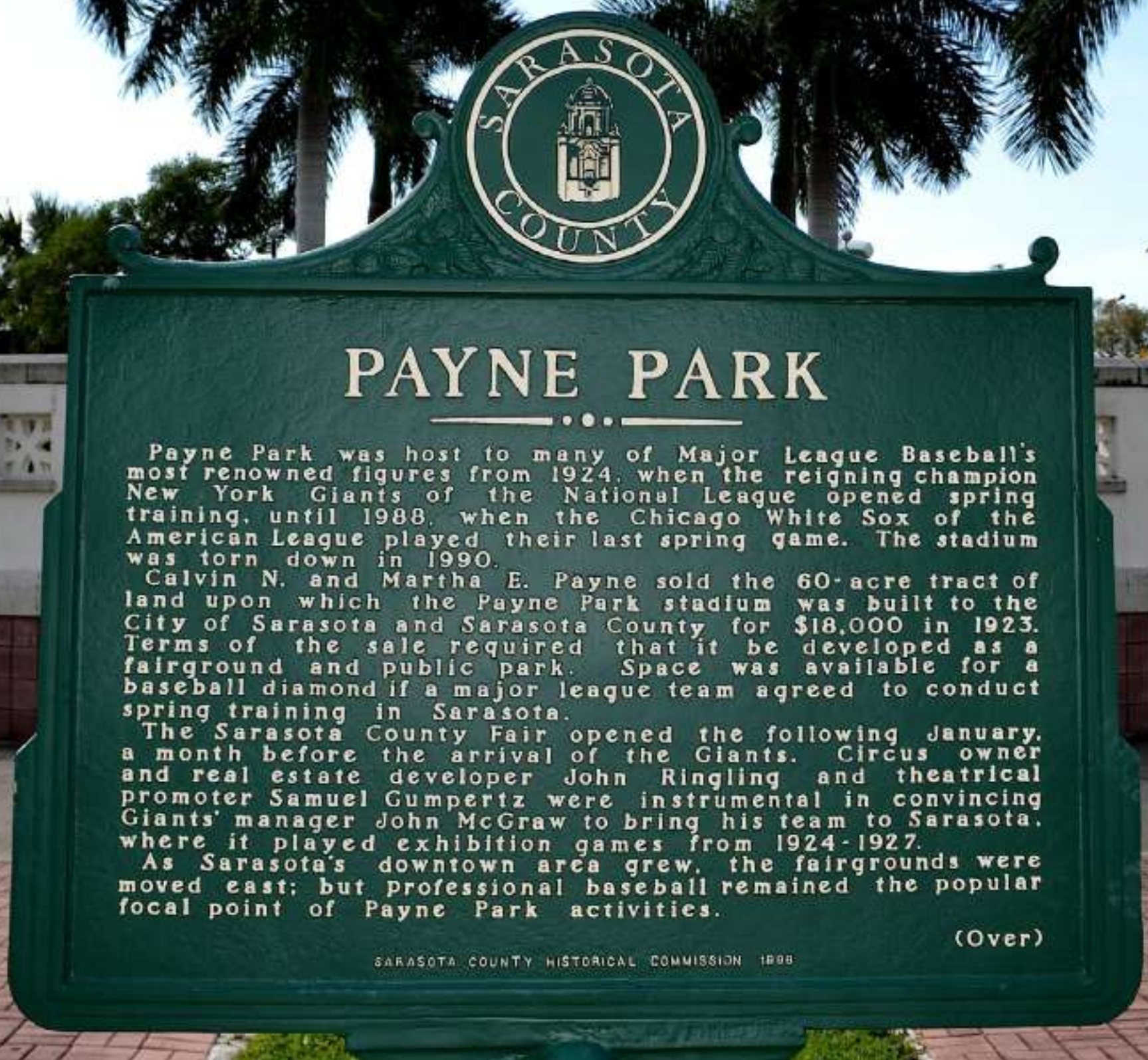
John Brown
Chairman
Southwest Coast of Florida
Shuffleboard Association

When the city’s local option sales tax produced windfall revenue in the early 2000s, the city used some of that money to create a master plan for the park, and skateboarders carved out a portion of the site to call their own. After \$6 million and a lot of work by Duane Mountain and his Public Works Department, the first phase of Payne Park was opened to the public. The park was the capstone of Mountain’s long career with the city.

The windfall revenues are long gone, and the subsequent phases of development have the



Virginia Hoffman voices worry that the political will is not sufficient to create more amenities in the park. Photo by Stan Zimmerman

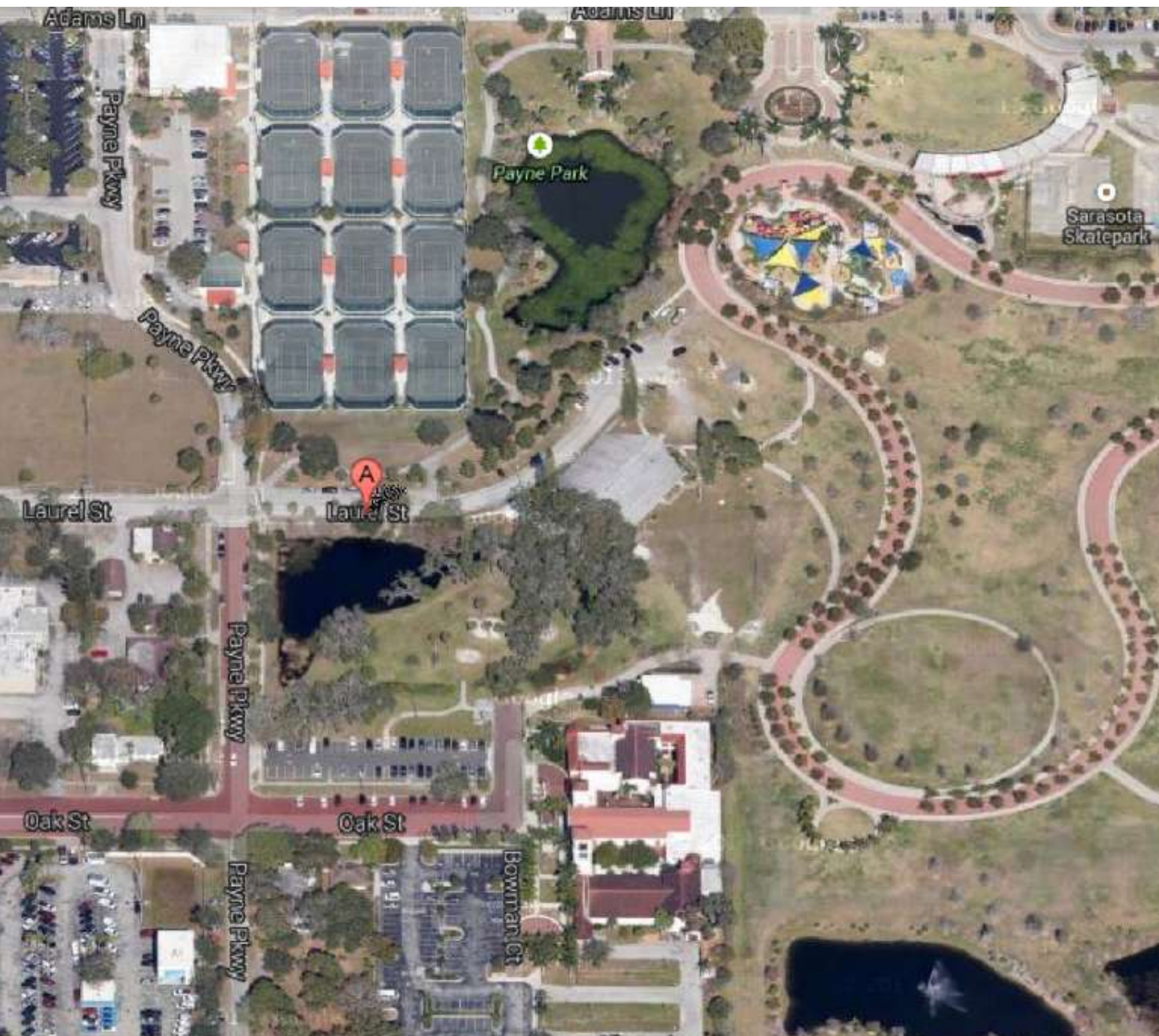


A Sarasota County historical marker tells the story of Major League Baseball in Payne Park. Photo by Norman Schimmel

status of “on hold.” Kucharski was looking for local ideas to revitalize planning and reasons to search out more money, either public or private. “If the master plan is revised and ready to move forward, we can work with public and private authorities. Without a master plan, people don’t have any idea what they will get for their money.”

IDEAS COME FORTH

Twenty-eight people came to the microphone. The auditorium itself received a lot of public support. “I heard it needs a new roof, but I don’t see any stains. I heard we need a new floor, but I’ve been dancing here for years and we don’t need a new floor,” said one man. “For heaven sakes, don’t tear down this wonderful facility.”



An aerial view shows the layout of Payne Park. Image from Google Maps

Long-time bicyclist and pedestrian advocate Mike Lasche told Kucharski to think long-term. “One day, when the Legacy Trail is extended, this will be the connector for the 18-mile leg to Venice,” he pointed out. And he urged the city try to preserve the old railroad right-of-way along Alderman Street, which connects to Brother Geenen Way and across U.S. 301 to South Payne Parkway and into the park itself. Alderman eventually terminates at South Palm Avenue, one block from Sarasota’s bayfront.

A couple of people asked for the park to be more dog-friendly, noting the city recently approved a measure requiring owners to keep dogs on leashes in the park. Meanwhile, other speakers urged some education for dog owners, saying the latter need to pick up after their animals because children regularly romp and roll in the grassy areas.

Two professionals came in to suggest specific uses. Steve Weeks with the Suncoast Sports Club said, “I’d love to bring soccer, flag football and lacrosse to the open areas.”



Signage spells out the rules and regulations for the tennis facility at Payne Park. Photo by Scott Proffitt

Gary Wilson with a production company told the city staffers, “I saw Payne Park and fell in love with it. I would like to see this building redone and utilized by the community. Yoga during the day; high-end weddings — I haven’t seen any place in town similar.”

And John Brown came down from Bradenton to urge creation of covered shuffleboard courts. “With a 32-court covered facility, you could stage district, state and national tournaments. I can visualize the best shuffleboard courts in the world here.” He is chairman of the Southwest Coast of Florida Shuffleboard Association.


Two other sporting groups were conspicuous by their absence. Community tennis players have said they want to add more courts and expand their parking area. Presumably, they will make their desires known in another fashion.

Also unrepresented were the lawn bowlers. (See the related article in *Sarasota Leisure* this week.) They may be considered part of the Payne Park master plan, but they privately say they want no part of it. They occupy land in the city’s cultural district near the Van

Wezel Performing Arts Hall parking lot. The master plan for the cultural district calls for their relocation, but after meticulously maintaining their lawns for 86 years, they are loath to move.

Richard Storm, the director of [Key Chorale](#), joined several others in hopes the city will relax the rules on the use of the auditorium. “We have used this building and loved it. We’ll use it again for rehearsal. There are very few venues available for performances and rehearsals in town,” he said. “It will serve the arts community very well.”

Alta Vista Neighborhood Association Past President Pat Kolodgy noted her group used to meet in the auditorium but was forced out. “What are the costs to turn on the lights and have a janitor here?” she asked. “If the city could allow community groups to use the park for a reduced or no fee, I think that is the way to go.”

Alta Vista sponsored two parties in the park when it first opened, inviting everyone in the city to enjoy their newest park. The city was a participating sponsor for that event; it waived the fees for park and auditorium usage. 

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DECISION TIME AT HAND



An aerial map shows the location of Luke Wood Park in Sarasota. Image from Google Maps

DURING A COMMUNITY MEETING ON DEC. 18, THE NEW PROJECT TEAM WORKING ON LIFT STATION 87 WILL RELEASE ITS RECOMMENDATIONS ON HOW TO PROCEED

By Stan Zimmerman
City Editor

The research is over, so next week the project team will unveil its decisions on how to run millions of gallons of sewage per day under Hudson Bayou — and do it safely.

A community meeting is set for Wednesday, Dec. 18, at 6 p.m. That is when the answer to the last puzzle will be announced — straight pipe or siphon system. The meeting will be held at the Waldemere Fire Station on

the east end of the Sarasota street of the same name.

At a team meeting on Dec. 9, McKim & Creed Project Manager Robert Garland said all

“It’s been a very aggressive schedule, but we’re starting to see the light at the end of the tunnel.”

Robert Garland
Project Manager
Lift Station 87



the technical memoranda with the City of Sarasota are being wrapped up for the Lift Station 87 plans. Geotechnical experts have determined the proper depth and location of the huge pipe necessary to handle the sewage flow.

“We’ll present our findings and conclusions at the Dec. 18th meeting,” noted Garland. “It’s been a very aggressive schedule, but we’re starting to see the light at the end of the tunnel,” he punned.

He is in charge of the \$1.1 million examination to find out what went wrong with an \$8 million effort to run a new sewer line under the bayou. That contractor walked away after admitting failure, and the case is now in court.

Garland’s research was aided by national experts. They found the original “microtunneling” drill was probably improperly and insufficiently lubricated, causing more pressure to be applied to continue the cut until the pipe buckled. The high pressure levels also caused “fracking,” in which the lubricant

was forced to permeate through the bed of the bayou and into the surface water.

In addition, the old borehole was not deep enough; had drilling continued, it would have punctured one of the footers of the Orange Avenue bridge over the bayou.

One of the purposes of the McKim & Creed examination has been to determine the likely cost to resume the project and see it through to completion.

ONE DECISION, WITH CONSEQUENCES

The new lift station will handle about one-third of the city’s sewage flow, or about 2.7 million gallons per day. In periods of high rainfall, it will need to pump up to 9.7 million



*Pipes for the lift station project were shrouded from public view in Luke Wood Park in early October.
Photo by Norman Schimmel*

gallons because cracks in the city's old pipes admit groundwater into the sewage flow.

The old lift station failed repeatedly, several times discharging raw sewage into Hudson Bayou. This not only triggered fines from the state's Department of Environmental Protection, but the incidents revealed the city did not own the property under the old lift station.

Most of the city's sewage flows by means of the force of gravity. After the sewage gets to the new lift station, it must be pumped to a higher level to get to the treatment plant on 12th Street.

Now that Garland and the engineers believe they understand what went wrong with the first attempt, they face one final decision before going to the public with their recommendation on how to proceed. Should the new 36-inch sewer main proceed straight under the bayou through use of "microtunneling" or should "horizontal directional drilling" be used to create an "inverted siphon"?

Both systems incorporate natural forces to keep the flow going, with the straight pipe using gravity and the syphon employing air pressure. No extra energy is used to propel the gallons of sewage.

However, each technique has a drawback. The straight pipe system means the already deep pit for the pumps must be dug another eight feet further down. Should a new pit be dug or should the equipment be raised from the existing pit, which would then be deepened? Garland is looking at the costs of both approaches.


The inverted siphon is basically a huge U-shaped pipe that uses air pressure for



The sign for the previous Lift Station 87 project stood for months in Luke Wood Park near downtown Sarasota. Photo by Norman Schimmel

power. That system has two drawbacks. Sediment will collect at the bottom of the U, which means it must be cleaned periodically. And that could mean two siphons would be required, allowing 24/7/365 operation even during cleaning or unclogging periods.

Because it utilizes air pressure for propulsion, each end of the siphon must be open to the atmosphere. That has the potential to create odor problems. Garland says odor control systems exist for this technology, but with additional cost and complexity.

Garland will release his recommendations and cost estimates at the Waldemere meeting. After hearing reactions from the residents of the neighborhoods adjacent to the Lift Station 87 site, the team will meet again on Jan. 13 to prepare a presentation to the Sarasota City Commission on Jan. 24. 

MORE CASH IS NO. 1



A proposal for broadening the boundaries of the Downtown Improvement District would have it include the Ritz-Carlton on the bayfront. Photo by Norman Schimmel

THE DOWNTOWN IMPROVEMENT DISTRICT BOARD SETS ITS PRIORITIES FOR NEXT YEAR

By Stan Zimmerman
City Editor

The DID outdid itself last fiscal year. Sarasota's Downtown Improvement District board wrapped up a \$1.1 million infrastructure face-lift, pursued a marketing campaign, added lights to the district, redefined parking along Main Street, expanded sidewalks and even flirted with a public records lawsuit.

And now, as government bodies go, it is close to broke. Once you subtract the principal and interest on the loan for the infrastructure improvements, pay for ongoing maintenance and cover the expense of the one-man staff, the DID has about \$82,000 per year to spend annually for the next 14 years. Pull out 20 percent of that for contingencies and reserves,

and the organization could barely match a \$50,000 grant.

EXPANSION MODE

Two weeks ago, the board members asked Roger Barry, professor emeritus of urban planning at the University of Cincinnati, to help them think through their post-rich environment. The group receives the proceeds from a 2-mill levy on commercial property in a defined area of downtown.

The DID at that earlier meeting established seven general priorities: resource development, security/hospitality, reserving contingency monies, maintenance,

“*Last meeting, you came up with ideas. Now we have to turn them into action.*”

John Moran
Operations Manager
Downtown Improvement District

”



At some point, residents of the Plaza at Five Points could be asked to help pay for increased security in downtown Sarasota. Photo by Norman Schimmel

marketing, policy and project review, and capital improvements.

At their Tuesday, Dec. 10, meeting, Barry asked the board members to take the next step and identify under each of the seven priorities who would be responsible for what steps, the deadline to finish them and how much would each would cost. Those turned out to be devilish details.

“Last meeting, you came up with ideas,” noted the DID’s operations manager, John Moran. “Now we have to turn them into action.”

Chairman Ernie Ritz opened the discussion, saying, “I don’t think we should spend a nickel until we have better plans and talk about resource development. Eighty-two thousand dollars isn’t much money for what we do.”

Board member Dr. Mark Kauffman agreed. “I would rather squirrel away money so we could do a big-impact project,” he said. “The No. 1 topic now is looking at expanding the district.”

While the City Commission could broaden the district with the “stroke of an ordinance,” needing no other approval, the DID members realize that just a few people could challenge any change of the DID boundaries and kill the plan.

“In an expansion process, there would need to be cover for the deciders, the City Commission, so business owners wouldn’t come to the commission with bags on their heads to oppose the expansion,” pointed out Moran. “We need to do this in a methodical



An aerial map shows the current boundaries of the Downtown Improvement District. Image courtesy City of Sarasota



One suggestion for expanding the Downtown Improvement District would have it encompass the Rosemary District. Photo by Norman Schimmel

way with support from the major businesses who will be major contributors.”

Moran was referring to a handful of bag-clad protestors credited with reversing a City Commission decision to install parking meters downtown.

BREAK OUT THE MAPS

Moran suggested he could produce a set of maps showing incremental expansions of the DID, each stating the amount the revenue would increase if that specific, defined area was added to the DID. “In each increment, we could ask, where is the opposition? What benefit would help convince them to support it?” he told the board members.

Three areas were named to give Moran a target for his mapping exercise. One was to the west, crossing U.S. 41 to encompass the still-developing hotel district — including the Ritz-Carlton, the yet-to-be-built Sarasota Gulfstream and the Hyatt. While there was no mention of the former Quay property, it would be a natural fit.

A second direction was north, into the Rosemary District. There is new interest in commercial and residential development in that section of the city. However, the current tax base, from the DID point of view, is meager.

A third option would be a push east, down Main Street. Now the DID stops in the middle of the 1600 block. How far down Main could it go?

Barry’s plan calls for Moran to report back to the DID with alternatives to increase funding sources by June of next year.


SHORT SHRIFT

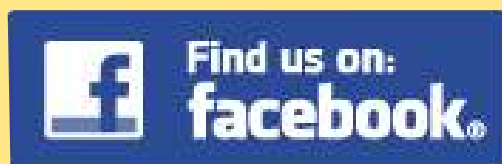
The other six priorities were barely touched during the meeting. A plan to work with downtown condominium complex resident associations to pay for increased security in the district is still in the discussion phase. One proposal would levy between \$9 and \$12 per month on downtown condo units to offset the cost of more off-duty police officers on the streets.

The DID members did agree to set aside one-fifth of their reduced annual expendable income as reserves.

Moran mentioned that some downtown improvement districts have other sources of income besides property tax revenue, including the East Coast cities of Delray Beach and Coconut Grove. They receive money from their community redevelopment agencies as well as parking meter revenue.

Kauffman mentioned a possible increase in the city fees for outdoor dining in the district. “The permit is \$250, and then \$25 for each chair after the first four. It’s not free, but it’s pretty close to free,” he said. “[The restaurants] can make that on one meal.”

Moran closed the discussion by saying the expansion will “take a lot of sweat. And that sweat should be shared.” 



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REALIZING A VISION

A Sarasota Military Academy student plays taps during the Memorial Day Parade in downtown Sarasota this year. Photo by Norman Schimmel

SARASOTA MILITARY ACADEMY'S NEW MIDDLE SCHOOL IS SLATED FOR AN AUGUST 2014 OPENING

By Roger Drouin
County Editor

Headmaster Dan Kennedy's long-range vision for a new Sarasota Military Academy (SMA) middle school that would prepare students for the academy's high school is closer to fruition.

On Tuesday, Dec. 10, the Sarasota County School Board approved the charter contract for the next five years for the new school. On Wednesday, the

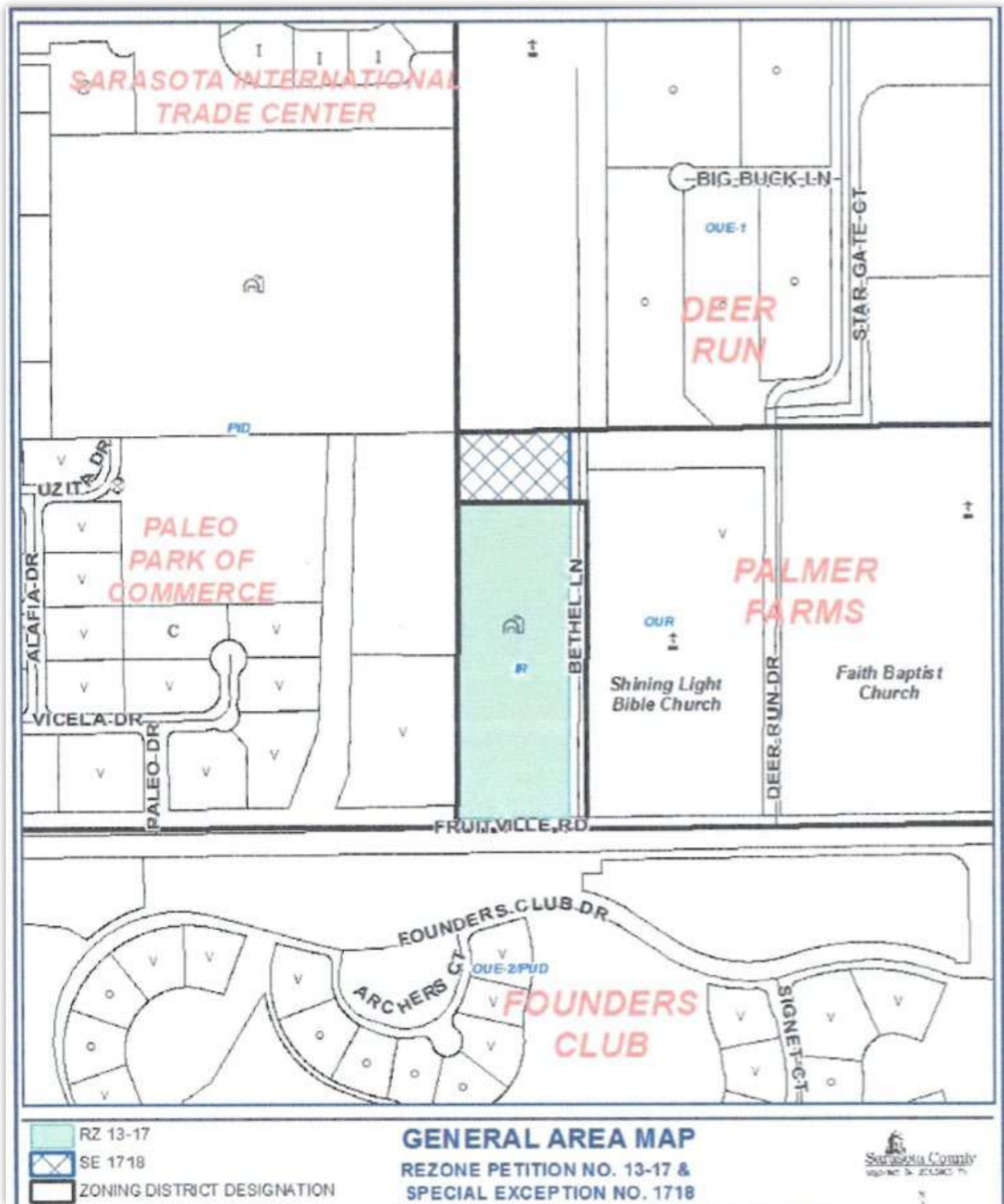
County Commission unanimously approved a rezoning of two parcels that make up a 10.5-acre site on Fruitville Road, east of Interstate 75. Those actions clear the way for construction of the school.

“*I have watched SMA on Orange Avenue just blossom.*”

Joe Barbetta
Commissioner
Sarasota County

Dan Kennedy, founder and headmaster of the academy, says he hopes to open the new charter school in August 2014.

The proposed facility at 8351 Fruitville Road



The proposed charter middle school would be surrounded by three churches. Image courtesy Sarasota County

would house 35 to 40 classrooms. Plans show two single-story classroom buildings, a combined administrative/library structure, a gym and an athletic field. The latter will be used by both the middle and high schools.

According to plans submitted to the county, the middle school will initially serve up to 400 students in Phase 1 and 600 to 650 students in Phase 2. Before beginning Phase 2 of construction, academy staff has to conduct a survey to determine if a traffic signal would be needed on Fruitville Road to handle the additional traffic — especially during drop-off and pick-up school hours. If a signal is needed, the academy will pay for it.

At Wednesday's County Commission meeting, Vice Chairman Charles Hines predicted the school would become popular soon after its opening, thus creating additional traffic in the area.

"Though there is not a lot of traffic now, there will be," Hines said.

The commissioner praised Kennedy for taking into consideration future traffic concerns and working with county planners to address it.

"Thank you for thinking of that," Hines said, "so two years from now when you are full, we don't get emails about cars backing up."


The middle school will offer a "rigorous" academic curriculum, with electives modeled after some of the classes at the high school, including horsemanship, fencing, martial arts, drum line and forensics, Kennedy told *The Sarasota News Leader* in July.

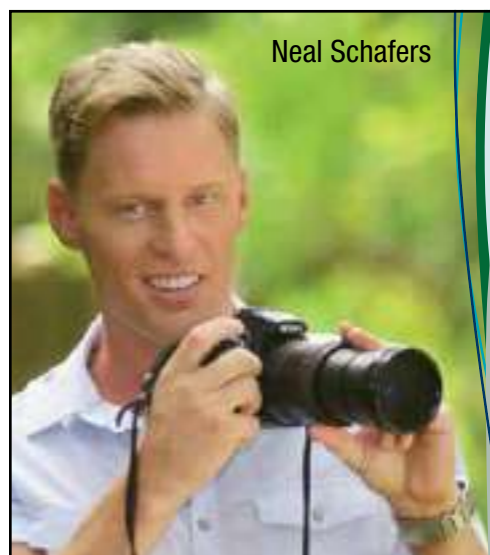
Commissioners praised the military academy; 97 percent of its students go on to college.

"I have watched SMA on Orange Avenue just blossom," said Commissioner Joe Barbetta, who attended a military high school, referring to the academy's high school in Sarasota's Rosemary District. "It's an example of how a great charter school can operate."

"Everyone I ever talk to who knows about this school is proud to have this in our community," added Commissioner Nora Patterson.

Commissioner Christine Robinson pointed out that SMA is a county school; it attracts many students who commute from North Port.

Hines said the SMA middle school would work in conjunction with the academy's high school to foster economic development in the county. 



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STILL CLOSED FOR NOW

Warm Mineral Springs has drawn tourists from all over the world who tout the healing powers of its water. Photo by Rachel Levey-Baker

THE COUNTY COMMISSION AND THE NORTH PORT CITY COMMISSION WILL PROCEED WITH SEEKING A LONG-TERM PROPOSAL FOR THE FUTURE OF WARM MINERAL SPRINGS

By Rachel Brown Hackney
Editor

Sarasota County Commission Vice Chairman Charles Hines wanted to make it very clear to the audience — including the nine people who spoke on the topic during the public comments portion of the board's Dec. 10 meeting: Even if things go smoothly from this point, "The reality is February, maybe," for the reopening of Warm Mineral Springs.

"Let's put that out there," Hines said after almost 40 minutes of his board's discussion about the

latest proposal from the North Port City Commission.

On a 4-1 vote — with County Commissioner Joe Barbetta in the minority — the County Commission agreed to send a letter to the North Port Commission saying the latter should proceed with a competitive solicitation process to seek a long-term operator of the 81-acre resort. Additionally, the County Commission agreed to North Port's proposal to work on

“I want to give it another try with an end in sight to the short-term agreement.”

Carolyn Mason
Chairwoman
Sarasota County Commission



a short-term management agreement for the resort — with the stipulation that it would end by Sept. 1, 2014. That motion followed clarification from North Port Mayor James Blucher that the city board felt the firm awarded the long-term contract should be allowed to handle the short-term work while it pursues whatever arrangements are necessary to begin the long-term operation.

Blucher, who was present for the county meeting, said he felt it would take only a week or two to release the long-term solicitation proposal.

The motion further called for North Port City Manager Jonathan Lewis and Interim County Administrator Tom Harmer to collaborate on marketing the competitive solicitation for the Springs.

“We need to acknowledge that significant damage has been done to the reputation of the name ‘Warm Mineral Springs’ as a result of the back-and-forth since November,” County Commissioner Christine Robinson said. “We’re going to need to aggressively market any long-term bid nationally and



“*I guess I don’t really care who’s at fault. The history is almost irrelevant to the facts, to me.*

Nora Patterson
Commissioner
Sarasota County

”

internationally and try to overcome that the best that we can.”

Robinson was referring to the dispute over the future of the resort that erupted after North Port Commissioners Rhonda DiFranco and Cheryl Cook were elected in November 2012. They joined City Commissioner Linda Yates in a desire to see Warm Mineral Springs maintained as a park, instead of pursuing the Invitation to Negotiate for long-term proposals that the North Port and County commissions agreed to issue after a joint meeting in July 2012. The boards bought the property together for \$5.5 million in December 2010.

Robinson’s Dec. 10 motion included one further point sought by the North Port Commission in a 4-1 vote at its regular meeting on Dec. 9: agreement on collaborating in updating the cost estimate and scope of research related to a proposal the boards previously considered regarding a hydrological study of the Springs to be undertaken by the United States Geological Survey ([USGS](#)).

Robinson and Barbetta both later said they felt City Manager Lewis had made significant steps toward preparing such a scope before the city and county commissioners reached the point when they could not agree on how to proceed with the future of the Springs.

Robinson’s motion supported a section of a Dec. 10 letter from the North Port board to the County Commission saying, “Staff will also proceed with a scope of research and pricing as it relates to history, archaeology and geology of the 81 acre site.”

“I applaud the efforts of Commissioner Robinson and Mayor Blucher,” Barbetta told his colleagues, “but I can’t support this. We’re



A sign embedded in the ground welcomed visitors to Warm Mineral Springs. Photo by Ebyabe via Wikimedia Commons

right back where we were. Everything that’s being done has been done on this ... end of the county ... and now we’re putting a Band-Aid on it ...”

Robinson, who represents South County interests on the commission, has taken her board’s lead over the past months on the Warm Mineral Springs issue.

“This is significant progress in my view, and I am very encouraged by it,” she told her colleagues at the outset of the discussion, referring to the North Port Commission’s action the previous day on the proposals in the letter. (City Commissioner Cheryl Cook cast the lone “No” vote on her board.)

“I guess I don’t really care who’s at fault,” County Commissioner Nora Patterson said. “The history is almost irrelevant to the facts, to me,” she added, noting the boards together had bought “an asset that we’ve made unavailable to the public that was previously open to the public, and that’s not a satisfactory situation. It’s regrettable where we are.”

Hines agreed with Patterson, though he also supported Barbetta's view. Noting that one person who spoke during the "Open to the Public" part of the meeting encouraged the boards to hire a mediator to help them work through their problems, Hines pointed out, "We did that. We *had* an agreement [after a mediated session in April]."

"It was a professional mediator," Patterson noted.

"It was a professional mediator," Hines concurred. "We did everything we could in good faith and then it was changed [by a vote of North Port commissioners]. I'm very, very concerned that this is a never-ending process."

Although what Barbetta had said was true, Chairwoman Carolyn Mason responded, "and I'm disappointed that things are where they are ... I want to give it another try with an end in sight to the short-term agreement."

THE NORTH PORT MEETING

The Dec. 10 letter from the North Port board to the county commissioners said, "[W]hile the long term [bid solicitation] process is developed, the City proposes to initiate a process for submittals for the operations of the Springs utilizing a management agreement. It is the Commission's belief this would allow the Springs to be opened sooner."

During the North Port Commission meeting, Mayor Blucher and Commissioner Linda Yates expressed the hope the county would allow the city to pursue the hiring of a firm to manage the Springs' swimming area until a deal can be reached with a firm interested in a long-range proposal.



Commissioner Christine Robinson listens to a workshop discussion. File photo

"That would accomplish allowing the public to access the Springs," Yates pointed out. Otherwise, it could be eight or nine months before the city and county boards completed the long-term solicitation process, she said.

"We have worked very hard to reopen the Springs and all those people can't be wrong," Commissioner Tom Jones added, referring to a number of people who pleaded for access to the resort when they addressed the city board during the public comments portion of its session.

"Some people are under the impression that [the swimming area] will be free" under the motion Yates put forth to pursue the short-term management option, Cook pointed out.

When Blucher said it would not, a chorus of moans arose from audience members.

COUNTY COMMISSION DELIBERATIONS

During the County Commission meeting, Robinson asked County Attorney Stephen DeMarsh for clarification on whether North Port could pursue the proposed intermediate option for getting the Springs reopened as soon as possible: “Are we required to still go through a competitive bid for a management contract with the Springs ... property?”

If the County Commission assumed the firm would handle revenue and expenses and hire employees to operate the resort, DeMarsh responded, “then it’s my opinion that that would have to go through a competitive solicitation process of some kind in order to comply with the [state] statute [that applies to county procurement processes].”

Robinson then proposed a short-term operation — secured through bids — should end by Sept. 1. “I think that’s a reasonable time. It allows everybody ... to get moving on this ... and it puts us back on track where we were before” with getting the Springs reopened.

Blucher told the commissioners that he “was so happy to see that most of the [City Commission’s] discussion was about the long-term [agreement] because [that] is what’s going to keep [the Springs] open forever.”

Referencing part of the city letter to the county board, he added that the North Port commissioners felt that once the long-term operator for the resort was chosen, that firm could take over from the management company the city hoped to hire. The company could handle modified operations at the Springs until it was ready to implement its complete plan, he noted.




Jim Blucher recently was elected mayor of North Port. Image courtesy City of North Port

The City Commission, Blucher continued, had talked about the possibility of a management firm working on a month-to-month basis until the long-term operator was chosen.

“The short-term is a hiccup,” he added.

“It’s not that we have the ability to hand it over to you,” Robinson told him. “We would be breaking the law,” she said, and potentially end up facing lawsuits, “which would drag on” and prevent the reopening of the resort “for years.”

“I understand that,” Blucher replied. “I believe our commission understands that. ... Then we will have to go through the process as you just stated it ...” 

ADDING UP THE ARTS' IMPACT



Internationally renowned violinist Itzhak Perlman conducts a student orchestra as part of the Perlman Music Program/Suncoast every winter in Sarasota County. Contributed photo by Barbara Banks

SARASOTA COUNTY CONTINUES TO SEE TOURISM GROW, THANKS TO THE WIDE VARIETY OF CULTURAL EVENTS SUPPORTED BY LOCAL GOVERNMENT GRANTS

By Rachel Brown Hackney
Editor

Arts and cultural events supported by grant funding from Sarasota County generated \$25,865,090 in revenue during the past fiscal year and saw about a 5 percent increase in total attendance, the executive director of the Sarasota County Arts and Cultural Alliance told the Sarasota County Commission this week.

Fifty-four percent of the people who attended those events in the 2013 fiscal year were tourists, Jim Shirley said, an increase from the 42-percent mark of the 2012 fiscal year. "Now that's return on investment."

“We’re always open for that, and I would like to state for the public that no group in this county should ever feel intimidated to come for anything. ... We are here to serve them.”

Jim Shirley
Executive Director
Arts and Cultural Alliance
Sarasota County



Shirley added, “I’m sure that has a lot to do with the arts organizations and Visit Sarasota County.”

The latter agency handles tourism promotion for the county.

As examples of acclaim for area groups, he noted the rave reviews the Sarasota Ballet received for its performance during the [Ballet Across America](#) program at the Kennedy Center in Washington, D.C., in June as well as the [Perlman Music Program/Suncoast](#), which has a winter residency in Sarasota.

“What’s happening is our arts organizations are getting notoriety for this tremendous community of arts and culture way beyond the borders of our county,” Shirley pointed out.



Sarasota County Arts and Cultural Alliance Executive Director Jim Shirley addresses the County Commission. Photo by Norman Schimmel

The Sarasota Ballet recently performed Sir Frederick Ashton's "Les Patineurs" at the Kennedy Center for their renowned **Ballet Across America** program



Critics applauded the Sarasota Ballet's performance at a national Kennedy Center program in June. Image courtesy Sarasota County

County grants funding for arts and cultural programming in FY 2013 was also up, he pointed out during the board's regular meeting on Dec. 11 in Sarasota. In the 2012 fiscal year, the county allocated \$1,250,547 in revenue from the Tourist Development Tax for those events, according to statistics Shirley showed the board. For the 2013 fiscal year, the amount was \$1,303,474, about a 4-percent increase.

That investment, he said, "pays off big time for us," adding that he wanted to take the opportunity, during his year-end report to the board, to urge an undertaking to increase the arts funding. "If we look at it programmatically," he explained, "a larger investment in

the arts is going to be a larger investment in Sarasota County."

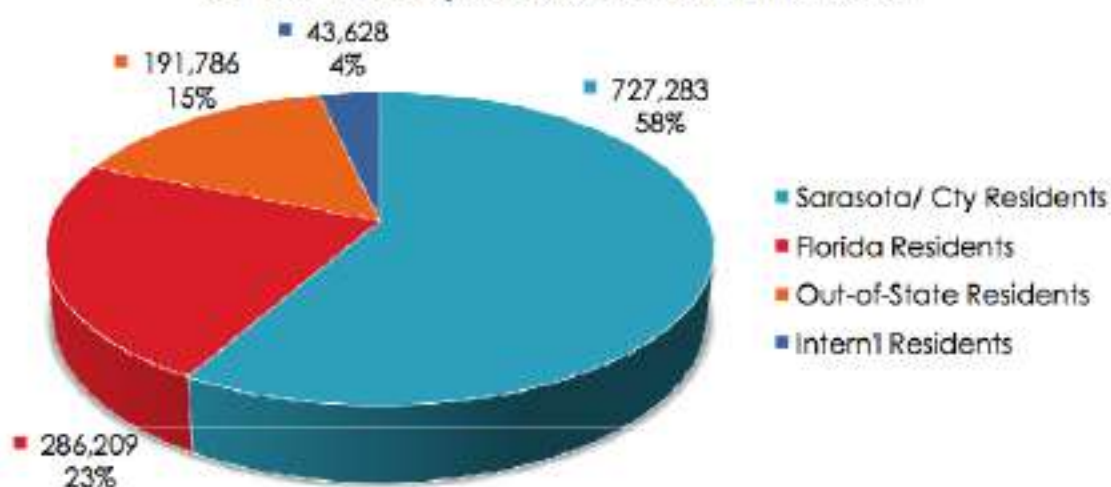
Among other figures he presented to the board, out-of-state residents comprised 23 percent of the total project attendance in the 2013 fiscal year, while county residents made up 46 percent of the total and Florida residents accounted for 26 percent. The figure for international visitors was 5 percent — 63,721 people.

Shirley stressed that he was addressing statistics only for those arts and cultural events funded by the county grants.

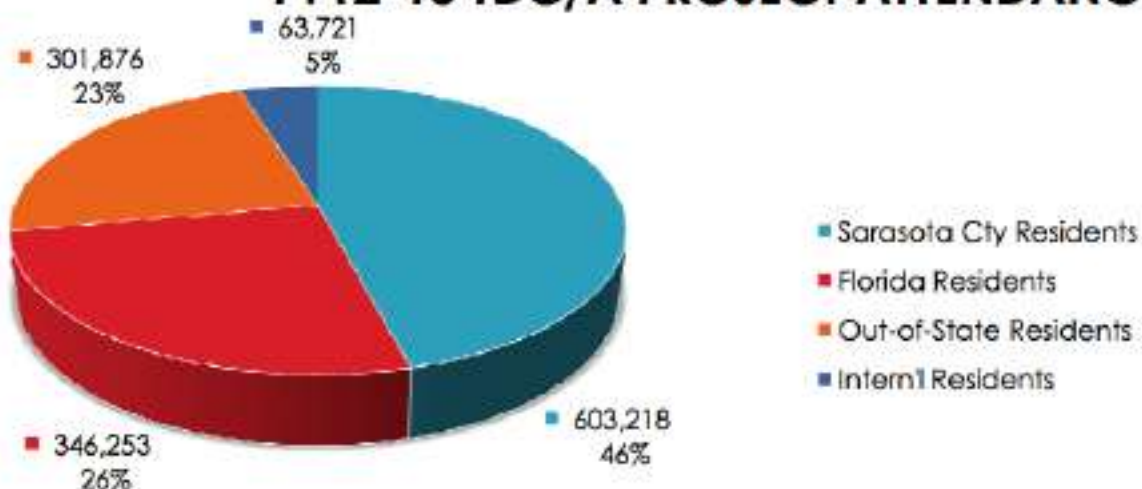
That money went to 31 organizations in the form of 38 grants, he pointed out.

TDC/A Attendance Comparison

FY 11-12 TDC/A PROJECT ATTENDANCE



FY12-13 TDC/A PROJECT ATTENDANCE



Pie charts compare attendance statistics from the 2012 and 2013 fiscal years for arts and cultural programming funded by Tourist Development Tax revenue. Image courtesy Sarasota County

MORE FLEXIBILITY

After his presentation, Shirley sought approval from the board for some tweaks to the Alliance's Cultural/Arts Grant Program Guidelines, as recommended by the Tourist Development Council on Nov. 21. The County Commission gave him that approval on a unanimous vote, but not before clarifying a few points.

Commissioners Christine Robinson and Nora Patterson queried Shirley about a proposed change in the guidelines that would allow an arts organization that had an established program, but did not hold an event every year, to be considered for a grant based on its budget the last time it held the program.

The focal point for that change is the Season of Sculpture, Shirley told the board. It presents a collection of artwork on Sarasota's bayfront every other year.

Robinson asked whether the change would apply to a smaller organization that put on an event one year but lacked sufficient manpower to do it again until two years later. "It's not just every other year?" Robinson asked.

"The answer is 'Yes,'" Shirley told her.

However, the guideline would apply to arts and cultural groups "conducting *established* programming," he added, and not to an organization "just coming out of the blue."


"I think it's really great that we're being really flexible with existing organizations," Robinson replied. "However, I think that we need to continue to apply more flexibility to these smaller organizations ... I just don't feel like we're doing that as much as we could."

She added, "I know, Mr. Shirley, you and I have gone around and around about this numerous times, and you expect it every time [in an appearance before the commission]. ... But it just doesn't stop for me with the feedback I get and I'd be happy to try to do what I can from my end, too."

Robinson has questioned Shirley at length in his reports to the County Commission about his efforts to help more organizations in South County apply for and receive arts and cultural grants through the county program. The majority of those groups, she has said, are small and lack experienced professional employees.

"It's hard to get these [South County] folks to step up, because they're nervous about the whole [application process]," Robinson added.

"We're being more inclusive of newer organizations when they can qualify [for the grants]," Shirley said, noting that the program is dedicated to increasing county tourism. He told Robinson he had met during the past two weeks with representatives from three small arts organizations "to help them brainstorm about growing strategic plans. We're always open for that, and I would like to state for the public that no group in this county should ever feel intimidated to come for anything. ... We are here to serve them."

In response to another question from Robinson, Shirley explained that no one eligible for a grant can serve on the panel that chooses the recipients. However, representatives from two organizations that have received grants are asked to sit on the grants policy committee, so members of that group can benefit from their perspective on the process. 

MILLIONS AND MILLIONS OF DOLLARS



Browsers at the fine arts show in downtown Sarasota in late November probably would have said the city no longer showed any signs of 'slum or blight.' Photo by Norman Schimmel

THE COMMITTEE STUDYING THE SARASOTA COMMUNITY REDEVELOPMENT AGENCY DEBATES CONTINUED USE OF REVENUE FOR CITY OPERATIONS INSTEAD OF FOR PROJECTS IN THE DEFINED AREA

By Stan Zimmerman
City Editor

The big decisions have all been made, and the outline of the recommendations for the future of the Sarasota Downtown Community Redevelopment Agency (CRA) are clear. It will not be your father's CRA.

The basic scheme put together in 1986 will remain, according to the committee members appointed to review the agency. That year's property tax revenue in a

defined downtown area became a benchmark; any increase in city and county revenues due to rising millage or valuation increases above the base year accrued to the CRA.

I would like to think we can communicate clearly that our committee is fairly concerned over the growth of CRA expenditures towards operations

Bill Russell
Member
Community Redevelopment Agency
Extension Study Committee

The Sarasota City Commission was the sole arbitrator of how the money would be spent. Between the CRA's inception and Aug. 1 of this year, the "tax-increment financing" scheme pulled in \$98,992,963 — yes, nearly \$100 million since 1986.



Downtown Sarasota shines brightly at night, having benefited from millions of dollars in funding from the Community Redevelopment Agency. Photo by Norman Schimmel

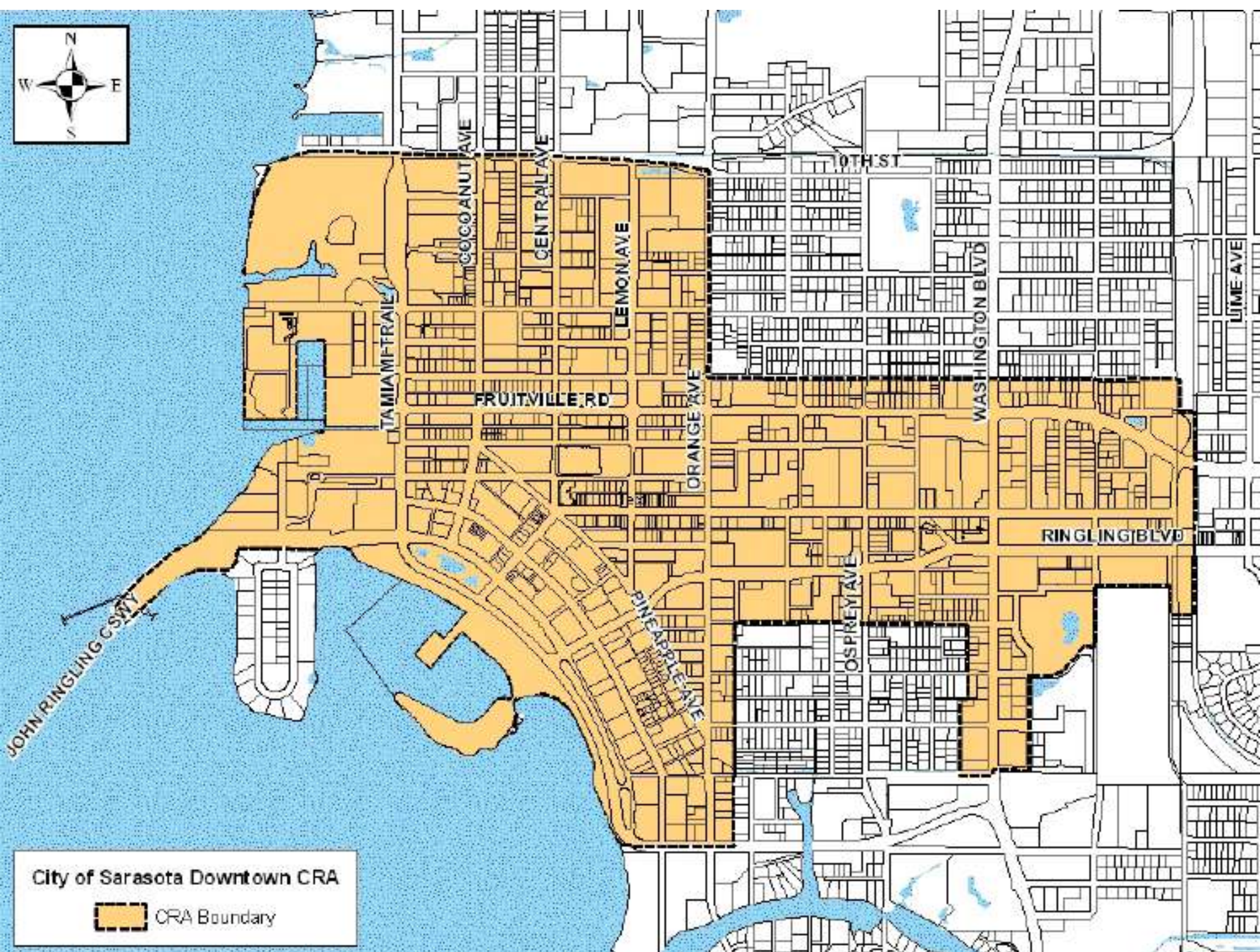
The numbers were compiled by Mark Huey, a member of the committee pondering what to do with the CRA when it comes up for expiration in 2016. The group is called the Downtown Community Redevelopment Area Extension Study Committee.

Under state law, CRAs are established to fight “slum and blight,” but there are few restrictions on expenditures of the “tax increment financing” (TIF) dollars. With the 30-year duration of the 1986 agreement approaching, the City and County commissions this year empaneled the committee to look at a CRA

for the future. They ordered the group to report back in January. The stakes are high.

CHANGING THE GROUND RULES

Even though more than half the CRA money comes from redirected Sarasota County property tax revenue, the County Commission has no say in how it is spent. As the committee examined the CRA’s finances, it noticed an increasing trend for the city to use the money to pay for operating expenses — things such as city police work (“enhanced security”) and maintenance items.



A map shows the boundaries of the Community Redevelopment Agency. Image courtesy City of Sarasota

Out of the city's \$3.3 million contribution in TIF money for the current year, it is plowing \$2.6 million back into operations and salaries. This has caused political heartburn among some committee members, and it was a driving issue as they began to discuss the future of the CRA.

The group used a decision-tree system, with "yes-no" questions leading to further issues. Seven key elements — all somewhat interconnected — emerged after months of discussion.

On Nov. 20, the committee made decisions on four of the issues. By a 5-3 vote, it agreed to

recommend that the governing board of the CRA be composed of two city commissioners, two county commissioners and three citizens appointed by the City Commission. This is a major shift away from the current governing board of five city commissioners.

The group also agreed unanimously (with one abstention) to recommend changing the geographic boundaries of the current CRA or to create new CRAs, but it delegated that complex task to another group. One can was kicked.



The Community Redevelopment Agency Extension Study Committee members discuss issues earlier this year. Photo by Stan Zimmerman

The committee was unanimous, too, in recommending an extension of the life of the CRA by another 30 years. It also recommended the 1986 tax year remain the “benchmark” for TIF calculation.

LINING UP OUTSIDE THE ‘GOLD MINE’

The decision to let 1986 remain the base year for the TIF plan leads to huge consequences. Huey’s analysis not only looked back to find nearly \$100 million was raised between 1986 and 2013, it looked ahead, too.

Huey determined the historical growth rate (of the property values from 1986 to 2013) in the downtown CRA was 5.4 percent compounded annually. The CRA tax base went from \$412 million to \$1.7 billion. By comparison, the city’s overall tax base growth was 4.85 percent; the county’s was 4.9 percent, with both compounded annually.

Taking that same rate of growth, Huey calculated the CRA revenue over the next 30 years would be \$528 million, more than half a billion dollars. If the rate of growth were compounded at “only” 3 percent, the total revenue over the next 30 years would be “only” \$360 million, one-third of a billion dollars.

This year, the CRA is raising \$7.1 million in city and county property tax revenue. Under Huey’s best-case calculations, by 2046, the CRA would be raising \$34 million annually, almost a fivefold increase.

Committee member Bill Russell pointed out Huey’s figures were very conservative because property values today are off by as much as 40 percent from their peak during the property/housing bubble in 2008.

Huey’s calculations then looked at TIF income if part of the money were skimmed off by the county instead of going to the CRA. In other words, if the city could take TIF proceeds and plow them back into its general fund, why could not the county do the same? His preliminary figures indicate if the county retained 25 percent of its contribution, using the 3 percent compound growth figure, the CRA would get \$315 million (instead of \$360 million) over the next 30 years.

If the county “skim” were staggered at 10 percent for the first decade, 25 percent for the second and 35 for the third decade, the CRA would still get \$313 million overall from the county.

Committee member Chris Gallagher made a motion to “split the increment, but not give a specific number.” He said, “It makes sense there be a percentage formula established. In the real world, this is a conversation worth having, and it makes sense to have a percentage.” The motion passed 7-1 with Bill Russell in the minority.

SECOND CAN KICKED

After an hour of debate over the recommendation to let the county “skim” TIF money, attention turned to the “allowable uses” for the CRA. Could the city continue to “skim” money into its general fund?

Gallagher moved “to keep [the process] essentially the same. It provides the greatest flexibility with regards to uses.” Huey seconded the motion.

The motion drew fire from member Casey Coburn. “We need to give as much direction


as we can, based on what we've learned. I don't believe staff should be funded by TIF. It has become a bit of a slush fund, and I don't think that's appropriate."

Member Joel Freedman thought differently. "The CRA of the future is a different one than in the past. There's a check and balance in the new CRA because of the city-county-citizen mixture [on the governing board]," he pointed out. "I agree there [have] been abuses in the past, but we don't know what the future is going to bring."

Russell said, "I think Casey makes some good points. I would like to think we can communicate clearly that our committee is fairly concerned over the growth of CRA expenditures towards operations, as opposed to project-based investments to grow the TIF."

Russell suggested a friendly amendment "to strongly discourage the increasing reliance of transfers from TIF for operations." However, Gallagher did not accept the amendment as "friendly."

Russell then suggested rewording Gallagher's amendment to say, "We defer determination of allowable uses of the TIF [money] to the new CRA board." That won approval on a 7-1 vote, with Coburn in the minority.

With those two items decided, only one remains. It regards an amorphous "other rules" category/catchall. That will come up at the group's next meeting on Dec. 18. In the meantime, with six of the seven general decisions behind them, the writing of the committee members' report will begin. It is scheduled to be delivered to the City and County commissions by late January. 

The Church of the Redeemer
222 S. Palm Ave., in downtown Sarasota
Warmly Invites the Community to Join in
The Celebration of the Birth of Christ

Christmas Eve

Family Mass - 4 pm
Music & Carols begin at 3:30 pm

Choral Mass (with incense) - 6:30 pm
Brass Quartet, Organ & Carols begin at 6 pm

Midnight Mass (with incense) - 10:30 pm
Brass Quartet, Organ & Carols begin at 9:30 pm

Christmas Day

Holy Communion at 7:30 am

Choral Mass at 10 am

Mass in Spanish at 1 pm

Complimentary parking for Christmas Eve available at BMO Harris Bank
Parking Garage, McAnsh Square Christmas Eve beginning at 3 p.m.

Child Care Available During 4pm Family Mass.
www.redeemersarasota.org / call 941.955.4263





STORM CENTER

The Sarasota County commissioners are joined by Sheriff Tom Knight (fourth from right), Interim Administrator Tom Harmer (right) and Emergency Management staff as they take part in the official groundbreaking at the site of the new Emergency Operations Center on Cattlemen Road. Photo by Norman Schimmel

SARASOTA COUNTY BREAKS GROUND ON ITS \$15.4 MILLION EMERGENCY OPERATIONS/911 CENTER

Staff Reports

March 2015: That is the month Sarasota County's new two-story, 40,000-square-foot Emergency Operations/911 Center (EOC) is scheduled to be open and functioning.

Area officials broke ground for the EOC during a Dec. 9 ceremony on the site. In addition to the EOC, the facility will include the county's Public Safety Communications Center (PSCC) and the Sarasota County Call Center. The PSCC provides 911 call taking and dispatch services for fire departments and law enforcement officials in the county.

The Architects Design Group designed the structure and handled the permitting. Ajax Building Corp. of Punta Gorda, in partnership with Tandem Construction of Sarasota, won

the \$15,417,000 contract for construction and oversight of the project.

"This is truly a joyous occasion, especially for the many of us here who have been involved in the planning, designing and now construction of this facility," Carolyn J. Mason, chairwoman of the County Commission, told those gathered Monday for the ceremony.

Construction began this month, a county news release notes. "The new facility will be built to withstand Category 5 hurricane winds with fully duplicated utilities and communications networks to ensure that government services can continue during significant events," a county news release says.



*Sarasota County Emergency Management Chief Ed McCrane addresses those gathered for the occasion.
Photo by Norman Schimmel*

Adjacent to the EOC will be a communications tower that will enable the facility's staff to communicate with bordering counties and local partners before, during and following a major disaster that has an impact on the community, the release adds.

"Through all our planning and preparation, we are strengthened by the promise that our community will be improved," said Mason. "The building's design and construction are poised to achieve a silver rating from the U.S. Green Building Council's Leadership in Energy and Environmental Design," she added.

The EOC, 911 Center and the county's Call Center are located in the county's Administration Center on Ringling Boulevard in downtown Sarasota. Wilkinson Elementary School is the back-up site for the EOC if a



Shovels stand ready in the dirt adjacent to the tent where people are gathered for the Emergency Operations Center groundbreaking ceremony. Photo by Norman Schimmel



Sheriff Tom Knight offers remarks about the new Emergency Operations/911 Center. Photo by Norman Schimmel

Category 3 or stronger hurricane is expected to strike the area. The county worked with the Sarasota County School Board to make the latter arrangements after county staff determined the Administration Center could not withstand hurricanes stronger than a Category 3.

During his remarks at the ceremony, Thomas A. Harmer, the interim county administrator, reiterated the importance of partnerships in the community. A former firefighter and EOC chief, Harmer thanked everyone involved with the project.

For more information about the new facility, contact the Sarasota County Call Center at 861-5000, or visit www.scgov.net. 



Sarasota County Commission Chairwoman Carolyn Mason and Sheriff Tom Knight enjoy chatting amid the groundbreaking festivities on Monday. Photo by Norman Schimmel



An architect's rendering shows the design of the new Emergency Operations Center. Image courtesy Sarasota County



Students at Bay Haven School of Basics Plus in Sarasota created this 2012 entry in the Gingerbread Festival. Contributed photo

FIFTH ANNUAL GINGERBREAD FESTIVAL TO OPEN FRIDAY

The Fifth Annual Gingerbread Festival will begin Friday, Dec. 13, at 10 a.m. at Westfield Sarasota Square Mall, [Community Youth Development](#) has announced.

The festival features more than 175 unique gingerbread houses built by local students, youth organizations, nonprofits and businesses, a news release says. The houses will be on display during mall hours until Sunday, Dec. 15.

Among the event highlights will be an Iron Chef-style competition among local culinary students on Friday and Saturday evening at 7 p.m. and the presentation of awards to student groups Saturday at 2 p.m., the release adds. One additional award will be announced on Monday, Dec. 16, the release notes: The People's Choice winner will be determined by votes cast at the festival or online at www.cydgingerbread.com.

Admission to the festival is \$1. Gingerbread houses will be on sale all weekend, the release continues. All proceeds from the Gingerbread Festival will benefit Community Youth Development, which will use the funds to "provide more positive activities to youth in Sarasota County," the release points out.

Community Youth Development empowers youth as leaders in service to their community, the release explains. Youth in grades 6 to 12 participate in a variety of social and personal skill development programs. In 2013, CYD served 2,192 youth throughout Sarasota County, the release says. Community Youth Development is funded in part by Sarasota County Government.

For more information on the Gingerbread Festival, visit cydgingerbread.com.



First Step of Sarasota crafted this entry for the 2012 Gingerbread Festival. Contributed photo

UPCOMING SANDY CLAWS BEACH RUN OFFERS FUN FOR ALL

The 37th annual Sandy Claws Beach Run sponsored by the Sarasota County Parks and Recreation Department is scheduled for Saturday, Dec. 14, at Siesta Key Public Beach, county staff is reminding the public.

Same-day registration is \$30 for the 5K race and \$20 for the fun run. Race-day registration will open at 7 a.m., a news release notes. The fun run will begin at 8 a.m., with the 5K race starting at 8:20 a.m. The event, sanctioned and co-sponsored by the Manasota Track Club, will use [MyLaps bib timing](#), the release notes.

Those interested in participating may preregister online at www.scgov.net or complete

and return a registration form available at any county recreation center, library or government building, the release adds.

Awards will be presented to the first- through sixth-place finishers in each age group, the release continues. First- through third-place finishers will receive trophies, and fourth- through sixth-place finishers will receive ribbons.

All registered 5K participants will be entered into a raffle drawing for great prizes, the release points out.

For more information, call the Sarasota Call Center at 861-5000 or visit www.scgov.net.

PUBLIC INVITED TO TIME CAPSULE CELEBRATION ON DEC. 14

Community members are invited to join in Sarasota County's Viva Florida 500 Time Capsule interment celebration Saturday, Dec. 14, at 10 a.m. at Historic Spanish Point, located at 337 No. Tamiami Trail in Osprey, the county has announced.

The Sarasota County Libraries and Historical Resources departments, along with the county's Historical Commission, which are partners in the time capsule project, are hosting the event, a news release says. The project is part of the Florida Department of State's Viva Florida 500 campaign, which celebrates the 500th anniversary of the discovery of Florida by Spanish explorer Juan Ponce De Leon in 1513, the release notes.

The time capsule includes a variety of memorabilia from contemporary Sarasota County, the release adds. Among the items that will be encapsulated until 2071 is a Florida panther's paw in plaster of Paris. Many of the items were

donated at each of the nine county libraries, including Osprey Library at Historic Spanish Point, the release points out.

The keynote speaker will be long-time Sarasota County resident Delilah Wallenda Troffer, "an internationally acclaimed aerial performer," the release continues.

"We are thrilled that Delilah agreed to speak at this event," said Lorrie Muldowney, Sarasota County Historical Resources Department manager, in the release. "The Wallenda family is not only a huge part of Sarasota County history; they have helped make history in our community."

Following the celebration, the public is invited to go on guided tours of Historic Spanish Point. Those tours will begin at 11:30 a.m.

For more information, visit www.scgov.net or contact the Sarasota County Call Center at 861-5000.



Lilly Goetz, 8, is the youngest member of the Viva Florida 500 Time Capsule Committee. Lily will be in her 80s when the time capsule is opened. Photo courtesy Sarasota County

SARASOTA DROPOUT RATE IMPROVES; GRADUATION RATE DECREASES

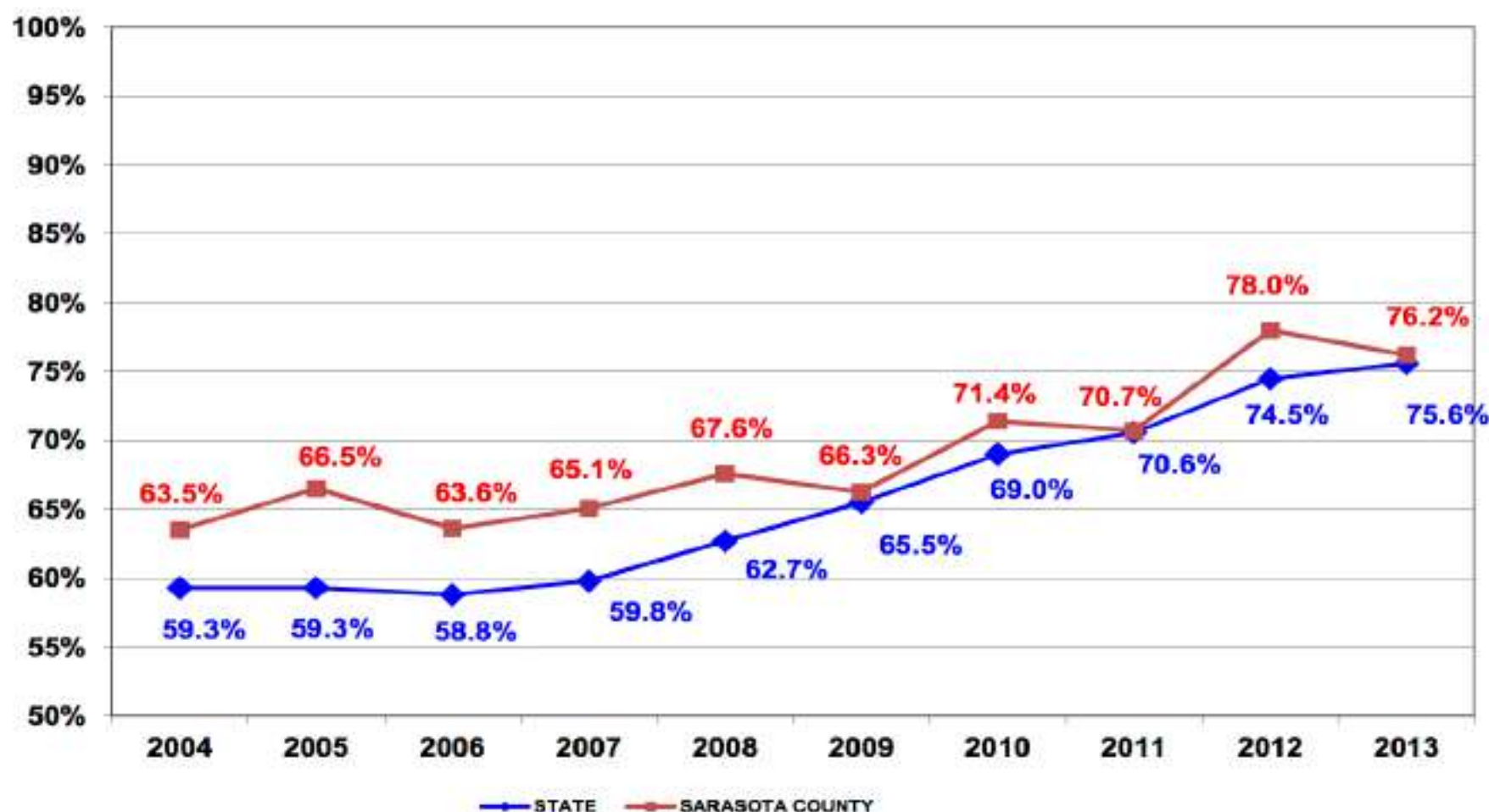
The Sarasota County School District dropout rate for 2012-13 improved compared to the previous year, but the graduation rate has decreased slightly, according to data released Dec. 11 by the Florida Department of Education, the Sarasota County School District has announced.

Using the Federal Uniform Rate, which provides a consistent method for comparing graduation rates among all states and school districts, the 2012-13 graduation rate for Sarasota County public high schools is 76.2 percent, a news release says. "The percentage is higher than the state graduation rate of 75.6 percent and slightly lower than the 2011-12 Sarasota County graduation rate of 78 percent," the release adds.

New federal regulations require each state to calculate a graduation rate that includes standard diplomas but excludes General Equivalency Diplomas (GEDs) — both regular and adult — and special diplomas awarded to some students with disabilities who do not meet the requirements for standard diplomas, the release points out.

"The U.S. Department of Education adopted the method of calculating the Federal Uniform Rate to facilitate comparisons of graduation rates across the nation," the release explains. "It replaces the National Governors Association rate used in 2009-10 and 2010-11 and the Florida Graduation Rate used prior to 2010. The Federal Uniform Rate also will be used in Florida's school accountability system to calculate school grades for high schools."

**The State of Florida and Sarasota County's Federal Uniform Graduation Rate
2003-04 through 2012-13**



Sarasota County's dropout rate for the 2012-13 school year was 1.5 percent, an improvement over the 2011-12 rate of 2.2 percent, the release notes. The state dropout rate increased to 2 percent from 1.9 percent the previous year.

"The graduation and dropout rate are not directly comparable," the release points out. The graduation rate is calculated by tracking

the number of students who start in a school as ninth-graders in comparison to the number of students in the same class who graduate four years later, the release says. The dropout rate indicates the number of students who quit school in a single year, it adds. Students are not counted as dropouts if it can be documented they have transferred to other schools, the release adds.

DOWNTOWN SARASOTA BRIGHT WITH YEAR-ROUND TREE LIGHTS

"Just in time for the holidays, another visible enhancement is bolstering the vibrancy of downtown Sarasota," the City of Sarasota has announced. Year-round decorative white lights have been installed in almost two dozen trees along Main Street, "creating a more festive atmosphere downtown," a news release says.

"Elegantly lit trees not only create a warm ambience where people want to gather, but they also make people feel safe," John Moran, Downtown Improvement District operations manager, notes in the news release.

[Click here to view a YouTube video featuring the sights and sounds of downtown this week with the new decorative lights.](#)

White lights are shining on each of the 22 mature oak trees on Main Street, from

Gulfstream Avenue to Orange Avenue, the release points out.

"During this time of year we want our downtown to reflect the spirit of the holiday season with a festive streetscape that also attracts visitors and customers to our unique blend of specialty shops," says Norman Gollub, downtown economic development coordinator, in the release.

The illumination project became a reality thanks to a partnership between the Sarasota Downtown Merchants Association (SDMA) and the Downtown Improvement District (DID), the release adds.

The SDMA presented the idea to the city, and the DID funded the \$14,000 project, which includes three years of maintenance and light replacement, the release notes.

SARASOTA MAN APPOINTED TO SWFWMD GOVERNING BOARD

Gov. Rick Scott has appointed Michael A. Moran of Sarasota to the Governing Board of the Southwest Florida Water Management District (SWFWMD), the district has announced.

Moran is filling a vacant seat that represents Charlotte and Sarasota counties, a news release says.

Moran is president of Insurance & Benefits Consultants.

His appointment is for a term that began Dec. 5 and ends March 1, 2015, the release adds. The appointment is subject to confirmation by the Florida Senate.

The Southwest Florida Water Management District Governing Board members set policy for the district, whose mission is to manage the water and related resources of west central Florida "to meet the needs of current and future water users while protecting the environment," the release points out.

LAST COUNTY RAIN BARREL WORKSHOP OF 2013 SET FOR DEC. 21

Sarasota County will host a Rain Barrel Workshop Saturday, Dec. 21, at 10 a.m. at the Sarasota County Extension Office located at 6700 Clark Road in Sarasota, the county has announced.

Blue 55-gallon plastic rain barrels will be available for purchase for \$37 at the workshop, which will include an educational presentation followed by a question-and-answer session with Extension Office staff, a news release says

“Rainwater harvesting can reduce the use of potable water and yield cost savings on water and wastewater utility bills,” the release adds.

Rain barrels help to reduce stormwater runoff by diverting and storing water that falls from areas such as roofs, said David Pouso, a county environmental specialist, in the release.

To register for the workshop, go to sarasota.extension.ufl.edu/ or call the Sarasota County Call Center at 861-5000 and ask for the Sarasota County Extension Office, the release adds. It is not mandatory to attend the workshop to purchase a rain barrel.

For more information about the Rain Barrel Harvesting Program, visit www.scgov.net/WaterServices/Pages/RainBarrel.aspx.



The last Sarasota County Rain Barrel Workshop for the year will be held on Saturday, Dec. 21. Contributed photo

SBEP OFFERS FREE GUIDED KAYAK TRIPS OF SARASOTA BAY

The Sarasota Bay Estuary Program (SBEP) has scheduled a number of free guided kayak excursions on Sarasota Bay from December through April, including a trip to Neal Preserve on Saturday, Dec. 21, the organization has announced.

Neal Preserve is located in Manatee County, a news release notes.

All of the SBEP kayak excursions require online registration at sarasotabay.org.

The SBEP Bay Wise Kayak Tour Program is an opportunity to discover the plants, animals, habitats and restoration projects “that distinguish Sarasota Bay,” the release adds. Brad Tanner, a professional guide and the school programs coordinator for Mote Marine Laboratory, is the kayak tour leader. He is also a member of the SBEP Citizens Advisory Committee, the release says.

Additional trips are planned for Leffis and Jewfish Key (Jan. 4 and 18), Lido Mangrove Tunnels (Feb. 1 and 15), Blind Pass (March 1 and 15) and Lyons and Blackburn Bay (April 12 and 19). Participants are required to bring their own kayaks and gear, the release points out. “Outfitters throughout the region rent kayaks and offer demonstrations and beginner classes. The Bay Wise Kayak Tour Program is for experienced kayakers,” the release says.

“The late Jack Taylor, a respected marine biologist and former member of the SBEP Citizens Advisory Committee, launched the kayak tour program in 2007” as part of an SBEP Bay Partners Grant initiative, the release notes. He earned a doctorate in marine biology from the University of Florida and was active with many conservation groups throughout the region, the release continues.




The Sarasota Bay Estuary Program has planned a number of guided kayak tours in the coming months. Contributed photo

SARASOTA POLICE FOUNDATION RECEIVES \$5,000 CHECK

On Wednesday, Dec. 4, the Sarasota Police Foundation Inc. received a generous donation from Dennis and Graci McGillicuddy of Sarasota, the Police Department has announced.

The foundation plans to use the \$5,000 to support the work of the Police Department, a

news release says. Created in August 2008, the foundation is a registered 501(c)(3) nonprofit, the release notes. It provides opportunities for officers and the public to work together “to establish and maintain relationships through community policing, training and crime prevention,” the release adds. 



(From left) Sarasota Police Chief Bernadette DiPino; Valerie Pober, executive director of the Sarasota Police Foundation; and Graci McGillicuddy celebrate the donation. Contributed photo



(Inset) Michael Molnar/Contributed photo

VENICE MAN CHARGED AFTER CLAIMING TO BE SARASOTA POLICE OFFICER

A Venice man is behind bars after he allegedly tried to break into a home on 19th Street in Sarasota in late April and told the victim he was the “Sarasota Police,” the Sarasota Police Department has announced.

Michael Frank Molnar, 20, has been charged with felony counts of Attempted Home Invasion Robbery and Falsely Impersonating An Officer, a news release says.

On April 30, the victim told detectives the suspect tried to get into his home at 1357 19th St. in Sarasota, the release adds. The victim said he was lying down in his bedroom when he heard a loud knock at the front door. The victim then heard the suspect announce “Sarasota Police” several times, the victim told detectives, according to the release.

When the victim looked out the window, he saw a white male wearing a black vest with “SWAT” written on the front of it in white letters, the release continues. The suspect was also wearing a black mask over his face and black gloves, and he was armed with a black handgun, the release says.

The victim told detectives the suspect tried to gain entry into the home by kicking at the front door, but the door did not open. The victim also said he was suspicious of the suspect because he believed if the suspect were a real police officer, he would have already broken down the door, the report adds.

The victim reported that he armed himself with a knife, looked out the window and saw the suspect at the front door, “visibly

shaking,” according to the report. Moments later, the suspect ran from the home. The victim told detectives that he then began driving around to search for the suspect. When the victim spotted the man walking northbound on Cocoanut Avenue, the victim stopped and confronted the suspect on the roadside, but

the suspect ran, and the victim lost sight of him, according to the report.

Molnar was already in the Sarasota County Jail on unrelated burglary charges, the release notes. Molnar was charged on Dec. 3 in connection with the April 30 crime in Sarasota, the release says.

PUBLIC INVITED TO COMMENT ON RE-ACCREDITATION PROCESS

A team of assessors from the Commission on Accreditation for Law Enforcement Agencies (CALEA) will be in Sarasota County beginning this Saturday, Dec. 14, to examine the policies, procedures, operations and support services of the Public Safety Communications Center (PSC), the Sarasota County Sheriff's Office has announced.

The PSC must comply with more than 200 standards, a Sheriff's Office news release says. “It originally received accredited status in November 2002 and was re-accredited in 2005, 2007 and 2010. Re-accreditation is a voluntary process but a highly prized recognition of communications professional excellence,” the release notes. “This objective is also part of the Sheriff's Office Four-Year Strategic Plan.”

The assessment team is composed of law enforcement and public safety communications practitioners from similar but out-of-state agencies, the release explains. The assessors will review written materials, interview individuals and visit the 911 Center,

agency offices and other places where compliance can be witnessed, it notes.

As part of the on-site assessment, agency employees and members of the community are invited to offer comments by telephone on Monday, Dec. 16, by calling 861-5524 between 2 and 4:00 p.m., the release points out. “Comments are limited to 10 minutes and must address the PSC's ability to comply with CALEA standards.”

A copy of the standards is available at the front desk at the Sheriff's Office, located at 2071 Ringling Blvd. in Sarasota or at 4531 State Road 776 in Venice.

Citizens can submit written comments by mailing them to the Commission on Accreditation for Law Enforcement Agencies (CALEA), 13585 Heathcote Blvd., Suite 320, Gainesville, VA, 20155.

Once the assessors complete their review of the agency, they report back to the full commission, which then decides if the agency is to be granted re-accredited status, the release notes.



Simply put, Crime Stoppers relies upon the cooperation between the police the media and the community to provide a flow of information about crime and criminals. All submitted tips are secure and anonymous.

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POLICE ARREST COSMETIC SURGEON WITH REVOKED MEDICAL LICENSE

Dr. Leonard Rubinstein, 59, of 4921 Higel Ave. on Siesta Key, was arrested on Monday, Dec. 9, and charged with one count of Attempting or Offering to Practice Medicine with a Revoked License, the Sarasota Police Department has announced.

The department's Narcotics Unit executed a search warrant at Rubenstein's 1805 Siesta Drive office after undertaking an investigation resulting from numerous complaints to the Department of Health that Rubinstein was practicing medicine in spite of having his medical license revoked, a news release says.

The Narcotics Unit conducted an undercover operation, with an officer posing as a potential patient interested in breast augmentation surgery, the police report explains. As a result of executing the search warrant, "detectives seized numerous medical records and marketing materials" that indicated Rubinstein was continuing to practice medicine, along with evidence he illegally obtained controlled substances for use as medication, the news release notes.

Additional charges are expected, the release adds.



Leonard Rubinstein/Contributed photo


Rubinstein's license was revoked as of Dec. 7, 2012, "after numerous years of discipline," according to the police report. Any individual who may have been a patient after that date or who is in need of his or her medical records, may contact Lt. James Rieser of the Sarasota Police Department's Bureau of Criminal Investigations at 954-7093, the release points out.

SHERIFF'S OFFICE ISSUES 248 CITATIONS FOR SEAT BELT VIOLATIONS

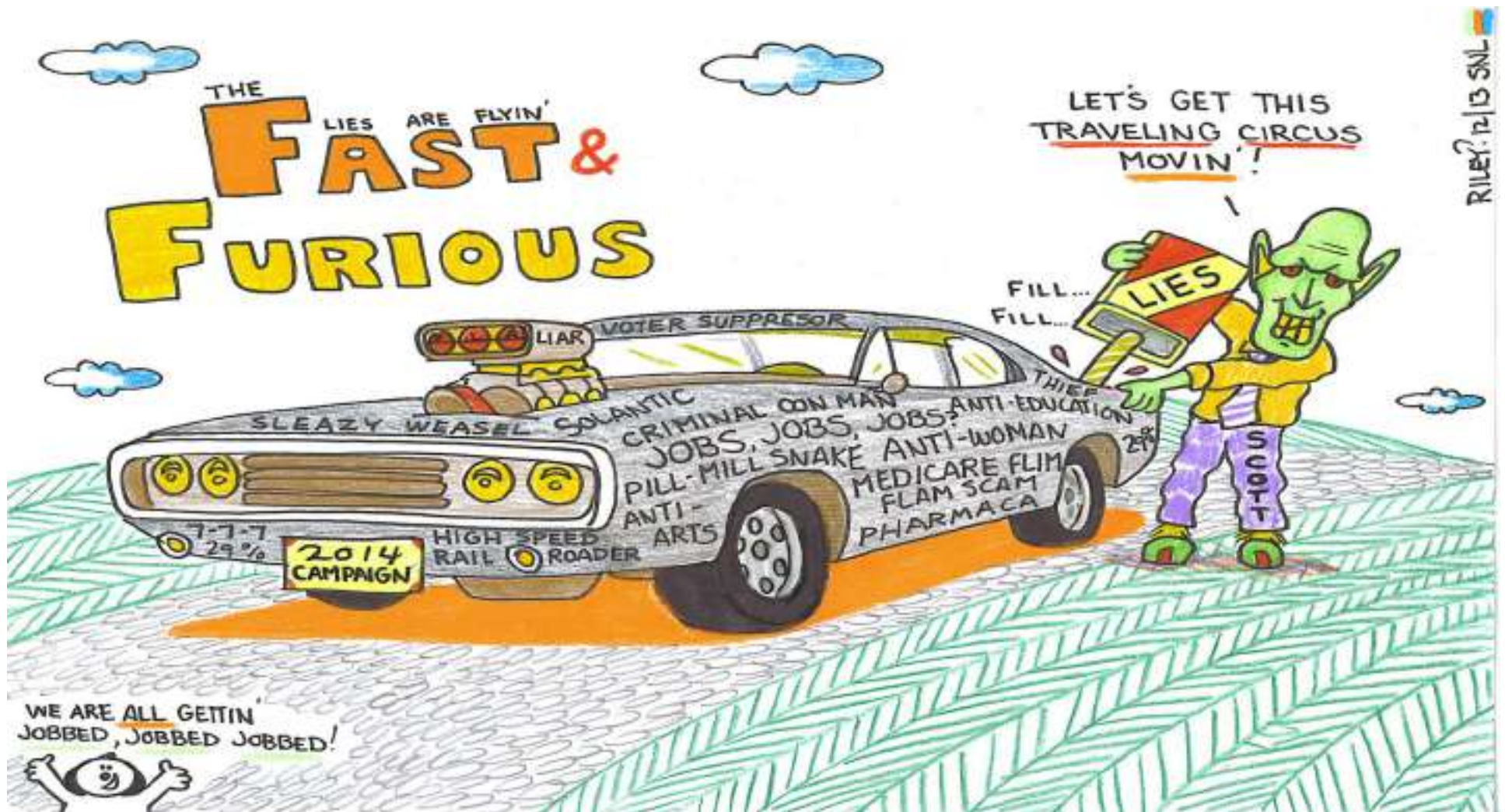
During its holiday Click It or Ticket Campaign, which ran from Nov. 18 to Dec. 1, Sarasota County Sheriff's Office deputies wrote 248 citations to motorists who were not wearing their seat belts, including two who did not properly restrain a child, the office has reported.

Another 426 motorists were cited for speeding, 75 for driving with a suspended driver's license and 10 for reckless driving, a news release says. Additionally, 29 DUI arrests were made.

"The effort was part of a nationwide push to save lives by intensifying efforts to educate the public about seat belt laws and enforce them with all motorists around the clock," the release points out.

In Florida, all motorists are required to buckle up when riding in the front seat, and passengers under the age of 18 must use proper seat restraints regardless of where they are seated in a vehicle, the release notes. 

OPINION



RICK SCOTT, HUCKSTER-IN-CHIEF

EDITORIAL It is now official: Florida Gov. Rick Scott is a candidate for reelection in 2014. Of course, since taking office, he has made no secret that he planned to seek another term, but he went through some regulatory hoops this week that remove any doubt.

When he first ran for governor four years ago, Scott touted himself as the “jobs governor,” pushing a plan that promised 700,000 jobs in seven years.

That plan was crafted by Donna Arduin, a name that should be familiar to anyone in Sarasota County who is concerned about the continued viability of the county’s 2050 Plan.

When state economists released a forecast that the state would add about 1 million jobs over that seven-year period, regardless of the occupant of the governor’s mansion,

Scott doubled down and promised that his 700,000 new jobs would come on top of the economists’ predictions. Thus, his promise ballooned to 1.7 million jobs.

Since his election, Scott has been traveling all over the state proclaiming the equivocal “It’s working.” Whatever else one might say about Scott, one cannot say he has not worked to bring new jobs into the state. Unfortunately, his job creation record is nowhere near the 1.7 million mark and not even close to 700,000.

Even his claims for jobs he has brought to Florida seem to be overblown on closer scrutiny.

The *Miami Herald* and *Tampa Bay Times* undertook a months-long analysis of Scott’s job creation record. Their principal finding was that many of the jobs Scott is boasting about do not yet exist and will not for many years ... if at all.

OPINION

Their analysis focused on the new jobs for which the governor might have some control, principally those arising out of incentive deals with new employers or existing employers seeking to expand significantly.

Scott has aggressively used tax incentives to lure new businesses to the state, according to the *Times/Herald* study. The newspapers' analysis of 342 job creation deals revealed that Scott had committed \$266 million in tax cuts and related incentives, which should have resulted in more than 45,000 new jobs.

But a closer look showed that very few of those jobs actually exist. Only about 4 percent of them have been filled. The vast majority are "promised," with the possibility that it could take up to a decade before they materialize.

What is worse, Scott's zeal in attracting new employers while ignoring struggling Florida businesses has resulted in the loss of more than 49,000 jobs in the same time period, many of them high-paying manufacturing jobs.

That means that, even were all of Scott's "new" jobs to come to fruition, the state would have lost net jobs as a result of his plan.

The situation becomes even more dire when one looks at the sort of jobs his "incentives" are luring.

One example was a \$1 million incentive offered to a company to have at least 500 employees by 2015. Scott only required the company to pay those employees an average of less than \$20,000 per year. The national

poverty level for a family of four is more than \$23,000.

The state has managed to add about 400,000 jobs since Scott became governor, but many economists regard this as the result of an improving national economy.

Florida's economy is dependent on tourism and home construction. As the country's economy has improved, more Americans have been able to take a vacation in Florida. As the national housing market has improved, more Americans have been able to sell their homes and retire to Florida. As a result, the housing industry in Florida is bouncing back, and state tourism numbers are setting new records.

But the credit for this belongs less with Rick Scott than it does with Barack Obama. Despite the legislative gridlock of a "do-nothing"

Congress, President Obama has managed to inject enough of a stimulus into the U.S. economy to bring us a long way from the depths of the Great Recession. The economy is not robust, to be sure, but it no longer teeters on the brink of oblivion as it did in 2008.


Those familiar with the author of Scott's jobs creation plan should not be surprised at the governor's lackluster results. Arduin is an acolyte for an economic theory so morally bankrupt and inequitable that it recently was condemned by Pope Francis. The reasoning behind the "7-7-7" plan she created for Scott, such as it was, was political bluster and hyperbole ... not sound economic theory.

The state has managed to add about 400,000 jobs since Scott became governor, but many economists regard this as the result of an improving national economy.

OPINION

Medicare claimed years ago that Rick Scott was a fraud. The people of Florida should be coming to the same conclusion. He is little more than a carnie huckster, using smoke-and-mirror tricks to confuse and befuddle his victims. In this instance, sadly, the “victims” are the residents of Florida. He is trying to

convince them that his promise of 1.7 million new jobs in seven years is on track and that his program is “working.”

The voters of this state must follow his darker example, however, and kill one more in-state job: his. 



LETTERS TO THE EDITOR

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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Sarasota Leisure

A family of four is playing in the ocean waves. A woman in a red and black patterned bikini is holding a young girl in a pink swimsuit. A man in a blue and white patterned bikini is also holding the girl. They are all smiling and enjoying the water. In the background, there are waves and a distant city skyline.

**ATOMIC AGES
MARKING 86 YEARS
A 'NIGHT OF LIGHTS'**

Your Lifestyle Guide To The Suncoast

Inside



ATOMIC AGES

A 2012 Atomic Holiday Bazaar vendor pitches her wares. Photo courtesy of Adrien Lucas

ATOMIC HOLIDAY BAZAAR CRAFTERS PREPARE TO ROCK THE SARASOTA MUNICIPAL AUDITORIUM FOR THE EIGHTH STRAIGHT YEAR

By Cooper Levey-Baker
Associate Editor

The national do-it-yourself (DIY) craft scene is experiencing a moment of “burnout,” says [Atomic Holiday Bazaar](#) organizer Adrien Lucas. Some of the bigger shows in the scene are in flux, while high-end fashion designers have begun pulling styles from the underground. But all that doesn’t apply to Atomic, now in its eighth year of offering a motley assortment of independently produced and vintage clothing, jewelry, accessories, art projects, etc.

According to Lucas’ count, 223 crafters applied for 135 spots in this weekend’s show. The total number of vendors, including those who split tables, runs to around 150 or 160.

Clearly, enthusiasm for the event ain’t going anywhere.

But as the years come and go, the show’s style does morph, and Lucas spots a few trends in this year’s lineup. One is repurposed or “upcycled” furniture. Lucas says several applicants were hoping for double booths because their home goods are so large. She didn’t allow it, to preserve space for others, but those items have been scarce at previous Atomics, usually heavy on daintier items such as jewelry and kids’ gear.

Another interesting development: plants. Lucas, who co-founded the event with

Cemantha Crain in 2006, wanted green vendors from the get-go, but it took years to hook up with the right growers. This year's show includes a booth stocked by Craft Organic — a Sarasota company that slings air plants and orchids in surprising combinations of corks and shells. The company hooked up with Sarasota's newish coffee destination, Perq, to design that spot's green touches, a connection Lucas says was made at last year's Atomic.

Lucas also sees an uptick in vintage kitsch such as *Mad Men*-esque barware, which she says could come across as adding a "flea market" vibe to this year's event. "I could give a s***," adds Lucas, never one to bite her tongue. About anything. "These are pieces of

Americana that are visually pleasing and serve a purpose. They're nostalgic and functional."

Despite a couple of new twists, Atomic's overall vibe won't be all that much of a departure from past editions. You can expect plenty of punk-inspired handbags and T-shirts, '50s housewife-styled aprons and maybe even a uterus-shaped pillow or three. The event has long been a fun, creative opportunity to stuff stockings while supporting artsy locals.


Which is why it's a bit disconcerting to hear Lucas talk about maybe selling the event to someone else in the next year or two. "I really want to get back to being creative," she says. Stressing about city permits and



Atomic Holiday Bazaar organizer Adrien Lucas (left) with past participant Richeal Parisi. Photo courtesy of Adrien Lucas

table organization each year is three-quarters of a full-time job. But if she does pass the baton, she insists it will be to someone who's simpatico.

"I'm really interested in finding that person: one, who can afford to buy it," she says, "and, two, who has the same aesthetic as me." As anyone who's enjoyed the strange buffet that is Atomic knows, that second clause is a tall order.

Atomic Holiday Bazaar season eight runs noon to 5 p.m. Saturday, Dec. 14, and Sunday, Dec. 15, at the Sarasota Municipal Auditorium, 801 N. Tamiami Trail, Sarasota. Admission is \$5 for adults and free for kids 12 and under. Full details available at atomicholidaybazaar.com. 



The Atomic Holiday Bazaar is set to take over the Sarasota Municipal Auditorium for the eighth straight year. Photo courtesy of Adrien Lucas



MARKING 86 YEARS

For the second year in a row, the city team has out-bowled the highly practiced club members. Photo by Genevieve Judge

SARASOTA LAWN BOWLERS MAY NOT HAVE A HIGH PROFILE, BUT THEY ARE PART OF A LONG-TIME COMMUNITY TRADITION

By Stan Zimmerman
City Editor

They bill themselves as participants in Sarasota's oldest organized sporting activity. The city's lawn bowlers have been rolling their balls across manicured lawns since 1928. They certainly predate another long-standing Sarasota sporting tradition — the Tarpon Tournament — by two years.

While there was no great celebration, the bowlers invited some city staffers on Monday morning, Dec. 9, for some holiday cheer and the friendly second annual city versus club challenge.

The club's three "greens" — 120-foot-long squares — are perhaps the best-kept lawns in

the city, with the club's members doing most of the physical labor. But the city and county participate as well, providing materials. In the summer, the county keeps the lawns alive. Recently, work-release prisoners from the county jail were transported in to build new benches and picnic tables for the bowlers and spectators.

While lawn bowling is a year-round activity, it is an early-morning sport in the summer. But as with most Sarasota sporting venues, winter and spring are the months of highest use and interest. In March, for example, the Southeastern U.S. Championship is decided on Sarasota grass. In February, teams from

Scotland and Canada arrive, even though the sport can be played on indoor courts through tough northern winters.

Thousands of people drive by the Sarasota facility every day, but very few notice it. The three lawns and clubhouse are north of the Municipal Auditorium and “behind” the Van Wezel Performing Arts Hall’s marquee on U.S. 41; the area is also the site where the old city shuffleboard courts were located.

Membership is made up of about 80 full-timers. Past President Jo Koegel estimates there are about 1,000 active lawn bowlers in Florida,

with organizations active in Port Charlotte, St. Petersburg, Mt. Dora and Clearwater.

The game is a bit like croquet. Instead of mallets and wooden balls, the lawn bowlers use a ball that is hand-sized and flattened at the poles. It is rolled on its round side toward a mark. Points are scored for balls stopping closest to the mark. However, as in croquet, friendly balls can knock opponents’ balls away from the mark.

Lawn bowling is similar but not identical to the Italian game of bocce ball.



With Sarasota Bay as their backdrop, the Sarasota Lawn Bowling Club members celebrate 86 years on the town’s best turf. Photo by Jo Koegel

“There’s actually some strategy in this,” said bowler Iorrie Pickford.

Most of the club members are retired, not because the sport attracts older people but because the greens have no lights. Families often work during the day and are busy on weekends with other activities.


“People would play in the evening,” noted Koegel, “but we don’t have lights.”

While the sport has winners and losers, it is not “high impact,” and it has a large social component.

City staffers were a bit embarrassed when a reporter discovered them to be playing on “company time” Monday, even though this reporter has seen each and every one of

them work weekends and disasters without complaint.

Who won the city versus club challenge? For the second year, it was the staffers.

The club meets Mondays, Wednesdays and Fridays around noon, if you want to give it a try. 



An un-staged shot shows how expertly the bowlers can place their shots. The white ball is the ‘mark’ next to which all the others try to get the closest. Photo by Stan Zimmerman



The bowlers’ clubhouse is overwhelmed by the condominiums across the street. Photo by Stan Zimmerman

ST. ARMANDS CIRCLE BIDS A FORMAL WELCOME TO THE HOLIDAY SEASON


Staff Reports

Standing several people deep in many spots, a crowd gathered on St. Armands Circle on the balmy night of Dec. 6 to mark the shopping district's Holiday Night of Lights.

With a performance by the Cuban Ballet School, a carol sing-along, the lighting of the St. Armands Circle Christmas tree and — of course — the arrival of Santa,

participants found plenty to delight the eyes and ears.

The event also encouraged donations of items to the U.S. Marine Corps' [Toys for Tots](#) program and cans of food to [All Faiths Food Bank](#).

Staff Photographer Norman Schimmel was on hand to capture the festivities. 

A Night of Lights

The St. Armands Christmas tree stands tall in the shopping district.



Santa Claus' arrival on St. Armands means the holiday season officially is under way. All photos by Norman Schimmel



Seasonal adornments brighten up the Circle.



During the event, the Christmas tree is the focal point for photographers and families.



Cuban Ballet School members entertain the crowd.



People await the start of the parade.



Two Marines stand ready to accept donations for the Toys for Tots program.



A stagecoach and its team add an historical touch to the parade.



ANOTHER AVENIDA DEL NORTE DOCK WINS APPROVAL; THE VILLAGE RECYCLING INITIATIVE SPARKS AN ARTISTIC SUGGESTION; AND THE STORMWATER PROJECT CONTINUES



By Rachel Brown Hackney
Editor

About eight years ago, a number of Avenida del Norte residents filed a lawsuit against Sarasota County over the narrow strip of waterfront along the convergence of canals adjacent to their street. In fact, it was the third lawsuit involving that strip over the previous

20 years, and, once again, the county failed to prevail in its contention that the strip was county property.

Finally, on May 12, 2008, 12th Judicial Circuit Court Judge Robert W. McDonald entered a



Yet another dock will be built on the Siesta canal across from property on Avenida del Norte — this time, in front of the house at 687 Avenida del Norte. Image from Google Maps

Siesta Seen

Final Judgment in the 2005 case saying the county should be estopped from arguing it owns the disputed land, based on the fact that every ruling in those lawsuits had gone against it.

Howard Berna, the county's environmental supervisor, pointed out in a Jan. 12, 2011 memo to the County Commission, "As a result of the Final Judgment, those properties for which owners can demonstrate land exists waterward of the County right-of-way have the ability to obtain a [Sarasota County Water and Navigation Control Authority (WNCA)] Minor Work Permit for construction of a private dock."

As a result, the County Commission has approved dock license agreements for seven parcels on Avenida del Norte since January 2011. The latest request won unanimous board OK on the Dec. 11 consent agenda. It came from June Foster, owner of the property at 687 Avenida del Norte. The commission vote will allow her to build a new dock similar in design "to other nearby structures previously authorized by the WNCA," according to a staff memo to the County Commission.

VILLAGE RECYCLING INITIATIVE

Siesta Key Association (SKA) Vice President Michael Shay, who has been leading the effort



A Siesta Village business owner has suggested a sea turtle could be one type of creature painted on recycling bins to draw tourists' attention to the bins. Image by Mike Gonzalez via Wikimedia Commons

Siesta Seen

to implement a recycling initiative in Siesta Village, was unable to attend the Siesta Key Village Association (SKVA) meeting on Dec. 3. In his stead, Mark Smith, chairman of the Siesta Key Village Maintenance Corp., reported no real progress had been made thus far on the effort.

However, Martha Smith, owner of Le Grand Bisou Caribbean Boutique in the Village, took the opportunity to revive a suggestion she made in June — that artists be allowed to paint the recycling bins with a sea creature theme to remind tourists, especially, that recycling helps protect the island's wildlife.

When Martha Smith asked whether the SKVA would own the bins, Mark Smith told her it would, which would make her proposal possible. "It's an interesting idea," Mark added. The key is to make certain visitors understand that the decorative bins are for recycling, he pointed out.

SKVA members could come up with specific types of sea life to use in identifying the bins, Martha replied, likening the idea to the Cow Parade, for example, which was popular as an art theme in the city of Chicago.

"I think that's a great idea," SKA Secretary Peter van Roekens responded.

Past SKVA President Russell Matthes added that businesses could get involved with the initiative by agreeing to sponsor artists to paint certain bins.

Mark Smith noted though, "If we're going to buy cans similar to what we have, they're

probably not going to work" as media for such artwork.

"We'll let you work on that, too," SKVA President Cheryl Gaddie told him with a smile.

STORMWATER PROJECT UPDATE

In the latest report to the County Commission about the stormwater project under way next to Siesta Public Beach, Isaac Brownman, director of capital projects in the Public Works Department, noted that while off-site pumping started Nov. 5, pumping is only taking place for about 30 minutes to one hour three times a day, "when the turbidity levels are within the permitted values."

County staff has been monitoring the work to make sure sufficient settling of sediment occurs before the water that flooded the site in September is discharged into the Gulf of Mexico.

Through next week, the contractor is expected to continue digging the new one-acre stormwater pond, Brownman added.

The contractor also has established the "rim ditch" — a sump necessary to remove groundwater — around the proposed pond, Brownman noted. Coordination meetings continue to take place between the contractor for this project and the contractor for the Siesta Beach project "for work to be performed in overlapping areas," he continued. "The scope has been established and an agreement will be in place shortly allowing the [stormwater] contractor to perform some site work for the

Siesta Seen

Siesta Beach project. This will provide overall cost savings for the County.”

Further, the county has received a Coastal Control Construction Line permit for the Siesta Beach Improvement Project from the Florida Department of Environmental Protection, he pointed out. That will allow the entire stormwater pond to be dug seaward of that line, he added.

“At this time,” Brownman wrote, “we do not expect that the delays we have had to date will significantly impact the [beach

improvements] project. It is anticipated that with both projects now overlapping with time lines/schedules, some economy of scales will be realized.”

CLARIFICATION

In my Dec. 6 article about the ongoing effort to modify the Siesta Key Overlay District (SKOD) ordinance to allow some types of outdoor merchandise display, I noted that Commissioner Nora Patterson found a proposed revision put forth during the summer to be too lenient.



*Heavy equipment has remained the focal point on the Siesta stormwater site for the past few weeks.
Photo by Rachel Hackney*

Siesta Seen

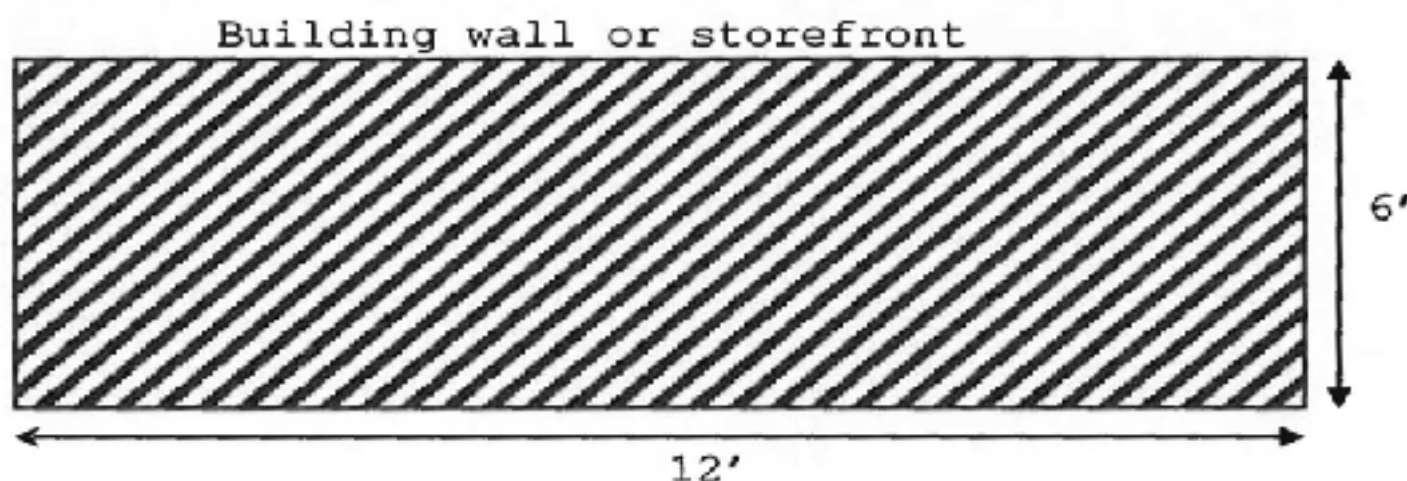
What Patterson objected to, she reminded me last week, was one particular section in the draft prepared by former Siesta Key Chamber of Commerce Executive Director Kevin Cooper. It said, "The outdoor display area shall not extend beyond the width of the single building wall, or storefront, whichever

is narrower, of the responsible business and must not exceed twelve (12) feet unless a greater width is permitted through the special exception process." Patterson said she felt the 12-foot maximum was excessive.

A committee is working on a new revision of the ordinance. **SNL**

- Special District Outdoor Display Regulations
 - a. Siesta Key Overlay District (SKOD)

1. Except as otherwise noted, any outdoor display area will comply with the standards contained in this section:
 - a) The outdoor display area shall not exceed six (6) feet above finished grade unless a greater height is permitted through the special exception process.
 - b) The outdoor display area shall only be located adjacent to and/or against a single building wall, or storefront, of the responsible business but shall not extend further than six (6) feet from the same building wall or storefront unless a greater length is permitted through the special exception process.
 - c) The outdoor display area shall not extend beyond the width of the single building wall, or storefront, whichever is narrower, of the responsible business and must not exceed twelve (12) feet unless a greater width is permitted through the special exception process.
 - d) No tents or canopies can be placed over the display area.



The 12-foot outdoor display provision in a proposed zoning code change for Siesta Key was the element of that document County Commissioner Nora Patterson found objectionable, she reminded the News Leader last week. Image courtesy Siesta Key Chamber of Commerce



Booker High students starring in the production of Neil Simon's Fools are (from left) Jordan Boyer, Ellie McCaw, Ryan O'Dell, Rachael Henry, Aaliyah Harris and Solo Matelau. Contributed photo

BOOKER HIGH STUDENTS TO STAGE NEIL SIMON'S FOOLS DEC. 13-14

The Booker High School Visual and Performing Arts Theatre Department will stage Neil Simon's comic fable *Fools* at 7 p.m., Friday and Saturday, Dec. 13-14, in the school's VPA Theatre, the school has announced.

"From the canon of one of the most popular comic playwrights of the 20th century, *Fools* serves up plenty of laughs while exploring the idea of how people respond to preconceived notions about themselves," a news release points out.

"The show centers on Leon (Ryan O'Dell), a schoolteacher who travels for work to the small Ukrainian village of Kulyenchikov, whose inhabitants are hopelessly, farcically

stupid," the release continues. "When Leon meets his employer's daughter, Sophia (Rachael Henry), he falls instantly in love, despite the fact that she, too, is a fool. He comes to find out that the widespread idiocy is no coincidence; the town has been under a spell for 200 years, and the citizenry is doomed to stupidity until the spell is broken. The power to lift the spell is in Leon's hands, and it can only happen if he is able to educate Sophia within 24 hours."

Director Natalia Mock, a Booker High VPA Program adjunct faculty member, says in the release that the department chose the play for a number of reasons, not the least of which is Neil Simon's legacy.

“It’s a classic Neil Simon comedy,” Mock notes. “It’s important for the students to understand that playwright and his contributions to theatre. Plus, it gives them lots of opportunities to explore physical comedy, and I’ve been impressed to see how they’ve brought in elements of the Italian tradition of *commedia dell’arte* in their character development.”

There is great lore about the play itself, the release points out. Simon reportedly created it with the intention of writing an unsuccessful play in the aftermath of a divorce settlement that would leave his ex-wife with the profits of his next play. “While *Fools* initially earned a tepid reception,” the release continues, “it

has since become a crowd pleaser, cementing Simon’s reputation as an unflappable writer.”

“The fact that the students are taking on these scripts and doing them well, I think is important for audiences to support,” Mock says in the release. “We bring the same professionalism to the straight plays, and the community should see that.”

Tickets are \$15 for adults, \$10 for seniors and \$5 for students. They are available in advance by calling Judy Piercy at 355-2967, Ext. 65215, or online at VPAbooker.com.

The Booker High School VPA Theatre is located at 3201 N. Orange Ave. in Sarasota.

PATRONS INVITED TO ‘PAY WHAT YOU CAN’ FOR SOUNDS OF CHRISTMAS

Venice Theatre will present its traditional *Sounds of Christmas* concert Friday and Saturday evenings, Dec. 13 and 14, at 8 p.m., the theatre has announced.

“Audiences will be treated to an intimate evening of holiday tunes sung by some of Venice Theatre’s most talented vocalists,” a news release says. Regular ticket prices for the event are \$24 for adults and \$10 for students. However, patrons who might be struggling financially are invited to take advantage of a special “pay-what-you-can” rate, the release points out.

Director Allan Kollar explains in the release, “We want everybody in our community to be able to afford a great Christmas show. We hope folks will come out and enjoy the music and pay whatever amount works for them and their family.”

Pay-what-you-can tickets are available for each performance, the release notes. Patrons must purchase them at the door with cash. Any amount will be accepted. The special

rate is not available online. For more information about tickets, contact the box office at 488-1115.

Sounds of Christmas “will feature beautiful renditions of wintertime favorites old and new,” the release continues. Traditional songs and carols such as *Carol of the Bells*, *The First Noel* and *Silent Night* will be sung along with more contemporary selections such as *Baby, It’s Cold Outside*; *Mary, Did You Know*; and *The Twelve Days After Christmas*.

Audience members are asked to bring non-perishable food items to the concert to help stock local food pantries, the release adds.

Venice Theatre is located at 140 W. Tampa Ave. on the island in Venice. Tickets and passes for the entire 2013-2014 season are available by phone at 488-1115 or in person at the box office from 10 a.m. to 5 p.m. Monday through Friday and one hour before all shows for walk-up tickets. Tickets are also available 24 hours a day at www.venicestage.com.



A group of Venice Theatre singers (including Nidal Zarour, Kim Kollar and Robin Fernandez, pictured at last year's concert with Kristofer Geddie) will join together to serenade audiences with holiday favorites Dec. 13-14. Contributed photo

AM AHL AND THE NIGHT VISITORS TO BE STAGED DEC. 21

Artist Series Concerts of Sarasota will present *Amahl and the Night Visitors*, “a heartwarming and funny story of a poor boy’s generous gift and miraculous healing,” on Saturday, Dec. 21, at 2 p.m. in the Historic Asolo Theater, located at 5401 Bay Shore Road in Sarasota, the organization has announced.

Tickets are \$15 to \$30 and may be purchased online at www.artistseriesconcerts.org or by calling 360-7399.

“Amahl, once a shepherd boy and now disabled, has taken to the telling of tall tales — if not outright lying,” a news release explains. “So it’s understandable when his widowed mother has trouble believing his assertion of an amazing star ‘as big as a window,’ rising in the east.” Later that evening, the release continues, when Amahl returns from a knock at the door with the news of three weary yet splendidly dressed kings on the doorstep, she is even harder to convince. “And so our story begins,” the release adds.

Amahl and the Night Visitors, recounted as a one-act opera, “is ultimately a journey of redemption,” the release notes. “Along the way the Three Kings, Amahl and his mother, come to understand the true magic in giving.”

BAUHAUS MOVEMENT TO BE FOCUS OF LECTURE

On Thursday, Dec. 19, from 2 to 3 p.m., Jacaranda Trace will host a lecture titled *Introduction to the Bauhaus: The Face of the 20th century*.

The program will focus on the men and women who were part of this artistic and architectural revolution in Germany from



Deborah Berioli/Contributed photo

This production will feature a professional cast, including soprano Deborah Berioli, baritone Todd Donovan, Imperial Symphony Opera baritone Joshua Mazur, Andrea Guaita, Christopher Culpepper and Jose Guaita, the release says. Also appearing will be the Le Voci de Venezia choral ensemble, flutist Michael Algeria and pianist Mary Jeanne Moorman.

1919 to 1933, a news release says. “Their collaboration and innovations shape the world we live in today,” the release adds. “Walter Gropius, Vassily Kandinsky, Gunta Stolzl and many others were part of this milieu.”

[Jacaranda Trace](#) is located at 3600 William Penn Way in Venice. Admission is \$10 at the door.



The Bauhaus building in Dessau was designed by Walter Gropius. Photo by Mewes via Wikimedia Commons

ARTIST SERIES CONCERTS TO PRESENT ANDREA MCARDLE

Artist Series Concerts of Sarasota will present Andrea McArdle and guests “in a feast of holiday music,” *The Most Wonderful Time of the Year*, on Saturday, Dec. 21, and Sunday, Dec. 22, at 7:30 p.m. in the Historic Asolo Theater at 5401 Bay Shore Road in Sarasota, the organization has announced.

Joined by pianist Steve Marzullo, baritone Todd Donovan, singer Maria Wirries, pianist Alan Corey, dancers from the Carreno Dance Festival and Le Voci di Venezia Singers (on Saturday only), Broadway performer Andrea McArdle will celebrate the season with a lively mix of holiday songs, a news release notes. An ensemble from [Gloria Musicae](#) will join the performance on Sunday.

Tickets are \$25 to \$45; they may be purchased online at www.artistseriesconcerts.org or by calling the box office at 360-7399.

“Andrea first captured the hearts of theater-goers in 1977 when she originated the title role in the mega-musical, *Annie*,” says John Fischer, executive director of Artist Series Concerts of Sarasota, in the release. “She hasn’t stopped delighting audiences since. We’re thrilled that she will partner with a host of our region’s greatest musicians, singers and dancers for a fast-paced holiday musical celebration that warmly captures the spirit of the season.”

McArdle has appeared in numerous Broadway and cabaret productions, including *Les Misérables*, *Beauty and the Beast*, *Meet Me in St. Louis*, *Starlight Express*, *Jerry’s Girls*, *The Wizard of Oz*, *They’re Playing Our Song* and Irving Berlin’s memorable *Annie Get Your Gun*, the release points out. In a 2007 *New York Times* article, Stephen Holden wrote of



Andrea McArdle/Contributed photo

her, “Three decades after *Annie*, her defining quality is still a childlike cry embedded in a voice that carries to the rafters.”

For more information about the Artist Series Concerts of Sarasota’s 2013-2014 season, visit www.artistseriesconcerts.org or call 306-1202.

VENICE THEATRE TO PRESENT *A CHRISTMAS CAROL* DEC. 19-22

Venice Theatre's Generations Series is proud to present five performances of an original musical adaptation of Dickens' *A Christmas Carol* (music by the late area musician E. Suzan Ott, with lyrics and additional music by local teacher, director and writer Scott Keys).

Performances will take place on Venice Theatre's MainStage Dec. 19-22, the theatre has announced, with 7 p.m. shows each day and two matinees — on Dec. 21 and 22. Tickets are \$10 for students and \$17 for adults. They may be purchased online at www.venicestage.com or by calling the box office at 488-1115. Discounts are available for groups of 20 or more. The theatre has also arranged a daytime performance on Friday, Dec. 20, at 10 a.m. for local school groups to enjoy, a news release notes.

"*A Christmas Carol* is one of my favorite things to do each season," says director Murray Chase. "Young people return each year, playing new roles as they get older. College students plan their Christmas breaks around the show. And entire families work together in the cast and crew. It's a wonderful tradition that's been a part of our theatre for almost 15 years."

This is Chase's 12th year as director of *A Christmas Carol*. Music director Michelle Kasanofsky has also been involved with the production for 12 years, the release adds. Other long-time cast and crew include Lori Chase as the Voice of Christmas Past; Alyssa Hunek, who has played a wide variety of roles over the years; Hannah Betterton, who appeared in the show when she was younger



Each year a large cast brings the story of A Christmas Carol to life. This season the count is 51. Contributed photo

and has been stage manager for the past six years; and high school student Noelle Oxboel, who is marking her first year as part of the production team, as assistant choreographer.

Eric Watters, who is playing Scrooge for the 12th year, says in the release, "Where else can old folks like me dance and sing on stage with

young people performing for the first time? Their energy and enthusiasm is contagious!"

Venice Theatre is located at 140 W. Tampa Ave. on the island in Venice. Box office hours are from 10 a.m. to 5 p.m. Monday through Friday and one hour before show time.

THEATRE ODYSSEY ANNOUNCES TEN-MINUTE PLAY FESTIVAL FINALISTS

Theatre Odyssey has announced the finalists for the 2014 Student Ten-Minute Play Festival.

They are as follows:

- *The Game of Life* by Brooke Farnsworth (Lakewood Ranch High School).
- *Our Future* by Eric Nolting (Saint Stephen's Episcopal School).
- *The Gate* by Jenna Greenfield (Lakewood Ranch High School).
- *Death Before Decaf* by Amy Carothers (Cape Coral Christian School).
- *Suspect* by Tiffany Miller (Lakewood Ranch High School).
- *Elevate My Life* by Joseph Grosso (Lakewood Ranch High School).




The cast members of A Little Help, which won the 2013 Ten-Minute Play Festival, were (from left) Bernie Yanelli, Tami Vaughn, Jenny Aldrich and Don Walker. Contributed photo

The Student Ten-Minute Play Writing Festival will be held on Friday, Jan. 17, at the David S. and Anne V. Howard Theatre on the Bradenton campus of the State College of Florida Collegiate School beginning at 7:30 p.m., a news release says. Tickets can be purchased at the door. The cost for adults is \$5; students and children will be admitted free.

A panel of four independent judges will view the six performances and determine the winner, the release notes. A \$300 cash award will be presented to the playwright along with a trophy to be displayed at his or her school for at least one year, the release adds. The winning student play will also be performed at Theatre Odyssey's annual Ten-Minute Play Festival, which will be held in the Asolo Repertory Theatre's Cook Theatre May 1-4.

"Theatre Odyssey received 17 entries for this year's festival, almost triple that of last year," said Preston Boyd, artistic director for Theatre Odyssey's student festival, in the release.

Dan Higgs, board president, added, "We are very excited about having so many young people interested in and involved with live theater."

Theatre Odyssey was founded in 2006 to encourage and promote the efforts of local playwrights and actors. Over the years, the group has premiered more than 60 plays written, directed and performed by Gulf Coast playwrights, actors and directors, the release points out. For more information visit www.theatreodyssey.org. 

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Mary Mozelle/Contributed photo

RELIGION BRIEFS

REDEEMER'S WEEKLY ORGAN SERIES CONCLUDES WITH MARY MOZELLE

The Church of the Redeemer, located at 222 S. Palm Ave. in downtown Sarasota, will conclude its series of midday Advent organ recitals on Wednesday, Dec. 18, with guest organist Mary Mozelle, the church has announced.

Mozelle “has served in many distinctive churches,” a news release says, including The National Presbyterian Church in Washington, D.C.; St. James Episcopal Cathedral in Chicago, IL; and Knowles Memorial Chapel at Rollins College in Winter Park.

Held each Wednesday throughout the season of Advent, the 30-minute recitals are free. They begin at 12:10 p.m. and end promptly at 12:40 p.m., the release notes. “Guest organists and musicians perform on Redeemer’s massive 50-stop Nichols & Simpson pipe organ, providing a brief but welcome weekday respite during the hectic holiday season,” the release adds. All in the community are invited.

For more information, visit redeemersarasota.org or call 955-4263.

100TH ANNIVERSARY OF JEWS IN SARASOTA-MANATEE TO BE MARKED

On Friday, Dec. 20, at 7:30 p.m., the Congregation for Humanistic Judaism (CHJ) will welcome Kim Sheintel, president of the Jewish Genealogical Society of Southwest Florida, to speak on the topic, *The Jews of Sarasota-Manatee: 100 Years*.

Though Jews have never made up more than 3 percent of the local population, “the role they have played in creating businesses, charitable organizations and cultural assets is enormous,” a news release notes.

Sheintel, who is the author of *The Jews of Sarasota-Manatee*, will display her many photographs as well as talk about the surprising historical record she has found through her research, the release adds. The suggested



Kim Sheintel/Contributed photo

donation for non-CHJ members attending the program is \$5.

CHJ meets at Unity, located at 3023 Proctor Road in Sarasota. For more information visit CHJ-Sarasota.org or call 929-7771.

TEMPLE EMANU-EL TO HOST INTERNATIONAL SHABBAT SERVICE

International Jewry will be celebrated Friday evening, Dec. 20, at 7:30 p.m. at Temple Emanu-El, located at 151 McIntosh Road in Sarasota, the Temple has announced.

Speaking from the pulpit will be Rabbi Gary Bretton-Granatoor, vice president of the World Union of Progressive Judaism, which serves more than 1,400 liberal Jewish congregations and 1.8 million Jews in 47 countries, a news release says. The Shabbat service will also have an international flavor, with Temple Emanu-El members reciting the traditional Sabbath prayers not only in Hebrew and English but also in Dutch, Spanish, French, German, Russian and Portuguese, the release notes.

A reception featuring homemade desserts from around the world will conclude the evening.

Members of the community are warmly invited to this special event. For more information, call 371-2788. 



Rabbi Gary Bretton-Granatoor, vice president of the World Union for Progressive Judaism, will speak at Temple Emanu-El's International Shabbat Service on Dec. 20. Contributed photo



COMMUNITY CALENDAR

THE BEST OF UPCOMING EVENTS

13+
DECEMBER

Westcoast Black Theatre Troupe presents *Purlie*

Through Dec. 15; times vary; 1646 10th Way, Sarasota. Tickets: \$29.50. Information: 366-1505 or wbtsrq.org.

13+
DECEMBER

***Above the planet through a microscope*, works by Carla Poindexter**

Through Dec. 28; times vary; Allyn Gallup Contemporary Art Gallery, 1288 N. Palm Ave., Sarasota. Free admission. Information: 366-2454 or AllynGallup.com.

13+
DECEMBER

Dabbert Gallery presents *Sculpture: Metal, Marble & More*

Through Dec. 30; times vary. 76 S. Palm Ave., Sarasota. Free admission. Information: 955-1315 or DabbertGallery.com.

13+
DECEMBER

FST presents *Monty Python's Spamalot*

Through Jan. 5; times vary; Gompertz Theatre, 1241 N. Palm Ave., Sarasota. Tickets: \$18 to 49. Information: 366-9000 or FloridaStudioTheatre.org.

20+
DECEMBER

Selby Gardens presents *Lights in Bloom*

Dec. 20-23 and 27-30, 6 to 9 p.m., 900 S. Palm Ave., Sarasota. Admission: \$14 for members/\$17 for others. Information: 366-5731 or Selby.org.

28
DECEMBER

WSLR presents *Grandpa's Cough Medicine* in concert

Dec. 28, 8 p.m., Fogartyville Community Media and Arts Center, 525 Kumquat Court, Sarasota. Tickets: \$8 in advance; \$10 at door. Information: 894-6469 or WSLR.org.

06
JANUARY

Sarasota Concert Association presents *Mark-André Hamelin*

Jan. 6, 8 p.m., Van Wezel Performing Arts Hall, 777 N. Tamiami Trail, Sarasota. Tickets: \$40 to 70. Information: 351-7467 or SCASarasota.org.

YOUR LIFESTYLE GUIDE TO THE SUNCOAST

PRESS



Norman Schimmel
Photographer

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SCHIMMEL SIGHTINGS



'SANDY' CLAUS CAME TO TOWN

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.