

THE SARASOTA

Vol. 2, No. 40 — June 20, 2014

News Leader

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SHIFTING SANDS

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SARASOTA NEWS LEADER

Rachel Brown Hackney

Editor and Publisher

Rachel@SarasotaNewsLeader.com

Cooper Levey-Baker

Associate Editor

Cooper@SarasotaNewsLeader.com

Stan Zimmerman

City Editor

Stan@SarasotaNewsLeader.com

Roger Drouin

County Editor

Roger@SarasotaNewsLeader.com

Norman Schimmel

Staff Photographer

NSchimmel@SarasotaNewsLeader.com

Fran Palmeri

Contributing Writer

FPalmeri@SarasotaNewsLeader.com

Harriet Cuthbert

Contributing Writer

HCuthbert@SarasotaNewsLeader.com

Elinor Rogosin

A&E Writer

ERogosin@SarasotaNewsLeader.com

John Riley

Editorial Cartoonist

Riley@SarasotaNewsLeader.com

Vicki Chatley

Copy Editor

Vicki@SarasotaNewsLeader.com

Letters To the Editor

Letters@SarasotaNewsLeader.com

Cleve Posey

Production Manager / Graphic Designer

Cleve@SarasotaNewsLeader.com

Robert S. Hackney

Opinion Editor / General Manager

Robert@SarasotaNewsLeader.com

Advertising Sales

Sales@SarasotaNewsLeader.com

Subscription Services

Subs@SarasotaNewsLeader.com

Press Releases & News Tips

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Welcome

I have the theme from *Love Story* running through my head as I write this. “Where do I begin ...”

From an update on the petition drive for a new city charter to the School Board race involving a candidate Gov. Rick Scott just appointed to that board to snags in the effort to get a long-term operation in place at Warm Mineral Springs, this has been another busy week.

Associate Editor Cooper Levey-Baker and City Editor Stan Zimmerman managed to score scoops on the mainland, while I delved into breaking news regarding Siesta Key. County Editor Roger Drouin may have had the most challenging time of all of us, though, as he worked to get the U.S. Army Corps of Engineers’ manager of the Lido Renourishment Project to answer questions about the report the agency released last week.

Stan seemed to provide the most diversity in his coverage this week. The City Commission meeting on Monday was just one of many sources for his articles. I especially recommend his accounts of the City of Sarasota Board of Adjustment and Public Art Committee meetings.

The focus for the Board of Adjustment was the continuing saga of a Bay Shore Road homeowner who wants to be able to keep his 74-foot boat outside his bayfront door, so to speak. Neighbors and historic photos indicated the channel he wants to use is sanded in, but other testimony countered those claims.

Roundabout art once again was at the center of the Public Art Committee discussion. Stan offers a great overview of criteria upon which the board members have settled.

Rachel Brown Hackney
Editor and Publisher





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on My Smile.*



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and my comfortable and natural bite. - Barbara Lee

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WAY BEHIND

The group It's Time Sarasota wants to see the city governed by a 'strong mayor.' Photo by Norman Schimmel

THE 'STRONG MAYOR' PETITION FACES ITS DEADLINE WITH ONLY ABOUT HALF THE NEEDED SIGNATURES AS OF JUNE 19

By Stan Zimmerman
City Editor

The organizers of the City of Sarasota petition drive to put a charter-changing referendum on the November ballot are up against a June 23 deadline, City Attorney Bob Fournier says. The charter is explicit about the sequence of events after the petitions are submitted, and June 23 is the last day to beat the clock unless the City Commission agrees to a special meeting to consider putting the measure on the ballot.

As of Thursday, June 19, the organizers of It's Time Sarasota had presented 1,909 petition signatures to the Office of the Sarasota County Supervisor of Elections. About 15

percent were invalid, leaving 1,628 that had been approved.

This is about half the 3,548 signatures required. The city charter demands that 10 percent of the registered voters who participated in the last at-large city election (March 2013) sign a petition to put an issue on the ballot. It's Time Sarasota wants city voters to adopt a totally new charter, repealing the current city-manager form of government and replacing it with one that will feature an elected mayor with very broad powers. The organization is registered in a lobbyist's office in Tallahassee.

Calls to Linda Holland, coordinator of the petition drive, were not returned by deadline. The group has conducted a full-court press to obtain the necessary signatures, working the polls during the March Sarasota County School Board special 1-mill tax referendum, going door-to-door, staffing a booth at the Sarasota County Fair and, most recently, sending blank petitions by mail to registered city voters.

If the group misses the June 23 deadline, it has several options. It can continue gathering signatures with the hope it can qualify for the city primary election in March 2015 or the possible city runoff in May 2015. However,

these are city district elections; if one of the three districts has just a solitary candidate, there will be no voting in that race. Therefore, the election would not be “general” because one district’s voters would not be participating. The May runoff is even less likely to have all three districts’ voters going to the polls.

If the 2015 city elections will not work as an alternative, organizers could hold out for the November 2016 presidential election. The current city charter says only that the election can be “no earlier than 90 days [after an ordinance approving the ballot language is passed] ... and no later than the next regular election.” **SNL**



Past Sarasota City Commission candidate Linda Holland has been coordinating the petition drive for a new city charter initiative. Photo by Norman Schimmel



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NOT ALL ABOUT ZIEGLER

Newly appointed Sarasota County School Board member Bridget Ziegler. Photo courtesy Facebook

GOV. SCOTT'S INTERVENTION IN A SCHOOL BOARD RACE HAS GRABBED HEADLINES, BUT OTHER ISSUES AT STAKE, TOO

By Cooper Levey-Baker

Associate Editor

A three-sentence announcement from the office of Gov. Rick Scott has shaken up a previously quiet race for a spot on the Sarasota County School Board. In his terse statement, Scott appointed candidate Bridget Ziegler to a vacant spot on the board, prompting sharp criticism from Ziegler's opponents and other locals who say the decision was rooted in political favoritism rather than sound educational policy.

But the race is about much more than Rick Scott, with at least one candidate criticizing the board's embrace of the national education standards known as Common Core, and another arguing that the board's most pressing task is to reach the children now being left behind.

Ken Marsh retired from the school system this spring after decades as a staffer and planner. When he visits with civic organizations and parents' groups, the number one concern is always "those struggling students that still aren't making it," he tells *The Sarasota News Leader*.

There's no silver bullet for the problem, Marsh emphasizes, but he says it's vital to seek teacher input on how best to reach kids falling behind. He credits the school system for offering technical alternatives to traditional education, praising the new Sarasota County Technical Institute facility at Beneva and Proctor roads in Sarasota and the new, in-the-works North Port SCTI campus. (See the related story in this issue.)

"[If elected] my first opportunity to really have an impact on programs and policies that have budget implications is going to be in the winter and the spring," Marsh says, "and I would be working with the other four board members on this issue of how to reach the struggling students better. We do great with gifted and cluster programs. We need somehow to be able to reach out to those kids that aren't making it."

Marsh's opponent, Geoffrey Fisher, blames "the achievement gap" on what he sees as the absence of fathers in the African-American community. "Fathers are vital," he says. "Don't relegate them to some ancillary position



Sarasota County School Board candidate Ken Marsh. Photo courtesy Ken Marsh`

and have the federal government become the father.” Fisher taught in the Connecticut school system, “where kids are routinely getting pregnant,” but he says broader sex education isn’t the answer. “You need to have a unified message that marriage is the way to go,” he adds.

For Fisher, the main issue in the race is obvious: Common Core. The State of Florida this year reviewed and edited the national educational standards and replaced them with its own version, the Florida Standards, but Fisher calls that a mere “shell game.” He says the new standards too closely mirror Common Core, which puts excessive emphasis on abstract thinking for the lower grades and is way too easy for the higher grades.

“They should be teaching *A Tale of Two Cities*, *Nineteen Eighty-Four*, *Animal Farm* by George Orwell, Emily Dickinson,” Fisher

tells the *News Leader*. “They should be teaching *The Federalist Papers*. They should be teaching hardcore liberal arts, to think about how people lived in different times, not what type of Maytag washing machine you should buy.” Fisher accuses Common Core proponents such as Microsoft founder Bill Gates of supporting the standards so they can, in turn, make money designing software and tests.

In his comments, Fisher echoes the thoughts of tea party leader [Randy McLendon](#), who is running for the School Board in a separate race. The question that confronts both of them is what can a School Board member do to oppose statewide standards that have already been adopted and implemented in the county’s lower grades? Fisher says he’ll put together a petition to present to the area’s legislative delegation and that state representatives will feel the heat.



Gov. Rick Scott (right) with Sarasota City Commissioner Paul Caragiulo at a Gulf Coast Builders Exchange event. Photo courtesy flgov.com

Marsh dismisses the idea that the Florida Standards are generating much negative feedback. "There's a little controversy from some people who are very vocal," he says. "And I think a great majority of people believe in a common set of standards so that there can be comparisons: school-to-school, district-to-district, state-to-state." He emphasizes that the standards are not any kind of "top-down curriculum."

"There's nothing that one board member, five board members even, are going to be able to do in Sarasota or any other school district in Florida to stop it," Marsh adds. "I think the prudent thing to do is monitor it as we would any new initiative."

Paul Schafer, another candidate in the race, says that while he's generally pleased with the board's direction, standardized testing is out of control. "I've seen kids crying in fourth grade, stressed out over the state-wide exams," he tells the *News Leader*. "That should not happen." Schafer, who has most recently taught as a reading specialist at Keiser University, is running a grassroots campaign, pledging to accept absolutely no donations. "Money corrupts," he says. "I'll get my word out. I will talk to people like you. I will go to any organization."

But he criticizes the process entailed in elections for the board: A candidate must live within a specific district but campaign county-wide. Schafer says that limits the prospects of a candidate of modest means.


Ziegler's appointment represents another challenge Schafer must overcome. He applied to Gov. Scott for the position — as did Fisher — but both were denied. "The School Board should be absolutely non-political,"

Schafer says. "We should have the best people possible."

While much of the criticism directed Ziegler's way has cited her political ties (her husband, Christian Ziegler, is the former executive director of the Republican Party of Sarasota County), her youth (she's 31) and her lack of education experience, Fisher says the real problem is that she won't clearly state where she stands. Citing a recent email poll Ziegler sent out, Fisher says, "She wants to put her finger in the air and figure out what position to take." Ziegler, in fact, did not respond to multiple *News Leader* emails requesting an interview. Velton Hodges, who filed for the race just last week, was out of town and unable to respond before our deadline.

"I was disappointed that Gov. Scott apparently thought so little of Sarasota County parents and teachers and students that he would appoint somebody with so little experience to such an important position," Marsh says. "That's not a partisan issue, because there are many other Republicans he could have appointed."

Does Ziegler's appointment give her an edge in the campaign? "I think what it gives her is some name recognition," Marsh replies. "Whether it helps her or not may relate to other parts of party politics and the extent to which the governor is a popular governor or not."

Early voting in the School Board races begins Aug. 16 and runs through Aug. 23; election day is Aug. 26. If one candidate wins more than 50 percent of the vote, he or she automatically wins the seat. If no candidate reaches that threshold, the top two vote getters will compete in the November general election. 



My Sunday Paper...

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SHIFTING SANDS

Lounge chairs sit at an angle on South Lido Beach because of the shore's erosion. Photo courtesy Cindy Shoffstall

A LONG-ANTICIPATED U.S. ARMY CORPS OF ENGINEERS REPORT RELEASED LAST WEEK DOES LITTLE SO FAR TO QUELL THE DEBATE OVER A PLAN TO DREDGE PARTS OF BIG PASS

By Roger Drouin
County Editor

Although stretches of Lido Beach have been eroding for decades, the debate over how to approach the problem will not be dissolving soon.

A long-anticipated [report](#) released by the U.S. Army Corps of Engineers last week concluded that a plan to dredge 1.3 million cubic yards of sand from the Big Pass ebb shoal will not negatively change the shoal, alter wave

action or affect “sediment transport pathways that deliver sediment to downdrift beaches (Siesta Key).”

The Army Corps wants to use that dredged sand to buffer a 1.6-mile stretch of Lido Beach.

“We have standard monitoring for all of our projects, and we are assuming that additional monitoring will be required for this project.”

Milan Mora
Project Manager
U.S. Army Corps of Engineers

That action is the primary component of a proposed \$19-million project to keep sand on a beach that has become critically eroded, according to state environmental officials, especially at

the southern end. As part of the undertaking, the Army Corps would also install three groins to help keep that sand in place, and it would add more sand to the beach every five years.

The agency will conduct public meetings on the report on July 23 at Sarasota City Hall at 2 and 6 p.m., during which time residents will have the opportunity to voice comments. During that same period of time, according to Army Corps Project Manager Milan Mora, the agency will submit a permit application for the project to the Florida Department of Environmental Protection (FDEP).

In a written response to the *News Leader*, Mora said that if the project is approved, the Army Corps will make certain federal officials watch over the work closely to determine

whether any problems arise, either on Lido Beach or on Siesta Key.

“We have standard monitoring for all of our projects, and we are assuming that additional monitoring will be required for this project,” Mora added.

As a result of the recent modeling, the cost of the project dropped from \$22.7 million to \$19 million. The Army Corps is responsible for 65 percent of the expense, while the City of Sarasota will be covering the rest, using Tourist Development Tax revenue set aside for that purpose and state funds.

For residents and property owners on Lido — the island created in the 1920s when circus entrepreneur John Ringling filled in the key — the project cannot begin soon enough.



Little of South Lido Beach remains for people to walk at high tide. Photo courtesy Cindy Shoffstall



“ *We are not looking for Siesta Key to get destroyed. But we think it is critical to get our beach renourished.*

Carl Shoffstall
President
Lido Key Residents Association

”

The tide lapped near the base of a South Lido Beach condominium complex's pool deck late last month. Photo courtesy Cindy Shoffstall

Tourists visiting Lido have been wondering about the situation they are encountering.

“Where is the beach? Why isn’t anything being done?” These are questions Carl Shoffstall has been hearing more frequently as people walk sections of the beach.

“In my opinion, we need to do something about this,” said Shoffstall, president of the Lido Key Residents Association. “We had to do something yesterday.”

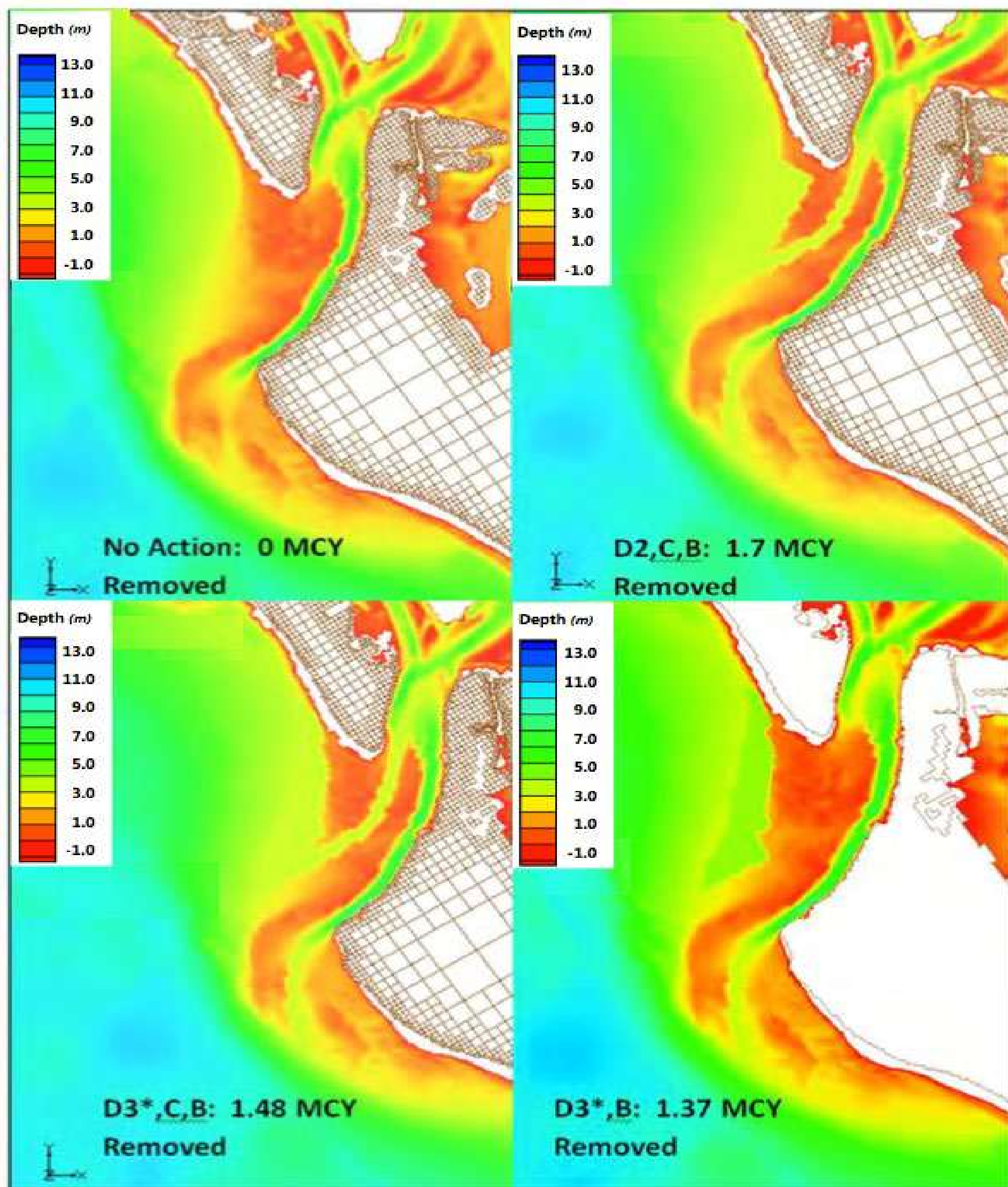
But Siesta hoteliers, residents and property owners have banded together to form [Save our Siesta Sand 2 \(SOSS2\)](#) as a means of

conveying their concerns about the project’s potential impacts on boaters’ navigation of the Big Pass channel and on Siesta’s beaches. The owners of the Best Western Plus-Siesta Key hotel on South Tamiami Trail in Sarasota have retained Donald Hemke, a prominent Tampa environmental lawyer; two other attorneys are working *pro bono* for Siesta interests.

Members of SOSS2 do not agree with the Army Corps’ conclusions. Removing more than 1 million cubic yards of sand from Big Pass, which has never been dredged, will have a detrimental impact on navigation and the natural downdrift of sand on Florida’s west



The Army Corps of Engineers proposes placing three groins on the southern end of Lido Beach. Image courtesy Army Corps of Engineers



The Army Corps of Engineers' modeling shows no impact to the Big Pass navigation channel from dredging in the pass' shoal. Image courtesy Army Corps of Engineers

coast, said Peter van Roekens, an advocate for Siesta Key and area boaters.

“The Army Corps is like a big tank rolling along, and we have to lie down in front of it and hope we don’t get squished,” van Roekens told the *News Leader*.

TWO SAND PERSPECTIVES

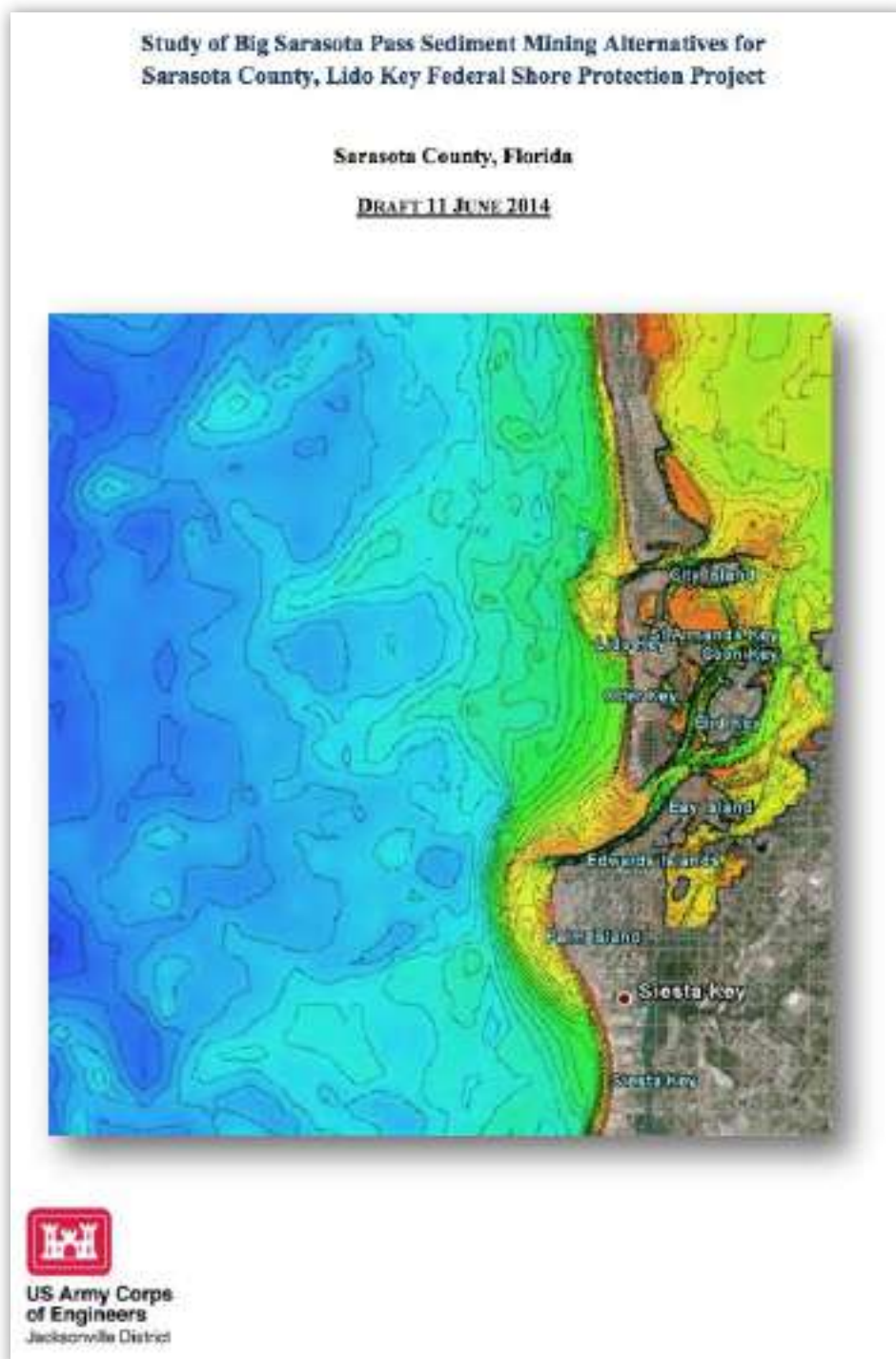
For Shoffstall, the Lido Key Residents Association president, the Army Corps’ planned \$19 million project is the fix needed to make sure sand stays on Lido beach and protects the property there.

Shoffstall says opposition from groups on Siesta has the undertaking in limbo, but time is of the essence. “With Siesta Key and everyone arguing about this, we are quickly washing into the Gulf,” Shoffstall told the *News Leader* this week. “We are not looking for Siesta Key to get destroyed. But we think it is critical to get our beach renourished.”

Shoffstall believes members of the community have to work together when it comes to solutions for Lido’s erosion woes. He compares the Army Corps project to the Ringling Bridge debate.

“When it first came out they wanted to do that [bridge], it was the end-all, and people said it would destroy the city,” Shoffstall said. “What is it now? It is the showpiece of the city. You can’t base your decision on fear and what bad could possibly happen.”

As Army Corps staff works on finalizing the project’s details, Shoffstall and other Lido residents have been meeting with city and county commissioners to try to build support for the undertaking.



The cover of the Army Corps of Engineers report on the Lido Renourishment Project features a colorful graphic. Image courtesy Army Corps of Engineers

Shoffstall said Mora’s statement to the *News Leader* about additional monitoring should reassure local elected officials as well as residents. “If they are going to monitor this more than what they normally do, I think that is a good thing,” Shoffstall pointed out. “It is another safety net.”

Across Big Pass, SOSS2 is acting swiftly to fight the dredging and construction of the groins.



U.S. Army Corps of Engineers Project Manager Milan A. Mora presented a preliminary plan for the Lido Renourishment Project to the City and County commissions in October 2013. Photo by Norman Schimmel

“The Army Corps of Engineers is not listening,” reads a letter the organization plans to send to the Boaters’ Coalition and Siesta residents. “They were told that there are other sources of sand for the few spots on Lido Key that need to be renourished. They were told that groins on South Lido beach could have a negative impact on [Ted Sperling Park](#). They were told that the first ever dredge of Big Pass could have the same negative impact on navigation that it has had on New Pass and Longboat Pass. They were told that dredging Big Pass could destroy the natural renourishment process for the northern Siesta beaches which have never had to be artificially renourished.”

Van Roekens, the Siesta Key and boating advocate, says a third-party review of the Army Corps report would be a good next step.

The city has hired coastal engineering consultant Cliff Truitt to conduct a peer review. That should be completed in early July, said city Senior Communications Manager Jan Thornburg.

But the city’s peer review will not cut it, van Roekens said.

“Cliff [Truitt] has worked on the original proposal that all this is based on,” van Roekens pointed out. “So having Cliff review this doesn’t make sense.”

Van Roekens has suggested an outside expert such as an analyst at [Woods Hole Oceanographic Institution](#).

“We really want an honest peer review that looks at what are the risks and what was the modeling structure that says this is OK to do,” van Roekens added.

“If we need to hire one, we will, if we can collect enough money to do so,” van Roekens said.

SOSS2 is collecting contributions with the hope it can fund its own third-party analysis of the Army Corps report. This week, the group started an effort to try to triple the amount of money it has collected thus far, reaching out to the Boaters’ Coalition and Siesta residents and business owners.

“In a peer review, we don’t want to worry about re-running [Army Corps] models,” van Roekens told the *News Leader*. “We want to look at the structure of their models and the relationship of their models and the age of the data that went in. It’s all pretty old information. What data did they feed into the model?”

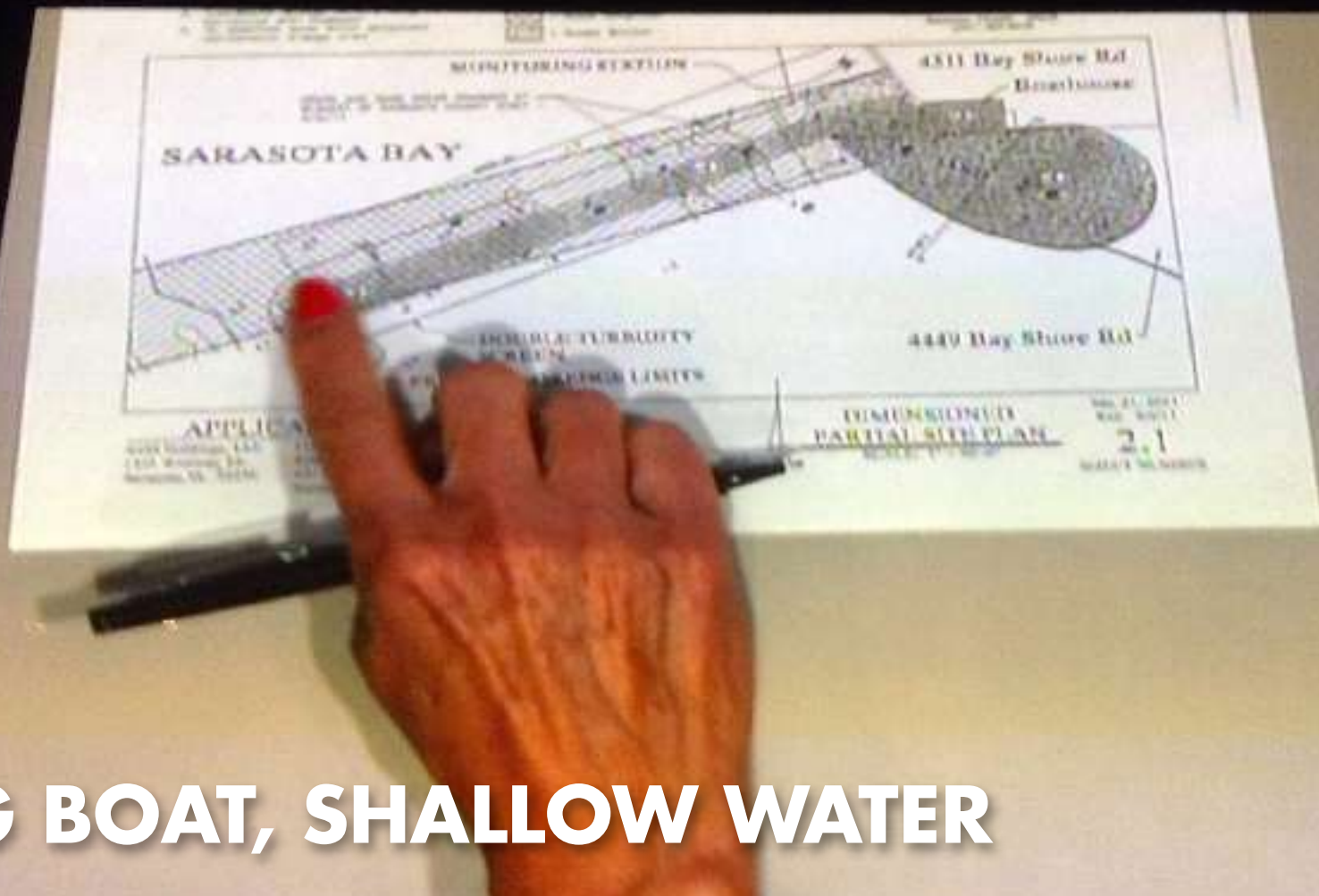
“Someone really needs to take a look at that,” he continued, “because they are resting their whole case on an unlikely assumption — that this will cause no harm, [that] it will make navigation better, which is preposterous.”

He believes that a modified, simplified project, such as adding less sand to targeted erosion hot spots on Lido, could solve the problems without creating the potential for negative impacts to the south. But the Army Corps has maintained that the \$19 million comprehensive project is the only option. “Take it or leave it,” van Roekens said of the Army Corps’ view.

Will all of this come down to a legal challenge?

“We hope not,” van Roekens responded. “But if it does, that is what it will be.”

To read the U.S. Army Corps of Engineers’ report on the Lido Renourishment Project, visit the Sarasota County [website](#). 



BIG BOAT, SHALLOW WATER

Consultant Kristina Tignor points out details of the old channel for members of the city's Board of Adjustment. Photo by Stan Zimmerman

A BAY SHORE ROAD HOMEOWNER APPEALS TO THE SARASOTA BOARD OF ADJUSTMENT IN A CASE INVOLVING THE NAVIGABILITY OF A CHANNEL

By Stan Zimmerman
City Editor

James Armour will not take “No” for an answer. After the Sarasota County Commission turned him down flat, 5-0, he went to the Sarasota City Commission for another 3-2 loss. All that happened last year. Now he is at the city’s Board of Adjustment. If he loses there, the next step is Circuit Court.

What does he want so badly? He wants to dock his boat next to his house, but, unfortunately, the channel connecting navigable water to his dock filled in long, long ago. He is

asking for a “maintenance dredging permit” for a channel cut originally in the 1920s.

Sarasota County turned him down on the simple grounds that the channel no longer exists. His request forced the City Commission to decide if it wanted to exert jurisdiction over such requests or let the county handle them.

The city decided to assume the responsibility, and Armour’s was the first such petition.

As we reported last July, Armour’s lawyer, Deborah Getzoff, failed to convince

“Our information is from a 2005 survey. I have not reviewed it very much.”

Kristina Tignor
Consultant
Tignor Group



A current aerial shows the house at 4449 Bay Shore Road and the bay. Image from Google Maps

the city commissioners about the need for the dredging. Testimony and video evidence showed people walking across the site of the former channel, barely getting their knees wet. Getzoff said that as recently as 2009, there was a “remnant channel” leading to the boat basin outside Armour’s home.

And what a home it is. It is the most valuable residence in the county, appraised for tax purposes at \$13.4 million. Patterned after the casino at Monte Carlo, at 39,000 square feet, it is second in size only to John Ringling’s old place up the street on Bay Shore Road.

Armour would like to dock his \$3.5 million Viking 74 sport fisherman vessel in his boat basin, but getting to it is the problem. On Wednesday evening, June 18, Armour’s new attorney, Matthew Taylor of Bradenton, presented more evidence and testimony to the Board of Adjustment that the channel is there and still navigable, although by boats smaller than a 74-footer.

HOW FAR BACK CAN YOU GO?

After all witnesses were sworn in to tell the truth, the five-member Board of Adjustment proceeded with its hearing. The city previously



As presented to the board, this is picture-perfect proof the old channel is navigable at ‘mid-tide’ by a boat drawing 30 inches of water. Boat owner Mike Abbott (foreground) responded to questions from attorney Matt Taylor, who was handling the blown-up images. Photo by Stan Zimmerman



The channel is open in a 1926 aerial shown to the board by Jono Miller. Image courtesy Jono Miller



A 1948 aerial shows sand beginning to fill the channel. Image courtesy Jono Miller

had presented its case. On Wednesday evening, it was Taylor's turn to demonstrate why Tim Litchet, the city's director of development and neighborhood services, made a mistake in denying the maintenance dredging permit.

Taylor called Kristina Tignor, an engineer with the Tignor Group of consultants. She testified that four separate state and federal agencies had approved the maintenance dredging, including the Florida Department of Environmental Protection (FDEP), the U.S. Army Corps of Engineers, the National Oceanic and Atmospheric Administration and the federal Fish and Wildlife Service.

But under cross-examination by Litchet, Tignor's claim that the channel is still there in vestigial form weakened. "It appears to be a flat area, both inside and outside the channel," said Litchet. "What are the water depths?"

"Our information is from a 2005 survey. I have not reviewed it very much," replied Tignor.

"Did you not measure the depth actually in what you call the channel?" asked Litchet.

"There are some contour lines that show what the depths are," she told him.

"Don't FDEP permits require local approval?" asked Litchet.

"That is correct," said Tignor.

"Have you ever filed a private maintenance dredge project 400 feet long from the coastline to the Intracoastal [Waterway]?" asked Litchet.

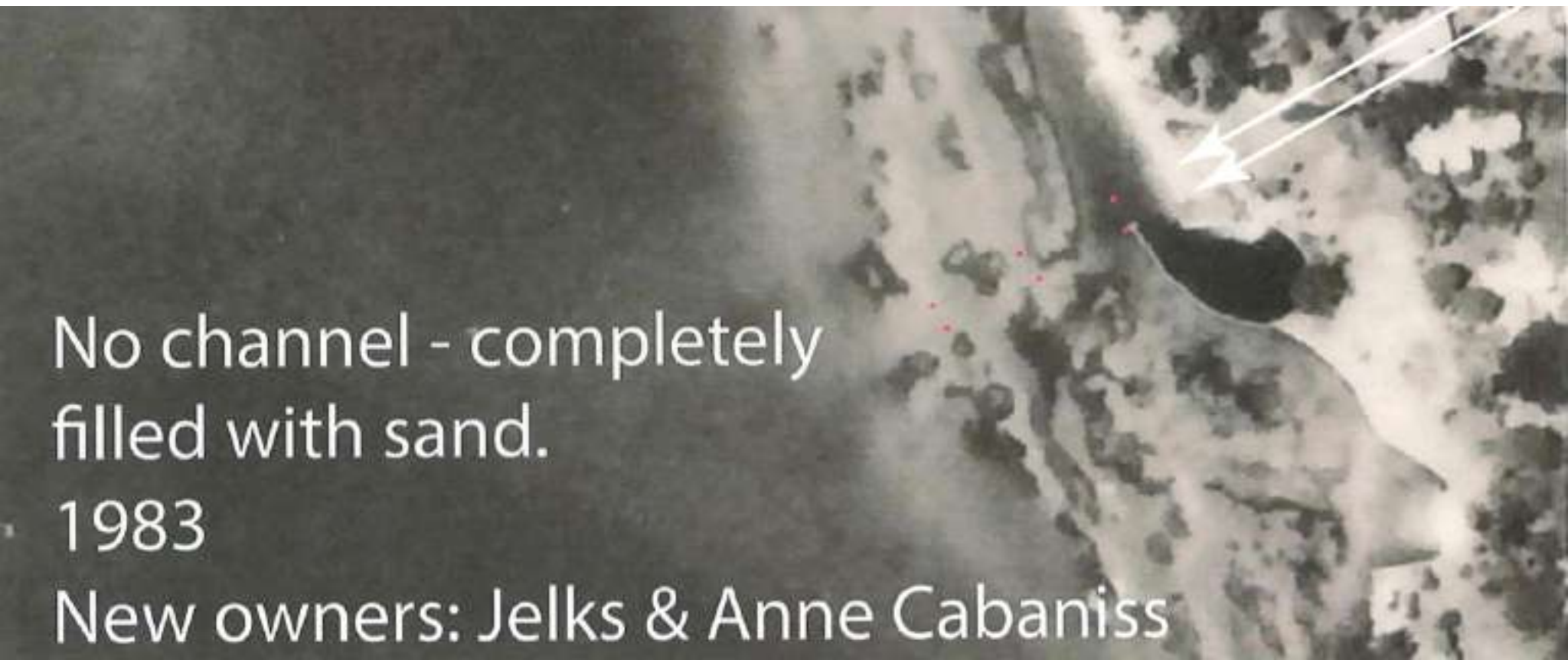
"No, I haven't," she replied.

"Is there any limit on the time frame that one can go back and claim a channel existed? There was something here in 1927. Could you go back to 1850?" asked Litchet.

"If the soil borings, the aeriels supported it, then, in my opinion, the channel should be able to be maintained," she told him.

FEET WET; FEET DRY

Nobody disputes the channel existed. Taylor called Jerry Kuehn to testify. A geotechnical



No channel - completely
filled with sand.

1983

New owners: Jelks & Anne Cabaniss

By 1983, the channel appears to be filled. Image courtesy Jono Miller

engineer, he took soil borings that show the channel once was 7 feet deep. But now they show the water is 2 feet deep, inside and outside the channel.

Taylor next called Mike Abbott to testify. He was asked by Tignor to take his 36-foot off-shore powerboat up and down the channel to demonstrate the waterway is still navigable. He testified that his boat draws 30 inches of water with the triple engines raised. "Is there any doubt in your mind there is a channel there?" asked Taylor. "None," said Abbott.

Taylor produced a series of enlarged photographs showing the boat making its way up and down the channel. Abbott did not say which day, or at what time, he navigated the waterway, only that it was a "mid-tide excursion." Depending on the phase of the moon, the fourth hour of a six-hour tide can add 2 feet to charted depths.

Abbott's company has been hired to dredge Armour's boat basin, but he vociferously denied the \$130,000 contract (as shown on the permit) influenced his testimony. "I obviously have a financial interest in it, but I would never give any false testimony," he said.

The photographs were evidence of his journey.

While Abbott was carefully motoring through the old channel, a number of nearby residents opposed to the dredging were taking the same trip on foot. Boots Culverson tromped through the seagrass on June 7. "One hour after high tide, I did a search of the area within the pilings, and it had less depth than the areas north and south of the channel," she said.

"If you were blindfolded and walked across, you would never know there is supposed to

be a channel," testified Ruth Folit. "A 400-foot gash through a seagrass bed is not good for the health of the bay."

Neighbors showed video of their excursions through the seagrass and across the site of the channel, although Taylor objected to them under rules of evidence that say the person responsible for a video must be present to authenticate it, and that person was absent in this case.


Jono Miller, another neighbor opposed to the dredge, offered an aerial survey of the channel from 1926 through this year. He said that by 1957, the channel was defunct and by 1983, "Sand has completely filled the channel."

MORE TO COME

After more than four hours of testimony, the Board of Adjustment recessed the hearing until Friday, July 18. At that time, it will hear rebuttals by the city and the applicant and then closing arguments before beginning its deliberations.

"I need about an hour for rebuttal," said Taylor after hearing all the public testimony. Litchet told the board he would not make a rebuttal. He estimated his closing arguments would take about 15 minutes.

The hearing is a "quasi-judicial proceeding," which is a court-like action with sworn witnesses and the board members acting as judges evaluating the preponderance of evidence and testimony.

Should Armour's arguments fail to convince the Board of Adjustment, his next step is Circuit Court should he desire to pursue the issue further. 



ONE PROTEST, ONE CORRECTION

Visitors enjoy the swimming area at Warm Mineral Springs. Photo by Rachel Levey-Baker

BOTH OF THE FINAL TWO PLANS FOR WARM MINERAL SPRINGS HIT SNAGS AHEAD OF NEXT WEEK'S PRESENTATIONS

By Cooper Levey-Baker

Associate Editor

Next Tuesday's joint North Port-Sarasota County meeting to discuss the remaining two proposals to redevelop Warm Mineral Springs became a little more fraught this week, with a formal protest filed against one of the finalists and a correction appended to the other.

The North Port and County commissions together narrowed their range of choices from four to two last week, picking plans submitted by Jebco Ventures and National and State Park Concessions as the two most attractive choices. The boards have been

working for years to develop a long-term plan for the Springs, which the city and county jointly purchased in 2010 for \$5.5 million.

Jebco's proposal calls for aggressive redevelopment, with the possibility of a new hotel and even condos and residential housing on the 81-acre Springs property. National, meanwhile, has proposed a gentler strategy, with no construction for the first three years and more modest

upgrades after that. Representatives from both companies are slated to present their projects to the boards on Tuesday, June 24.



We want to make a presentation.

Ralf Brookes
Representative
Friends of Warm Mineral Springs





An aerial map shows the location of Warm Mineral Springs near North Port. Image courtesy Sarasota County

But problems have now hit both projects. Friends of Warm Mineral Springs, a nonprofit that sent in its own plan for the Springs, has submitted a formal protest to the county, taking issue with the decision to select Jebco as one of the two finalists. The document filed with the county lists Jebco's failure to name a specific admission fee as an example of the company not responding appropriately to the bid and charges Jebco with "improperly" using public land for collateral to fund its \$35.7 million plan.

"We want to make a presentation," Cape Coral attorney Ralf Brookes tells *The Sarasota News Leader*. Ralf, who filed the protest for Friends, argues that since Jebco didn't offer the information required, the Friends proposal, ranked third, should replace it. He says

the Friends plan is "much lower-intensity" and that the organization wants to prevent "exploitation of the springs."

Per Sarasota County spokeswoman Jamie Carson, since no one plan has actually been selected yet, the county's Office of Procurement is deeming the Friends protest "premature." Brookes disagrees, saying Jebco's plan shouldn't even be considered next week. (Jebco CEO James Bridges did not respond to a *News Leader* message asking for his comments about the protest.)

Jebco's opponent next week, National, is facing problems of its own. Last Friday, just days after the National plan was named a finalist, company President Jack Bobo emailed the county to alert it to an error National had

SECTION I: RESPONDENT INFORMATION				
LEGAL NAME OF COMPANY				YEARS IN BUSINESS
Friends of Warm Mineral Springs, Inc				10
CONTACT (NAME/TITLE)		EMAIL		PHONE
William H. Delp II - President		Bill@DMAK.com		561-644-7322
SECTION II: LOCATION OF RESPONDENT'S HEADQUARTERS				
ADDRESS	CITY	STATE	ZIP	YEARS @ LOCATION
1100 Barnett Drive	Lake Worth	FL	33460	20
SECTION III: LOCATION OF TO PERFORM WORK				
ADDRESS	CITY	STATE	ZIP	YEARS @ LOCATION
12200 Spa Surround	North Port	FL	34287	20
IF AT LOCAL OFFICE LOCATION LESS THAN 3 YEARS, PROVIDE INFORMATION REGARDING PREVIOUS LOCAL ADDRESS				
ADDRESS	CITY	STATE	ZIP	YEARS @ LOCATION

Friends of Warm Mineral Springs submitted this handwritten document about the company as part of its bid package. The president is William H. Delp II. Image courtesy Sarasota County.


discovered in its proposal. According to a letter Bobo later submitted, National had underestimated its monthly management fees by almost \$34,000 beginning in 2017, affecting Phase Three of the project.

“The payroll formula basically was omitted,” Bobo tells the *News Leader*. “It just didn’t make it into the final spreadsheet.” He says the error was reported to the county “within five minutes” of the company’s discovering it; he calls the correction a “minor change” that would have no immediate impact on the company’s plan. National is managing the Springs on a short-term basis; that contract expires at the end of August.

Is Bobo concerned that the mistake might jeopardize National’s plan? “There’s always trepidation when you start doing these

proposals,” he says. “‘Are you going to get it?’ ‘What’s our competition like?’ Definitely, those things go through your mind. We’re up against competitors that have been in the business that know what they’re doing.”

“It doesn’t give me a concern right now,” County Commission Vice Chairwoman Christine Robinson tells the *News Leader* when asked about the National error. “The great part about the way we are doing this is we don’t have to take a package as they present it. If we don’t like an element, we can negotiate it out of it.”

As for the protest against Jebco, Robinson says it was filed “prematurely” and is “procedurally out of line.” She adds that she has “a lot of questions” for both applicants. “Now we’re going to get into the details.” 

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A CHANGE IN ALLOCATIONS?



Sarasota County Schools Superintendent Lori White (left) and School Board Chairwoman Jane Goodwin prepare for the start of the June 17 workshop. Photo by Rachel Hackney

IN AUGUST, THE SCHOOL BOARD WILL TRY TO SETTLE ON A POLICY FOR DISBURSEMENTS OF CERTAIN DISTRICT FUNDS TO NEW CHARTER SCHOOLS

By Rachel Brown Hackney

Editor

An Aug. 19 discussion could lead to a Sarasota County School Board policy denying funds to new charter schools from its capital budget and from the pool of revenue the school district collects as a result of its special 1-mill tax.

The School Board considered nine charter applications last year and five in 2012. It has letters of intent indicating at least seven could come up for review this year. The board is set to make a decision on the latest group in early October.

“Why are so many people coming into Sarasota County?” asked Chairwoman Jane Goodwin during the board’s June 17 workshop. “We have the third-best school district in the state. We have great [state test] scores. ... We have great facilities. We do things very, very well from a business standpoint, operationally, as well as from [a teaching standpoint]. Why are they coming here? ... Is it money?”

“We do want [new charter schools] to be successful, but maybe they don’t need our money to be successful.”

Jane Goodwin
Chairwoman
Sarasota County School Board

The Sarasota district provides its charter schools with a total of \$1,450 per student out of its referendum

revenue pool and its capital budget funds, she pointed out. "That's a lot of money."

As Goodwin laid it out after about 25 minutes of discussion, the choices are to continue to allocate the money to each new charter school as the district has been doing, refuse to provide any of the funds to new charter schools or make a decision on a case-by-case basis.

"We need to do something," she added.

Board member Shirley Brown noted that, without a policy in place, future School Boards could take a different view of the situation altogether. Three seats are up for election this year, she added. (See the related story in this issue.)

Board member Caroline Zucker requested that School Board Attorney Art Hardy be

present for the August workshop to offer counsel. She pointed out that Hardy previously had recommended the board remain flexible in its handling of these extra allocations to charter schools.

REPRISING THE DISCUSSION

Zucker was the one who asked that the latest discussion be placed on the June 17 agenda. When Vice Chairman Frank Kovach reminded his colleagues that they had debated the matter about six or eight months ago, Goodwin and Zucker pointed to the number of potential applicants for new charter schools as the reason to settle on a future course. Zucker stressed that she has no desire to change the policy in regard to the 12 charter schools already operating in the district.



Sarasota County Schools Deputy Chief Financial Officer Al Weidner talks with School Board member Shirley Brown before the start of the June 17 workshop as Vice Chairman Frank Kovach reviews materials. Photo by Rachel Hackney



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A majority of districts do not share special referendum money with their charter schools, Goodwin said, noting that such action so far has not been mandated by the Florida Legislature.

Zucker was in agreement with Goodwin that the money is an incentive for new charter schools to open in Sarasota County. What especially concerns her, Zucker said, is that some of the proposed new schools will draw students from other counties, instead of just serving Sarasota County residents, and that a number of applications in recent years have come from corporations, meaning district funds leave the area.

Many of the applicants in 2013 “didn’t have any personnel at all associated with Sarasota County,” Goodwin noted.

Superintendent Lori White told the board members that two of the organizations that have submitted letters of intent regarding new charter applications propose South County schools — Sky Academy in Englewood for students in grades six through eight and the North Port Collegiate Military Academy for students in sixth through 12th grades. A third letter proposes a school in Lakewood Ranch for students in kindergarten through eighth grade. The representative of the latter group is Justin Matthews, former principal of the Imagine School in North Port.

One of the potential applicants this year is a virtual school, White said. Goodwin pointed out that virtual schools “don’t need capital dollars, do they?”

“So I somehow think that at some point we have to say, ‘Enough is enough,’” Zucker added.

Goodwin proposed that the board make a decision on a case-by-case basis.


When Kovach sought clarification that district personnel already caution applicants that they might not receive the money, White responded that that is correct. “We’ve always told them that [so the money] is not part of the application budget.”

Even though district staff has been conveying that to applicants, Goodwin pointed out, some charter school groups last year added in the money anyway when preparing their budgets for School Board review.

White noted that the only prior consensus the School Board members had reached in the past on the topic was to deny the funding to charter schools whose applications they refused approval, only to have the school representatives appeal the decision at the state level and win.

“My concern is that we make it very clear what the parameters are [for the future],” Kovach said. “It makes it really murky, as a board, to just say, ‘Well, we don’t like you, so we’re not going to give [the money] to you.’”

Additionally, he pointed out, over the past several years, the School Board members have refused to approve the “vast majority” of charter school applications because they felt the proposals failed to meet state and district educational standards. If the schools are good enough to be in the district, he continued, “Why would we not want them to be successful?”

“We do want them to be successful,” Goodwin responded, “but maybe they don’t need our money to be successful.” 

LEAVING THE DOOR AJAR



Cellphone monitoring was at the center of a Sunshine lawsuit filed in Sarasota. Photos courtesy of freeimages.com

A CIRCUIT COURT JUDGE DISMISSES A SUNSHINE SUIT OVER CELLPHONE MONITORING BUT ORDERS LOCAL DOCUMENTS BACK TO STATE CLERKS OF COURT

By Stan Zimmerman
City Editor

On Wednesday, June 18, 12th Judicial Circuit Judge Charles Williams dismissed a suit using Florida's Sunshine Laws to seek state and federal documents about the use of cellphone tracking equipment. Sarasota Police Detective Michael Jackson was named in the suit as a possible custodian of records.

Sarasota attorney Andrea Mogensen, representing the American Civil Liberties Union, was joined by Greg Thomas, representing

a second plaintiff, Michael Barfield, in bringing the action. They were requesting public documents concerning the use of "stingray" devices to monitor cellphone transmissions in Sarasota. The monitoring involved the U.S. Marshal's Office and the U.S.-Caribbean

Fugitive Apprehension Task Force. Detective Jackson is also a sworn deputy U.S. Marshal and is a member of the task force.

Williams' order dismissed the suit "without prejudice,"

“The U.S. Government on or before June 23, 2014 will file with the issuing Florida state court those applications for orders approving the using of stingray devices.”

Judge Charles Williams
12th Judicial Circuit Court
Sarasota



saying Florida's public records law "does not include Federal entities." That was the argument of Assistant U.S. Attorney Sean Flynn at a "status conference" on June 12. "Florida's Sunshine Laws have been preempted by federal statute," Flynn told the court during that proceeding.

Williams agreed and further said that Jackson's efforts as a special deputy U.S. marshal put him outside the Sunshine Laws, too. "Thus the Sunshine Law would not apply to Det. Jackson while operating in his capacity as a sworn federal law enforcement agent," Williams wrote.

During the June 12 conference, the judge and Flynn agreed the U.S. government would return to state courts any and all circuit court documents in its possession that sought permission for use of the cellphone signal interception devices. His final order calls for the state documents to go back to the control of circuit court clerks. Mogensen told *The Sarasota News Leader* that was a "major victory" in the suit, despite the dismissal. "That is huge," she said.

Mogensen and Thomas are considering whether they will re-file their complaint by July 7, a deadline Williams set for such a possibility, or appeal his June 18 decision, she added. "That is under discussion."


The city turned over 1,900 documents to the plaintiffs the night before the June 12 conference. Williams noted in his order that city efforts "are ongoing" to produce more. The documents returned to county clerks all over Florida by the U.S. Attorney's office now fall under the state's Rules of Judicial Administration.



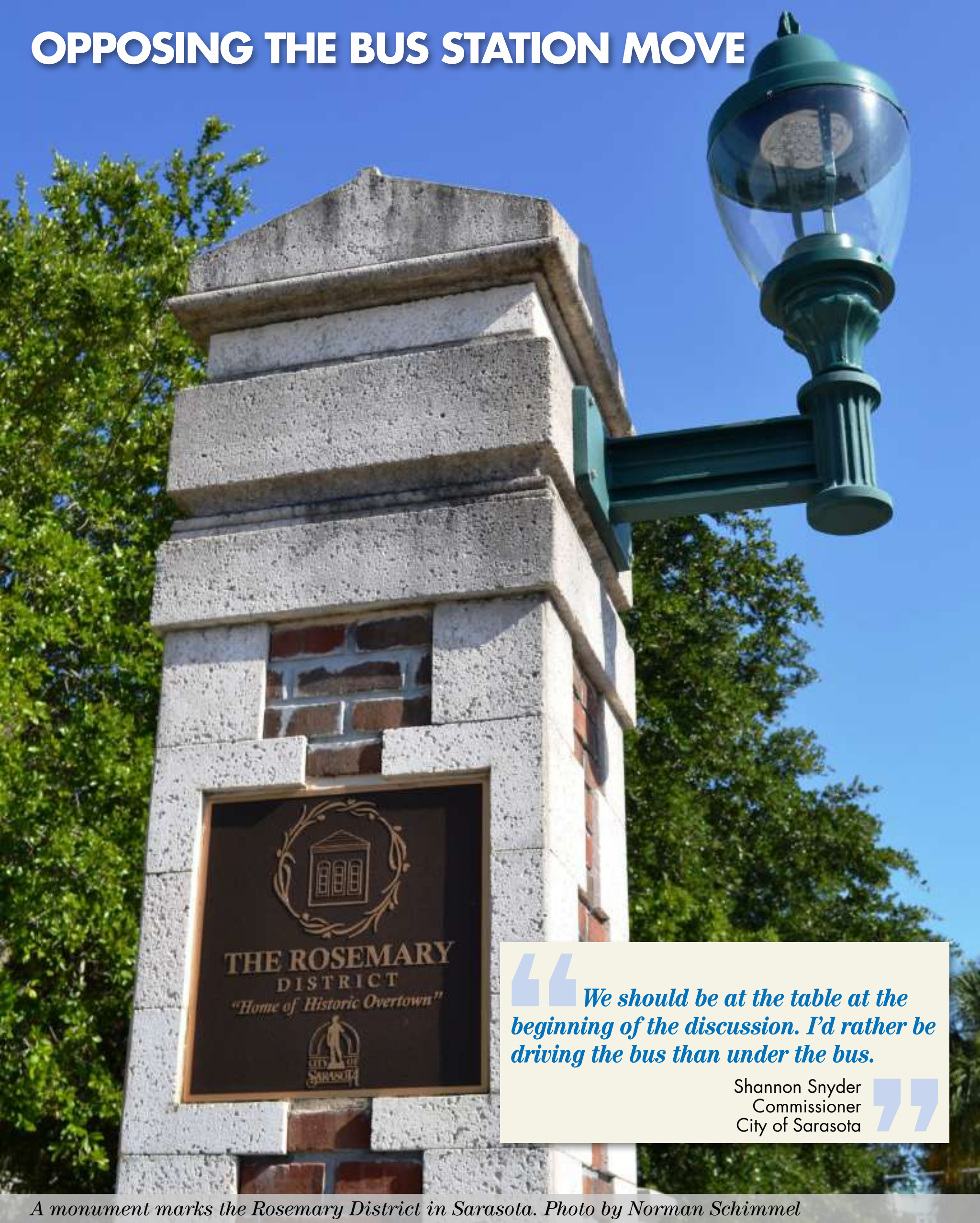
Any Sarasota County records involving cellphone monitoring have been ordered back to the Office of the Clerk of Court and County Comptroller. Photo by Norman Schimmel

Mogensen said all state and local records are presumed public under Florida's Sunshine Laws, but a host of exemptions have been applied over the years. For example, a police request to a judge for a search warrant is a secret document until the warrant has been served. The request then is often "unsealed" and becomes a public record.

With the stingray materials out of federal hands, local judges can respond to public records requests on an individual basis. "This was so outside the bounds of normality," noted Mogensen.

Williams' order says, "The U.S. Government on or before June 23, 2014 will file with the issuing Florida state court those applications for orders approving the using of stingray devices." 

OPPOSING THE BUS STATION MOVE



“ We should be at the table at the beginning of the discussion. I’d rather be driving the bus than under the bus.

Shannon Snyder
Commissioner
City of Sarasota

”

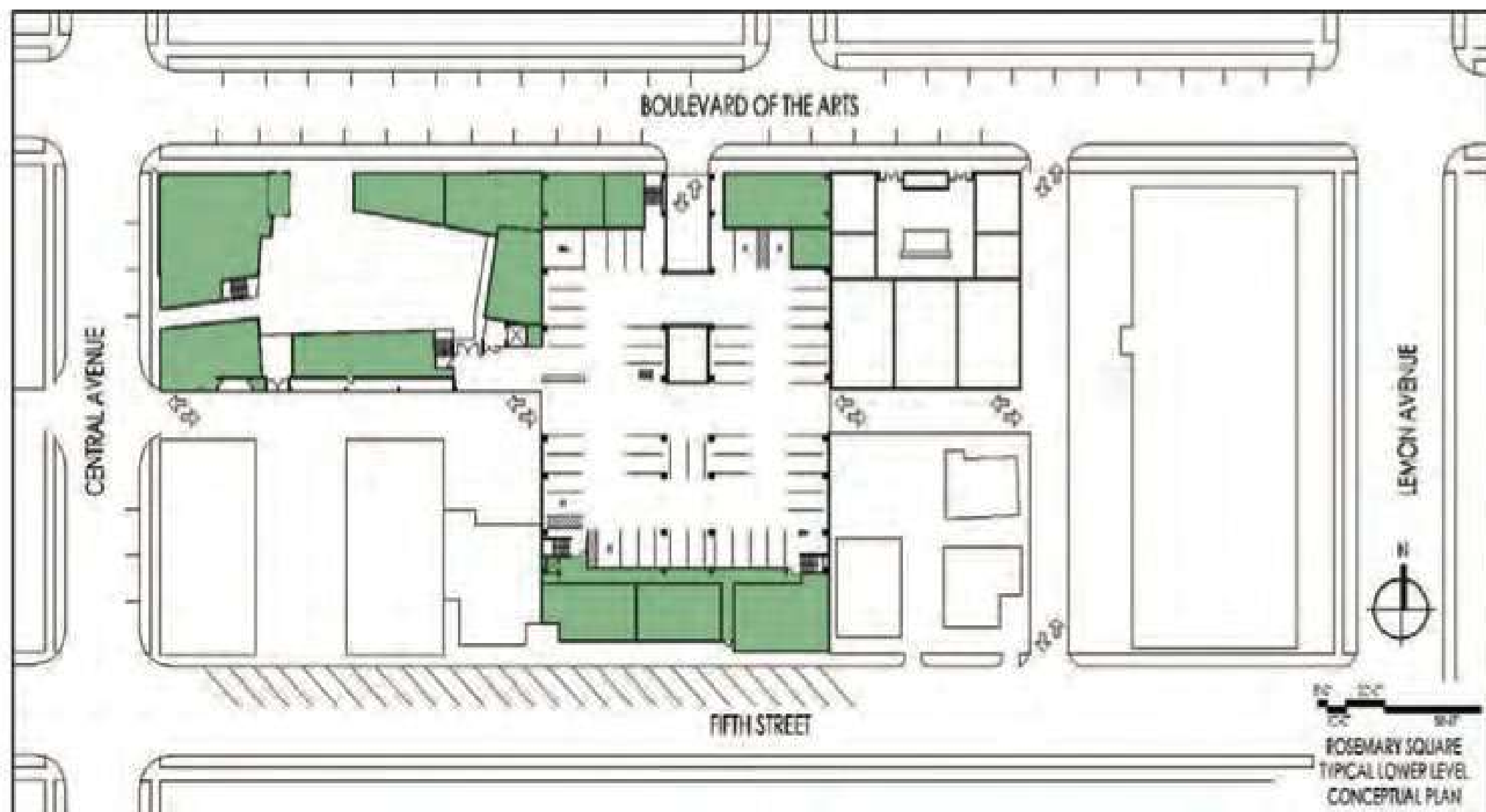
THE CITY COMMISSION ANNOUNCES ITS INTEREST IN THE LEMON AVENUE/FIRST STREET SITE; THE ROSEMARY DISTRICT'S DENSITY BONUS WINS APPROVAL; AND A RISE IN WATER RATES WILL BE THE FOCUS OF A PUBLIC HEARING

By Stan Zimmerman
City Editor

On Monday, June 16, the Sarasota City Commission made two large strides toward reinvigorating the rundown Rosemary District. It approved a triple-density plan for about 75 acres in the area. The board also sold the Sixth Street site that used to be home to the community garden, along with a small adjacent parking lot on Fifth Street, to create a mixed-use project on Sixth Street that will include retail, rental apartments and possibly a theater for live performances.

The triple-density approval is a change to the city's comprehensive plan, so it must be approved in Tallahassee. That is not seen as an obstacle in Gov. Rick Scott's administration. It initially facilitates plans for 6.3 acres to create about 450 market-rate rentals in two medium-rise buildings with parking on every floor. Ordinarily, the zoning would allow only 25 units per acre, but the "residential overlay district" bumps that to 75 units.

Planning consultant Joel Freedman said the apartments will range from 500 to 1,000



A drawing from the Rosemary Square project overview shows how retail space would be incorporated amid residential units on the ground floor. Image courtesy City of Sarasota

square feet at a rental rate of \$1.25 to \$1.50 per square foot per month. This is the same figure cited for the second Sixth Street project, at Central Avenue, called Rosemary Square. One of the investors in the latter venture is veteran developer Dr. Mark Kauffman of Sarasota, who told *The Sarasota News Leader* he may apply for additional units as well under the triple-density plan.

The two projects will add more than 500 rental units adjacent to downtown, filling a well-known need for housing for young professionals in the area. Coupled with entrepreneur Jesse Biter's plan for a 10-story rental complex on Second Street, which won city Planning Board approval last week, there could be plenty to choose from in a year or two.

JUMP IN WATER RATES?

The commissioners Monday also unanimously approved a motion to advertise a public hearing in response to the Utility Department's request for a 6-percent increase in water and sewer rates, beginning Oct. 1. That would be followed by another 6-percent boost the following year and 4-percent annual increases for each of the following eight years.

Why does the department need the money? About half of the funds would go toward replacing an aging pipeline to the Verna well field in central Sarasota County. That field has provided drinking water for customers over the past half-century (it is a secure source of fresh water for the city), but the line needs replacement. That could cost about \$13 million.



The city sold the former site of the community garden on Sixth Street, enabling development to get under way in the Rosemary District. Photo by Norman Schimmel

Another \$7 million or more is needed to replace and reconfigure utility lines under the new traffic roundabouts planned along U.S. 41 in the coming years. While the intersections are torn up, utilities engineers want to make sure the connections will be good for decades to come.

A city would normally float a bond issue to pay for such maintenance and improvements, but city commissioners in the past told the Utilities Department to pay for the upgrades with cash. By avoiding the interest on borrowing with bonds, the city — and the ratepayers — will save millions in future expense.

Many leaders of Florida cities wish they had Sarasota's utilities system. While its rates are roughly in the middle range for communities

on the west coast of Florida, a secure source of water (at Verna) and the degree of maintenance and upkeep in the past make the city's utilities among the most reliable in the state.

PLUS AND MINUS ON TRANSIT

In another matter Monday, the City Commission took a major step toward moving its impact fee system from covering just roads to covering all forms of transit. The so-called Multi-Modal Impact Fee was approved by a 4-1 vote, with Vice Mayor Susan Chapman in the minority.

In making the switch from roads only, the city administration suggested the new fee should be reduced as an incentive for infill development. Chapman believes this gives new



The City Commission has announced its interest in buying back the parcel on which the county's downtown bus transfer station sits. Photo by Norman Schimmel

development too much of a subsidy. The city's numbers will be about two-thirds of what the county charges for its roads-only impact fees.

The multi-modal scheme will allow the city to apply the money to bicycle lanes, pedestrian improvements, rapid transit (like the now-defunct bus rapid transit system scuttled by Sarasota County), downtown trolleys and other non-automobile-related transport, for examples.

PICKING A FIGHT

City policy at times is getting hard to unscramble from electoral politics. Two sitting city commissioners are running against each other for a vacant seat on the Sarasota County Commission. For the past two years, City Commissioners Paul Caragiulo and Shannon Snyder have voted together as a bloc time and again.

Caragiulo last year announced he was running for the seat being vacated by Joe Barbetta. But after Snyder filed papers as a candidate last month, the bloc has been broken, with Snyder looking for ways to distinguish himself from Caragiulo and his patron, Barbetta.

For more than a year, Barbetta has pushed to relocate the downtown bus transfer station from Lemon Avenue and First Street approximately a mile east, to the site of the county-owned parking lot at the intersection of School Avenue and Ringling Boulevard, which is across from the Florida Department of Health offices in Sarasota County. The land for the current station was sold by the city to the county 12 years ago. Snyder did some

homework, read the original sales contract and found a "clawback" provision demanding the city get right of first refusal if the county ever wanted to sell the property.

After we reported the contract provision in our June 13 issue, Barbetta emailed County Attorney Steve DeMarsh. "I wasn't aware of that [reverter clause], nor were the other commissioners I presume, when we started discussion of this some time ago," he wrote of the bus transfer station plans.


The signature on the bottom of the 2002 contract belongs to then-Mayor Carolyn Mason, who now sits on the County Commission.

"We should be at the table at the beginning of the discussion," said Snyder on Monday. "I'd rather be driving the bus than under the bus."

Chapman added, "If the county moves it, I want the property back."

They were joined in sentiment by people in the audience who sat quietly through the entire City Commission meeting for this final item on the agenda. Local residents and the manager of the Payne Park skate park all said putting the bus station next to Payne Park was an awful idea.

"We spent millions of dollars on that park," said Snyder. "A bus station would handicap anything east of [U.S.] 301."

The commissioners approved sending a letter to the County Commission, saying they want to buy back the downtown land if the city moves the bus station. The motion was approved unanimously. Caragiulo was conspicuously silent during the discussion. 

PLANNING PROCEEDS ON NORTH PORT SCTI



(Far left) School Board Vice Chairman Frank Kovach, board member Shirley Brown (third from left), Superintendent Lori White (fourth from left) and board Chairwoman Jane Goodwin (right) listen to a June 17 presentation by Todd Bowden (second from left) and Scott Lempe (to Bowden's right). Photo by Rachel Hackney

A TENTATIVE SARASOTA COUNTY SCHOOL BOARD SCHEDULE CALLS FOR COMPLETION BY JAN. 1, 2017, BUT ACQUIRING THE SITE POSES SOME CHALLENGES

By Rachel Brown Hackney
Editor

The draft timeline for building a Sarasota County Technical Institute (SCTI) in North Port calls for shovels to go into the ground on Jan. 1, 2016, and for the facility to open its doors exactly a year later, Todd Bowden, the Sarasota County School District's executive director of career, technical and adult education, told the School Board during its June 17 workshop.

It was the board's first session since Gov. Rick Scott formally

approved \$3 million for the project, with part of the funds dedicated to a joint SCTI/county library in the facility. Staff and School Board members expressed their appreciation to state Sen. Nancy Detert of Venice for shepherding the funding through the Legislature.

"We've come a long way from the time when I fought to get a high school for North Port. ... This is fantastic. It's just like the culmination of a dream."

Caroline Zucker
Member
Sarasota County School Board

The new campus won endorsement not only from the North Port City Commission during the Jan. 17 Convocation of Governments the School Board hosted

but also from the other municipal leaders in the county as well as the County Commission.

School Board member Shirley Brown told her colleagues on June 17 that she learned from Detert that both the Governor's Office and the Florida Department of Education are excited about the project "because they haven't had a brand new technical school built in the state for over 10 years."

Deputy Superintendent Scott Lempe reported to the board that district staff has settled on a 35-acre parcel that is in foreclosure in the Toledo Blade corridor of North Port. However, he said, the district needs only about 20 to 25 acres for the campus. "At \$50,000 an acre, it doesn't make sense to buy 10 or 15 more acres than you need," he pointed out.



The main SCTI campus is located at the intersection of Beneva and Proctor roads in Sarasota. Photo courtesy Sarasota County Schools

Therefore, district staff has proposed to the bank handling the foreclosure that it will work with the City of North Port to re-plat the property. If the bank is willing to enter into a contract with the School Board, contingent on the district's working through the regulatory process with the city, Lempe continued, that would allow the School Board to move forward with selecting a design engineer.

The tentative timeline for site acquisition calls for that contingency contract to be signed by July 1, with a binding contract to follow by

Nov. 1 and closing on the property set for May 1, 2015.

When Chairwoman Jane Goodwin asked whether the re-platting effort would mean more expense for the School Board, Lempe replied, "It will cost us some but not a lot," about \$15,000 to \$18,000.

Vice Chairman Frank Kovach said he has had a number of dealings with banks, so he questioned whether it might be better for the district to buy the whole parcel and then sell what it does not need for the new SCTI.

Recommended Target Industries

- Medical & Life Sciences
- Applied Environmental Services & Sustainable Systems
- Digital Media & Web-enabled Technologies
- Creative Services
- Specialty Manufacturing Cluster

A slide presented to local government leaders in January showed target industries the North Port SCTI would serve through its programs. Image courtesy Sarasota County Schools

“[Banks are] not always real flexible,” he pointed out.

Bowden noted that the other two top sites on the district’s list would necessitate a re-platting process as well.

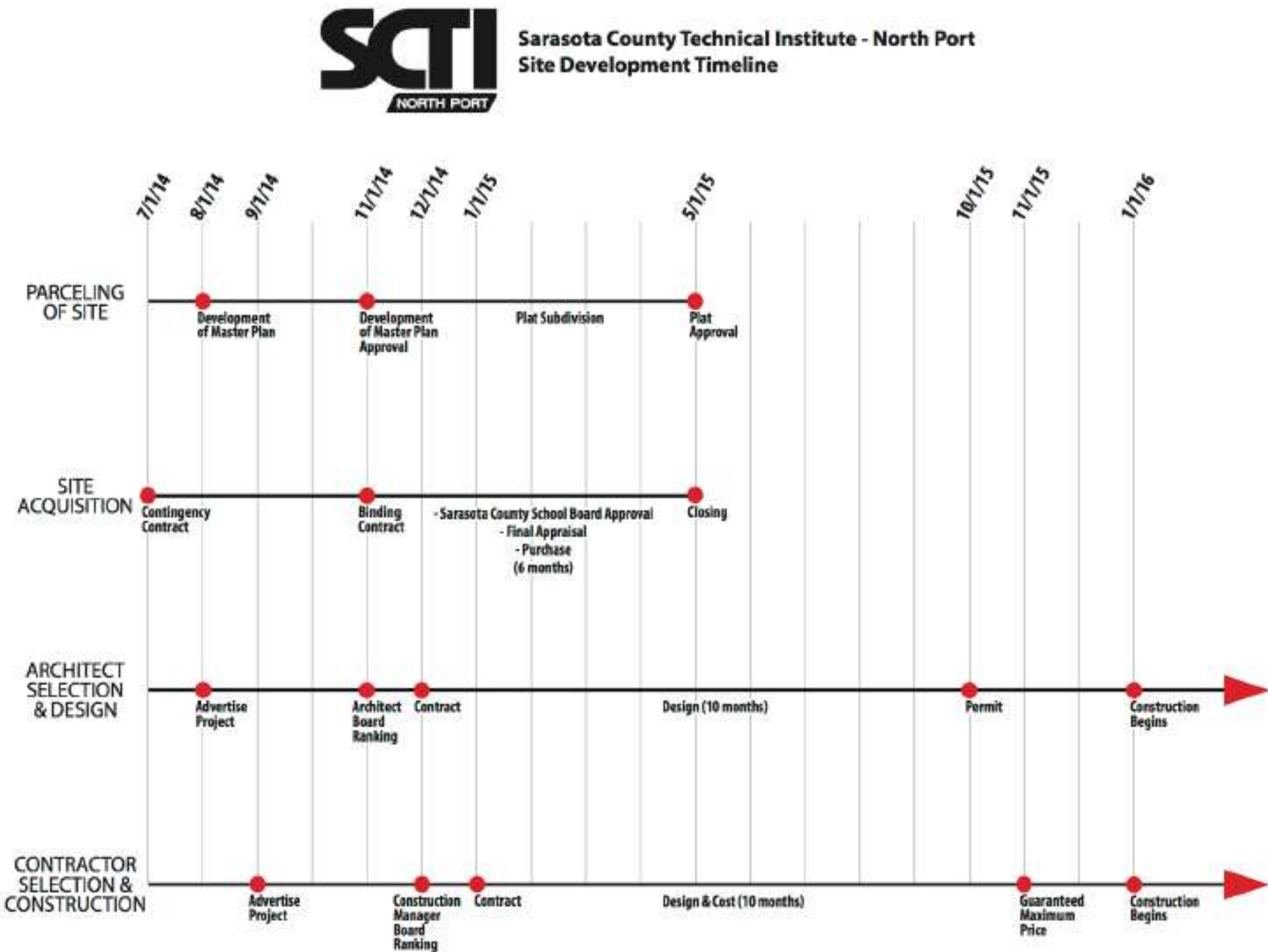
“I really would like to see this speeded up a bit if there is any way to speed it up,” Goodwin told Lempe and Bowden.

Regarding the plans for the SCTI itself, Bowden explained the project encompasses three phases. The first involves not only site acquisition but also the construction of

administrative facilities and implementation of about half the programs proposed for the institute.

The second phase will include the expansion of programs, while the third will focus on the library, which is proposed for use by the public as well as students and staff. The district has set aside \$9.5 million in its capital budget for the next fiscal year to cover the first phase and a portion of the third.

When Goodwin asked whether staff had obtained a Memorandum of Understanding



Sarasota County School District staff has released a tentative timeline for the North Port SCTI project. Image courtesy Sarasota County Schools

(MOU) from the county for the library plans, Lempe replied, “No.”

Then Goodwin and board member Caroline Zucker pointed out that the county failed to follow through on similar proposed plans in the past involving a new North Port school. “We spent quite a bit of money and it didn’t come to fruition ... I don’t want to see that happen again,” Goodwin said. “We need to work diligently with [the County Commission].”

“I absolutely agree,” Lempe told her. However, he said, he does not see the lack of an MOU at this point as a sign the county’s interest in the project has waned.

He feels county staff is waiting for the School Board to give it some feel for the scope of the SCTI plans and cost estimates.

In response to an inquiry from *The Sarasota News Leader*, county spokeswoman Jamie Carson said on June 17 that Sarabeth Kalajian, the county’s director of libraries and historical resources, already is preparing a presentation on the library for an upcoming County Commission budget workshop.

SCTI PROGRAMS

Bowden told the board the North Port SCTI will offer a range of programs, from



New Sarasota County School Board member Bridget Ziegler (right) and board member Caroline Zucker prepare for the start of the June 17 workshop. Photo by Rachel Hackney

healthcare training to industrial and business education to programs that will support local manufacturers. A path to a practical nursing degree will be a priority, he added, because SCTI in Sarasota can accept only about one in three students who apply for the program on that campus.

When board member Brown asked why so few are accepted, he explained that the [Florida Board of Nursing](#) regulates the number of students, based on demand from area hospitals. Because the South County SCTI will enable the district to work with more hospitals as partners, Bowden said, more students will be allowed to enroll in the program on the North Port campus.

He also will work with staff at Charlotte County's technical institute, he continued, to

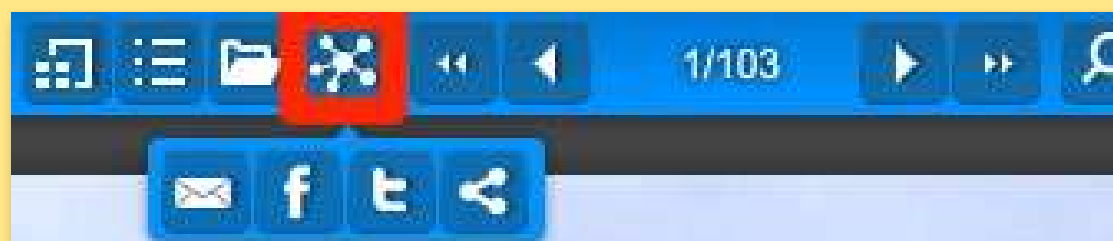
learn about excess demand it has for career paths, so the North Port SCTI can provide the appropriate programs.

Goodwin pointed out that because the campus will be a satellite of the main facility in Sarasota, it will not have to wait three years to gain accreditation. "It will be accredited from Day 1," Bowden concurred, enabling students to seek federal [Pell grants](#).

At the end of the discussion, Zucker, a long-time School Board member, said, "We've come a long way from the time when I fought to get a high school for North Port. ... This is fantastic. It's just like the culmination of a dream."

"Technical education is so important to our students," Goodwin added. 

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BY THE NUMBERS

Unconditional Surrender, located on the City of Sarasota's bayfront, would not meet the criteria for roundabout art as proposed by a city advisory board. Photo by Norman Schimmel

SARASOTA'S PUBLIC ART COMMITTEE SETTLES ON CRITERIA FOR ROUNDABOUT SCULPTURES, AND THE CITY COMMISSION AGREES TO HIRE A PROJECT MANAGER

By Stan Zimmerman
City Editor

The City of Sarasota's Public Art Committee has agreed to a set of standards for sculptures to enhance the centers of the city's growing number of planned traffic roundabouts.

During a special meeting held on Tuesday evening, June 17, the five members of the Art Committee unanimously approved a general description proposed by member Jeffrey Weisman.

For starters, the bayfront's *Unconditional*

Surrender would not make the cut. The iconic statue of the sailor kissing a nurse to celebrate the Allies' victory over Japan in World War II would violate Weisman's second requirement: "Original, contemporary, fine art; not a reproduction, not mass produced."

“By the end of the year, you could have a project art manager selected and under contract.”

David Smith
General Manager
Transportation Planning



The board is developing a procedure to install large sculptures in the centers of at least 10 planned roundabouts in the city. The evening

before it met, the Sarasota City Commission approved the issuance of a Request for Proposals (RFP) to seek a “project art manager” to lead the acquisition process.

The primary job of that person will be to “plan, organize and manage the process to define the art needed, identify appropriate artists and consult with them through creation to installation — in multiple projects,” according to a committee document.

Public Art Committee member Elizabeth Van Riper said the art manager “would be able to contribute” to the list of criteria for the sculptures. Among the other factors the committee hopes to realize in the sculptures is “museum quality” that “provides a unique visual experience.” However, David Smith, general manager of transportation planning for the city, noted the sculptures “can be viewed by drivers, but should not be too distracting.”

Grand Junction, CO



A whimsical work of art stands in the middle of a roundabout in Grand Junction, CO. Image courtesy City of Sarasota

Contrary to neo-modernist practice, the committee does not want public involvement with the pieces. Its members want “art that does not draw viewers to it, but is appreciated from a distance; non-interactive,” the document says. Committee members said they do not want people dashing through traffic to get a closer look.

After the city releases a Call to Artists, the committee hopes submissions will be “created by emerging, mid-career or established artists from anywhere in the world.” And, of course, the pieces chosen must meet “the demands of Sarasota’s hurricane-prone environment,

strong sun and salt air.” Additionally, they should be “vandalism-resistant.”

The first step in expanding the city’s collection of public art will be hiring the project arts manager. That could take a few months, said Smith. The RFP needs to be created and then double-checked by the committee at its next meeting (in August). After the RFP is published, applicants would have 45 to 60 days to reply.

All the applicants for that job will be screened by a selection committee, which will settle on the top three or four candidates. The finalists



Appropriate for the nation’s ‘Music City,’ a sculpture in a Nashville, TN, roundabout is titled Musica. Photo courtesy City of Sarasota

then will be interviewed by that committee, which will be composed of two Public Art Committee members and three city staffers. “By the end of the year, you could have a project art manager selected and under contract,” said Smith.

Only then will the selection of the sculptures begin. The city could purchase existing artwork or extend a Call to Artists for new pieces. In either case, the Public Art Committee will review the contenders and make a recommendation to the Sarasota City Commission, which will have the final decision.

The process has several deadlines because traffic engineers want the artwork installed before the roundabouts are opened to drivers. For example, staff also will need to know how large a structure will be necessary to support and protect each work of art from errant motorists like Kathleen Callender, who crashed into *Unconditional Surrender* in 2012 with her white Mercedes, damaging the statue.

Work on the next roundabout, to be located at the intersection of Main Street and Orange Avenue, is set to begin later this year. “We’re probably about a year-and-a-half from the completion of [that one],” Smith told the Public Art Committee. “We would like the

piece finished around the same time as the roundabout.”

Developers of new buildings must make either a monetary contribution to the public art fund or furnish a piece of public art. Currently the art fund contains \$265,000, which is clearly insufficient for “museum quality ... original ... unique ... [hurricane-resistant]” outdoor sculpture.

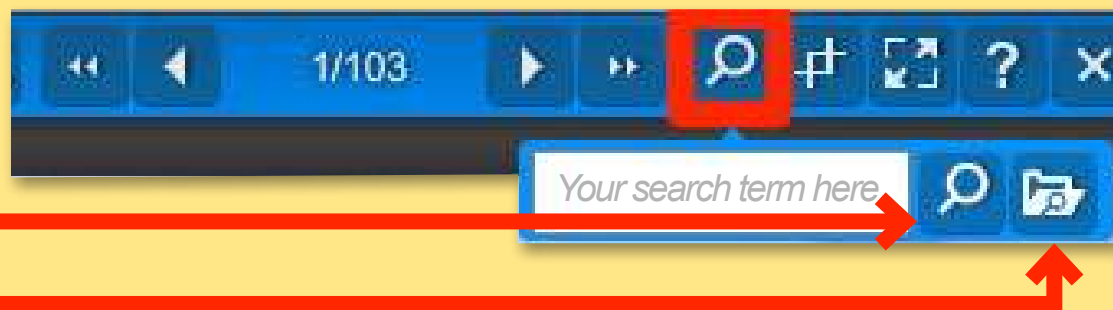
Public Art Member Van Riper says she has been in contact with the Gulf Coast Community Foundation to explore various funding vehicles for the roundabout art project. She urged other members to become familiar with major granting organizations like the Ford and Dart Foundations or the National Endowment for the Arts. “It would be great to have grants behind us when we kick this thing off so people see this as serious,” she told the committee Tuesday.

Public Art Chairwoman Trulee Jameson envisions the entire project will take about 10 years to complete. Before the unanimous City Commission vote to seek a project arts manager, Commissioner Shannon Snyder said, “This has not been done in Florida and not many places elsewhere. Somebody’s going to want this on their resume.” **SNL**

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VILLAGE RECYCLING HOPES REMAIN



In June 2013, the Siesta Key Village Association began discussions in earnest on establishing a recycling program in the Village. Photo by Norman Schimmel

THE COUNTY'S CHIEF ENGINEER IS OPTIMISTIC A PROGRAM STILL COULD START NEXT YEAR, IF CERTAIN STEPS ARE UNDERTAKEN VERY SOON

By Rachel Brown Hackney
Editor

Sarasota County Chief Engineer James K. Harriott Jr. will not rule out the possibility that recycling can be implemented in Siesta Village during the next fiscal year. In fact, he told *The Sarasota News Leader* this week, he remains hopeful a program can get under way.

Perhaps the biggest question is whether the budget for the Siesta Key Village Maintenance Corp.

(SKVMC) will be able to cover the expense without any amendment. "Does it fit in the existing assessment?" Harriott pointed out on June 17.

"The complexity in all of this probably comes from government procurement requirements ... In the interest of fairness to all contractors, making changes to the work scope after awarding the contract is not really possible."

James K. Harriott Jr.
Chief Engineer
Sarasota County

Mark Smith, the liaison between the SKVMC and the county, confirmed to the *News Leader* this week that Siesta Village leaders still would like to see recycling begin under a new maintenance contract the County Commission

is expected to award this summer. But Smith concedes he failed to comply with a county code stipulation that the SKVMC deliver to the county no later than March 15 “any recommendations for changes to the contractual level of services, with estimated projected costs for the next succeeding fiscal year” (Section 110-629 of the code).

“I guess I misunderstood that that’s what we needed to do,” Smith said on June 16. “You wouldn’t think it would be this tough to get recycling [in the Village]. All we want to do is get a dozen trash cans.”

The SKVMC represents all the property owners in the Siesta Key Village Public Improvement District, which was created in early 2007 as the county was preparing to undertake a beautification project in the Village. Since



Mark Smith is the liaison between the Siesta Key Village Maintenance Corp. and Sarasota County. File photo



Based on a survey of garbage can contents in Siesta Village, 12 locations have been proposed for recycling containers. File photo

that multi-million-dollar undertaking was completed in early 2009, the SKVMC has been charged with overseeing as well as paying for the upkeep of the district.

The March 15 date was established to enable county financial staff to make any necessary calculations for the assessments of the property owners to cover new expenses, Harriott explained to the *News Leader*. The county budget process is finalized each summer, he pointed out.

According to a timeline the county provided to the *News Leader*, staff members walked through the Village with Smith on Feb. 5 to inspect the level of maintenance. Two days later, staff “sent [a] courtesy reminder email” to Smith regarding the March 15 deadline. Although Smith says he spoke with county staff about adding recycling into the Village upkeep contract, he did not follow up with a formal request on SKVMC letterhead, which staff had asked him to do, the timeline shows.

Smith began volunteering with the SKVA in 1999, he told the *News Leader*. He has held numerous leadership positions with that organization and with the Siesta Key Chamber of Commerce through the years. Just this spring, he again was elected an SKVA officer. However, Smith explained, over the past months, “I’ve been blessed in having a great deal of work.”

He heads up his own architectural firm in the Village.

He reiterated to the *News Leader* this week what he and other SKVA officers have noted numerous times during meetings. “You’re dealing with an all-volunteer army” of people.



Chief Sarasota County Engineer James K. Harriott Jr. oversees the staff responsible for handling Siesta Village upkeep issues. File photo

NEXT STEPS

The first step that needs to be taken at this point in an effort to implement a recycling program, Harriott told the *News Leader*, is for the SKVMC to decide what approach it wants to take. That will determine the cost.

Harriott suggested representatives of the organization meet with employees of a couple of firms that handle recycling so they can learn the facets of how such programs work. Then it will be a matter of which method the district selects and the accompanying expense.

Michael Shay, president of the Siesta Key Association and the person who has been spearheading the recycling initiative over the past year, told the *News Leader* on June 17

that other SKVA officers besides Smith have communicated with him in recent days to say the organization still wants a program established in the Village. He added that he is aware from being copied on emails exchanged over the past weekend between Harriott and Commissioner Nora Patterson, who lives on the island, “that we missed the deadline to follow the proper process for putting this into a bid” for the new maintenance contract. “I am hoping that we can get the information to the county as quickly as possible.”

During the July 2, 2013, SKVA meeting, Shay reported that he had undertaken a survey of the garbage cans in the Village and determined 12 locations where recycling bins would be most effectively placed, based on



With Siesta Key Village Association members and county staff dissatisfied with the current level of upkeep in the village, a new firm is being sought to handle the work. Photo by Norman Schimmel

the contents of the trash containers at those sites. “In my mind, it is an inexpensive plan,” he told the *News Leader* this week.

THE CHAIN OF EVENTS

During the June 10 County Commission meeting, Patterson brought up the recycling matter during her board report. The merchants would like a program established, she pointed out, and they are willing to pay for it. She added that she hoped it was not too late to include recycling in the new maintenance contract, and she won her colleagues’ consensus in requesting a staff report on the situation.

Harriott told the *News Leader* he expected to have that report ready for the board this week. In the meantime, he sent an email on June 14 to Shay and Patterson, outlining the details.

On Feb. 26, he wrote, Lisa Cece, the special district coordinator in the county’s Transportation and Real Estate Department, provided vendor information to the SKVMC so it could ascertain some of the details on how a recycling program works.

“More specifically,” he continued, “we would need to describe the service as follows:

“A. Service requirements — number and time of collections, materials collected, etc.

“B. Container types and locations (I believe the [assessment] District has indicated desired locations).

“C. Central collection bin location and any improvements needed at that location.

“D. Special event requirements.

“E. Single stream collection or multi-stream collection.” (In other words, should different materials be put in separate containers?)

“F. Education and promotion, if any.

“G. Expectations regarding non-conforming material.” (Contamination is a big problem in recycling, he told the *News Leader*. One bit of food in a recycling bin means everything in that container has to go into the garbage.)

Harriott added in his email, “These summarize just the general questions about a program. The answers can drive the costs substantially. According to the ordinance establishing the District, it is the District’s responsibility to develop these work scope and cost items.”

In the interview with the *News Leader*, Harriott pointed out that a recycling program can be as simple as having whoever handles the Village upkeep zip-tie blue bags of recyclables to fence posts for pickup, or it can entail the use of “more aesthetically pleasing” types of containers.

Harriott further explained in his June 14 email, “The complexity in all of this probably comes from government procurement requirements ... In the interest of fairness to all contractors, making changes to the work scope after awarding the contract is not really possible.”

“Putting it all together has been the difficult step,” Harriott told the *News Leader*, referring to the facets of a Village program. “We’ll keep working on it. ... I’ve got staff contacting the district every week.” 

A BIT OF A PROBLEM



Keeping the Siesta Village gazebo clean is just one facet of the Village maintenance contract. Photo by Norman Schimmel

ONLY ONE FIRM HAS SHOWN INTEREST IN THE NEW SIESTA VILLAGE MAINTENANCE BID, LEAVING COUNTY STAFF TO WORK ON TWEAKING THE BID

By Rachel Brown Hackney

Editor

Only one firm was represented on June 13 when Sarasota County staff held a mandatory pre-bid conference as part of the effort by the county and Siesta Village business owners to find a new company to keep the Village's appearance in tip-top shape, *The Sarasota News Leader* learned this week.

"And that's not good," James K. Harriott Jr., the county's chief engineer, told the *News Leader* on June 17. "He knows he's the only one in the pool right now."

Harriott said he and his staff have been discussing the situation with the county's Procurement Department "and looking at how to rectify that." The most likely solution is to amend the advertisement for the bid with the hope more firms will show an interest. That process probably would extend the deadline for responses by a week or two, he noted.

A day earlier, Mark Smith, liaison between the Siesta Key Village Maintenance Corp. (SKVMC) and the county, said in an interview that county staff had indicated it had had numerous inquiries about the contract. He, too, was puzzled to see only one person show up for the Village walk-through last week.

On June 2, the county advertised the bid titled *Siesta Key Village and Parking District for Property Management Services*. It is the first time since the summer of 2012 that the county has sought a new company to handle the maintenance.

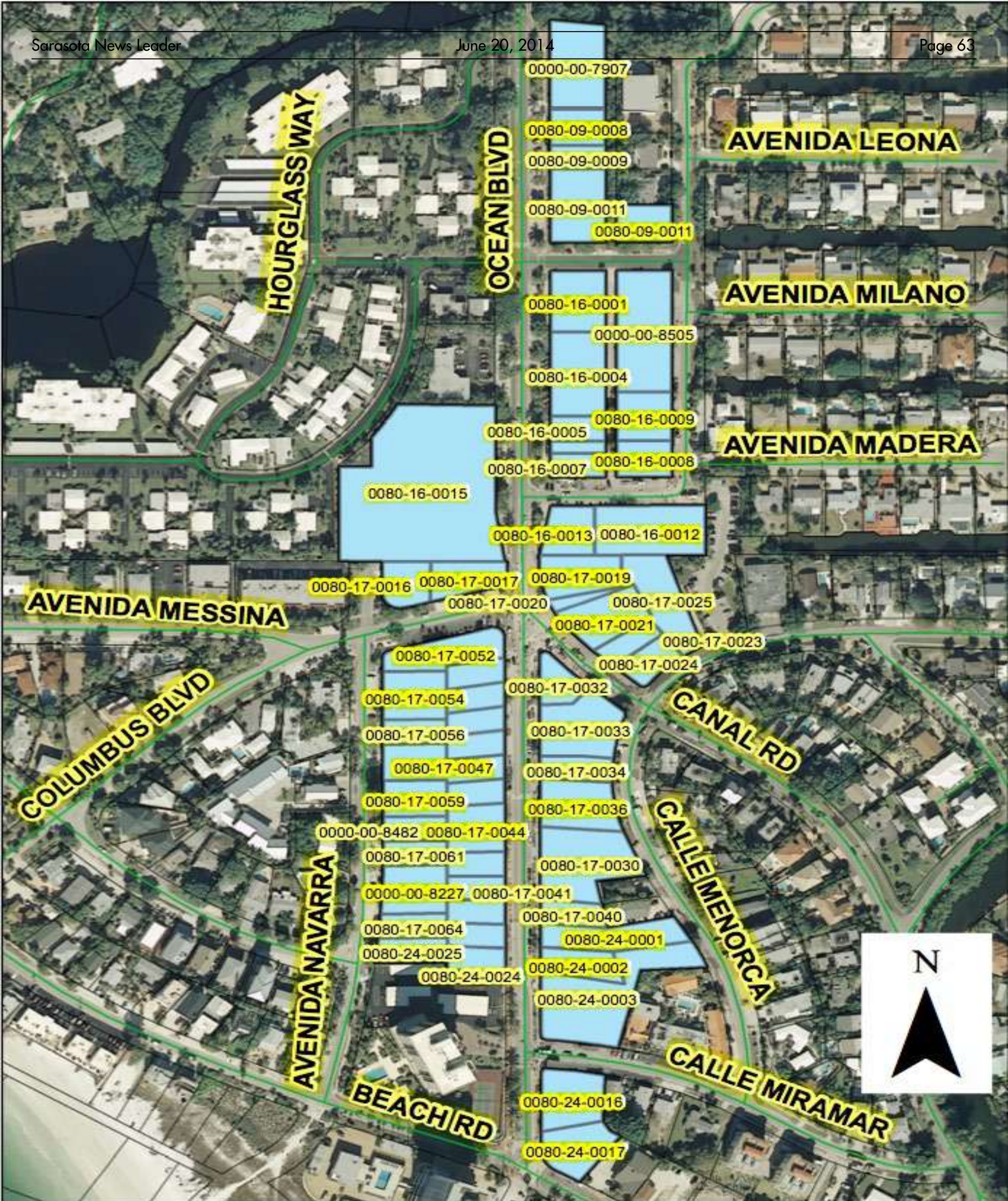
On Aug. 21, 2012, the County Commission unanimously awarded a contract to Championship Landscape Maintenance Professionals of Fort Myers with two automatic annual renewals.

However, Village business owners and county staff both have expressed dissatisfaction with Championship's work over the past several months. The situation led Smith to request advertisement for a new bid this year. On behalf of the SKVMC — whose members own property in the Siesta Village Public Improvement District — Smith asked that a management firm be sought for the work this time, instead of another firm like Championship.

The original 116-page bid document issued on June 2 provides for a three-year contract with two annual renewals, the same provisions included in the contract won by Championship.

As stated in the bid, its purpose is for the selection of a firm to provide property management for maintenance and landscaping services "in a coastal environment." That work includes pruning of coconut and other trees, brick paver repair and installation, maintenance of decorative street or pedestrian lighting, cleaning of the gazebo at the four-way intersection and "Trash/Garbage removal."

The *General Specifications* section also notes the firm will be responsible for "the continuous inspection of the irrigation systems to identify any deficiencies" and reporting them to the SKVMC's "point-of-contact." Numerous




A graphic shows the boundaries and properties of the Siesta Key Public Improvement District. Image courtesy Sarasota County

**SIESTA KEY VILLAGE
LANDSCAPE PLANT INVENTORY
AS OF 01/09/12**

Black Olive Trees- 55
Silver Buttonwood Tree- 4
East Palatka Holly Tree- 5
Ficus Tree- 1
Oak Trees- 4
Mahogany Tree- 1
Coconut Palms- 49
Cabbage Palms- 54
European Fan Palms- 4
Needle Palms- 2
Chinese Fan Palms- 2
Queen Palms- 2
Adonidia Palm (triple)- 1
Palmetto- 115
Yucca- 1
Bird of Paradise- 4
Rubber Plant- 1
Jatropha- 3
Cardboard Palm- 1
Bougainvillea- 22
Hibiscus- 4
Crown of Thorns- 16
St. Augustine Turf- 330 square feet
Coontie Plants- 882
Emerald Blanket Carissa- 134
Ornamental Potato Vine- 25
Simpson Stopper- 7
Dwarf Variagated Anacardicola- 201
Dwarf Indian Hawthorne- 58
Parsonii Juniper- 211
Dwarf Shore Juniper- 141
Ilex Shillings- 19
Dwarf Firebush- 152
Yellow Lantana- 66
Bush Allamanda- 34
Perennial Peanut- 551
Muhly Grass- 682
Fackahatchee Grass- 149
Dwarf Fackahatchee Grass- 9

problems were discovered with the irrigation system over a period of months after the county installed it as part of the Village beautification effort in 2008-09.

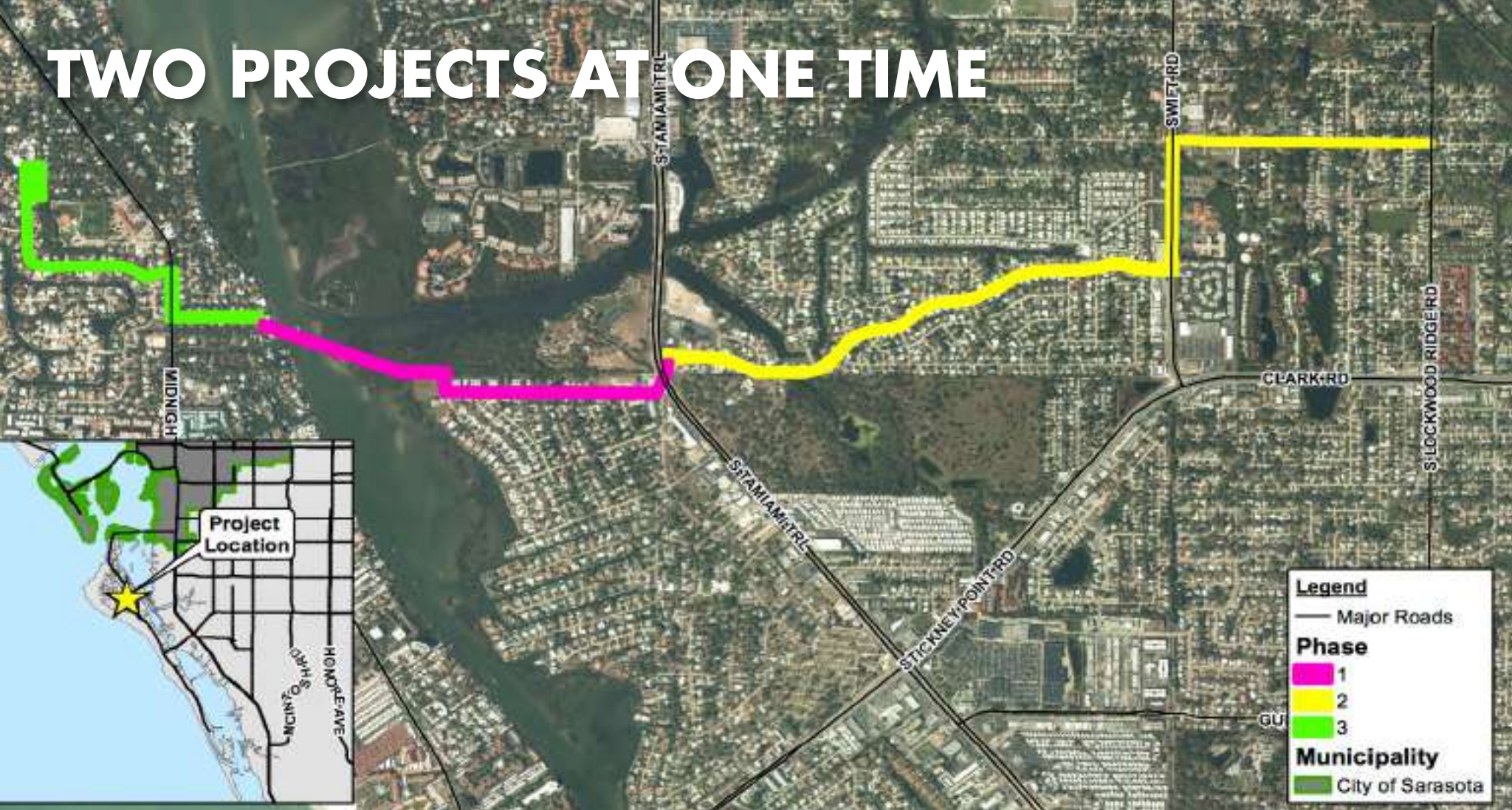
The document is detailed in its requirements. For example, it says “The live crown ratio (LCR) of all shade trees must remain above 60 percent at all times” and “Mulch in all tree basins and ornamental beds shall be maintained at a depth of two inches (2”).”

For another example: “On those occasions when the requested work requires a sidewalk, alley, or bikeway to be blocked, wholly or partially, the Contractor is to submit a Maintenance of Traffic (MOT) plan prepared by a staff employee who has successfully completed advanced training in MOT to the County Project Manager for review and approval prior to the sidewalk, alley or bikeway closure and commencement of work. No Right-of-Way Use Permit (ROW) is needed if the job is less than [one hour].” 



Sarasota County officials set high standards when they advertised the 2012 bid for Siesta Village maintenance, pointing out that the area's appearance should be in keeping with what the public would expect of a resort. Photo by Norman Schimmel

TWO PROJECTS AT ONE TIME



A map shows the sections of Siesta Key and the mainland that will be affected by construction of a new sewer force main for the Siesta Key Master Pump Station. Image courtesy Sarasota County

NORTH SIESTA KEY WATER CUSTOMERS WILL GET A NEW PIPELINE AT THE SAME TIME THE COUNTY CONSTRUCTS A SEWER LINE FOR THE NEW SIESTA KEY PUMP STATION

By Rachel Brown Hackney
Editor

Why disrupt a neighborhood twice when two projects could be done at the same time?

That was what Sarasota County staff members began to agree on as they continued planning for a project that is part of the state-mandated effort to decommission the Siesta Key Advanced Wastewater Treatment Plant, Dave Cash, the county's interim director of public utilities, explained to the County Commission last week.

To be more specific, staff began thinking that the aging water main serving north Siesta Key could be replaced at the same time a new sewer force main is constructed for the upgraded sewer service.

“We didn’t want to find ourselves in the position of having to come back three or four years from now and have to replace the water main when we could have done it sooner.”

Dave Cash
Interim Director
Public Utilities
Sarasota County

“Honestly, one of the dumbest things a government can do is have two parallel projects in the same area that aren’t done simultaneously that could be done simultaneously,” Commissioner Nora

Patterson, who lives on north Siesta Key, pointed out.

“This is thinking like a business, the way I look at it,” Chairman Charles Hines told Cash. “Thank you. That’s good thinking.”

With Cash’s reassurance that staff could time the project around the generally busiest tourism months of February and March, Patterson made the motion to allow staff to proceed. The vote was unanimous in awarding \$101,714 to Stantec Consulting Services of Sarasota for the design of the new 16-inch water main. That firm already is the engineer of record for the force main project, Cash explained.

The wastewater plant has to be decommissioned by the end of 2016 under an agreement with the Florida Department of Environmental Protection (FDEP), according to a June 11 memo from staff to the commissioners. Although postponing the force main project to allow for the design of the water main would delay the start of the sewer work, the memo points out, the project still would be completed by FDEP’s deadline.

THE WATER PROJECT

In discussions about the sewer work, Cash said, his department employees and members

of the Capital Projects staff began considering the future of the water main that serves more than 13,000 residential units on northern Siesta Key; the water main is referred to as the “North Crossing.” The existing 14-inch water main was constructed in the early 1970s, Cash noted. “Although we don’t have any existing issues with it,” he continued, “it is [made of] the same type of material that was used for the [Siesta Key/Case Key Crossing that was recently replaced](#).”

Water customers on southern Siesta Key and northern Casey Key endured multiple spells of leaks in that pipeline — and “Boil water” advisories — before a new water main was constructed in the fall of 2012 to serve them.

The North Crossing has not had the same repair frequency as the former Siesta Key/Casey Key Crossing, Cash added. However, repairs were made to it in 1992 after extensive corrosion was discovered, he said.

“We felt that it would be a real missed opportunity if we didn’t go ahead and install [a new 16-inch] water main” at the same time the new force main is constructed, Cash told the board.



Dave Cash, interim director of public utilities for Sarasota County, addresses the County Commission in May. Photo by Norman Schimmel



Proposed New Water Main

1. Affected neighborhoods will only be disrupted once by constructing the water main and force main together in the same corridor.
2. Increased water carrying capacity, reliability and redundancy.
3. The potable water system has been modeled and deficiencies identified.
4. Easements are already being negotiated for the force main.
5. Extensive permitting has already occurred; the water line can be added with additional coordination with the appropriate regulatory agencies.
6. The potable water main between Siesta Key and Casey Key is complete.
7. The water main is fully funded in the Water Rehabilitation Account, CIP #88002.

Plans already called for directional drilling to be used primarily in Phase 1 of the installation of the force main, which will extend from Midnight Pass Road to U.S. 41 by crossing the Intracoastal Waterway and following the southern boundary of Phillippi Estate Park at 5500 S. Tamiami Trail in Sarasota, the staff memo notes.

The final phase of the three-part sewer project entails construction only on Siesta Key, mostly with directional drilling. The new master pump station will be located on the site of the existing wastewater plant, the staff memo says.

Undertaking the water main and force main projects together will add about three months to the project timeline, Cash explained, taking about a year altogether.

“The biggest thing that we evaluated,” Cash continued, “was the impact to the neighborhood. We didn’t want to find ourselves in the position of having to come back three or four years from now and have to replace the water main when we could have done it sooner.”

He added, “There will be an impact to traffic and the neighborhood.”

Because staff already is in the process of negotiating the easements for the force main work, Cash said, and most of the permits already have been secured, it would be fairly straightforward to add the water main project.

Patterson told Cash that she understood that because most of the work will be done through directional boring, as he had pointed out earlier, streets will not be cut open. However, she said, pipes will be lying along streets while the work is under way.




Shadow Lawn Drive will be the Siesta Key neighborhood most affected by the sewer force main and water main projects, county staff says. Image from Google Maps

She also reminded him that he had promised her staff would try to work it out “so that at least the messiest and most disturbing phases of it don’t take place in a February and a March.”

“That’s correct,” Cash responded. The intent is to minimize the impact on Siesta Key traffic, he added.

“That would be great,” Patterson replied, noting that the neighborhood most affected will be one of single-family homes near Shadow Lawn Drive. That is a street people take to reach Siesta Public Beach, she noted.

Hines thanked Cash for staff’s “good thinking” about the potential of combining the projects and said he hoped all staff members would consider such options when they are possible. 



Siesta Seen

A DEPUTY OFFERS A PRIMER ON FIREWORKS; AVENIDA DE MAYO PARKING COMPLAINTS ARE STILL COMING IN; AND THE STORMWATER PROJECT IS ALMOST COMPLETE



By Rachel Brown Hackney
Editor

With the July Fourth holiday approaching, illegal fireworks was a topic of considerable discussion during the June 5 Siesta Key Association (SKA) meeting.

“If it flies or explodes, it’s illegal,” explained Deputy Chris McGregor of the Sarasota County Sheriff’s Office.

Each year on the Fourth, he continued, deputies find people on the island who have spent thousands of dollars on fireworks that are illegal, and the Sheriff’s Office confiscates the materials.

When people say they had no idea they would be unable to shoot off the pyrotechnics,



Sparklers are legal in Florida, law enforcement officers point out. Photo by Ramesh NG via Flickr

Siesta Seen

McGregor continued, deputies ask if they signed paperwork at the time of their purchases. Invariably, the people respond, “Yes,” prompting deputies then to ask, “Did you read it?” Typically, the reply to that question is “No.”

The Florida State Statutes have provisions for the sale of fireworks for use in agriculture and at fish hatcheries, McGregor noted, so the paperwork people sign has them concurring that they plan to use the materials only for such purposes.

Florida State Statute 791.07 says, “Nothing in this chapter shall prohibit the importation,

purchase, sale, or use of fireworks used or to be used solely and exclusively in frightening birds from agricultural works and fish hatcheries; and such use shall be governed entirely by the rules prescribed by the Department of Agriculture and Consumer Services.”

The statute points out that “Fireworks” do not include sparklers permitted under provisions of the statute or toy pistols, toy canes, toy guns or other devices “in which paper caps containing twenty-five hundredths grains or less of explosive compound are used, providing that they are so constructed that the hand cannot come in contact with the cap when in place for the explosion”



The only legal fireworks on Siesta Key for July Fourth festivities are those in the show produced by the Siesta Key Chamber of Commerce. Photo contributed by Peter van Roekens

Siesta Seen

That same statute gives the Sheriff's Office the right to seize illegal fireworks.

"We don't want to cite anyone," McGregor added. In fact, in his 16 years of working on Siesta, he told the approximately 30 SKA members present, "We've never arrested anyone. I've never cited anyone."

Instead, he continued, officers inform violators about the state law. "I feel education is worth more than its weight in gold," he added, when it comes to those kinds of situations.

In response to questions, McGregor explained that because of the number of complaints the Sheriff's Office receives on July Fourth about fireworks being shot off in neighborhoods, the general policy is not to have a deputy respond unless the caller agrees to meet with the deputy. However, if an isolated incident occurs at 4 a.m., for example, instead of multiple bursts at 9 or 10 p.m., people should call the office and report the violation.

Officers do patrol the island on the night of the Fourth, he noted. But, "We have to see the crime actually taking place," he added, before issuing a citation.

SKA Vice President Catherine Luckner suggested it would be helpful if managers of the condominium complexes on the key informed guests about the state law.

By the way, the Siesta Key Chamber of Commerce still has plenty of tickets available for its traditional VIP picnic on July Fourth.

Each \$150 package includes two tickets, a parking pass and a great vantage point for the big fireworks display. (Anyone may come to the beach for the free pyrotechnics show, which lasts about 30 minutes.) For details, call 349-3800 or email chastanna@siestakey-chamber.com.

The Siesta Key Chamber of Commerce Proudly Presents
the Siesta Key 24th Annual Celebration

Fourth of July Fireworks VIP PARTY

JULY 4th 5:30PM
Siesta Key Public Beach

VIP Package Information:

- Exclusive reserved on-site parking at Siesta Public Beach
- On-site catered picnic dinner for two
- Beer, wine and soft drinks
- Live musical entertainment by Ted Stevens and the Doo-Shots

For Tickets for the VIP Party, please call 941-349-3800
Tickets can be purchased at the Siesta Key Chamber of Commerce
or online at www.SiestaKeyChamber.com

"Start the Fireworks" FOURTH OF JULY KICK-OFF PARTY

JULY 3rd 5PM
South Bridge Plaza
Home of Abel's Ice Cream, Stonewood Grill
and New Balance - Located just west
of US 41 on Stickney Point Rd.

The raffle tickets are \$5 per ticket, or 5 tickets for \$20. The winner of the raffle will receive:

- A VIP package and will start the fireworks show
- A behind the scene tour at the launch site
- News coverage
- Recognition in the Observer/Pelican Press
- An official Zambelli hard hat

Tickets can be purchased at the Siesta Key Chamber of Commerce
5114 Ocean Blvd., Siesta Key Village (Davidson's Plaza)

2014
Siesta Key 24th Annual Fireworks Celebration
Siesta Key Public Beach

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FUND THE SIESTA KEY
FIREWORKS

The Siesta Key Chamber of Commerce is continuing to promote its VIP picnic packages and the chance to start the fireworks display on July Fourth. Image courtesy Siesta Key Chamber of Commerce

Siesta Seen

READ THE SIGNS

Just last week, accounts from residents of Avenida de Mayo show that even with season having ended, their parking woes go on.

One resident notified Michael Shay, the SKA president, on June 11 — and sent him photos — showing a car and truck that had been parked illegally on the street for three straight days without getting tickets.

The truck was obstructing the sidewalk in the first block of Avenida de Mayo, where parking is prohibited, the resident pointed out to Shay. The VW bus was on a grassy area.

“I don’t know what else can be done,” the resident added in the email to Shay. “I really hate calling [the Sheriff’s Office dispatch number] all the time.”

The next day, Shay contacted Sgt. Scott Osborne, head of the Sheriff’s Office’s Community Policing Station on the island, to



Avenida de Mayo residents also documented this truck parked across the sidewalk for hours. Contributed photo

relay what residents had told him. Shay noted that the truck was parked across the sidewalk opposite the driveway for the municipal parking lot. The resident noticed the situation, Shay explained, because the resident saw a woman with a baby carriage who was on the sidewalk and had to maneuver around the truck.

Osborne told me on June 16 that when he checked into the problem, he learned that the owner of the truck was renting a house on the street for just a week. In fact, the people staying in the house had a total of four vehicles, plus a boat that was hitched to the truck. The man moved the truck after Osborne explained the parking rules, Osborne added.



Residents of Avenida de Mayo contacted the Sheriff’s Office last week about this VW bus that stood for hours in one of the ‘No Parking’ zones on the street. Contributed photo

Siesta Seen

The VW was no longer on the street when Osborne drove over there for a look, he told Shay.

On June 15, residents reported three cars parked illegally in that same first block at 11:30 a.m.

Still, Osborne told me on June 16, "There've been very, very few problems on de Mayo. ... We check it every single day."

KEEP THAT NUMBER HANDY

During Deputy McGregor's report to the SKA on June 5, one audience member,

Katherine Zimmerman, told him she recently had observed two young women approaching houses in a residential area, supposedly to sell magazine subscriptions. However, Zimmerman pointed out that she spotted a "really big man" slumped down in the back-seat of the vehicle the women were using. Furthermore, they seemed to be walking up to houses without vehicles in the driveways.

She reported the license of the car at the Sheriff's Office's Community Policing Station in Siesta Village, Zimmerman continued, but that was about 30 to 45 minutes after she observed the suspicious activity.



Standing amid new construction, the picnic shelter at Siesta Public Beach will be used by the Siesta Key Chamber of Commerce for its July Fourth VIP picnic this year, county staff says. Photo by Rachel Hackney

Siesta Seen

“That kind of thing should be called in immediately,” McGregor replied. “I would much rather go out, see if they’re legitimate. ... Let us make that determination.”

Anyone who spots something or someone of a questionable nature should call the non-emergency number for the Sheriff’s Office, he stressed. That number is 316-1201.

SIESTA’S CANALS

Another question that arose during the June 5 SKA meeting was whether the county has any plans to dredge the canals on Siesta Key.

“The answer is ‘No,’” replied Commissioner Nora Patterson, who was a guest at the meeting. However, she pointed out, if residents can demonstrate that the “vast majority of



On June 5, the new parking lot at Siesta Public Beach appeared even closer to completion while construction continued on the county’s new maintenance building. Photo by Rachel Hackney

Siesta Seen

property owners” along a canal are willing to pay for the work, they can apply to the [West Coast Inland Navigation District \(WCIND\)](#) for assistance with such a project.


Still, she continued, “It’s hard to get that many notarized signatures of people who actually want to pay [for the dredging].”

SKA Director Joe Volpe, who brought up the topic, responded that the people who live along the canals already pay high taxes.

“There are plenty of people who don’t live on canals who pay very high taxes,” Patterson told him.

THE STORMWATER PROJECT

On May 30, I learned, county staff conducted a field review and testing of equipment for the Siesta stormwater project, adjacent to the public beach.

In an email to the County Commission, Isaac Brownman, the county’s director of public works, reported on June 10, “System functioned as designed. With input from various county departments, a punch list of items to be modified/completed is being compiled. Contractor will have until the June 30 Final Acceptance date to complete the punch list items.” 



Work continues on the new concessionary facility on the east end of the Siesta Public Beach Park. It is scheduled to be completed in November. Photo by Rachel Hackney



Improvements to Interstate 75 and University Parkway, including the diverging diamond interchange, will be the topic of a public meeting on June 26. Photo by Norman Schimmel

INTERSTATE 75 DESIGN IMPROVEMENTS TO BE FOCUS OF MEETING

Representatives of District One of the Florida Department of Transportation (FDOT) will hold a public information meeting on Thursday, June 26, regarding design improvements to Interstate 75 from north of Fruitville Road to north of University Parkway in Sarasota and Manatee counties, FDOT has announced.

The public session will be held from 4:30 to 7 p.m. in the Osprey Room at the Holiday Inn Lakewood Ranch, located at 6231 Lake Osprey Drive in Sarasota, a news release says. FDOT's goal is to give interested persons the opportunity to view the proposed design, review displays, talk one-on-one with staff and make comments about the project, the release adds.

The 3.5-mile project includes reconstructing the I-75/University Parkway interchange from

the existing diamond design to a [diverging diamond interchange](#), the first of its kind in Florida. It also involves widening I-75 from north of Fruitville Road to north of University Parkway to an eight-lane highway with three through lanes and one auxiliary lane in each direction, the release continues. The project includes widening about one mile of University Parkway from the Cattlemen Road/Cooper Creek Boulevard intersection to the Market Street/Lake Osprey Drive intersection.

People requiring special accommodations pursuant to the Americans with Disability Act of 1990 or people who need translation services (free of charge) at the meeting should contact Kevin Ingle at 863-519-2740 or email kevin.ingle@dot.state.fl.us as soon as possible, according to the release.

SALVATION ARMY TO MARK ANNIVERSARY OF RECOVERY PROGRAM

On Saturday, June 21, The Salvation Army and the Sarasota County Sheriff's Office will celebrate the fifth anniversary of the establishment of the Addiction Recovery Program at the Sarasota County Jail, The Salvation Army has announced.

A breakfast will be held at 8:30 a.m. in The Salvation Army's media room, located at 1400 10th Street in Sarasota, to honor the program's volunteer instructors and graduates, a news release says.

The Addiction Recovery Program was launched in 2009 with one pod for 48 men, the release explains. For the first time, the participants "could be housed in an environment that was dedicated to recovery," the release points out. Based on its initial success, a women's recovery program was created later; it operates in a wing with 18 beds, the release adds.

The Salvation Army program is a voluntary one for inmates who request to live in one of the pods, the release says. "Sessions are conducted by more than 100 community volunteers, which means no cost to taxpayers," it notes.

"One of the keys to the program is the supportive environment that participants are immersed in 24/7," it continues. Inmates assigned to it receive drug counseling and participate in other positive life skills programs seven days a week, it adds.

Another integral factor in the program's success "is the link to continued support after release (when a drug user might return to the environment that supports the destructive habit)," it continues. "Once released, people who went through the program in jail are directed to one of The Salvation Army's alcohol and drug programs" and other community programs and resources, it says.

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On Saturday, The Salvation Army in Sarasota will mark the fifth anniversary of its Addiction Recovery Program at the county jail. Image from the organization's [Facebook page](#)

NEIGHBORHOODS' ORGANIZATION TO HOST CANDIDATES' DEBATE

The Sarasota County Coalition of Neighborhood Organizations (CONA) will host a debate of Sarasota County Commission candidates on Monday, June 23, the association has announced.

The moderator will be Susan Nilon of WSRQ radio, a news release says.

The event will be held at the [Sarasota Garden Club](#), located at 1131 Boulevard of the Arts in Sarasota. The doors will open at 6:30

p.m., and the debate will begin at 7 p.m., the release adds.

This will be the first County Commission debate held since the candidates had to qualify for the races on June 20, the release notes. This non-partisan event will focus on audience participation, providing attendees an opportunity to hear from all the qualified candidates seeking to serve as county commissioners in Districts 2 and 4, it adds.

LITERACY COUNCIL TO SPONSOR COURSE FOR TRAINING CERTIFICATION

The Literacy Council of Sarasota (LCS) will sponsor a 12-hour ProLiteracy-certified training course in July to prepare volunteer tutors to help area adults with limited English reading, writing and language skills, the nonprofit has announced.

After a one-hour orientation at 6 p.m. on July 8, workshops will be held on three Saturday mornings — July 12, 19 and 26 — from 9 a.m. to 2 p.m., a news release says.

Preregistration is required, either by phone at 955-0421 or by email at mcox@sarasotaliteracy.org. Prospective tutors must attend all sessions, which will be held at the Glasser-Schoenbaum Human Services Center, located at 1750 17th St., Building J, in Sarasota, the release adds.

After three decades in Sarasota, the Literacy Council has more than 200 ProLiteracy-certified volunteer tutors working to improve the reading levels of the community's adult learners, the release notes.



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Non-Profit Organization

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The Literacy Council of Sarasota provides information on its [Facebook](#) page. Image courtesy of the Council

SARASOTA HIGH SCHOLAR EARNS TOP U.S. SCORE ON CHEMISTRY TEST

Sarasota High School graduate Nathaniel Folkins has earned the highest score in the United States on the Cambridge Advanced International Certificate of Education (AICE) Advanced Subsidiary Level chemistry exam, the Sarasota County School District has announced.

“Cambridge University in Cambridge, England, is one of the oldest and most prestigious universities in the world,” a news release points out. The university sponsors the AICE program in 10,000 high schools in 160 countries.

The AICE program provides students with advanced course work, a special diploma and the opportunity to earn up to 45 college credits while they are still in high school, the release explains. Sarasota High School has offered the AICE program since 2011.

“The Cambridge (AICE) Advanced Subsidiary Level Chemistry examination is historically one of the most challenging exams given by Cambridge,” the release continues. The areas tested include physical, organic and inorganic chemistry as well as the application of chemistry.

“Completing a Cambridge International AS Level chemistry course is accepted by universities and employers worldwide as proof



Nathaniel Folkins/Contributed photo

of essential knowledge and ability in the subject,” the release says.

When he learned of his ranking among the students in the United States on the test, Folkins said, “I still find it hard to believe that I actually managed to achieve something on this level. The whole experience has been humbling for me.”

SHARE



MAJ. HOFFMAN GRADUATES FROM FBI NATIONAL ACADEMY

Sarasota County Sheriff Tom Knight has announced that Maj. Kurt Hoffman, commander of the office's Administrative Division, graduated from the Federal Bureau of Investigation (FBI) National Academy on the United States Marine Corps base in Quantico, VA.

"The National Academy places a heavy emphasis on physical fitness, academic study and leadership development," a news release points out. Hoffman's class included 222 law enforcement executives from 46 states and 17 foreign countries, it adds. "Selection for the 10-week program is on an invitation-only basis," the release notes.

While at the academy, Hoffman took two undergraduate and four graduate-level classes through the University of Virginia (UVA)


maintaining a 4.0 GPA, the release continues. The four graduate courses earned Hoffman a Graduate Certificate in Leadership from UVA, it says.

Hoffman has a Bachelor of Arts in criminal justice from Saint Leo College, a Master of Science in criminal justice from International College and a Juris Doctorate from Nova Southeastern University, the release adds. A former state prosecutor, Hoffman is a graduate of the Federal Law Enforcement Training Center's Police Legal Advisors Training Program and a member of the Florida Bar's Labor and Employment Law, and City, County and Local Government Law sections, the release points out. In 2011 he completed the FBI's Florida Executive Development Seminar.



Maj. Kurt Hoffman/Contributed photo

FLORIDA SUPER LAWYERS HONORS MORGAN BENTLEY OF SARASOTA

Sarasota attorney Morgan R. Bentley of Bentley & Bruning has been named to the 2014 Florida Super Lawyers list, an honor reserved for lawyers who exhibit excellence in practice, [Thomson Reuters](#) has announced. The company publishes the list. Candidates are nominated by their peers, a news release says. They then are evaluated on the basis of numerous factors, including peer recognition and professional achievements. Among the latter group, the release continues, consideration is given to verdicts and settlements, transactions, representative clients, honors and awards, special licenses and certifications, *pro bono* work and community service as a lawyer, scholarly lectures and writings, and other outstanding achievements, the release adds. 



Sarasota attorney Morgan R. Bentley of Bentley & Bruning has been named to the 2014 Florida Super Lawyers list. Contributed photo.

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Jordin Huff/Contributed photo



Karrie Sanderson/Contributed photo

Background image courtesy of [freeimages.com](https://www.freeimages.com)

TWO SARASOTANS ARRESTED FOR ALLEGEDLY SELLING COCAINE

The Sarasota County Sheriff's Office has arrested a Sarasota man who allegedly sold undercover detectives cocaine from his home at 5724 Nutmeg Ave. and in the parking lot of the McDonald's just a few blocks away, the office has reported.

On three occasions, Karrie Sanderson, 23, met with an undercover detective and sold a total of 1.7 grams of cocaine for \$300, a news release says. The most recent purchase was at the suspect's home, it adds. Sanderson's girlfriend, Jordin Huff, 27, of the same Nutmeg

Avenue address, allegedly packaged the cocaine for the transaction, the release notes.

Detectives obtained arrest warrants for Sanderson and Huff and took them into custody at their home without incident on Tuesday, June 17, the release says. While executing a search warrant at the residence, detectives also discovered marijuana and a large amount of cash, it adds.

Sanderson is charged with three counts of Sale of Cocaine, and Huff is charged with one count of Principal to Sale of Cocaine.

ARREST RESULTS IN SEIZURE OF MORE THAN 60 GRAMS OF MARIJUANA

On Wednesday, June 11, Sarasota Police Department officers arrested a 48-year-old Sarasota man in Fredd Atkins Park after receiving a tip about drug dealing in the park, the department has announced.

About 4:10 p.m., when officers arrived at the park, which is located at 2581 Washington Court in Sarasota, they found and detained the suspect, a news release says. During a search of the man, they allegedly discovered two nylon sunglass holders filled with marijuana in “dime” baggies and a clear baggie of loose marijuana, the release adds. The total amount of the drug was 63.1 grams, the release notes. (See the accompanying photo.)

“Addressing the flagrant sale of illegal substances in and around our public parks is one of the several strategies we are using to eliminate open-air drug markets from our neighborhoods, with the ultimate goal of returning public spaces to law-abiding citizens,” said Lt. Pat Ledwith, commander of the Criminal Investigation Division, in the release.

Since May 2013, the Sarasota Police Department has made 37 arrests in the area of Fredd Atkins Park, the release points out. The suspect in the latest case, Al Jenkins of 5770 Beneva Road, Sarasota, was charged with Possession of Marijuana with Intent to Sell within 1,000 Feet of a Park.



Sarasota Police Department detectives seized ‘dime’ bags of marijuana and a bag of loose marijuana from a suspect in Fredd Atkins Park this week. Photo courtesy Police Department

SHERIFF'S DEPUTIES SEIZE 110 COUNTERFEIT CREDIT CARDS

The Sarasota County Sheriff's Office has arrested two Miami men who allegedly used counterfeit credit cards to buy merchandise and gift cards worth thousands of dollars, the office has reported.

A Walmart loss prevention employee called the Sheriff's Office on the afternoon of June 13 to report that two suspects whom the employee recognized from prior crimes were at the store, a news release states. When deputies arrived, "the men tried to flee on foot but were quickly detained," it says.

This incident took place the same day as the arrest of another Miami man for cloned credit cards, which turned out to be an unrelated case, the news release notes. (See the related item in this section.)



Adrian Fernandez/Contributed photo



A wide assortment of goods was discovered in the rental car driven by suspects in a counterfeit credit card case, the Sheriff's Office reported. Contributed photo`

Adrian Fernandez and Jose Marquez-Hernandez had 11 counterfeit cards with them and another 99 cards in a bag, all printed with their names, the release continues. “However, the cards were cloned with victims’ banking information,” it says. Deputies also found \$4,000 worth of gift cards, 17 cartons of cigarettes, 10 bags of clothing and children’s toys in the men’s rental car, the release adds.

Fernandez and Marquez-Hernandez were charged with three counts each of Trafficking in Counterfeit Credit Cards. The investigation is continuing and additional charges are pending, the release notes.

“The recent arrests for cloned credit cards are the direct result of the successful public-private partnership between the Sarasota County Sheriff’s Office and area retail stores,” which was established with the launch of Operation Booster Buster one year ago, the release points out.



Jose Marquez-Hernandez/Contributed photo

VENICE MAN ARRESTED FOR VIDEO VOYEURISM AT A TARGET STORE

The Sarasota County Sheriff’s Office has arrested a Venice man who allegedly took pictures up a woman’s skirt at the Target store on Fruitville Road in Sarasota.

The 41-year-old victim was shopping with her two young children on Sunday afternoon, June 15, when she observed a man speaking with the children, a news release says. “A short time later, she noticed multiple flashes illuminate from the floor and turned around to see the same man crouched down behind her” with his cellphone in his hand, the release adds. The woman confronted the suspect, and they struggled briefly, it continues. He ran off, but a witness followed him and was able to get the tag number of his car, the release says.



Aaron Stahl/Contributed photo

Detectives obtained surveillance video from the store, “which clearly showed the incident and helped confirm that the suspect was the registered owner of the vehicle,” Aaron Stahl, 35, of 411 Beverly Road, Venice. They obtained an arrest warrant and took him into

custody at his home on the afternoon of June 17, the release adds.

Stahl is charged with one felony count of Video Voyeurism and is being held without bond.

MIAMI MAN ARRESTED IN CLONED CREDIT CARD CASE

On June 13, the same day two other men were arrested in a similar case at the same place, the Sarasota County Sheriff’s Office took a Miami man into custody for allegedly using cloned credit cards. (See the related item above.)

A Walmart loss prevention employee at the Cattlemen Road store in Sarasota contacted deputies regarding a suspicious man who bought gift cards with fraudulent credit cards, a news release explains. When deputies stopped the suspect, the release continues, he had more than a dozen credit and gift cards in his possession. “Detectives ran the card numbers and confirmed that nine of them had altered magnetic strips with actual bank account numbers of victims on them,” the release says. The suspect allegedly used three of those cards to buy new gift cards in Walmart, it adds.

Leinier Ormas-Aguila, 26, of Miami is charged with Unlawful Possession of the Personal Identification Information of Another Person. “Detectives are working with banks to notify victims of the fraudulent activity on their accounts,” the release notes.

Suspects obtain credit card information in a number of ways, the release continues. “In addition to swiping victim’s cards with a cloning machine, some buy account numbers



Leinier Oramas-Aguila/Contributed photo

online,” it points out. “Stolen account information is often provided by people working inside companies that require and store customer credit card information,” the release says. “When that is the case, there is not much victims can do to protect themselves,” so it is crucial for people to review account statements regularly and consider signing up for credit monitoring services, the release adds.

TWO ORLANDO MEN ARRESTED WITH ALLEGEDLY CLONED CREDIT CARDS

The Sarasota County Sheriff's Office has arrested two Orlando men who allegedly used cloned credit cards to buy high-end electronics and gift cards, the office has reported.

A deputy observed an Acura drive into the Walmart parking lot on Cattlemen Road in Sarasota on June 12 and park at the far western end of the lot, a news release says. The passenger, later identified as Ralph Brutus, exited the vehicle and entered the store while the driver, later identified as Jeff Nezius, moved the Acura closer to the garden store entrance, the release continues. The deputy contacted a store loss prevention staff member, who reported that Brutus tried to buy a \$369 iPad Mini, but his credit card was declined, the release adds. Nezius also

entered the store and bought two gift cards for \$250 apiece, the release says.

When the deputy approached the men, "he could smell marijuana coming from the vehicle," and Nezius admitted they had "two grams," the release continues. Nezius emptied his pockets and removed about 30 credit cards, it adds. "Brutus had four credit cards with marks that appeared to be from rubbing names and numbers" off the fronts of the cards, it says.

At this time, Nezius is charged with Trafficking in Counterfeit Credit Cards and Brutus is charged with Principal to Trafficking in Counterfeit Credit Cards. However, the investigation is continuing, the release notes.



Ralph Brutus/Contributed photo



Jeff Nezius/Contributed photo

Cloned or counterfeit credit cards are created using a swipe device that puts stolen account information on the magnetic strip on the backside of a blank or stolen card. The credit card industry recommends customers protect their personal financial information at all times; be wary of sharing credit or debit card

account numbers online; use cash at places that do not record your transaction within sight; and consider switching to a company that issues “smart chip” credit cards which encrypt information into chips that cannot be changed or deleted.

POLICE DEPARTMENT MAKES FOUR ARRESTS IN PROSTITUTION STING

On Friday, June 13, the Sarasota Police Department Street Crimes Unit, in conjunction with the department’s Narcotics Unit, arrested four men for allegedly soliciting prostitutes in the 1600 block of North Tamiami Trail in Sarasota, the office has reported.

The department identified the suspects as follows:

- David Rosa, 40, of 19103 Larchmont Drive, Odessa.
- David Campione, 74, of 1834 Roxanne Way, No. 59, Sarasota.
- Kyle Weatherly, 31, of 3211 12th Street Court, East Bradenton.
- Michael Perrone, 45, of 9908 Chalet Circle, Bradenton.



David Rosa: DOB 05-10-74
19103 Larchmont Dr.
Odessa, Florida



Michael Perrone: DOB 10-29-68
9908 Chalet Cir.
Bradenton, Florida



David Campione: DOB 03-19-40
1834 Roxanne Way
#59
Sarasota, Florida



Kyle Weatherly: DOB 03-10-83
3211 12th Street Ct. East
Bradenton, Florida

Four men were arrested on June 13 for allegedly soliciting prostitutes on North Tamiami Trail in Sarasota, the Police Department reported. Image courtesy Police Department

DEPUTIES ARREST MAN SOUGHT AFTER TWO SEPARATE ATTACKS

The Sarasota County Sheriff's Office Fugitive Apprehension Unit, working in conjunction with the U.S. Marshals Florida Regional Fugitive Task Force, has arrested a man who was wanted for two separate attacks on another man last week, the office has announced.

Ricky Mills, 37, whose last known address was 3953 Almond Ave., Sarasota, was riding his bicycle in the 3500 block of Henrietta Place around 11 a.m. Tuesday, June 10, when he reportedly saw his girlfriend walking with another man, a news release says. "Mills hit the man in the head several times with a metal pole and then fled the scene," the release adds. A search of the area was ultimately unsuccessful.

"The victim told deputies the attack was the continuation of a fight that occurred overnight when Mills barged into his home to confront him about the woman," the release continues.

Mills was taken into custody on the morning of June 13 at a home in the 800 block of Whitfield Avenue in Bradenton, the release says. He was booked into the Sarasota County



Ricky Mills/Contributed photo

Jail and charged with Aggravated Battery and Burglary with Battery. Mills is a Prolific Offender with more than a dozen arrests for violent crimes, including multiple counts of aggravated battery and domestic violence, the release adds.

FUGITIVE WHO FLED THE U.S. AFTER PREDATOR STING NOW IN CUSTODY

The Sarasota County Sheriff's Office has arrested a Tampa man who fled the country after being arrested in an online predator sting last year, the office has announced.


The Fugitive Apprehension Unit arrested 31-year-old Johandy Medina on June 12 when he arrived at Tampa International Airport on a flight from Cuba, a news release explains.



Image courtesy freeimages.com and trohaa.

Medina's attorney coordinated his surrender with the State Attorney's Office, it adds.

Medina was one of 30 men arrested in Operation Intercept II, which was conducted in February 2013, the release points out. Medina allegedly drove from Tampa to Sarasota to have sex with a person he thought was a 14-year-old girl. "Medina failed to appear in court and fled the country," the release notes.

In addition to the 2013 charges for Use of a Computer to Solicit a Child to Commit Sex Acts and Traveling to Solicit a Child to Commit Sex Acts, he is now charged with two counts of Contempt of Court. Medina was booked into the Sarasota County Jail, where he is being held without bond, the release says. 



Johandy Medina/Contributed photo

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.

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941-366-TIPS (8477)

Crime stoppers
of
Sarasota county

www.sarasotacrimestoppers.com

OPINION



AVARICE SHOULD NOT TRUMP COMMON SENSE ON BEACH BUILDING RULES

EDITORIAL

For one-and-a-half years, *The Sarasota News Leader* has been reporting on the efforts of Ronald and Sania Allen of Osprey to obtain a variance from the county so they could build a large house, complete with swimming pool, on a Beach Road lot that only a few decades ago was underneath the waters of the Gulf of Mexico.

That the “land” now actually is dry most of the time is a testament to the tenuousness of coastal geology. Sand eroded somewhere else and ended up on Siesta Key Beach, building up lots that were previously part of the gulf seafloor. But just as easily, those forces could change, and the land in question would once again be submerged.

From the beginning, the Allens’ path to ownership of two lots on Beach Road has

spawned more questions than the answers we have seen for them. That mainly is due to the labyrinthine loopholes in Florida land law that make determining actual ownership and actual costs of land so abstruse that a money launderer for a drug cartel would be envious.

Regardless, according to public records, the Allens purchased the two lots in May 2009 from Brent Cooper, himself a trustee for the land trust that owned the land ... a clever device for keeping actual ownership of any given parcel a complete mystery. They paid the astounding sum of \$5,400,000 apiece for the two lots, which even for gulf-front beach lots seemed steep.

The price seems even more ludicrous when one considers that the last meaningful sale of the land, from one obscure land trust to

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another, was in October 2007, when the lots sold for \$500,000 apiece.

Even more puzzling was the county's appraised value for the two lots. When they sold in 2007 for \$500,000 apiece, the tax value of each lot was less than \$47,000.

In May 2009, when the Allens bought the property, the tax value had dropped to less than \$40,000 per parcel. So, in essence, they paid more than 136 times what the county tax appraiser said the two lots were worth.

Why did the county value the lots so cheaply? Because they were part of the so-called "storm beach" ... land that had been underwater in the past and was subject to frequent submersions as a result of storms. It is for that reason both lots sit entirely seaward of the Sarasota County Gulf Beach Setback Line (GBSL), a demarcation adopted in 1978 that prohibits anything other than very minor construction between it and the water's edge.

Moreover, a previous owner of the lots in question had petitioned the County Commission for a variance in the early 1990s and was denied. The position of the county was clear: These lots were not appropriate for construction.

So that naturally causes us to wonder why the Allens would spend more than \$10 million on two tiny parcels of frequently submerged beach when the likelihood of that land ever being developed was remote

at best. Just the document stamps for their new deeds — \$37,800 for each lot — exceeded the county's tax value for the land at the time.

Undeterred, the Allens had an architect develop plans for houses on the lots and eventually hired a high-powered local attorney to represent them in their quest to obtain a variance from the GBSL, something that had never been granted by the county for those lots in the quarter-century the GBSL had been in place.

Their first request came before the County Commission in January 2013. The board was unanimous in denying the variance.

Then the Allens focused only on the lot at 162 Beach Road, submitting a new application for a variance a few months later. They revised the scope of their plans to make the dwelling smaller and eliminated the swimming pool. However, that did not change the fundamental concern that the property was completely seaward of the GBSL and submerged in decades past.

On April 23, the County Commission once again unanimously denied the Allen's request ... the third time a variance petition for that property had been turned down since the GBSL was established.

William Merrill, the Allens' attorney, warned the commissioners that their denial was an illegal "taking" and that legal action was likely.

Certainly, a reasonable person examining the Allens' history with this land would be far more shocked by their blithe indifference to the many hurdles that typically accompany building structures on a beach than the fact that the Allens have found their land has no practical use for them.

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That legal action took the form of the owners' petitioning for relief under the Florida Land Use Environmental Dispute Resolution Act. Now the Allens and the county will go before a Special Magistrate, who will consider both sides and make recommendations for a resolution, which could include having the county purchase the land as a conservation area or specifying what sort of construction on the property would be acceptable to the county for a GBSL variance.

We certainly believe that people have a reasonable expectation for the use of their land, but little about this matter seems reasonable to us.

The exorbitant sum paid by the Allens for the two lots would lead one to presume that they commissioned exhaustive due diligence by land use attorneys and building experts prior to their purchase. That is what common sense would dictate before someone spends in excess of \$10 million for two small parcels of beach property. And such due diligence surely would have highlighted both the impracticality of building on those lots, as well as the limited possibilities for winning regulatory approval from the County Commission to do so.

The implication from Merrill's April comments to the commission was that no such due diligence was conducted. The Allens had no idea they would not be able to build whatever they liked on the property, according to Merrill.


There is a Southern expression that might be appropriate in this situation: having "more dollars than sense." Certainly, a reasonable

person examining the Allens' history with this land would be far more shocked by their blithe indifference to the many hurdles that typically accompany building structures on a beach than the fact that the Allens have found their land has no practical use for them.

What is worse is how the county taxpayers are potentially at risk for the Allens' cluelessness. Through their attorney, they are seeking to use state law to force the county to either allow dangerous construction, which could imperil not only the planned structure but also nearby dwellings in the event of a significant storm, or buy the land from the Allens to preserve it.

It boggles the mind that taxpayers could be expected to pay additional funds to secure, in undeveloped form, a piece of land that for more than 25 years has been prohibited from development by the GBSL.

We can only hope that the Special Magistrate who hears the petition will have the presence of mind to recognize that only the Allens are responsible for the folly of buying the land in the first place, especially without ascertaining if it could be developed. We therefore hope the Special Magistrate will deny them any special relief beyond what is permissible by the county's own coastal zoning.

Unfortunately, people who could afford to pay more than \$10 million for virtually worthless land likely have the resources to flog the legal system until someone, somewhere will grant them compensation for their imagined "taking." But in all likelihood, the only "taking" will be from the pockets of county taxpayers. 

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WANTED: SOMEONE WHO PLAYS WELL WITH OTHERS IN THE SANDBOX



By Stan Zimmerman
City Editor

COMMENTARY

When nations need to come together to make deals, diplomats are called, because nations resist being pushed around. Wars have been started with less provocation.

When local governments come together to make deals, a different kind of diplomat is required. If nobody rises to the occasion to admonish the bullies and repair the misunderstandings — to act as a diplomat — the consequences are not war. But the consequences can poison relations for years. Government should not be a zero-sum game. I won; you lost. Ha, ha.

The citizens of the City of Sarasota pay taxes twice, roughly equal amounts each year to their city and county governments. So when those governments fight, there are only losers in the city.

When the Sarasota City and County Commissions sit down for a joint meeting on Monday, June 23, the issue again will be homelessness and vagrancy. Majorities on both boards have agreed with their jointly hired consultant, Robert Marbut, to focus on creating a come-as-you-are shelter. And majorities on both boards have agreed to narrow the selection of the shelter location to two sites on the northern side of the city.

During the June 23 meeting, they are expected to hear the results of an environmental assessment of the two parcels (the city-owned 1330 N. Osprey Ave. property and the privately owned 1800 N. East Ave. site). A preliminary report indicated both have minor contamination; the final report should provide an analysis of how much remediation will be required.

Because some federal money will be used for the shelter project, the selected site must be environmentally benign. During the City Commission meeting on Monday, June 16, City Manager Tom Barwin said the shelter cost could be “north of \$5 million.”

Even if the city and county agree on a site on June 23, the city will have to rezone the land. And more time will be needed to design a facility, get bids and build the structure. Barwin thinks nine to 12 months is the minimum period between “decision made” and “doors open.”

The Sarasota County commissioners have not said yet how they would like to pay for construction of a shelter for the vagrants and the homeless. Even with some federal money available, local funds will be necessary. Once it is open, any come-as-you-are shelter in the community will require additional local money for ongoing operations, security and

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caseworkers. At no point has either board discussed how those costs will be shared.

Other examples of Marbut-designed shelters show local churches and ministries taking over the feeding of the people in the facilities. In the case of Pinellas County's shelter, meals for at least the first year were mostly paid for by government money. Feeding 200 to 400 people three meals per day, every day of the year, is not a trivial expense for anybody — church or state.

The Sarasota city and county governments are both engaged in budget deliberations for the next fiscal year. While no vagrant or homeless shelter is expected to open for single men and women in the 12-month period those budgets will cover, starting Oct. 1, it is possible shelters for homeless families might be in operation in that time frame. On June 10, the county commissioners heard a discussion of efforts by the Gulf Coast Community Foundation to get something going soon, perhaps by the end of summer, for homeless families.

The city and county board members stand on the brink of a major decision on June 23. Are they ready, willing and able to make a promise of shelter to vagrants and the homeless, single people and families?

THE BIG STALL

This already complicated issue — who will pay, how much, for what and where — is about to undergo a political metamorphosis. So far, the Sarasota City Commission has been voting in lock step with the county, although by a bare 3-2 majority. However, two of those three

in the city majority have resigned as of Nov. 18, as required by Florida election law. City Commissioners Paul Caragiulo and Shannon Snyder are running against each other for the open County Commission seat being vacated by Joe Barbetta.

By mid-December, the three remaining city commissioners will name replacements for Caragiulo and Snyder. Of those three, two consistently vote against establishing any shelter in north Sarasota for vagrants and homeless people. In other words, any decision reached in June could be overthrown in January.

To stop the shelter would not take a reversal of any June vote. That action could come during the rezoning process required for the chosen property, for example. Will special exceptions be required? What does the future land use map say? The potential for bureaucratic sabotage is rich.

THE BIG WIN

There are already winners and losers here. The winners occupy downtown Sarasota. Most have been arrested multiple times. Their health care is an ambulance ride away to the emergency room of Sarasota Memorial Hospital.

Katrina Schlegel knows them well, as a homeless woman herself in 2008. "Those folks you see downtown have always been there," she pointed out. "They enjoy it. There is a portion that is young, and they are happy with their lifestyle. They say, 'I don't have to pay bills, I don't have any responsibilities.'"

She spoke at a homelessness focus group in City Hall on June 17. "They have no rules, no

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regulations. Some are making 50 to 100 dollars a day. They enjoy it," she added.

The losers are merchants cleaning human excrement from their doorsills every morning up and down Main Street. Downtown Sarasota's reputation as a dining Mecca is dimming as wealthy patrons find rubbing shoulders with vagrants and the homeless to be more than that for which they bargained.

The political pressures to find a solution immediately are growing profoundly. But solutions seem elusive.

RIISING TO THE OCCASION


Ten elected individuals will sit at the dais on June 23. If they return to their bickering ways, trying to score points in a zero-sum game, they will only perpetuate — perhaps memorialize — the nightmare faced daily by downtown merchants, shoppers, diners and residents. The quality of life downtown is sinking into a swamp of panhandling, cheap souvenir selling and a madness of mentally unstable yelling.

Downtown Sarasota is the county's economic engine. Posturing aside, if downtown becomes undesirable, North Port will dry up and blow away. And Sarasota County will soon follow.

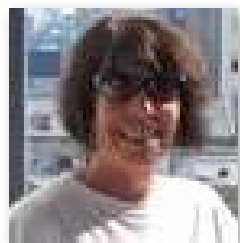
In the times that try men's souls, leaders arise. They point to a better future, knowing it has costs and risks. To settle for the *status quo* is not acceptable for them. On June 23, we can watch 10 elected leaders cope with a problem they should — by this time — understand.

Who are the leaders? Who are the "blow-hards"? Who are the meek and mindless, and where can they hide? The potential for finger pointing is astronomically high.

What about the potential for a diplomat to emerge, for one of the 10 to rise above the bickering and craft a course that will last more than a day, perhaps a month? Who will do their homework?

For situations such as this, we elect leaders. Staff members are powerless in these circumstances. They, too, need leadership. On June 23, will it emerge? 

A FAITHFUL FRIEND



By Harriet Cuthbert
Contributing Writer

COMMENTARY

I recently lost a beloved "friend."

The word is in quotes for a reason, which shall be revealed later in this article.

When my friend and I were no longer together, I went through the famous four stages of grief

that a knowledgeable psychiatrist defined many years ago.

The first stage is "Denial." OMG, this can NOT be happening to me. I cannot live my daily routine without you. I need order in my life, and having the knowledge that you were here

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for me, night and day, any time of day, gave me great comfort. And, most importantly, you never, ever complained. You were my strong and silent companion.

At Stage Two, the depression set in when I realized I had lost you and your never-ceasing dependability forever. I really did cry, rant, scream and yell when I tried to understand that you were gone, out of my life, and that no matter how much I prayed and wished for a miracle, it was not to be.

Stage Three is called “Anger,” and why not? For the past few weeks, I have been very angry with you, my trusty and reliable friend, for leaving me in the lurch like this. I do not want to start over, looking for a new friend to replace you, the one I liked so much and with whom I felt so safe.

And, finally, we arrive at Stage Four, “Acceptance.” I am not sure I accept any of this yet. Even though I now have a replacement for

my dearly departed friend, one that is supposedly designed to help me in future endeavors, I do not really believe it yet. I am still heartbroken and suffering from withdrawal pains.

By now, I bet most of you have made some kind of guess about my dearly lost companion. Of course, it is my old desktop computer, the one with easy, simple, enjoyable Windows XP software (really, really old). Included in my new computer is Windows 8 — so strange, foreign, complicated and unfriendly — something I never asked for. It was thrust in my face when we set up the PC.

The owners of my favorite bookstore must be happy. I just bought *Windows 8 for Dummies*. I must really be dumb because I am having trouble understanding the book, too.

Honestly, I would really much prefer learning Italian. 



LETTERS TO THE EDITOR

CITY NEEDS TO TIGHTEN ORDINANCES TO HANDLE PROBLEMS

On May 19, downtown merchants appealed to City Attorney Robert Fournier to “tighten” existing ordinances or craft new ones to deal with problems caused by vagrants on Main Street. Mr. Fournier responded, “Nothing was specific. What ordinances?” I submit that the merchants are entitled to more than the view that they, themselves, should engage in

ordinance drafting. It should be enough for them to say to the city, “We have a problem. Fix it!”

The city attorney went on to say that the city does not suffer from “an inadequacy of ordinances. The answer is having more police officers in place downtown ... When police officers have been stationed in public places,

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the homeless population *generally* disperses” (emphasis added). His conclusion: “The ordinances are effective, but the existing laws need to be enforced.”

I respectfully disagree. The issue is not one of crowd dispersal alone, nor is it exclusively a problem of homelessness rather than vagrancy. In any event, police observation or presence (which an offender is free to ignore) is no substitute for enforcement of specific ordinances. The city attorney’s response is a tacit admission that the present ordinances are not up to the job.

There is no more public place than the corner of Main Street and Lemon Avenue. Yet, a vagrant of long standing has been permitted

to set up ongoing housekeeping at that busy corner, undeterred by the daily presence of police officers. Lacking a specifically applicable ordinance to enforce, the officers are powerless to act. At the same corner, others are permitted to hawk their palm frond “art” unmolested.

With the will to do so, Ordinance 30-3 (Obstructing Pedestrian or Vehicular Traffic, for example,) could be “tightened” to prohibit these activities. Pretending that the mere presence of a police officer will deter conduct not specifically prohibited by law is as futile as our present ordinances.

*Frank Brenner
Sarasota*



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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COMMUNITY CALENDAR

THE BEST OF UPCOMING EVENTS

20+ JUNE	Venice Theatre presents aactWorldFest Through June 21; times vary. 140 W. Tampa Ave., Venice. Tickets for shows: \$20 and up. Event features workshops, plays and social events. More information: 488-1115 or venicestage.com/international .
20+ JUNE	<i>Black Is the Color of My Voice</i> Through June 22; times vary. Westcoast Black Theatre Troupe, 1646 10th Way, Sarasota. Tickets: \$21.50. Information: 366-1505 or wbttstrq.org .
20+ JUNE	Players Theatre presents <i>The Dixie Swim Club</i> Through June 22, times vary. 838 N. Tamiami Trail, Sarasota. Tickets: \$18. Information: 365-2494 or ThePlayers.org .
20+ JUNE	<i>Unconventional Inventions, Vanishing, Black Box Projects: Summation and Perspectives</i> Through June 27. Art Center Sarasota, 707 N. Tamiami Trail, Sarasota. Free. Exhibits include kinetic sculpture created in collaboration with area schools and businesses, cutting-edge works by University of South Florida Master of Fine Arts candidates, a selection of art from the Lemur Conservation Foundation and an all-media juried show. Information: 365-2032 or www.artsarasota.org .
20+ JUNE	Florida Studio Theatre presents <i>Pump Boys and Dinettes</i> Through June 29; times vary. Gompertz Theatre, 1241 N. Palm Ave., Sarasota. Tickets: \$34 to \$44. Information: 366-9000 or FloridaStudioTheatre.org
20+ JUNE	<i>Baritones Unbound: Celebrating the Uncommon Voice of the Common Man</i> Through June 29; times vary. Asolo Repertory Theatre, 5555 N. Tamiami Trail, Sarasota. Tickets: \$20 and up. Information: 351-8000 or AsoloRep.org .
20+ JUNE	Florida Studio Theatre presents <i>At the Hop</i> Through July 6; times vary. Court Theatre, 1241 N. Palm Ave., Sarasota. Tickets: \$32 to \$36. Information: 366-9000 or FloridaStudioTheatre.org .

THE BEST OF UPCOMING EVENTS

20+ JUNE	Allyn Gallup Gallery presents <i>A Few Great, Big Pictures</i> Through July 28; times vary. 1288 N. Palm Ave., Sarasota. Free. Information: 366-2454 or AllynGallup.com .
20+ JUNE	FST Improv: <i>Out of Bounds Match Up</i> Through Aug. 23, 7:30 p.m. Browne's Lab Theatre, Florida Studio Theatre, 1241 N. Palm Ave., Sarasota. Tickets: \$15. Information: 366-9000 or www.FloridaStudioTheatre.org .
20+ JUNE	UUCS Presents <i>Jane Shannon: Works in Fabric</i> Through Sept. 4; times vary. Unitarian Universalist Church of Sarasota, Lexow Wing Gallery. 3975 Fruitville Road, Sarasota. Free. Information: 371-4974 or the church website .
20+ JUNE	Dabbert Gallery presents <i>Summer Showcase</i> Through Sept. 29; times vary. 76 S. Palm Ave., Sarasota. Free. Featuring works by three sculptors, one printmaker, 15 painters, one pastel artist and one photographer. Information: 955-1315 or dabbertgallery.com .
25+ JUNE	FST presents <i>Becoming Dr. Ruth</i> June 25 through July 27; times vary. Keating Theatre, Florida Studio Theatre, 1241 N. Palm Ave., Sarasota. Tickets: \$34 to \$44. Information: floridastudiotheatre.org or 366-9000.
26+ JUNE	Banyan Theater Company presents <i>The Price</i> by Arthur Miller June 26 through July 13; times vary. Jane B. Cook Theatre, 5555 N. Tamiami Trail, Sarasota. Tickets: \$28.50 for a single performance; \$52 for two of Banyan's summer season plays; and \$70 for three shows. <i>The Style of the Blind Pig</i> by Phillip Hayes Dean to follow in July and <i>Collected Stories</i> by Donald Margulies in August. Information: banyantheatercompany.com .
27 JUNE	FridayFest returns with <i>Yesterdayze</i> June 27, 5-9 p.m., rain or shine. Van Wezel Performing Arts Hall, 777 N. Tamiami Trail, Sarasota. Free. Blankets and lawn chairs welcome. No outside food or drinks allowed. Information: 953-3368 or vanwezel.org .
05 JULY	Bookstore1Sarasota presents <i>Breakfast Serial Book Club</i> July 5 and each succeeding Saturday during the summer. From 10:30-11 a.m., staffers will read to 3- to 6-year-olds; from 11:15-11:45 a.m., they will read to 7- to 9-year-olds. 1359 Main St., Sarasota. Information: bookstore1sarasota.com or 365-7900.
12 JULY	Venice Community Center presents <i>One Night Rodeo</i> July 12, 8-11 p.m.; doors open at 6:30 p.m. Center located at 326 Nokomis Ave., Venice. Tickets: \$5. A Bradenton band, One Night Rodeo recently won the Great American Country and Music Nation's Next Star Competition. More information and tickets: 861-1380.

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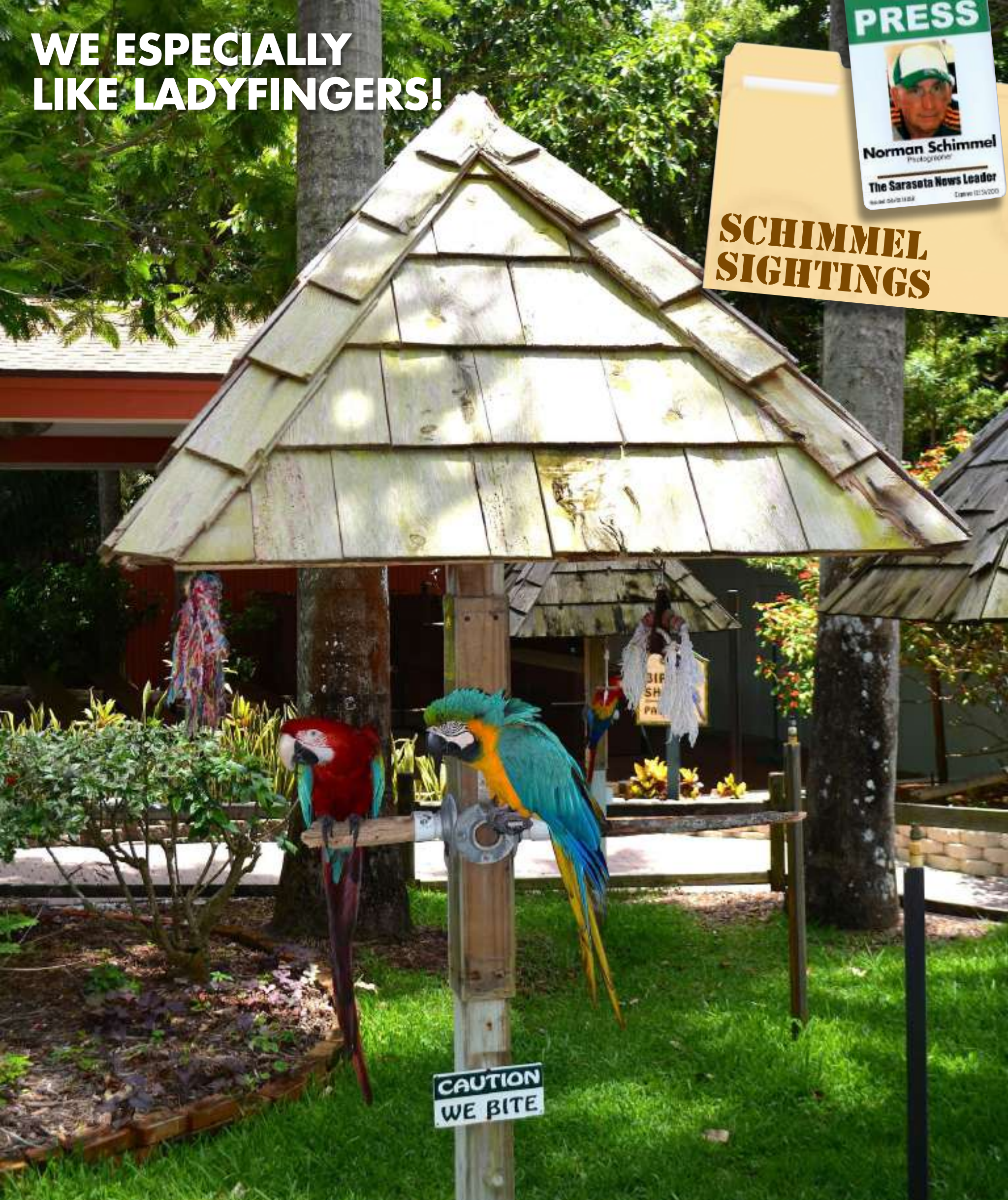
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