

February 16, 2021 - Work Session
Agenda Item #6

Subject

Citizen Comments

Briefings

None

Contact and/or Presenter Information

Action Requested

Enabling/Regulating Authority

Background Discussion

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Cost and Funds Source Account Number and Name

Amount and Frequency of Recurring Costs

Attachment: [Public Comments.pdf](#)



Public Comment

Manatee County, FL

Submitted On:
February 12, 2021 11:33am
America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	Impact fees
Comment (max. 3,000 characters)	<p>The in-lieu fee is based on the typical difference in price (or rent) between market rate and affordable units. For example, if a typical market rate home sold for \$300,000 and the affordable price was \$200,000 the fee would be \$100,000.</p> <p>Setting the In-Lieu Fee - Inclusionary Housing</p> <p>In-Lieu Fees</p> <p>Most cities offer developers a menu of alternative ways to satisfy their affordable housing requirements. The most common alternative is to pay a fee in lieu of on-site production. In lieu-fees are generally paid into a housing trust fund and used (often along with other local funding sources) to finance affordable housing developed off site.</p> <p>However, these fees are sometimes seen as offering a 'loophole' that allows developers to avoid building units on site. Many communities have set fees well below the cost of on-site units. When they do this, most projects elect to pay the fee. For this reason, some cities simply don't offer an in-lieu fee, while others intentionally set the fee at a level that is intended to discourage the use of the fee option.</p> <p>Glen Gibellina 7110 28th St E 34243 941-549-1445</p>



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 11:33am

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	
Topic/Agenda Item	Impact fees
Comment (max. 3,000 characters)	<p>The in-lieu fee is based on the typical difference in price (or rent) between market rate and affordable units. For example, if a typical market rate home sold for \$300,000 and the affordable price was \$200,000 the fee would be \$100,000.</p> <p>Setting the In-Lieu Fee - Inclusionary Housing</p> <p>In-Lieu Fees</p> <p>Most cities offer developers a menu of alternative ways to satisfy their affordable housing requirements. The most common alternative is to pay a fee in lieu of on-site production. In lieu-fees are generally paid into a housing trust fund and used (often along with other local funding sources) to finance affordable housing developed off site.</p> <p>However, these fees are sometimes seen as offering a 'loophole' that allows developers to avoid building units on site. Many communities have set fees well below the cost of on-site units. When they do this, most projects elect to pay the fee. For this reason, some cities simply don't offer an in-lieu fee, while others intentionally set the fee at a level that is intended to discourage the use of the fee option.</p> <p>Glen Gibellina 7110 28th St E 34243 941-549-1445</p>



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 11:36am

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	Density Bonuses
Comment (max. 3,000 characters)	<p>My Public Comment at the BOCC tomorrow meeting</p> <p>February 8, 2021</p> <p>Re: Affordable Housing</p> <p>Dear Commissioners</p> <p>I write this letter to prepare you for my public comment. Here are my concerns and possible solutions to our housing crisis</p> <p>Attached you will find 125.01055 Affordable housing.— 2020 FL statues https://criminallawyerjacksonville.com/0125.01055.html</p> <p>Attached you will find Mandatory inclusionary housing policies https://www.google.com/search?client=firefox-b-1-d...</p> <p>Density bonus is a privilege, not a right</p> <p>Density bonus is for affordable housing, not market rate rentals or sales Here's the problem I have with developers asking and getting these bonuses</p> <ol style="list-style-type: none"> 1. They never tell you what the retail price will be for that rental or sale 2. They never tell what percentage over ALICE folks these prices are...https://www.uwof.org/alice 3. They never tell you that entry level MCSO, EMS, Fire or School teachers will NEVER be able to afford to live there, much less the checkout personal at local grocery stores, restaurants, and other service industry jobs 4. It's OK that you have to drive miles to get to your job because they will NEVER be able to afford to live here 5. They never tell you that with the added density bonus it will put additional stress on our resources, but they want the services provided anyways. 6. They never tell you that with the "FREE" density that will rake in millions more for the developers 7. They never tell you.....and you as Commissioners never ask. 8. I propose a 10,000 per unit fee for units up to 2499 sq ft 9. I propose a 15,000 per unit fee for units 2500 sq ft and over <p>Last week at the planning board you gave out 150 density bonus that's 1.5 Million you left on the table</p> <p>Developers would gladly pay it if they knew the density was guarantee.</p> <p>These fees alone would put millions into our affordable housing trust fund</p> <p>That's how we get affordable housing done, plain and simple.</p>

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Re; affordable housing FL Statue 125.01055 and Mandatory inclusionary housing policies has been provide to public comment and emailed to BOCC Commissioners this 8th day of February, 2021
Glen Gibellina 7110 28th St East Sarasota, FL 34243



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 11:40am

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	developer to contribute to a housing fund
Comment (max. 3,000 characters)	<p>As you will see it is already in the statues that we allow a developer to contribute to a housing fund or other alternatives in lieu of building the affordable housing units.</p> <p>(3) An affordable housing linkage fee ordinance may require the payment of a flat or percentage-based fee, whether calculated on the basis of the number of approved dwelling units, the amount of approved square footage, or otherwise.</p> <p>The 2020 Florida Statutes</p> <p>Title XI COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS</p> <p>Chapter 125 COUNTY GOVERNMENT</p> <p>View Entire Chapter 125.01055 Affordable housing.—</p> <p>(1) Notwithstanding any other provision of law, a county may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing or linkage fee ordinances.</p> <p>(2) An inclusionary housing ordinance may require a developer to provide a specified number or percentage of affordable housing units to be included in a development or allow a developer to contribute to a housing fund or other alternatives in lieu of building the affordable housing units.</p> <p>(3) An affordable housing linkage fee ordinance may require the payment of a flat or percentage-based fee, whether calculated on the basis of the number of approved dwelling units, the amount of approved square footage, or otherwise.</p> <p>(4) In exchange for a developer fulfilling the requirements of subsection (2) or, for residential or mixed-use residential development, the requirements of subsection (3), a county must provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee. Such incentives may include, but are not limited to:</p> <p>(a) Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designation or zoning;</p> <p>(b) Reducing or waiving fees, such as impact fees or water and sewer charges; or</p> <p>(c) Granting other incentives.</p> <p>(5) Subsection (2) does not apply in an area of critical state concern, as designated in s. 380.0552.</p> <p>(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential, commercial, or industrial use.</p>



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 11:43am

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	Linkage Fees: Local Funding for Affordable Housing
Comment (max. 3,000 characters)	<p>Linkage Fees: Local Funding for Affordable Housing</p> <p>Linkage fees a way for local governments to collect monies from commercial development and/or high- end market rate residential development to be placed in a housing trust fund for others to use in building affordable housing. Cities such as Jupiter, Winter Park and Coconut Creek have all implemented linkage fees in Florida.</p> <p>Commercial and high-end market rate residential development increase the need for employment of low wage workers who will be in need of affordable housing within the community. For example, in the San Francisco Bay area, one study shows that every high-tech job produces 4 other jobs across all income levels, including lower income jobs such as retail clerks and restaurant workers.¹ A Similar report shows that manufacturing jobs in Florida produce 2.5 additional jobs.² High-end market rate residential development has a similar effect, in that residents of such development often demand services such as lawn care, maids, pool servicers and other lower-income jobs.</p> <p>Linkage fees are upheld by both federal and state law³. The legal basis of linkage fees is the two-part Supreme Court test:</p> <ul style="list-style-type: none"> • The nexus between what the government wants the landowner to do and a legitimate state interest. <i>Nollan v. California Coastal Comm’n</i>, 483 U.S. 825 (1987); and • The requirement on the private landowner must be related “in nature and extent to the impact of the proposed development.” <i>Dolan v. City of Tigard</i>, 512 U.S. 374 <p>Linkage fees are generally charged on a per square foot basis. Rates vary from less than \$1 per square foot to upwards of \$25 per square foot. Linkage fees are set based on a balance between funding needed to meet a locality’s affordable needs and ensuring development remains financially feasible. Fees are usually paid upfront at permitting. However, some localities allow payments to be made over time. Some also have allowable exceptions and exemptions for smaller developments or certain types of development.⁴</p> <p>The basic steps to establish a linkage fee include:</p> <ul style="list-style-type: none"> • Nexus and Feasibility Studies – in accordance with <i>Nollan</i> and <i>Dolan</i>, cities must first complete a nexus study to determine the actual impact of new development of various types on demand for affordable housing as well as the maximum feasible fees development types can support in light of existing fees and other factors. • Implementation Plan – determine how the fees will be used, who will administer the fees, timing and basis for adjustments to the fees, and any alternatives offered for paying the fees (including developers actually building the housing) • Adoption – Draft and adopt the actual ordinance and regulations for



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 12:00pm

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	AFFORDABLE HOUSING STUDY COMMISSION ESTABLISH A LINKAGE FEE TO INCREASE
Comment (max. 3,000 characters)	<p>AFFORDABLE HOUSING STUDY COMMISSION FINAL REPORT 2001 AN ORDINANCE OF THE CITY/COUNTY OF _____, FLORIDA, TO ESTABLISH A LINKAGE FEE TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING, PROVIDING FOR THE PURPOSE AND INTENT, PROVIDING DEFINITIONS, PROVIDING THE ESTABLISHMENT OF AN AFFORDABLE HOUSING LINKAGE FEE, PROVIDING FOR EXEMPTIONS, ESTABLISHING AN AFFORDABLE HOUSING TRUST FUND, PROVIDING FOR IMPLEMENTATION, AND PROVIDING AN EFFECTIVE DATE. BE IT ENACTED BY THE PEOPLE OF THE CITY/COUNTY OF _____</p> <p>SECTION I. Creation The Code of Ordinances of the City/County of _____ is hereby amended to adopt a linkage fee program to read as follows:</p> <p>1. The City/County Commission of _____ has determined that the public health, safety and general welfare requires the implementation of an affordable housing program for the following purposes:</p> <p>a. To implement the goals, policies and objectives of the _____ Comprehensive Plan, b. To provide housing opportunities for lower income families in order to meet the existing and anticipated housing needs of such persons and to maintain a socio-economic mix in the community, c. To satisfy the community's obligation to provide that a fair share of the community's housing production is affordable to lower income families, d. To provide for a range of housing opportunities for those who work in _____ and who provide the community with essential services but cannot afford to live in the community, e. To provide that developments which create additional affordable housing demand within _____ share in the responsibility to provide affordable housing.</p> <p>SECTION II. Definitions Affordable Housing. (A definition consistent with the definition in the local SHIP program may be appropriate) Residential Construction. Enclosed building and floor areas used for living and habitation including screened porches, recreation rooms, guest houses, but excluding garages, carports, open balconies, screen pool enclosures, cabanas, attics and storage sheds. Square Footage. Square footage shall be calculated in the same method as defined and utilized within the zoning code as calculated for floor area or floor area ratio.</p>

Non-residential Construction. Enclosed building and floor areas used for non-residential purposes, but excluding parking decks or garages, carports or covered parking, attics, external mechanical or storage buildings.

SECTION III. Affordable Housing Fee Established

1. In order to implement an affordable housing program, an affordable housing fee is hereby established, to be paid at the time

of the issuance of building permits, based on the following schedule:

- a. For residential construction the fee shall be \$.50 per square foot of construction.
- b. For non-residential construction, the fee shall be \$3.00 per square foot of construction.

2. The affordable housing fee shall be assessed for all new construction, building additions and on the renovation of existing

○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 12:08pm

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	
Topic/Agenda Item	AFFORDABLE HOUSING STUDY COMMISSION ESTABLISH A LINKAGE FEE TO INCREASE
Comment (max. 3,000 characters)	<p>AFFORDABLE HOUSING STUDY COMMISSION FINAL REPORT 2001 AN ORDINANCE OF THE CITY/COUNTY OF _____, FLORIDA, TO ESTABLISH A LINKAGE FEE TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING, PROVIDING FOR THE PURPOSE AND INTENT, PROVIDING DEFINITIONS, PROVIDING THE ESTABLISHMENT OF AN AFFORDABLE HOUSING LINKAGE FEE, PROVIDING FOR EXEMPTIONS, ESTABLISHING AN AFFORDABLE HOUSING TRUST FUND, PROVIDING FOR IMPLEMENTATION, AND PROVIDING AN EFFECTIVE DATE. BE IT ENACTED BY THE PEOPLE OF THE CITY/COUNTY OF _____</p> <p>SECTION I. Creation The Code of Ordinances of the City/County of _____ is hereby amended to adopt a linkage fee program to read as follows:</p> <p>1. The City/County Commission of _____ has determined that the public health, safety and general welfare requires the implementation of an affordable housing program for the following purposes:</p> <p>a. To implement the goals, policies and objectives of the _____ Comprehensive Plan, b. To provide housing opportunities for lower income families in order to meet the existing and anticipated housing needs of such persons and to maintain a socio-economic mix in the community, c. To satisfy the community’s obligation to provide that a fair share of the community’s housing production is affordable to lower income families, d. To provide for a range of housing opportunities for those who work in _____ and who provide the community with essential services but cannot afford to live in the community, e. To provide that developments which create additional affordable housing demand within _____ share in the responsibility to provide affordable housing.</p> <p>SECTION II. Definitions Affordable Housing. (A definition consistent with the definition in the local SHIP program may be appropriate) Residential Construction. Enclosed building and floor areas used for living and habitation including screened porches, recreation rooms, guest houses, but excluding garages, carports, open balconies, screen pool enclosures, cabanas, attics and storage sheds. Square Footage. Square footage shall be calculated in the same method as defined and utilized within the zoning code as</p>

calculated for floor area or floor area ratio.

Non-residential Construction. Enclosed building and floor areas used for non-residential purposes, but excluding parking decks or garages, carports or covered parking, attics, external mechanical or storage buildings.

SECTION III. Affordable Housing Fee Established

1. In order to implement an affordable housing program, an affordable housing fee is hereby established, to be paid at the time

of the issuance of building permits, based on the following schedule:

- a. For residential construction the fee shall be \$.50 per square foot of construction.
- b. For non-residential construction, the fee shall be \$3.00 per square foot of construction.

2. The affordable housing fee shall be assessed for all new construction, building additions and on the renovation of existing

○



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 12:10pm

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	local inclusionary housing ordinance requiring a developer to contribute to a housing fund
Comment (max. 3,000 characters)	<p>Chapter 2019-165, Laws of Fla., (2019 Act) amended ss. 125.01055 and 166.04151, F.S., to provide that a local inclusionary housing ordinance requiring a developer to provide a specified number of affordable housing units or requiring a developer to contribute to a housing fund</p> <p>This document does not reflect the intent or official position of the bill sponsor or House of Representatives. STORAGE NAME:h1339z1.DOCXDATE:6/10/2020HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSISBILL #:CS/CS/CS/HB 1339Community AffairsSPONSOR(S):Commerce Committee and Ways & Means Committee and Local, Federal & Veterans Affairs Subcommittee, Yarborough and othersTIED BILLS:IDEN./SIM. BILLS:CS/CS/CS/SB 998FINAL HOUSE FLOOR ACTION:101Y's10N'sGOVERNOR'S ACTION:ApprovedSUMMARY ANALYSISCS/CS/CS HB 1339 passed the House on March 9, 2020. The bill was amended in the Senate on March 10, 2020, and was returned to the House. The House concurred in the Senate amendment and subsequently passed the bill as amended on March 13, 2020.The bill addresses community development zoning, impact fees, affordable housing, and mobile homes and parks. The bill:Authorizes local governments to approve the development of affordable housing on any parcel zoned for residential, commercial, or industrial use.Authorizes local governments to create a linkage fee for the purpose of funding affordable housing, and provides that certain developers are entitled to a full offset of the fee.Allows "private entities," in addition to counties and municipalities, to issue bonds under the Florida Interlocal Cooperation Act.Requires reporting of impact fee data within the annual financial audit report submitted to the Department of Financial Services.Requires the evaluation of local government contribution criteria when considering applications submitted for the State Apartment Incentive Loan (SAIL) Program funding.Converts the Workforce Housing Innovation Pilot program into a permanent loan program for workforce housing, administered by the Florida Housing Finance Corporation (Florida Housing).Establishes workshops for local elected officials serving on affordable housing committees.Requires a State Housing Initiatives Partnership (SHIP) Program participant to include affordable housing applications data in its annual report to Florida Housing.Provides that for purposes of the SHIP Program, affordable housing also includes housing, that is provided by certain not-for-profit corporations, for persons who have mental health issues, substance abuse problems, and survivors of domestic violence.Permits Florida Housing to withhold specified distributions from the SAIL Program to fund the construction of transitional housing for persons aging out of foster care.Provides that a building official may not audit a private inspector more than four times a month.Requires a mobile home park owner to increase a park's facilities and amenities and amend the prospectus when expanding the park.</p> <p>https://www.flsenate.g</p>



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 12:48pm

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	Surplus Property
Comment (max. 3,000 characters)	<p>Duplex lot with infrastructure already in place 03/07/2003 COUNTY OF MANATEE 18 years sat vacant, who did this benefit going 18 years...N O O N E Never made the 2007, 2010, 2013, 2016 required statue required by the state. REO sits on it for YEARS benefiting NO ONE</p> <p>Parcel ID: 6031110007</p> <p>Ownership: COUNTY OF MANATEE</p> <p>Owner Type: AFFORDABLE HOUSING</p> <p>Mailing Address: COUNTY OF MANATEE, P O BOX 1000, BRADENTON FL 34206</p> <p>Situs Address: 106 57TH AVE W, BRADENTON FL 34207-3841</p> <p>Jurisdiction: UNINCORPORATED MANATEE COUNTY</p> <p>Tax District: 0302; CEDAR HAMMOCK FIRE RESCUE</p> <p>Market Area: 15; WHITFIELD AND DUPLEX CITY AREA</p> <p>Sec/Twp/Rge: 14-35S-17E</p> <p>Neighborhood: 3320; PRIDE PARK AREA MF W OF 9TH ST E</p> <p>Subdivision: 6030800; CLEO VILLAS ADDITION UNIT 1; LOT 1; PB 10/79</p> <p>Census: 120810003062</p> <p>Short Description: THE E 70 FT OF LOT 1, UNIT 1, CLEO VILLAS ADDITION PI#60311.1000/7 [Full Description]</p> <p>Zoning/Flood Info: View this parcel on Manatee County's website</p> <p>Land Use: 8086; Govt Owned Vacant County (1555)</p> <p>Land Size: 0.1610 Acres or 7,013 Square Feet</p> <p>Help me understand how this makes for a better Community</p>



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 12:51pm

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	125.379 Disposition of county property for affordable housing.—
Comment (max. 3,000 characters)	<p>The 2020 Florida Statutes</p> <p>Title XI COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS</p> <p>Chapter 125 COUNTY GOVERNMENT</p> <p>View Entire Chapter Why in 13 years only ONE report has been done correctly None in the last 10 YEARS</p> <p>125.379 Disposition of county property for affordable housing.— (1) By July 1, 2007, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of such property following the public hearing. (2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the county may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term “affordable” has the same meaning as in s. 420.0004(3). History.—s. 1, ch. 2006-69.</p>



Public Comment

Manatee County, FL

Submitted On:

February 12, 2021 12:59pm

America/New_York

Full Name	Glen Gibellina
Email	glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	February 16, 2021
Topic/Agenda Item	Health Trust Funds FPL/ESCO 6 million
Comment (max. 3,000 characters)	<p>help me understand how Health Trust funds loan 6 million dollars to FPL/ ESCO for next to nothing interest rates then default on 2.6 million</p> <p>Instead of calling in the loan like real lenders do the County extends for another 5 years a bad loan.</p> <p>How on earth does this happen?</p> <p>Health trust funds are funding 6 million between 2 private corporations for a failed energy project</p> <p>The health trust balance is over 35 million dollars and we can't loan money for affordable housing with a much better return</p> <p>This renewing of bad loans is not int he best interest of the taxpayer, citizen, voter in Manatee County</p> <p>Heads should roll on this type of bad governance and not be tolerated ...EVER!!!</p>