

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
WORK SESSION
COUNTY ADMINISTRATION BUILDING; HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
MARCH 30, 2021**

Meeting video link: <https://www.youtube.com/channel/UCUlgjuGhS-qV966RU2Z7AtA>

Present were:

Vanessa Baugh, Chairman
George Kruse, First Vice-Chairman
Kevin Van Ostenbridge, Second Vice-Chairman
Reggie Bellamy, Third Vice-Chairman
Misty Servia (Attended via Zoom)
James A. Satcher III
Carol Whitmore

Also present were:

Karen Stewart, Acting County Administrator
William Clague, County Attorney
Ann Morris, Assistant County Attorney
Jan Brewer, Financial Management Director
Vicki Tessmer, Deputy Clerk, Clerk of the Circuit Court



Chairman Baugh called the meeting to order at 9:01 a.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was delivered by Pastor Phillip Hamm, First Baptist Church of Palmetto, followed by the Pledge of Allegiance

AGENDA

Agenda Update Memorandum

BC20210330DOC001

BC20210330DOC002

- Written comments submitted through the online Public Comment form were added to Agenda Items 1 and 2



Upon question, Karen Stewart, Acting County Administrator, explained staff is available to meet with Commissioners regarding Piney Point.



William Clague, County Attorney, suggested having the Florida Department of Environmental Protection speak at any meeting regarding Piney Point.

Discussion ensued that there is a meeting on April 1, if all parties are available.


1. **FY22 BUDGET - CAPITAL IMPROVEMENT PLAN**





Jan Brewer, Financial Management Director, stated the purpose of the presentation is to present Capital Improvement Plan (CIP) items that are of particular interest to Commissioners. Commissioners are asked to prioritize their items. Ms. Brewer used slides to address the purpose and plan, funding that is used to complete CIP projects, changes to the existing CIP projects presented by staff reflect a \$3 million decrease, most of which is coming from the Longboat Key project, \$13.9 million of new projects, the Clerk has stated that Infrastructure Sales Tax (IST) cannot be used for playground equipment (clarification provided later in the meeting), and CIP and operations projects.





Upon question, Ms. Brewer stated any changes will come before the Board for approval.


 Discussion ensued regarding the cost of restrooms at Kingfish Boat ramp, and the G.T. Bray Bright Outlook restroom.


 Charlie Hunsicker, stated the Bright Outlook playground is adjacent to the main building at G.T. Bray, and there is a need for a separate restroom as residents cannot access the restroom in the main building after hours.


 Ms. Brewer clarified that the Clerk follows Florida Statute which dictates the IST projects are defined as having a five year life and must be attached to a capital structure. Since the playground equipment is not a capital structure, the funds cannot be used for this.


 Mr. Hunsicker responded that the amount for the restrooms at G.T. Bray is \$246,000, which is based on an estimate to construct a new restroom in a remote location. The cost to build restrooms is high due to installing long lines of plumbing to the nearest sewer and at times to install a lift station. The Outlook restroom is near water and sewer lines, so the cost may be less. The restroom will be pre-built, and placed on a foundation.


 Charlie Bishop explained installing sewer lines and lift stations is costly, and they must do their due diligence to have the exact cost. He responded that the cost listed, includes permits, design cost, a five percent fee for Property Management.

 Ms. Brewer responded regarding the fee received by Property Management for overseeing a project. An allocation of the costs for construction projects is calculated to go back into the general fund, for the teams working on construction projects. Construction costs, project overhead and design are all calculated and put into the project cost and whatever is not used is put back into the general fund.


 Upon question, Ms. Brewer responded that the Robinson Fourth Screened Pavilion was removed from the CIP.


 Discussion ensued that it is good practice for the budget process to include the internal fees in the project cost, and administrative fees have always been included in the budget.


 Ms. Brewer explained that as projects come up, the list is updated. Nothing has changed with projects at John H. Marble Recreation Complex.

 Mr. Hunsicker replied that the projects are conceptual at this point, and when the design begins, the real costs are realized. The Board requested the gym at the John H. Marble Recreation Complex be hardened to use as a hurricane shelter. Additional funding is needed for that project since the State only provided half of what the Board requested. There are price increases for steel and concrete and construction estimates are only good for 15 days, due to rising construction costs. Construction costs for projects that are already in the CIP, are probably going to require additional funding since the estimated costs are over two years old.


 Chairman Baugh requested that Commissioner Servia raise her hand on Zoom when she would like to speak.


 Discussion continued regarding building up rising construction costs.


 Ms. Brewer reminded the Board that this list is part of the budget process, and a new list was presented to her by Mr. Hunsicker. The new list will be provided to the Board and Commissioners can prioritize the projects they want. It is the goal to have the CIP projects set by June.


 Discussion ensued that other Directors should submit their list if they have one, and the Peninsula Bay boat ramp is on the CIP.


 Ms. Brewer continued her presentation to discuss the criteria for projects, available capacity to bond/rates, cash flow to pay debt service and the timing of completion, typical revenue sources include public/private partnerships and debts, available impact fees, Public Safety, Parks, Parks Master Plan has not been built into the CIP yet, libraries, one cent tourist tax for beach maintenance, and the IST five year projection.

 She continued the slides and noted as items are added, the line of credit for the IST decreases, estimates for the IST, there should be an excess of IST in 2026, total appropriations, question as to how many projects remain, \$330 million would need to be bonded, 30 projects have been completed since 2017, IST estimates, options for funding including a credit line, bonding, and combining a credit line and bonding.

 Discussion ensued regarding Commissioners voicing priorities, IST project list that went to the voters, each change to the IST goes before the Board and the most updated list is on the website, design can begin on projects when a credit line is established, transportation will be addressed the second meeting in April, there are quite a few projects in design which will be completed in the next few years, prefer option three to combine funding sources, tier man power, avoid too much cushion, trends change, and start projects as soon as possible.


 Ms. Brewer reviewed the next steps in the CIP process.


 Mr. Hunsicker replied a competitive pool is planned for Premier Sports that has not yet been presented to the Board. The Parks Master Plan will be presented on April 13, and 18 projects are included. These projects will all need additional funding to be completed, including Peninsula Bay and Piney Point boat ramps, and additional playing fields in north County. He responded that park impacts fees are driven by new development and construction.


 Discussion ensued to add a pool in east county and begin the design, the additional four projects would need to be approved by the Board, federal money that could be used to secure a line of credit and bonding, being fiscally conservative, lacking parks with sports fields in north County, bonding should be for transportation infrastructure projects, a pool is a forever asset, but there are additional costs associated with maintenance, parks impact fees can be used countywide, swim teams located out east that need the proper facilities and time to practice, bonding should encompass various projects not just roads, IST needs to be spent by 2024, there is always interest on loans, efficiently spend money, set a goal of how many projects to complete each year, individual District needs, bridge across the canal at Lincoln Park, improvements to roads to make them less congested and help the flow of traffic, private/public partnerships to move projects forward, \$115 million in the general fund, must do projects in three years, otherwise there will be interest, Parks Master Plan will be presented on April 13, partnerships for projects in Parks and Natural Resources, shift in thinking to


address increase in revenue to provide specific services, future spending and what would put at the top of the list, size of projects that were completed, and a labor shortage in construction and building.


RECESS/RECONVENE: 10:31 a.m. – 10:43 a.m. All Commissioners present with Commissioner Servia attending via Zoom.


 Ms. Brewer continued the slides to address debt opportunities for non-IST projects including recurring projects available for debt service, one time funding opportunities, and interfund loans, \$176.9 million in total projects, initial project rankings, themes of the FY22 Budget, roads and quality of life projects. There are specific funds that can be used for the CIP.


 Discussion ensued regarding a large park in north County, \$9 million in Parks reserves, getting design completed is a good first step, design and build projects should be a priority, and the Board needs to be very specific with their priorities.


 Mr. Hunsicker addressed the north County plan for a park, including input from the residents. The County property is 11 to 12 acres and the conceptual design could be built. The Board has approved \$500,000 in funding and implementation of a Parrish Community Park. Developers have expressed interest in meeting the \$500,000. There are opportunities for private funding partnerships. The Florida Department of Transportation (FDOT) owns property, but the County is not close in negotiations. There is room for several options for a general park in the community. Once the designs are complete, they can focus on the funding.


 Charlie Bishop stated there is a kick off meeting on April 12 for the Parrish park, and the land has been cleared and tilled. There are conservation easements on the property. Property Management has a contractor in place at 30 percent design. The projects will move forward with a contractor in place. He is confident working with local companies.


 Upon question Ms. Brewer broke down how funding can be shared between different departments and shared the breakdown for bonding.

 Discussion ensued to agree with the process to move ahead with design/build, advantage of bonding and IST, presentation is for the official list, but the Board has the ability to change the list, which projects should be started immediately, IST is a dedicated stream, the other side is more subjective, split transportation projects between a credit line and bonding, credit line is the best bet, then bond once the plan is established, worthy projects, remain flexible until they know how to use the federal funding, take advantage of right-of-way needs first, and look for efficiencies in the procurement process.


 Ms. Brewer concluded that individual meetings will be set with Commissioners, and a new list will be distributed. Staff will do a similar process for Parks as they did with transportation and funding the Board's top priorities first. Staff and Commissioner priorities will be combined. It is important to leave the projects that make the biggest impact in the plan.


 Cathy Woolley spoke against the Tara bridge and requested it be taken off the long range plan. She suggested master planning regarding the IST and explained that 70 percent of the IST goes to transportation.


 Glen Gibellina suggested the work sessions be held as town hall meeting, and that citizens should be allowed to speak for more than three minutes. He requested a specific list of playground equipment that needs to be replaced, and encouraged collaboration with the School Board for a full community center in Parrish including parks, a library, and public safety facilities.


 Andra Griffin stated more public comment is needed, she disagrees with the five percent to property management for business fees, commented on costs per square foot, citizen priorities, being fiscally conservative, and traffic should be the number one priority.

There being no further public comments, Chairman Baugh closed public comment.

 Discussion ensued that park equipment is replaced to decrease liability, when public comment is heard during presentations, short-term quotes for construction prices, centrally locate public services, are parks considered infrastructure, and if there is a waiting list for park facilities.

 Mr. Hunsicker stated amenities are the first things offered in new developments, and the amenities offered at County parks are what attract citizens.. There are waitlists for court time for racquet sports, swim programs, park pavilions, and field time.

 Karen Stewart, Acting County Administrator, stated a strategic meeting could be scheduled in the near future.


 Ms. Brewer responded that changes were not received regarding libraries and public safety.

BC20210330DOC003


RECESS/RECONVENE: 11:37 a.m. – 1:30 p.m. All Commissioners present with Commissioner Servia attending via Zoom.

2. **ANIMAL WELFARE REGULATIONS AND RETAIL SALES**


 William Clague, County Attorney, introduced the item.


 Sara Brown, Animal Services Chief, used a slide presentation to discuss the retail sale on pets and issues faced by Animal Services, including pet retention, pet overpopulation, efforts to combat pet retention including a lost and found program, and resources to help people keep their pets (accessible pet vaccination walk-up clinics), efforts to combat pet overpopulation including spay and neuter resources and addressing backyard breeders, and a comparison of what other cities and counties are doing to address retail pet sales.


Ann Morris, Assistant County Attorney, continued the slides to address the legal challenges to ordinances that ban the retail sale of pets. Litigation occurred in Sarasota County involving Petland where a joint stipulation was filed. Petland eventually relocated to Manatee County. She continued to review a case in Hillsborough County involving Puppy Town, which has a grandfather clause; there is currently no resolution to this case.

 Commissioner Whitmore stated the County has a 97 percent save rate. She does not agree with the product being sold in pet stores. There is legislation regarding puppy mills and dogs living in breeding conditions. She requested the topic be brought back to the Board for a ban on the retail sale of pets.


Traci Lipton displayed a photo of a dog mother at a puppy mill, provided puppy mill statistics, and encourage the Board to institute a ban on the retail sale of pets.

 Nathan Levinson thanked Commissioner Whitmore and Sarah Brown for their efforts, requested the Board adopt a ban on the retail sale of pets, and encouraged pet adoption.


 Stacey Mazza-Gilikson, Malaina Watts, Stephanie Shantz, Tom DaSilva (displayed a sign), Terry Passarelli, Gloria Nova-Fuson, Karen Ankerstar, Cynthia Kahn, Samantha Gentrup, and Stewart David, support a ban on the retail sale of pets.


 Mark Barnebey, representing Petland, addressed the local franchise, and noted the County has yet to adopt an ordinance banning the retail sale of pets. The owner of Petland has visited their breeders, and they feel breeders should meet regulations to treat their animals humanely. Regulations to breeders should be overseen by the State. He continued to address pet lemon laws.


Andra Griffin spoke on the rights of pet owners to have the animal of their choice. She agrees there should be regulations against the breeders.

 Teri Bridge, Carolyn Jenson, and Kate McFalls, supported a ban on the retail sale of pets, and spoke about USDA regulations.

 Barbara Cook opposed the ban on the retail sale of pets and addressed pet lemon laws.

 Discussion ensued regarding the no-kill resolution, dangerous dog situations, ask County Attorney to draft an ordinance banning the retail sale of dogs and cats, smart policies, support local regulations and banning the retail sale of pets, State and federal government should have some sort of regulation, and this is an opportunity to work together with leaders of the animal welfare industry.

 Mr. Clague stated the County Attorney's Office is neutral regarding this regulation and the ordinance must be legally defensible. The Board would need to make a motion at a regular meeting to direct the County attorney to create an ordinance.

 Discussion continued this is an issue of right and wrong, it is possible to change business models, being overly passionate does not garner support, support free enterprise, but encourage people to adopt pets, and this should be a complete ban with no grandfathering.

BC20210330DOC004

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 3:03 p.m.

Minutes Approved: May 11, 2021