

ORDINANCE NO. 26-40

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Manatee County (the Board) to provide parks, preserves, recreation areas and other recreation and cultural facilities for the citizens of Manatee County; and

WHEREAS, Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands, Section 2-25-55 of the Manatee County Code of Ordinances ("Code") describes the purposes and duties of the environmental lands management and acquisition committee ("ELMAC"); and

WHEREAS, the Board finds that amending various provisions of Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands of the Code is in the best interest of the County, its citizens and taxpayers and will serve to protect the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board:

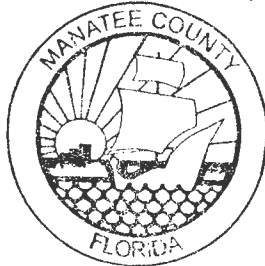
Section 1. Chapter 2-25, Planning and Development, Article IV, Acquisition, Protection and Management of Environmental Lands of the Code is hereby amended as set forth in the attached Exhibit "A" to this Ordinance in underlined/strikethrough format where underlined means text is added and ~~strikethrough~~ means text is deleted.

Section 2. Pursuant to Section 125.68(1), Florida Statutes, the publisher of the Code, CivicPlus, shall codify the substantive amendments to the Code contained in Section 1 of this Ordinance as provided herein, and shall not codify any other sections not designated for codification.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

DULY ADOPTED with a quorum present and voting this 12 day of September 2026.



**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: Tul
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: Uebi Jossner
Deputy Clerk

EXHIBIT A

Sec. 2-25-54. Definitions.

* * *

Priority list: The list of environmental lands developed by the ELMAC advisory committee with the assistance of county staff as confirmed or revised by the ~~board~~ Board of county Commissioners at a public meeting. This list will be comprised of the sites that meet the criteria established in this article and will comprise the sites that will be acquired by fee title or other property interest, or that will otherwise be the subject of protection and management activities pursuant to this article. The priority list shall be by groupings and need not include numerical rankings.

* * *

Sec. 2-25-55. Environmental Lands Oversight Committee.

(a) Creation of the environmental lands management and acquisition committee.

There is hereby established a voluntary advisory board, to be known as the environmental lands management and acquisition committee (ELMAC).

Appointments of members of the committee shall be in the manner set forth herein. Notice of openings shall be published, and members shall be appointed by majority vote of the ~~board~~ Board pursuant to this article. Applicants for committee membership shall follow the procedures set by the ~~board~~ Board regarding advisory board applications, and shall assure the ~~board~~ Board of the lack of conflicts and potential conflicts of interest. This committee is advisory only and may be abolished, disbanded or reorganized by amending this article.

(b) Purposes and duties of the environmental lands management and acquisition committee.

- (1) The general purpose of the environmental lands management and acquisition committee shall be to advise the ~~board~~ Board on matters related to environmental land acquisition and management, and passive recreational planning and programming for acquired lands. This article shall apply to lands previously acquired by the county that are explicitly designated as governed by this article by the ~~board~~ Board and to lands and property interests acquired after the adoption of this article whether from funds designated by the ~~board~~ Board or funds approved by voter referendum. This committee will provide a forum for multiple interests and user groups to express their wishes for management of county-owned lands and passive recreational facilities.

- (2) The specific duties of the environmental lands management and acquisition committee are those provided in this article and otherwise assigned by the ~~board~~ Board, and may also include:
- a. Identifying and evaluating lands meeting the criteria for acquisition and management as public passive recreation areas;
 - b. Developing a countywide inventory of environmental lands;
 - c. For purposes of acquisition, devising and updating the methodology by which a priority ranking may be assigned to the county's environmental lands;
 - d. Researching and evaluating additional potential acquisition funding mechanisms;
 - e. Assisting staff in developing management plans for lands that the county has acquired or is planning to acquire;
 - f. Assisting in efforts at the state level to secure sources of state funding for environmental lands purchases and planning;
 - g. Researching other jurisdictions' environmental lands acquisition and management programs;
 - h. Advising the ~~board~~ Board on the disposal of any county-owned environmental lands;
 - i. Evaluating lands under a priority ranking system utilizing the criteria in section 2-25-61 for which a priority ranking may be assigned to agricultural conservation easements; and
 - j. Performing other appropriate tasks that may be assigned by the ~~board~~ Board in the future.
- (3) Within the unincorporated area of the county, the committee shall also serve as the tree advisory committee. In such capacity, the duties of the committee shall be as follows:
- a. To develop a tree management program for the care of trees on property owned by the county;
 - b. To promote awareness of the county's tree canopy through educational programs;

- c. To review grant requirements and to prepare grant proposals for submittal by the county for the purpose of funding tree management programs; and
- d. To coordinate the county's observance of Arbor Day each year.

(c) *Authority of the environmental lands management and acquisition committee.*

- (1) The committee shall have the authority to elect officers from its membership to serve the needs of the committee. Officers elected by the committee will be a chairman and vice-chairman.
 - a. Chairman. The duties of the chairman will be to preside at all meetings and to see that the work is carried out in a constructive and businesslike manner. The chairman of the committee or his/her appointee will be the liaison to work closely with the county administrator or his/her designee. The chairman will appoint special committees where and when needed to work on any of the aforementioned duties, and will oversee the work of such subcommittee.
 - b. Vice-chairman. The vice-chairman will preside in the absence of the chairman and will be available to assist the chairman when requested.
- (2) Further, the committee shall have the authority to set the time and place for its meetings. The committee will meet on a schedule, and at a time and place to be determined by the committee. Meetings may be rescheduled or a special meeting called by the committee at any regular meeting. In addition, the chairman shall have the authority to call a special meeting. Upon a decision to cancel a meeting, committee members and the ~~board~~ Board shall be notified by phone if the decision is made less than seven (7) days prior to the scheduled meeting; otherwise, notification shall be by letter. Meetings will be advertised as to time and place. Each meeting will have a prepared agenda for distribution, and records will be kept. A majority of currently-appointed committee members will constitute a quorum for the conducting of committee business.
- (3) The committee will carry out its responsibilities in the most cost-effective manner. Expenses incurred by the committee or a member thereof, in pursuing its duties, may be paid directly or reimbursed by the ~~board~~ Board in accordance with applicable laws and policies established by the ~~board~~ Board, which shall require prior approval and administrative authorization before making any expenditures.

- (4) The committee shall report its findings and recommendations to the ~~board~~ Board, in open session, at least once annually. Said reports shall only be made by the chairman or vice-chairman of the committee, upon the advice of and consent of a majority of the committee.

(d) *Membership of the committee.*

- (1) The committee will be made up of ~~seventeen~~ fifteen (15) members. To the extent possible, members shall have expertise in ecology, conservation of natural resources, real estate or land acquisition business and land development, land planning, land management, or environmental education. An applicant shall submit evidence of his or her expertise in any of the above. The ~~board~~ Board shall appoint committee members from the following groups or with the following affiliations:

- a. A member from the Florida Engineering Society;
- b. A member ~~schooled~~ with a degree and/or certification in a natural science: ecology, biology, botany, etc.;
- c. A member with background or education in ~~active~~ passive outdoor sports and recreation;
- d. A member of a local environmental group;
- e. A member recommended by the Manatee Chamber of Commerce;
- f. ~~An employee of the Manatee County School Board;~~
- ~~f.g.~~ A member with background/education in banking, finance, or real estate;
- ~~g.h.~~ A member ~~with background/education in banking, finance, or real estate~~ engaged in the agricultural business of farming, ranching or commercial horticulture;
- ~~h.i.~~ A member ~~who represents~~ recommended by Keep Manatee Beautiful, Inc.; and
- ~~i.j.~~ Seven (7) members who reside in Manatee County appointed by each individual commissioner. One member in District 1, one member in District 2, one member in District 3, one member in District 4, one member in District 5, and two (2) district wide members to be appointed by the two (2) at large commissioners.
- k. ~~One resident of Manatee County at large.~~

(2) All members shall be permanent residents of Manatee County as defined in Section 196.012, Florida Statutes.

(3) The county administrator or his/her designee is hereby assigned the responsibility of providing clerical and administrative support to the committee. The county attorney's office will be responsible for the legal needs of the committee, but only as specifically directed, from time to time, by the ~~board~~ Board.

(e) Terms and eligibility requirements.

(1) Terms of service on the committee will be for three (3) years, with reappointment at the discretion of the ~~board~~ Board, with the exception of members appointed by each individual commissioner for their district, whose terms shall expire with the appointing commissioner's term, or after three (3) years, whichever is sooner. If the three (3) year service term is set to expire within the same year as the commissioner's term expiration, the seat shall expire when the commissioner's term expires. Members must re-apply at the end of their term if they wish to be re-appointed. Members whose terms have expired may continue serving until the ~~board~~ Board selects a replacement. Initial appointments may be for one, two (2), or three (3) years to provide a balanced rotation of new members.

(2) A member missing three (3) consecutive meetings in a calendar year may be removed from the committee by the ~~board~~ Board upon the recommendation of a majority of the committee. The ~~board~~ Board may appoint a new member for the remainder of the term.

(3) Should any member of the committee be unable to complete his or her term of office, the ~~board~~ Board may appoint other(s) to complete the balance of the term of that position.

(4) A member appointed as a result of specific affiliation may continue, ~~in~~ at the ~~board's~~ Board's discretion, to serve for the remainder of the ~~at~~ term even if the affiliation has changed.

(5) The terms of the chairman and vice-chairman shall be restricted to no more than two (2) consecutive two-year terms in those offices.

* * *

Sec. 2-25-56. Environmental lands acquisition, management and protection policies.

- (a) *Acquisition, management and protection.* The county will acquire, manage and protect environmental lands in a manner that is consistent with the goals and objectives set forth in this article and the policies of the Manatee County Comprehensive Plan.
- (b) *Priorities.* The county will restrict its acquisition, management and protection to property interests, whether previously or hereafter acquired, which have been evaluated utilizing the criteria specified and approved by the ~~board~~ Board for the priority list after review and recommendation by the ELMAC committee, and subject to a final determination by the ~~board~~ Board.
- (c) *Acquisition, management and protection methods.* The county will acquire environmental lands, or an interest therein, pursuant to this article only after obtaining voluntary approval of the landowner. Methods of acquisition of fee title or property interests will include, but not be limited to, conservation easements, tax incentives, compensation, transfer of development rights, exchanges, use reservations, acceptance of gifts of land, donations, and acquisition of property interests.
- (d) *Cooperation with other groups.* The county will work in a cooperative manner with, but not limited to, the following entities in the protection of environmental lands:
- (1) Private landowners.
 - (2) Municipalities.
 - (3) Private nonprofit organizations and land trusts.
 - (4) Florida Department of Environmental Protection.
 - (5) Southwest Florida Water Management District.
 - (6) Florida Fish and Wildlife Conservation Commission.
 - (7) ~~Department of Community Affairs.~~ Florida Department of Agriculture and Consumer Services.
 - (8) Appropriate federal, state and local agencies.
- (e) *Cooperation with profit and nonprofit groups.* The county will cooperate and consult with profit and nonprofit conservation organizations and trusts regarding purchase negotiations with willing sellers, environmental inventories and audits, matching funding, and procedures and processes for the acquisition and management of environmental lands. In no event shall this article, the authority granted hereunder, or the efforts of any such organization create an agency

relationship, express or implied, between the organization and the county. The county shall not be bound by any person or entity to approve or complete any transaction involving real property or real property interests, as a result of the negotiations or other acts of omissions of such organizations, unless and until approved by formal action of the ~~board~~ Board.

- (f) *Matching funding source.* When desirable matching fund opportunities exist, the county will follow and implement protection procedures for environmental lands in accordance with the State of Florida's Florida Forever program, ~~Save Our Rivers program~~, Rural and Family Lands Protection program, Florida Communities Trust program, and other matching fund programs to enhance opportunities for securing matching funding from these programs for protection of environmental lands.

Sec. 2-25-57. Environmental lands procedures for setting priorities.

- (a) *Procedure.* The county's procedure for listing and ranking sites on the protection priority list will be as follows:
 - (1) *Site nominations.* County staff will assemble all available resources and identify sites nominated by the county staff and consultants, the ~~board~~ Board, ELMAC, other government organizations, private conservation organizations and the general public. There will be no ranking of the sites nominated; the sites will be listed randomly and not in order of importance. Sites may be nominated at any time.
 - (2) *Eligibility.* County staff will review nominated sites, apply the selection criteria to determine eligibility and any applicable criteria that applies to the revenue sources in question. If initial review indicates the site is eligible, staff will contact the landowners to introduce the program and determine their willingness to participate in the program. If willing, a site visit will be scheduled to collect further information and a preliminary site report prepared. County staff will revise the eligible sites to include only those lands for which willing participants exist, thereby comprising the priority list. Owner participation may be withdrawn or initiated at any time until a legal agreement for protection has been fully executed.
 - (3) *Priority groupings.* The ELMAC committee will review preliminary site reports for approval and develop priority groupings for county staff to move forward with the due diligence process for site acquisition.
 - (4). *Contractual negotiation.* Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until required funds are identified.

(45) *Work plan.* The ELMAC committee and county staff will develop a work plan for each site on the priority list. The work plan will include protection methods, strategy to achieve protection, funding sources and methods, land management strategies and costs, and public access. Some work plans may warrant a more thorough analysis for full consideration and prioritization than staff can provide. Staff shall seek ~~board~~ Board approval prior to hiring an outside contractor for site analysis. A request for consultant services will be made in the work plan.

(56) *Approval.* The work plan adopted by ELMAC will be presented by county staff to the ~~board~~ Board concurrent with the contract for sale and purchase of each site. The ~~board~~ Board may either accept, reject, or modify the work plans and contract.

(67) *Implementation.* Upon ~~board~~ Board approval, county staff will execute the purchase of the environmental lands and implement the work plans.

~~(7) *Contractual negotiation.* Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until:~~

~~a. A work plan has been completed and approved by the board.~~

~~b. Required funds are identified.~~

(8) *Evaluation.* The ELMAC committee and county staff will review and update the priority list at least once annually. Owner willingness, partner and funding support, and conformance with the criteria will be the basis for changes to the list. Any changes to the list must be forwarded from the ELMAC committee to the ~~board~~ Board for consideration, except for deletions at the landowner's request, which will be deleted immediately by county staff.

* * *

Sec. 2-25-60. Persons authorized to negotiate, obligation to maintain confidentiality and public records law.

(a) The ~~board~~ Board shall, by majority vote, authorize the appropriate county staff member(s) to negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article.

- (b) No member of the ~~board~~ Board, or ELMAC, shall directly negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article, unless authorized to do so by a majority vote of the ~~board~~ Board.
- (c) No person or entity shall be authorized to negotiate on behalf of the county, or otherwise be directly involved in the purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, if that person, entity, or a relative of that person has a financial interest in the transaction.
- (d) Except to the extent required under Section 119.07, Florida Statutes, as amended, no person acting on behalf of the county shall divulge information obtained in their official capacity with respect to any proposed purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, for the purpose of giving the third party an unfair advantage. Nothing contained in this paragraph shall constitute a waiver by the county of its right to claim exemptions under Section 119.07, Florida Statutes, as amended. Furthermore, the provisions of Section 125.355, Florida Statutes, as amended, may be invoked by the county to maintain the confidentiality of appraisals, offers and counteroffers as allowed by that statute.
- (e) Persons acting on behalf of the county during the period of active negotiations for real property, or real property interests, pursuant to the terms of this article, shall provide a written statement verifying that neither they, the entity which they are employed by or otherwise represent, or a related person has a financial interest in the proposed transaction, and they acknowledge their agreement to maintain the confidentiality of information and documents as described in this article.
- (f) No contract or agreement negotiated pursuant to the terms of the ordinance for the purchase, sale, transfer or exchange of real property or real property interests shall be binding upon the county unless approved by a vote of the ~~board~~ Board in a public meeting.

Sec. 2-25-61. Conservation easements-agricultural lands.

- (a) [*Listing and ranking of sites for potential eligibility.*] The county's procedure for listing and ranking of sites for potential eligibility for the voluntary acquisition of conservation easements to preserve agricultural lands shall be consistent with the procedures set forth in section 2-25-57(a) with the addition of consideration of the following criteria:
 - (1) The quality of land for agricultural use, such as classifications of prime, unique, locally-important or state-wide important or other designation; and

- (2) Economic viability of the parcel, including agricultural on-site farm infrastructure and proximity to off-site farm infrastructure such as markets and adequate size for a bona fide agricultural operation; and
 - (3) Compatibility of surrounding uses or intended as a low-intensity/alternative agricultural operation; and
 - (4) Degree of development pressure on the parcel, including indicators such as proximity to the urban service boundary, zoning, residential development; and
 - (5) Proximity to other protected agricultural or environmental lands or wildlife corridors/greenways; and
 - (6) Additional benefits including, but not limited to, enhancement of wildlife habitat, air and water quality, hydrology, ground water recharge, preservation of historic and other cultural features and preservation of scenic qualities.
- (b) ~~Duties of the director of conservation lands management~~ Department Director of Natural Resources. The ~~director~~ Director of conservation and lands management Natural Resources, or designee, shall perform the following duties in regard to conservation easements for agricultural land:
- (1) Provide for the monitoring and maintenance of conservation easements for agricultural lands purchased by the county; and
 - (2) Promote, educate and encourage land owners to participate in the program established by this section; and
 - (3) Shall submit to the ~~board~~ Board of ~~county commissioners~~ an annual report based on all the activities carried out pursuant to the purchase of conservation easements for agricultural purposes. This report shall include, but is not limited to, a map indicating the location of agricultural lands in the county and location of the parcels from where development rights were purchased; total number of conservation easements and number of acres of each of the conservation easements in the agricultural lands throughout the county; number of land owner applications for the given year for the agricultural land purchase of development rights program.
 - (4) Provide any necessary assistance in the enforcement of conservation easements for agricultural lands. Conservation easements including those applicable to agricultural lands are enforceable by injunction or proceeding in equity or at law by ~~Manatee County~~ the county in accordance with applicable law including Section 704.06, Florida Statutes.

Secs. 2-25-62—2-25-79. Reserved.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 2, 2026

Angelina Colonnese
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 26-40, which was filed in this office on September 2, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

From: [Municode Ords Admin](#)
To: [Vicki Tessmer](#)
Subject: Re: Manatee County, FL Code of Ordinances - 1981(10428)
Date: Friday, September 4, 2026 1:21:54 PM
Attachments: [image001.png](#)
[Outlook-Sjimmiea.png](#)

[NOTICE: This message originated outside of Manatee County Clerk's Office -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

We have received your files.

Thank you and have a nice day.

Ords Administrator
Municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to Municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

svj (she/her/hers)

Production Support Specialist Supplement Department • CivicPlus

civicplus.com

From: Vicki Tessmer <vicki.tessmer@ManateeClerk.com>
Sent: Wednesday, September 2, 2026 1:51 PM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: FW: Ord 26-40 Manatee county

Hello,
Please find attached Manatee County ordinance 26-40, adopted on 9/1/2026, for codification.
Thank you,

Vicki Tessmer
Board Records Supervisor



For Angelina "Angel" Colonnese, Esq.
Manatee Clerk of the Circuit Court &
Comptroller
(941) 749-1800 Ext. 4081
1115 Manatee Ave W, Bradenton, FL 34205
www.ManateeClerk.com

To Protect the Public Trust through Integrity and Transparency

Under Florida law, e-mail addresses and all correspondence sent to this email address are public records and may be subject to disclosure. If you do not want your e-mail address or correspondence released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Kara Koenig <kara.koenig@mymanatee.org>
Sent: Wednesday, September 2, 2026 1:49 PM
To: Vicki Tessmer <vicki.tessmer@ManateeClerk.com>; Kendall Carson <kendal.carson@mymanatee.org>
Subject: Re: Ord 26-40

[NOTICE: This message originated outside of Manatee County Clerk's Office -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Vicki - Please see attached thank you!

Best,

Kara Koenig | Environmental Lands Program Manager
Manatee County Government
Property Management Department
9000 Town Center Parkway
Lakewood Ranch, FL 34202
P.O. Box 1000
Bradenton, FL 34206
Office: 941-748-4501 x 6052
Mobile: 941-718-7584
mymanatee.org

Under [Public Records Act](#), email communications sent to and from this address may be subject to public disclosure. Please be advised that any correspondence may be retained as a public record and could be disclosed upon request.



From: Vicki Tessmer <vicki.tessmer@ManateeClerk.com>

Sent: Wednesday, September 2, 2026 1:46 PM

To: Kara Koenig <KARA.KOENIG@MYMANATEE.ORG>; Kendall Carson <kendal.carson@mymanatee.org>

Subject: Ord 26-40

CAUTION:This email originated from an external source.

Be suspicious of Attachments, Links and Request for Login Information and utilize the REPORT MESSAGE Button in Outlook if you feel this is a Phishing email.

Hi,

Do you have a word version of this ord, so we can send it to Municode?

Thank you,

Vicki Tessmer

Board Records Supervisor



For Angelina "Angel" Colonnese, Esq.
Manatee Clerk of the Circuit Court &
Comptroller
(941) 749-1800 Ext. 4081
1115 Manatee Ave W, Bradenton, FL 34205
www.ManateeClerk.com

***To Protect the Public Trust through Integrity and
Transparency***

Under Florida law, e-mail addresses and all correspondence sent to this email address are public records and may be subject to disclosure. If you do not want your e-mail address or correspondence released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

EXTERNAL EMAIL - Caution: This email originated outside of CivicPlus. Do not click links or open attachments unless you recognize the sender and expected the message.

APPROVED in Open Session
9/1/2026

Manatee County Board of County
Commissioners



September 1, 2026 - Regular Meeting

Subject

Adoption of Ordinance 26-40, Amending Article IV of Chapter 2-25 of the Manatee County Code and Revising ELMAC Membership Eligibility, Terms, Number of Seats and Procedures, Kara Koenig, Environmental Lands Program Manager - Countywide

Category

ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Kara Koenig, Environmental Lands Program Section Manager, Extension 6052

Action Requested

Adoption of Ordinance 26-40

Enabling/Regulating Authority

Florida Statute Chapter 125

Applicable Advisory Board

Environmental Lands Management and Acquisition Advisory Committee (ELMAC)

Background Discussion

- The Environmental Lands Management and Acquisition Advisory Committee (ELMAC) is comprised of 17 members, who make recommendations to the Board of County Commissioners on environmental land acquisition and management items, including recreational planning and programming of public lands. ELMAC also serves as the Tree Advisory Board to promote awareness of the Countywide tree canopy and tree education programs.
- ELMAC works with county staff to establish methods to identify, evaluate and prioritize land for conservation acquisition that were formalized in the Manatee County Code of Ordinances, Article IV of Chapter 2-25.
- This Code of Ordinances (Code) text amendment to Article IV, Acquisition, Protection, and Management of Environmental Lands primarily updates Section 2-25-55, Environmental Lands Oversight Committee, to modify membership requirements of eligibility, terms, and number of seats to appropriately reflect the district seats. The amendment also modifies Section 2-25-57, Environmental Lands Procedure for Setting Priorities, to ensure consistency with past and current operating procedures of the

County's Environmental Lands Program and the Code. The amendment further includes minor text cleanup throughout Article IV.

- The Code amendment was reviewed and approved by ELMAC at the August 3rd, 2026 ELMAC meeting.

Attorney Review

Formal Written Review (Opinion memo must be attached) Soto

Instructions to Board Records

Please ensure the Chairman signs page 2 of the Ordinance.

Please forward a copy of approved agenda memorandum to:

Kara Koenig, kara.koenig@mymanatee.org

Emailed 9/2/2026

Kendall Carson, kendall.carson@mymanatee.org

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

MANATEE COUNTY GOVERNMENT

STATE OF FLORIDA

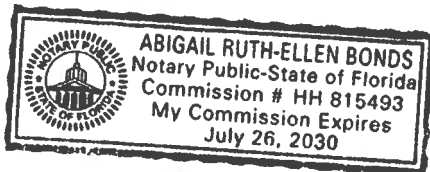
COUNTY OF MANATEE

Before the undersigned authority personally appeared Quantana Acevedo, who on oath says that she is a County Employee of Manatee County Government, Manatee County, Florida; that the attached copy of advertisement, being a public notice in the matters of Notice of Public Hearing for Ordinance 26-40 with Business Impact Estimate for the Manatee County Board of County Commissioners Regular Meeting on September 1, 2026, in Manatee County Florida, was published on the publicly accessible website of Manatee County Government, Manatee County, Florida, of www.mymanatee.org on **August 20, 2026**.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

By: 
Quantana Acevedo
Planning and Zoning Tech III

Sworn to and subscribed before me this 21st day of August 2026, by Quantana Acevedo, who is personally known to me or who has produced (type of identification) as identification.




(Signature of Notary Public)
Abigail Bonds
(Print Name of Notary Public)
Notary Public
(Title)

My Commission Expires: July 26, 2030
Commission Number: HH 815493

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66, Florida Statutes, that the Manatee County Board of County Commissioners (Board) will hold a public hearing on **September 01, 2026, at 9:00 a.m.** (or as soon thereafter as may be heard), in the Patricia M. Glass Chambers, Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider, act upon, enact, or reject the following matter:

The Board of County Commissioners of Manatee County, Florida, proposes to adopt the following ordinance:

ORDINANCE 26-40

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Interested parties may examine the proposed ordinance and related documents and may obtain assistance regarding this matter from Property Management Department - Environmental Lands Program, 9000 Town Center Parkway, Lakewood Ranch, FL, 34206; telephone number (941) 748-4501 x 6052; email: kara.koenig@mymanatee.org

All interested parties may appear and be heard at the meeting with respect to the proposed ordinance, subject to the proper rules of conduct. According to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony or evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability. Manatee County is committed to providing full access to facilities, programs, and services to all, as well as supporting the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA) and as amended ("ADAA"), and 503 and 504 of the Rehabilitation Act of 1973. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio, ADA Compliance Coordinator, at (941)792-4501 ext. 6016 or carminedemilio@mymanatee.org, as least 3 business days prior to the scheduled meeting. If you are deaf/hard of hearing and require the services of an interpreter, please contact the Florida Relay Service at 711.

THIS HEARING MAY BE CONTINUED FROM TIME-TO-TIME PENDING
ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Property Management Department
Manatee County, Florida
Date Published: August 20, 2026

Property Management Department

9000 Town Center Parkway
Lakewood Ranch, FL 34202
Phone Number: (941) 748-4501



BUSINESS IMPACT ESTIMATE

In accordance with Section 125.66(3)(a), Florida Statutes, a Business Impact Estimate (BIE) is required to be prepared before enacting certain ordinances and posted on Manatee County's website no later than the date the notice of intent to consider the proposed ordinance is published (which, per Section 125.66, Florida Statutes, is 10 days before the public hearing).

Proposed Ordinance Title

ORDINANCE 26-40

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The following types of ordinances are exempt from the BIE requirement under Section 125.66(3)(c), Florida Statutes. As such, if one or more boxes are checked below, Manatee County believes that a BIE is not required by state law for the proposed ordinance referenced above. Manatee County reserves the right to revise this BIE following an initial posting. Notwithstanding, Manatee County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Manatee County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

☐ The proposed ordinance is required for compliance with Federal or State law or regulation.

VACANT
District 1

AMANDA
BALLARD
District 2

TAL
SIDDIQUE
District 3

MIKE
RAHN
District 4

DR. BOB
MCCANN
District 5

JASON
BEARDEN
At Large

GEORGE W.
KRUSE
At Large

- ☒ The proposed ordinance relates to the issuance or refinancing of debt.
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government.
- ☐ The proposed ordinance is an emergency ordinance.
- ☐ The ordinance relates to procurement.
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Consistent with the posting requirement set forth in Section 125.66(3)(a), Florida Statutes, the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this 20th day of August 2026:

1. Summary of Proposed Ordinance, Including a Statement of the Public Purpose to be Served by the Proposed Ordinance, Such as Serving the Public Health, Safety, Morals, and Welfare of the County:

The proposed Code of Ordinances (Code) text amendment to Article IV, Acquisition, Protection, and Management of Environmental Lands primarily updates Section 2-25-55, Environmental lands oversight committee, to modify membership requirements of eligibility, terms, and number of seats to appropriately reflect the district seats. The amendment also modifies Section 2-25-57, Environmental lands procedure for setting priorities, to ensure consistency with past and current operating procedures of the County's Environmental Lands Program and the Code. There is minor text cleanup proposed throughout Article IV as well.

Estimate of Direct Economic Impact of Proposed Ordinance on Private, For-Profit Businesses in the County, Including the Following (if any):

- a. An estimate of direct compliance costs that businesses may reasonably

incur if the ordinance is enacted:

Because this ordinance makes no changes to regulatory requirements, permitting, or fees applicable to private businesses, businesses will not incur any compliance costs.

- b. Any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible:

There will be no charges or fees associated with this amendment.

- c. An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:

There will be no regulatory costs, revenues, new charges, or fees associated with this amendment.

2. A Good Faith Estimate of the Number of Businesses Likely to be Impacted by the Ordinance:

The proposed amendment does not impact businesses economically.

3. Additional Information the Board Determines May be Useful:

None.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 125.66, Florida Statutes, that the Manatee County Board of County Commissioners (Board) will hold a public hearing on **September 01, 2026, at 9:00 a.m.** (or as soon thereafter as may be heard), in the Patricia M. Glass Chambers, Manatee County Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, to consider, act upon, enact, or reject the following matter:

The Board of County Commissioners of Manatee County, Florida, proposes to adopt the following ordinance:

ORDINANCE 26-40

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Interested parties may examine the proposed ordinance and related documents and may obtain assistance regarding this matter from Property Management Department - Environmental Lands Program, 9000 Town Center Parkway, Lakewood Ranch, FL, 34206; telephone number (941) 748-4501 x 6052; email: kara.koenig@mymanatee.org

All interested parties may appear and be heard at the meeting with respect to the proposed ordinance, subject to the proper rules of conduct. According to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony or evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability. Manatee County is committed to providing full access to facilities, programs, and services to all, as well as supporting the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA) and as amended ("ADAA"), and 503 and 504 of the Rehabilitation Act of 1973. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio, ADA Compliance Coordinator, at (941)792-4501 ext. 6016 or carminedemilio@mymanatee.org, as least 3 business days prior to the scheduled meeting. If you are deaf/hard of hearing and require the services of an interpreter, please contact the Florida Relay Service at 711.

THIS HEARING MAY BE CONTINUED FROM TIME-TO-TIME PENDING
ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Property Management Department
Manatee County, Florida
Date Published: August , 2026

ORDINANCE NO. 26-40

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Manatee County (the Board) to provide parks, preserves, recreation areas and other recreation and cultural facilities for the citizens of Manatee County; and

WHEREAS, Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands, Section 2-25-55 of the Manatee County Code of Ordinances ("Code") describes the purposes and duties of the environmental lands management and acquisition committee ("ELMAC"); and

WHEREAS, the Board finds that amending various provisions of Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands of the Code is in the best interest of the County, its citizens and taxpayers and will serve to protect the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board:

Section 1. Chapter 2-25, Planning and Development, Article IV, Acquisition, Protection and Management of Environmental Lands of the Code is hereby amended as set forth in the attached Exhibit "A" to this Ordinance in underlined/strikethrough format where underlined means text is added and ~~strikethrough~~ means text is deleted.

Section 2. Pursuant to Section 125.68(1), Florida Statutes, the publisher of the Code, CivicPlus, shall codify the substantive amendments to the Code contained in Section 1 of this Ordinance as provided herein, and shall not codify any other sections not designated for codification.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

DULY ADOPTED with a quorum present and voting this ____ day of _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

EXHIBIT A

Sec. 2-25-54. Definitions.

* * *

Priority list: The list of environmental lands developed by the ELMAC advisory committee with the assistance of county staff as confirmed or revised by the ~~board~~ Board of ~~county~~ County ~~commissioners~~ Commissioners at a public meeting. This list will be comprised of the sites that meet the criteria established in this article and will comprise the sites that will be acquired by fee title or other property interest, or that will otherwise be the subject of protection and management activities pursuant to this article. The priority list shall be by groupings and need not include numerical rankings.

* * *

Sec. 2-25-55. Environmental Lands Oversight Committee.

(a) Creation of the environmental lands management and acquisition committee.

There is hereby established a voluntary advisory board, to be known as the environmental lands management and acquisition committee (ELMAC). Appointments of members of the committee shall be in the manner set forth herein. Notice of openings shall be published, and members shall be appointed by majority vote of the ~~board~~ Board pursuant to this article. Applicants for committee membership shall follow the procedures set by the ~~board~~ Board regarding advisory board applications, and shall assure the ~~board~~ Board of the lack of conflicts and potential conflicts of interest. This committee is advisory only and may be abolished, disbanded or reorganized by amending this article.

(b) Purposes and duties of the environmental lands management and acquisition committee.

- (1) The general purpose of the environmental lands management and acquisition committee shall be to advise the ~~board~~ Board on matters related to environmental land acquisition and management, and passive recreational planning and programming for acquired lands. This article shall apply to lands previously acquired by the county that are explicitly designated as governed by this article by the ~~board~~ Board and to lands and property interests acquired after the adoption of this article whether from funds designated by the ~~board~~ Board or funds approved by voter referendum. This committee will provide a forum for multiple interests and user groups to express their wishes for management of county-owned lands and passive recreational facilities.

(2) The specific duties of the environmental lands management and acquisition committee are those provided in this article and otherwise assigned by the ~~board~~ Board, and may also include:

- a. Identifying and evaluating lands meeting the criteria for acquisition and management as public passive recreation areas;
- b. Developing a countywide inventory of environmental lands;
- c. For purposes of acquisition, devising and updating the methodology by which a priority ranking may be assigned to the county's environmental lands;
- d. Researching and evaluating additional potential acquisition funding mechanisms;
- e. Assisting staff in developing management plans for lands that the county has acquired or is planning to acquire;
- f. Assisting in efforts at the state level to secure sources of state funding for environmental lands purchases and planning;
- g. Researching other jurisdictions' environmental lands acquisition and management programs;
- h. Advising the ~~board~~ Board on the disposal of any county-owned environmental lands;
- i. Evaluating lands under a priority ranking system utilizing the criteria in section 2-25-61 for which a priority ranking may be assigned to agricultural conservation easements; and
- j. Performing other appropriate tasks that may be assigned by the ~~board~~ Board in the future.

(3) Within the unincorporated area of the county, the committee shall also serve as the tree advisory committee. In such capacity, the duties of the committee shall be as follows:

- a. To develop a tree management program for the care of trees on property owned by the county;
- b. To promote awareness of the county's tree canopy through educational programs;

- c. To review grant requirements and to prepare grant proposals for submittal by the county for the purpose of funding tree management programs; and
- d. To coordinate the county's observance of Arbor Day each year.

(c) Authority of the environmental lands management and acquisition committee.

- (1) The committee shall have the authority to elect officers from its membership to serve the needs of the committee. Officers elected by the committee will be a chairman and vice-chairman.
 - a. Chairman. The duties of the chairman will be to preside at all meetings and to see that the work is carried out in a constructive and businesslike manner. The chairman of the committee or his/her appointee will be the liaison to work closely with the county administrator or his/her designee. The chairman will appoint special committees where and when needed to work on any of the aforementioned duties, and will oversee the work of such subcommittee.
 - b. Vice-chairman. The vice-chairman will preside in the absence of the chairman and will be available to assist the chairman when requested.
- (2) Further, the committee shall have the authority to set the time and place for its meetings. The committee will meet on a schedule, and at a time and place to be determined by the committee. Meetings may be rescheduled or a special meeting called by the committee at any regular meeting. In addition, the chairman shall have the authority to call a special meeting. Upon a decision to cancel a meeting, committee members and the ~~board~~ Board shall be notified by phone if the decision is made less than seven (7) days prior to the scheduled meeting; otherwise, notification shall be by letter. Meetings will be advertised as to time and place. Each meeting will have a prepared agenda for distribution, and records will be kept. A majority of currently-appointed committee members will constitute a quorum for the conducting of committee business.
- (3) The committee will carry out its responsibilities in the most cost-effective manner. Expenses incurred by the committee or a member thereof, in pursuing its duties, may be paid directly or reimbursed by the ~~board~~ Board in accordance with applicable laws and policies established by the ~~board~~ Board, which shall require prior approval and administrative authorization before making any expenditures.

- (4) The committee shall report its findings and recommendations to the ~~board~~ Board, in open session, at least once annually. Said reports shall only be made by the chairman or vice-chairman of the committee, upon the advice of and consent of a majority of the committee.

(d) *Membership of the committee.*

- (1) The committee will be made up of ~~seventeen~~ fifteen (15) members. To the extent possible, members shall have expertise in ecology, conservation of natural resources, real estate or land acquisition business and land development, land planning, land management, or environmental education. An applicant shall submit evidence of his or her expertise in any of the above. The ~~board~~ Board shall appoint committee members from the following groups or with the following affiliations:

- a. A member from the Florida Engineering Society;
- b. A member ~~schooled~~ with a degree and/or certification in a natural science: ecology, biology, botany, etc.;
- c. A member with background or education in ~~active~~ passive outdoor sports and recreation;
- d. A member of a local environmental group;
- e. A member recommended by the Manatee Chamber of Commerce;
- f. ~~An employee of the Manatee County School Board;~~
- ~~f.g.~~ A member with background/education in banking, finance, or real estate;
- ~~g.h.~~ A member with background/education in banking, finance, or real estate;
- ~~h.i.~~ A member ~~who represents~~ recommended by Keep Manatee Beautiful, Inc.; and
- ~~i.j.~~ Seven (7) members who reside in Manatee County appointed by each individual commissioner. One member in District 1, one member in District 2, one member in District 3, one member in District 4, one member in District 5, and two (2) district wide members to be appointed by the two (2) at large commissioners.
- k. ~~One resident of Manatee County at large.~~

(2) All members shall be permanent residents of Manatee County as defined in Section 196.012, Florida Statutes.

(3) The county administrator or his/her designee is hereby assigned the responsibility of providing clerical and administrative support to the committee. The county attorney's office will be responsible for the legal needs of the committee, but only as specifically directed, from time to time, by the ~~board~~ Board.

(e) *Terms and eligibility requirements.*

(1) Terms of service on the committee will be for three (3) years, with reappointment at the discretion of the ~~board~~ Board, with the exception of members appointed by each individual commissioner for their district, whose terms shall expire with the appointing commissioner's term, or after three (3) years, whichever is sooner. If the three (3) year service term is set to expire within the same year as the commissioner's term expiration, the seat shall expire when the commissioner's term expires. Members must re-apply at the end of their term if they wish to be re-appointed. Members whose terms have expired may continue serving until the ~~board~~ Board selects a replacement. Initial appointments may be for one, two (2), or three (3) years to provide a balanced rotation of new members.

(2) A member missing three (3) consecutive meetings in a calendar year may be removed from the committee by the ~~board~~ Board upon the recommendation of a majority of the committee. The ~~board~~ Board may appoint a new member for the remainder of the term.

(3) Should any member of the committee be unable to complete his or her term of office, the ~~board~~ Board may appoint other(s) to complete the balance of the term of that position.

(4) A member appointed as a result of specific affiliation may continue, ~~in~~at the ~~board's~~ Board's discretion, to serve for the remainder of the ~~at~~at term even if the affiliation has changed.

(5) The terms of the chairman and vice-chairman shall be restricted to no more than two (2) consecutive two-year terms in those offices.

* * *

Sec. 2-25-56. Environmental lands acquisition, management and protection policies.

- (a) *Acquisition, management and protection.* The county will acquire, manage and protect environmental lands in a manner that is consistent with the goals and objectives set forth in this article and the policies of the Manatee County Comprehensive Plan.
- (b) *Priorities.* The county will restrict its acquisition, management and protection to property interests, whether previously or hereafter acquired, which have been evaluated utilizing the criteria specified and approved by the ~~board~~ Board for the priority list after review and recommendation by the ELMAC committee, and subject to a final determination by the ~~board~~ Board.
- (c) *Acquisition, management and protection methods.* The county will acquire environmental lands, or an interest therein, pursuant to this article only after obtaining voluntary approval of the landowner. Methods of acquisition of fee title or property interests will include, but not be limited to, conservation easements, tax incentives, compensation, transfer of development rights, exchanges, use reservations, acceptance of gifts of land, donations, and acquisition of property interests.
- (d) *Cooperation with other groups.* The county will work in a cooperative manner with, but not limited to, the following entities in the protection of environmental lands:
- (1) Private landowners.
 - (2) Municipalities.
 - (3) Private nonprofit organizations and land trusts.
 - (4) Florida Department of Environmental Protection.
 - (5) Southwest Florida Water Management District.
 - (6) Florida Fish and Wildlife Conservation Commission.
 - (7) ~~Department of Community Affairs.~~ Florida Department of Agriculture and Consumer Services.
 - (8) Appropriate federal, state and local agencies.
- (e) *Cooperation with profit and nonprofit groups.* The county will cooperate and consult with profit and nonprofit conservation organizations and trusts regarding purchase negotiations with willing sellers, environmental inventories and audits, matching funding, and procedures and processes for the acquisition and management of environmental lands. In no event shall this article, the authority granted hereunder, or the efforts of any such organization create an agency

relationship, express or implied, between the organization and the county. The county shall not be bound by any person or entity to approve or complete any transaction involving real property or real property interests, as a result of the negotiations or other acts of omissions of such organizations, unless and until approved by formal action of the ~~board~~ Board.

- (f) *Matching funding source*. When desirable matching fund opportunities exist, the county will follow and implement protection procedures for environmental lands in accordance with the State of Florida's Florida Forever program, ~~Save Our Rivers program~~, Rural and Family Lands Protection program, Florida Communities Trust program, and other matching fund programs to enhance opportunities for securing matching funding from these programs for protection of environmental lands.

Sec. 2-25-57. Environmental lands procedures for setting priorities.

- (a) *Procedure*. The county's procedure for listing and ranking sites on the protection priority list will be as follows:

- (1) *Site nominations*. County staff will assemble all available resources and identify sites nominated by the county staff and consultants, the ~~board~~ Board, ELMAC, other government organizations, private conservation organizations and the general public. There will be no ranking of the sites nominated; the sites will be listed randomly and not in order of importance. Sites may be nominated at any time.
- (2) *Eligibility*. County staff will review nominated sites, apply the selection criteria to determine eligibility and any applicable criteria that applies to the revenue sources in question. If initial review indicates the site is eligible, staff will contact the landowners to introduce the program and determine their willingness to participate in the program. If willing, a site visit will be scheduled to collect further information and a preliminary site report prepared. County staff will revise the eligible sites to include only those lands for which willing participants exist, thereby comprising the priority list. Owner participation may be withdrawn or initiated at any time until a legal agreement for protection has been fully executed.
- (3) *Priority groupings*. The ELMAC committee will review preliminary site reports for approval and develop priority groupings for county staff to move forward with the due diligence process for site acquisition.
- (4). *Contractual negotiation*. Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until required funds are identified.

(45) *Work plan.* The ELMAC committee and county staff will develop a work plan for each site on the priority list. The work plan will include protection methods, strategy to achieve protection, funding sources and methods, land management strategies and costs, and public access. Some work plans may warrant a more thorough analysis for full consideration and prioritization than staff can provide. Staff shall seek ~~board~~ Board approval prior to hiring an outside contractor for site analysis. A request for consultant services will be made in the work plan.

(56) *Approval.* The work plan adopted by ELMAC will be presented by county staff to the ~~board~~ Board concurrent with the contract for sale and purchase of each site. The ~~board~~ Board may either accept, reject, or modify the work plans and contract.

(67) *Implementation.* Upon ~~board~~ Board approval, county staff will execute the purchase of the environmental lands and implement the work plans.

~~(7) *Contractual negotiation.* Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until:~~

~~a. A work plan has been completed and approved by the board.~~

~~b. Required funds are identified.~~

(8) *Evaluation.* The ELMAC committee and county staff will review and update the priority list at least once annually. Owner willingness, partner and funding support, and conformance with the criteria will be the basis for changes to the list. Any changes to the list must be forwarded from the ELMAC committee to the ~~board~~ Board for consideration, except for deletions at the landowner's request, which will be deleted immediately by county staff.

* * *

Sec. 2-25-60. Persons authorized to negotiate, obligation to maintain confidentiality and public records law.

(a) The ~~board~~ Board shall, by majority vote, authorize the appropriate county staff member(s) to negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article.

- (b) No member of the ~~board~~ Board, or ELMAC, shall directly negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article, unless authorized to do so by a majority vote of the ~~board~~ Board.
- (c) No person or entity shall be authorized to negotiate on behalf of the county, or otherwise be directly involved in the purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, if that person, entity, or a relative of that person has a financial interest in the transaction.
- (d) Except to the extent required under Section 119.07, Florida Statutes, as amended, no person acting on behalf of the county shall divulge information obtained in their official capacity with respect to any proposed purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, for the purpose of giving the third party an unfair advantage. Nothing contained in this paragraph shall constitute a waiver by the county of its right to claim exemptions under Section 119.07, Florida Statutes, as amended. Furthermore, the provisions of Section 125.355, Florida Statutes, as amended, may be invoked by the county to maintain the confidentiality of appraisals, offers and counteroffers as allowed by that statute.
- (e) Persons acting on behalf of the county during the period of active negotiations for real property, or real property interests, pursuant to the terms of this article, shall provide a written statement verifying that neither they, the entity which they are employed by or otherwise represent, or a related person has a financial interest in the proposed transaction, and they acknowledge their agreement to maintain the confidentiality of information and documents as described in this article.
- (f) No contract or agreement negotiated pursuant to the terms of the ordinance for the purchase, sale, transfer or exchange of real property or real property interests shall be binding upon the county unless approved by a vote of the ~~board~~ Board in a public meeting.

Sec. 2-25-61. Conservation easements-agricultural lands.

- (a) [*Listing and ranking of sites for potential eligibility.*] The county's procedure for listing and ranking of sites for potential eligibility for the voluntary acquisition of conservation easements to preserve agricultural lands shall be consistent with the procedures set forth in section 2-25-57(a) with the addition of consideration of the following criteria:
 - (1) The quality of land for agricultural use, such as classifications of prime, unique, locally-important or state-wide important or other designation; and

- (2) Economic viability of the parcel, including agricultural on-site farm infrastructure and proximity to off-site farm infrastructure such as markets and adequate size for a bona fide agricultural operation; and
 - (3) Compatibility of surrounding uses or intended as a low-intensity/alternative agricultural operation; and
 - (4) Degree of development pressure on the parcel, including indicators such as proximity to the urban service boundary, zoning, residential development; and
 - (5) Proximity to other protected agricultural or environmental lands or wildlife corridors/greenways; and
 - (6) Additional benefits including, but not limited to, enhancement of wildlife habitat, air and water quality, hydrology, ground water recharge, preservation of historic and other cultural features and preservation of scenic qualities.
- (b) *Duties of the ~~director of conservation lands management~~ Department Director of Natural Resources.* The ~~director~~ Director of ~~conservation and lands management~~ Natural Resources, or designee, shall perform the following duties in regard to conservation easements for agricultural land:
- (1) Provide for the monitoring and maintenance of conservation easements for agricultural lands purchased by the county; and
 - (2) Promote, educate and encourage land owners to participate in the program established by this section; and
 - (3) Shall submit to the ~~board~~ Board of ~~county commissioners~~ an annual report based on all the activities carried out pursuant to the purchase of conservation easements for agricultural purposes. This report shall include, but is not limited to, a map indicating the location of agricultural lands in the county and location of the parcels from where development rights were purchased; total number of conservation easements and number of acres of each of the conservation easements in the agricultural lands throughout the county; number of land owner applications for the given year for the agricultural land purchase of development rights program.
 - (4) Provide any necessary assistance in the enforcement of conservation easements for agricultural lands. Conservation easements including those applicable to agricultural lands are enforceable by injunction or proceeding in equity or at law by ~~Manatee County~~ the county in accordance with applicable law including Section 704.06, Florida Statutes.

Secs. 2-25-62—2-25-79. Reserved.

Response to RLS 25/26-0394 - Environmental Lands Code Ordinance Article IV Text Amendment

From Juliet Shepard <juliet.shepard@mymanatee.org>

Date Thu 7/30/2026 3:57 PM

To Kara Koenig <kara.koenig@mymanatee.org>

Cc Bryan Parnell <bryan.parnell@mymanatee.org>; Cary Knight <cary.knight@mymanatee.org>; Charlie Hunsicker <charlie.hunsicker@mymanatee.org>; Peter Morrow <peter.morrow@mymanatee.org>; Kendall Carson <kendall.carson@mymanatee.org>; Pamela DAgostino <pamela.dagostino@mymanatee.org>; Sarah Schenk <sarah.schenk@mymanatee.org>; Camilo Soto <camilo.soto@mymanatee.org>; Brenda Baron <brenda.baron@mymanatee.org>; Juliet Shepard <juliet.shepard@mymanatee.org>

 5 attachments (750 KB)

[CAS Edits v.2] Ord. 26-40 Env'l Land Code of Ordinances Art IV Text Amend .docx; [CAS Edits v.2] Ord. 26-40 Env'l Land Code of Ordinances Art IV Text Amend .pdf; [CAS Edits v.2] Ord. 26-40 Exhibit A - Env'l Land Code of Ordinances Art IV Text Amend .docx; [CAS Edits v.2] Ord. 26-40 Exhibit A - Env'l Land Code of Ordinances Art IV Text Amend .pdf; (SAMPLE) - ADA Compliant - 2026_Ordinance.dotx;

On behalf of Assistant County Attorney Camilo A. Soto

Good afternoon, Ms. Koenig:

Pursuant to the above referenced Request for Legal Services, you have asked this office to review a draft ordinance with its Exhibit "A" amending various provisions of Chapter 2-25 of the Manatee County Code of Ordinances, specifically environmental lands procedures and ELMAC membership eligibility. Per your request, I have reviewed draft Ordinance No. 26-40 and Exhibit "A", and my comments are as follows:

1. Attached to this email, you will find proposed Ordinance No. 26-40 with Exhibit "A" ("Ordinance") incorporating the requested revisions by Property Management/Property Acquisition pursuant to the above reference request for legal services. Please review my comments left in the margins.

2. A proposed ordinance title shall be advertised appropriately at least ten (10) days prior to adoption. Please do not hesitate to contact this Office if you need assistance with this requirement.

As commented in the proposed Ordinance, the County must comply with WCAG 2.0 Level AA per the 2018 settlement agreement. I have attached an ADA compliant ordinance sample for your use and file. I recommend you reach out to Kelly Foster, the County's Creative Services Manager, at extension 3779, for questions and/or additional resources and/or information regarding ADA compliancy for documents.

I have no objection from a legal standpoint to scheduling this Ordinance for adoption by the Board of County Commissioners. I express no opinion as to the business judgment of adopting this Ordinance. This concludes my response to your Request for Legal Services. If you have any further questions, comments, or concerns, please feel free to contact me.

Cordially,

Mr. Camilo A. Soto
Assistant County Attorney
Manatee County Attorney's Office
1112 Manatee Ave. W., Suite 969
Bradenton, FL 34205
941-745-3750
camilo.soto@mymanatee.org

All government correspondence is subject to the public records law.

Sincerely,

Juliet M. Shepard

Juliet M. Shepard, ACP, FRP
Advanced Certified Paralegal
Florida Registered Paralegal
Paralegal to Camilo A. Soto, Assistant County Attorney

Paralegal to Kristina H. Snyderman, Assistant County Attorney

Manatee County Attorney's Office
1112 Manatee Avenue West, Suite 969
Bradenton, Florida 34205
Phone: (941) 745-3750 ext. 3747
Fax: (941) 749-3089
Email: juliet.shepard@mymanatee.org



NOTICE: This electronic mail transmission may constitute an attorney-client communication that is privileged by law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail so that our address records may be corrected.

PLEASE NOTE: Florida has very broad public records laws. Many written communications to or from this office may be considered public records, which must be made available to anyone upon request. Your e-mail communications may therefore be subject to public disclosure.

Property Management Department

9000 Town Center Parkway
Lakewood Ranch, FL 34202
Phone Number: (941) 748-4501



BUSINESS IMPACT ESTIMATE

In accordance with Section 125.66(3)(a), Florida Statutes, a Business Impact Estimate (BIE) is required to be prepared before enacting certain ordinances and posted on Manatee County's website no later than the date the notice of intent to consider the proposed ordinance is published (which, per Section 125.66, Florida Statutes, is 10 days before the public hearing).

Proposed Ordinance Title

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The following types of ordinances are exempt from the BIE requirement under Section 125.66(3)(c), Florida Statutes. As such, if one or more boxes are checked below, Manatee County believes that a BIE is not required by state law for the proposed ordinance referenced above. Manatee County reserves the right to revise this BIE following an initial posting. Notwithstanding, Manatee County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Manatee County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation.
- ☒ The proposed ordinance relates to the issuance or refinancing of debt.

VACANT
District 1

AMANDA
BALLARD
District 2

TAL
SIDDIQUE
District 3

MIKE
RAHN
District 4

DR. BOB
MCCANN
District 5

JASON
BEARDEN
At Large

GEORGE W.
KRUSE
At Large

- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government.
- ☐ The proposed ordinance is an emergency ordinance.
- ☐ The ordinance relates to procurement.
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Consistent with the posting requirement set forth in Section 125.66(3)(a), Florida Statutes, the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this ___ day of August 2026:

1. Summary of Proposed Ordinance, Including a Statement of the Public Purpose to be Served by the Proposed Ordinance, Such as Serving the Public Health, Safety, Morals, and Welfare of the County:

The proposed Code of Ordinances (Code) text amendment to Article IV, Acquisition, Protection, and Management of Environmental Lands primarily updates Section 2-25-55, Environmental lands oversight committee, to modify membership requirements of eligibility, terms, and number of seats to appropriately reflect the district seats. The amendment also modifies Section 2-25-57, Environmental lands procedure for setting priorities, to ensure consistency with past and current operating procedures of the County's Environmental Lands Program and the Code. There is minor text cleanup proposed throughout Article IV as well.

Estimate of Direct Economic Impact of Proposed Ordinance on Private, For-Profit Businesses in the County, Including the Following (if any):

- a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:

Because this ordinance makes no changes to regulatory requirements, permitting, or fees applicable to private businesses, businesses will not incur any compliance costs.

- b. Any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible:

There will be no charges or fees associated with this amendment.

- c. An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:

There will be no regulatory costs, revenues, new charges, or fees associated with this amendment.

2. A Good Faith Estimate of the Number of Businesses Likely to be Impacted by the Ordinance:

The proposed amendment does not impact businesses economically.

3. Additional Information the Board Determines May be Useful:

None.



September 1, 2026 - Regular Meeting

Subject

Updates to Agenda - August 31, 2026

Category

ANNOUNCEMENTS

Briefings

None

Contact and/or Presenter Information

Bobbi Roy, Agenda Division Supervisor, ext 6878

Action Requested

Updates incorporated appropriately

Enabling/Regulating Authority

N/A

Applicable Advisory Board

N/A

Background Discussion

Below are agenda updates (dated 8/31/26) for the meeting of September 1, 2026:

ANNOUNCEMENTS

Generic Public Comments

- This agenda item was updated with additional comments.

AWARDS/PRESENTATIONS/PROCLAMATIONS

Presentations

Item 2, **9:00 A.M. TIME CERTAIN** - Project Grace Follow-Up Discussion and Staff Responses to Board and Community Questions and Concerns - District 5

- This agenda item was updated with public comments.

CONSENT AGENDA

Community and Veterans Services

Item 11, Execution of Lease Agreement between Manatee County and The Eternity Temple Washington Park Community Development Corporation, Inc., Johanna Beville, Program Analyst for Community and Veterans Services Department – District 2
Board of County Commissioners September 1, 2026

- This agenda item was updated with a revised Lease Agreement.

12, Execution of Lease Agreement between Manatee County and Rubonia Community Association, Inc., Johanna Beville, Program Analyst for Community and Veterans Services Department – District 2

- This agenda item was updated with a revised Lease Agreement.

Financial Management

Item 13, Adoption of Budget Amendment Resolution B-26-105; and Budget Amendment Resolution B-26-106 for Infrastructure Sales Tax, Claudia Campos, Interim Chief Financial Officer

- This agenda item was updated with final Budget Amendment Resolution B-26-106.

Natural Resource Department

Item 41, Acceptance and Refund of Donation from Big Bill Foundation for 18th Annual Robinson Preserve 5K/10K Race, Aedan Stockdale, Education & Volunteer Division Manager - District 3

- This agenda item was added to the Agenda.

Property Management

Item 25, Execution of Lease Agreement between Manatee County and SPCA Property Co, LLC, for the property located at 5516 21st Avenue West, Bradenton, Florida 34209, Peter Morrow, Property Acquisition Division Manager - District 3

- This agenda item was updated with revised Instructions to Board Records (in strikethrough/underline format) and public comment.

Public Safety

Item 26, Adoption of Resolution R-26-110, accepting a State Grant Award from the State of Florida, Division of Emergency Management, for the Emergency Management Preparedness and Assistance (EMPA) Grant Agreement FY 26/27; and the Adoption of Budget Amendment Resolution B-26-098, Joel Richmond, Deputy Chief of Emergency Management - Countywide

- This agenda item was updated to revise the Action Requested to include Adoption of Budget Amendment Resolution B-26-098 (in strikethrough/underline format).

Public Works

Item 27, Adoption Resolution R-26-087, authorizing the Chairperson or designee to sign the Federal Fiscal Year (FFY) 2026 annual Federal Transit Administration (FTA) Certifications and Assurances, Benita Zarr, Interim Transit Division - Countywide

- This agenda item was updated to revise the Action Requested (in strikethrough/underline format) and attach a Letter designating Signature of Authority for FTA Assistance and Awards.

ADVERTISED PUBLIC HEARINGS – LEGISLATIVE

Presentations Scheduled

Item 30, Adoption of Ordinance 26-40, Amending Article IV of Chapter 2-25 of the Manatee County Code and Revising ELMAC Membership Eligibility, Terms, Number of Seats and Procedures, Kara Koenig, Environmental Lands Program Manager - Countywide

- This agenda item was updated with the clean version of Ordinance 26-40 and the strikethrough/underline version of Ordinance 26-40.

REGULAR

Government Relations

Item 34, Approval of Project Wolf - Advanced PFAS Treatment for Landfill Leachate and Biosolids at Lena Road Landfill; Adoption of Budget Amendment Resolution B-26-109; and Adoption of Resolution R-26-122, Aimee Johnson, Economic Development Division Manager - District 5

- This agenda item was updated with public comment and a revised PowerPoint Presentation.

Property Management

Item 35, Adoption of Resolution R-26-97 authorizing the conveyance of County-owned property, known as the GTE building, located at 1009 4th Avenue West, Bradenton, Florida 34205, and execution of a County Deed to the City of Bradenton, a Florida municipal corporation, Peter Morrow, Property Acquisition Division Manager - District 3

- This agenda item was updated with public comments.

REPORTS

Public Works

Item 36, Light Up Manatee Project Status Update, Aaron Burkett, Traffic Operations Division Manager, and Chris DeCosta, Sr, Assessment Coordinator

- This agenda item was updated with public comments and a PowerPoint Presentation.

Attorney Review

Not Reviewed (No apparent legal issues)

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

ORDINANCE NO. 26-40

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Manatee County (the Board) to provide parks, preserves, recreation areas and other recreation and cultural facilities for the citizens of Manatee County; and

WHEREAS, Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands, Section 2-25-55 of the Manatee County Code of Ordinances ("Code") describes the purposes and duties of the environmental lands management and acquisition committee ("ELMAC"); and

WHEREAS, the Board finds that amending various provisions of Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands of the Code is in the best interest of the County, its citizens and taxpayers and will serve to protect the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board:

Section 1. Chapter 2-25, Planning and Development, Article IV, Acquisition, Protection and Management of Environmental Lands of the Code is hereby amended as set forth in the attached Exhibit "A" to this Ordinance in underlined/strikethrough format where underlined means text is added and ~~strikethrough~~ means text is deleted.

Section 2. Pursuant to Section 125.68(1), Florida Statutes, the publisher of the Code, CivicPlus, shall codify the substantive amendments to the Code contained in Section 1 of this Ordinance as provided herein, and shall not codify any other sections not designated for codification.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

DULY ADOPTED with a quorum present and voting this ____day of _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

EXHIBIT A

Sec. 2-25-54. Definitions.

* * *

Priority list: The list of environmental lands developed by the ELMAC advisory committee with the assistance of county staff as confirmed or revised by the ~~board~~ Board of ~~county~~ County ~~commissioners~~ Commissioners at a public meeting. This list will be comprised of the sites that meet the criteria established in this article and will comprise the sites that will be acquired by fee title or other property interest, or that will otherwise be the subject of protection and management activities pursuant to this article. The priority list shall be by groupings and need not include numerical rankings.

* * *

Sec. 2-25-55. Environmental Lands Oversight Committee.

(a) Creation of the environmental lands management and acquisition committee.

There is hereby established a voluntary advisory board, to be known as the environmental lands management and acquisition committee (ELMAC). Appointments of members of the committee shall be in the manner set forth herein. Notice of openings shall be published, and members shall be appointed by majority vote of the ~~board~~ Board pursuant to this article. Applicants for committee membership shall follow the procedures set by the ~~board~~ Board regarding advisory board applications, and shall assure the ~~board~~ Board of the lack of conflicts and potential conflicts of interest. This committee is advisory only and may be abolished, disbanded or reorganized by amending this article.

(b) Purposes and duties of the environmental lands management and acquisition committee.

- (1) The general purpose of the environmental lands management and acquisition committee shall be to advise the ~~board~~ Board on matters related to environmental land acquisition and management, and passive recreational planning and programming for acquired lands. This article shall apply to lands previously acquired by the county that are explicitly designated as governed by this article by the ~~board~~ Board and to lands and property interests acquired after the adoption of this article whether from funds designated by the ~~board~~ Board or funds approved by voter referendum. This committee will provide a forum for multiple interests and user groups to express their wishes for management of county-owned lands and passive recreational facilities.

- (2) The specific duties of the environmental lands management and acquisition committee are those provided in this article and otherwise assigned by the ~~board~~ Board, and may also include:
- a. Identifying and evaluating lands meeting the criteria for acquisition and management as public passive recreation areas;
 - b. Developing a countywide inventory of environmental lands;
 - c. For purposes of acquisition, devising and updating the methodology by which a priority ranking may be assigned to the county's environmental lands;
 - d. Researching and evaluating additional potential acquisition funding mechanisms;
 - e. Assisting staff in developing management plans for lands that the county has acquired or is planning to acquire;
 - f. Assisting in efforts at the state level to secure sources of state funding for environmental lands purchases and planning;
 - g. Researching other jurisdictions' environmental lands acquisition and management programs;
 - h. Advising the ~~board~~ Board on the disposal of any county-owned environmental lands;
 - i. Evaluating lands under a priority ranking system utilizing the criteria in section 2-25-61 for which a priority ranking may be assigned to agricultural conservation easements; and
 - j. Performing other appropriate tasks that may be assigned by the ~~board~~ Board in the future.
- (3) Within the unincorporated area of the county, the committee shall also serve as the tree advisory committee. In such capacity, the duties of the committee shall be as follows:
- a. To develop a tree management program for the care of trees on property owned by the county;
 - b. To promote awareness of the county's tree canopy through educational programs;

- c. To review grant requirements and to prepare grant proposals for submittal by the county for the purpose of funding tree management programs; and
- d. To coordinate the county's observance of Arbor Day each year.

(c) Authority of the environmental lands management and acquisition committee.

- (1) The committee shall have the authority to elect officers from its membership to serve the needs of the committee. Officers elected by the committee will be a chairman and vice-chairman.
 - a. Chairman. The duties of the chairman will be to preside at all meetings and to see that the work is carried out in a constructive and businesslike manner. The chairman of the committee or his/her appointee will be the liaison to work closely with the county administrator or his/her designee. The chairman will appoint special committees where and when needed to work on any of the aforementioned duties, and will oversee the work of such subcommittee.
 - b. Vice-chairman. The vice-chairman will preside in the absence of the chairman and will be available to assist the chairman when requested.
- (2) Further, the committee shall have the authority to set the time and place for its meetings. The committee will meet on a schedule, and at a time and place to be determined by the committee. Meetings may be rescheduled or a special meeting called by the committee at any regular meeting. In addition, the chairman shall have the authority to call a special meeting. Upon a decision to cancel a meeting, committee members and the ~~board~~ Board shall be notified by phone if the decision is made less than seven (7) days prior to the scheduled meeting; otherwise, notification shall be by letter. Meetings will be advertised as to time and place. Each meeting will have a prepared agenda for distribution, and records will be kept. A majority of currently-appointed committee members will constitute a quorum for the conducting of committee business.
- (3) The committee will carry out its responsibilities in the most cost-effective manner. Expenses incurred by the committee or a member thereof, in pursuing its duties, may be paid directly or reimbursed by the ~~board~~ Board in accordance with applicable laws and policies established by the ~~board~~ Board, which shall require prior approval and administrative authorization before making any expenditures.

- (4) The committee shall report its findings and recommendations to the ~~board~~ Board, in open session, at least once annually. Said reports shall only be made by the chairman or vice-chairman of the committee, upon the advice of and consent of a majority of the committee.

(d) *Membership of the committee.*

- (1) The committee will be made up of ~~seventeen~~ fifteen (15) members. To the extent possible, members shall have expertise in ecology, conservation of natural resources, real estate or land acquisition business and land development, land planning, land management, or environmental education. An applicant shall submit evidence of his or her expertise in any of the above. The ~~board~~ Board shall appoint committee members from the following groups or with the following affiliations:

- a. A member from the Florida Engineering Society;
- b. A member ~~schooled~~ with a degree and/or certification in a natural science: ecology, biology, botany, etc.;
- c. A member with background or education in active passive outdoor sports and recreation;
- d. A member of a local environmental group;
- e. A member recommended by the Manatee Chamber of Commerce;
- f. ~~An employee of the Manatee County School Board;~~
- ~~f.g.~~ A member with background/education in banking, finance, or real estate;
- ~~g.h.~~ A member engaged in the agricultural business of farming, ranching or commercial horticulture;
- ~~h.i.~~ A member ~~who represents~~ recommended by Keep Manatee Beautiful, Inc.; and
- ~~i.j.~~ Seven (7) members who reside in Manatee County appointed by each individual commissioner. One member in District 1, one member in District 2, one member in District 3, one member in District 4, one member in District 5, and two (2) district wide members to be appointed by the two (2) at large commissioners.
- k. ~~One resident of Manatee County at large.~~

(2) All members shall be permanent residents of Manatee County as defined in Section 196.012, Florida Statutes.

(3) The county administrator or his/her designee is hereby assigned the responsibility of providing clerical and administrative support to the committee. The county attorney's office will be responsible for the legal needs of the committee, but only as specifically directed, from time to time, by the ~~board~~ Board.

(e) *Terms and eligibility requirements.*

(1) Terms of service on the committee will be for three (3) years, with reappointment at the discretion of the ~~board~~ Board, with the exception of members appointed by each individual commissioner for their district, whose terms shall expire with the appointing commissioner's term, or after three (3) years, whichever is sooner. If the three (3) year service term is set to expire within the same year as the commissioner's term expiration, the seat shall expire when the commissioner's term expires. Members must re-apply at the end of their term if they wish to be re-appointed. Members whose terms have expired may continue serving until the ~~board~~ Board selects a replacement. Initial appointments may be for one, two (2), or three (3) years to provide a balanced rotation of new members.

(2) A member missing three (3) consecutive meetings in a calendar year may be removed from the committee by the ~~board~~ Board upon the recommendation of a majority of the committee. The ~~board~~ Board may appoint a new member for the remainder of the term.

(3) Should any member of the committee be unable to complete his or her term of office, the ~~board~~ Board may appoint other(s) to complete the balance of the term of that position.

(4) A member appointed as a result of specific affiliation may continue, ~~in~~at the ~~board's~~ Board's discretion, to serve for the remainder of theat term even if the affiliation has changed.

(5) The terms of the chairman and vice-chairman shall be restricted to no more than two (2) consecutive two-year terms in those offices.

* * *

Sec. 2-25-56. Environmental lands acquisition, management and protection policies.

- (a) *Acquisition, management and protection.* The county will acquire, manage and protect environmental lands in a manner that is consistent with the goals and objectives set forth in this article and the policies of the Manatee County Comprehensive Plan.
- (b) *Priorities.* The county will restrict its acquisition, management and protection to property interests, whether previously or hereafter acquired, which have been evaluated utilizing the criteria specified and approved by the ~~board~~ Board for the priority list after review and recommendation by the ELMAC committee, and subject to a final determination by the ~~board~~ Board.
- (c) *Acquisition, management and protection methods.* The county will acquire environmental lands, or an interest therein, pursuant to this article only after obtaining voluntary approval of the landowner. Methods of acquisition of fee title or property interests will include, but not be limited to, conservation easements, tax incentives, compensation, transfer of development rights, exchanges, use reservations, acceptance of gifts of land, donations, and acquisition of property interests.
- (d) *Cooperation with other groups.* The county will work in a cooperative manner with, but not limited to, the following entities in the protection of environmental lands:
- (1) Private landowners.
 - (2) Municipalities.
 - (3) Private nonprofit organizations and land trusts.
 - (4) Florida Department of Environmental Protection.
 - (5) Southwest Florida Water Management District.
 - (6) Florida Fish and Wildlife Conservation Commission.
 - (7) ~~Department of Community Affairs.~~ Florida Department of Agriculture and Consumer Services.
 - (8) Appropriate federal, state and local agencies.
- (e) *Cooperation with profit and nonprofit groups.* The county will cooperate and consult with profit and nonprofit conservation organizations and trusts regarding purchase negotiations with willing sellers, environmental inventories and audits, matching funding, and procedures and processes for the acquisition and management of environmental lands. In no event shall this article, the authority granted hereunder, or the efforts of any such organization create an agency

relationship, express or implied, between the organization and the county. The county shall not be bound by any person or entity to approve or complete any transaction involving real property or real property interests, as a result of the negotiations or other acts of omissions of such organizations, unless and until approved by formal action of the ~~board~~ Board.

- (f) *Matching funding source*. When desirable matching fund opportunities exist, the county will follow and implement protection procedures for environmental lands in accordance with the State of Florida's Florida Forever program, ~~Save Our Rivers program~~, Rural and Family Lands Protection program, Florida Communities Trust program, and other matching fund programs to enhance opportunities for securing matching funding from these programs for protection of environmental lands.

Sec. 2-25-57. Environmental lands procedures for setting priorities.

- (a) *Procedure*. The county's procedure for listing and ranking sites on the protection priority list will be as follows:

- (1) *Site nominations*. County staff will assemble all available resources and identify sites nominated by the county staff and consultants, the ~~board~~ Board, ELMAC, other government organizations, private conservation organizations and the general public. There will be no ranking of the sites nominated; the sites will be listed randomly and not in order of importance. Sites may be nominated at any time.
- (2) *Eligibility*. County staff will review nominated sites, apply the selection criteria to determine eligibility and any applicable criteria that applies to the revenue sources in question. If initial review indicates the site is eligible, staff will contact the landowners to introduce the program and determine their willingness to participate in the program. If willing, a site visit will be scheduled to collect further information and a preliminary site report prepared. County staff will revise the eligible sites to include only those lands for which willing participants exist, thereby comprising the priority list. Owner participation may be withdrawn or initiated at any time until a legal agreement for protection has been fully executed.
- (3) *Priority groupings*. The ELMAC committee will review preliminary site reports for approval and develop priority groupings for county staff to move forward with the due diligence process for site acquisition.
- (4). *Contractual negotiation*. Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until required funds are identified.

(45) *Work plan.* The ELMAC committee and county staff will develop a work plan for each site on the priority list. The work plan will include protection methods, strategy to achieve protection, funding sources and methods, land management strategies and costs, and public access. Some work plans may warrant a more thorough analysis for full consideration and prioritization than staff can provide. Staff shall seek ~~board~~ Board approval prior to hiring an outside contractor for site analysis. A request for consultant services will be made in the work plan.

(56) *Approval.* The work plan adopted by ELMAC will be presented by county staff to the ~~board~~ Board concurrent with the contract for sale and purchase of each site. The ~~board~~ Board may either accept, reject, or modify the work plans and contract.

(67) *Implementation.* Upon ~~board~~ Board approval, county staff will execute the purchase of the environmental lands and implement the work plans.

~~(7) *Contractual negotiation.* Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until:~~

~~a. A work plan has been completed and approved by the board.~~

~~b. Required funds are identified.~~

(8) *Evaluation.* The ELMAC committee and county staff will review and update the priority list at least once annually. Owner willingness, partner and funding support, and conformance with the criteria will be the basis for changes to the list. Any changes to the list must be forwarded from the ELMAC committee to the ~~board~~ Board for consideration, except for deletions at the landowner's request, which will be deleted immediately by county staff.

* * *

Sec. 2-25-60. Persons authorized to negotiate, obligation to maintain confidentiality and public records law.

(a) The ~~board~~ Board shall, by majority vote, authorize the appropriate county staff member(s) to negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article.

- (b) No member of the ~~board~~ Board, or ELMAC, shall directly negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article, unless authorized to do so by a majority vote of the ~~board~~ Board.
- (c) No person or entity shall be authorized to negotiate on behalf of the county, or otherwise be directly involved in the purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, if that person, entity, or a relative of that person has a financial interest in the transaction.
- (d) Except to the extent required under Section 119.07, Florida Statutes, as amended, no person acting on behalf of the county shall divulge information obtained in their official capacity with respect to any proposed purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, for the purpose of giving the third party an unfair advantage. Nothing contained in this paragraph shall constitute a waiver by the county of its right to claim exemptions under Section 119.07, Florida Statutes, as amended. Furthermore, the provisions of Section 125.355, Florida Statutes, as amended, may be invoked by the county to maintain the confidentiality of appraisals, offers and counteroffers as allowed by that statute.
- (e) Persons acting on behalf of the county during the period of active negotiations for real property, or real property interests, pursuant to the terms of this article, shall provide a written statement verifying that neither they, the entity which they are employed by or otherwise represent, or a related person has a financial interest in the proposed transaction, and they acknowledge their agreement to maintain the confidentiality of information and documents as described in this article.
- (f) No contract or agreement negotiated pursuant to the terms of the ordinance for the purchase, sale, transfer or exchange of real property or real property interests shall be binding upon the county unless approved by a vote of the ~~board~~ Board in a public meeting.

Sec. 2-25-61. Conservation easements-agricultural lands.

- (a) *[Listing and ranking of sites for potential eligibility.]* The county's procedure for listing and ranking of sites for potential eligibility for the voluntary acquisition of conservation easements to preserve agricultural lands shall be consistent with the procedures set forth in section 2-25-57(a) with the addition of consideration of the following criteria:
 - (1) The quality of land for agricultural use, such as classifications of prime, unique, locally-important or state-wide important or other designation; and

- (2) Economic viability of the parcel, including agricultural on-site farm infrastructure and proximity to off-site farm infrastructure such as markets and adequate size for a bona fide agricultural operation; and
 - (3) Compatibility of surrounding uses or intended as a low-intensity/alternative agricultural operation; and
 - (4) Degree of development pressure on the parcel, including indicators such as proximity to the urban service boundary, zoning, residential development; and
 - (5) Proximity to other protected agricultural or environmental lands or wildlife corridors/greenways; and
 - (6) Additional benefits including, but not limited to, enhancement of wildlife habitat, air and water quality, hydrology, ground water recharge, preservation of historic and other cultural features and preservation of scenic qualities.
- (b) *Duties of the ~~director of conservation lands management~~ Department Director of Natural Resources.* The ~~director~~ Director of ~~conservation and lands management~~ Natural Resources, or designee, shall perform the following duties in regard to conservation easements for agricultural land:
- (1) Provide for the monitoring and maintenance of conservation easements for agricultural lands purchased by the county; and
 - (2) Promote, educate and encourage land owners to participate in the program established by this section; and
 - (3) Shall submit to the ~~board~~ Board of ~~county commissioners~~ an annual report based on all the activities carried out pursuant to the purchase of conservation easements for agricultural purposes. This report shall include, but is not limited to, a map indicating the location of agricultural lands in the county and location of the parcels from where development rights were purchased; total number of conservation easements and number of acres of each of the conservation easements in the agricultural lands throughout the county; number of land owner applications for the given year for the agricultural land purchase of development rights program.
 - (4) Provide any necessary assistance in the enforcement of conservation easements for agricultural lands. Conservation easements including those applicable to agricultural lands are enforceable by injunction or proceeding in equity or at law by ~~Manatee County~~ the county in accordance with applicable law including Section 704.06, Florida Statutes.

Secs. 2-25-62—2-25-79. Reserved.

ORDINANCE NO. 26-40

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO THE ACQUISITION, PROTECTION AND MANAGEMENT OF ENVIRONMENTAL LANDS; AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2-25 PLANNING AND DEVELOPMENT, ARTICLE IV ACQUISITION, PROTECTION, AND MANAGEMENT OF ENVIRONMENTAL LANDS, MANATEE COUNTY CODE OF ORDINANCES, MODIFYING SECTION 2-25-55 BY AMENDING MEMBERSHIP ELIGIBILITY, NUMBER OF SEATS AND TERMS OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING SECTION 2-25-56 BY UPDATING REFERENCES TO STATE DEPARTMENTS; AMENDING SECTION 2-25-57 BY UPDATING PROCEDURE FOR SETTING PRIORITIES, REFLECTING EXISTING ENVIRONMENTAL LANDS PROGRAM BUSINESS PRACTICE; AMENDING SECTIONS 2-25-51, 2-25-54, 2-25-55, 2-25-56, 2-25-57, 2-25-60 AND 2-25-61, CORRECTING TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Manatee County (the Board) to provide parks, preserves, recreation areas and other recreation and cultural facilities for the citizens of Manatee County; and

WHEREAS, Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands, Section 2-25-55 of the Manatee County Code of Ordinances ("Code") describes the purposes and duties of the environmental lands management and acquisition committee ("ELMAC"); and

WHEREAS, the Board finds that amending various provisions of Chapter 2-25, Planning and Development, Article IV Acquisition, Protection, and Management of Environmental Lands of the Code is in the best interest of the County, its citizens and taxpayers and will serve to protect the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board:

Section 1. Chapter 2-25, Planning and Development, Article IV, Acquisition, Protection and Management of Environmental Lands of the Code is hereby amended as set forth in the attached Exhibit "A" to this Ordinance in underlined/strikethrough format where underlined means text is added and ~~strikethrough~~ means text is deleted.

Section 2. Pursuant to Section 125.68(1), Florida Statutes, the publisher of the Code, CivicPlus, shall codify the substantive amendments to the Code contained in Section 1 of this Ordinance as provided herein, and shall not codify any other sections not designated for codification.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. This Ordinance shall take effect immediately upon the filing of a certified copy of this Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

DULY ADOPTED with a quorum present and voting this ____day of _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

EXHIBIT A

Sec. 2-25-54. Definitions.

* * *

Priority list: The list of environmental lands developed by the ELMAC advisory committee with the assistance of county staff as confirmed or revised by the ~~board~~ Board of ~~county~~ County ~~commissioners~~ Commissioners at a public meeting. This list will be comprised of the sites that meet the criteria established in this article and will comprise the sites that will be acquired by fee title or other property interest, or that will otherwise be the subject of protection and management activities pursuant to this article. The priority list shall be by groupings and need not include numerical rankings.

* * *

Sec. 2-25-55. Environmental Lands Oversight Committee.

(a) Creation of the environmental lands management and acquisition committee.

There is hereby established a voluntary advisory board, to be known as the environmental lands management and acquisition committee (ELMAC). Appointments of members of the committee shall be in the manner set forth herein. Notice of openings shall be published, and members shall be appointed by majority vote of the ~~board~~ Board pursuant to this article. Applicants for committee membership shall follow the procedures set by the ~~board~~ Board regarding advisory board applications, and shall assure the ~~board~~ Board of the lack of conflicts and potential conflicts of interest. This committee is advisory only and may be abolished, disbanded or reorganized by amending this article.

(b) Purposes and duties of the environmental lands management and acquisition committee.

- (1) The general purpose of the environmental lands management and acquisition committee shall be to advise the ~~board~~ Board on matters related to environmental land acquisition and management, and passive recreational planning and programming for acquired lands. This article shall apply to lands previously acquired by the county that are explicitly designated as governed by this article by the ~~board~~ Board and to lands and property interests acquired after the adoption of this article whether from funds designated by the ~~board~~ Board or funds approved by voter referendum. This committee will provide a forum for multiple interests and user groups to express their wishes for management of county-owned lands and passive recreational facilities.

- (2) The specific duties of the environmental lands management and acquisition committee are those provided in this article and otherwise assigned by the ~~board~~ Board, and may also include:
- a. Identifying and evaluating lands meeting the criteria for acquisition and management as public passive recreation areas;
 - b. Developing a countywide inventory of environmental lands;
 - c. For purposes of acquisition, devising and updating the methodology by which a priority ranking may be assigned to the county's environmental lands;
 - d. Researching and evaluating additional potential acquisition funding mechanisms;
 - e. Assisting staff in developing management plans for lands that the county has acquired or is planning to acquire;
 - f. Assisting in efforts at the state level to secure sources of state funding for environmental lands purchases and planning;
 - g. Researching other jurisdictions' environmental lands acquisition and management programs;
 - h. Advising the ~~board~~ Board on the disposal of any county-owned environmental lands;
 - i. Evaluating lands under a priority ranking system utilizing the criteria in section 2-25-61 for which a priority ranking may be assigned to agricultural conservation easements; and
 - j. Performing other appropriate tasks that may be assigned by the ~~board~~ Board in the future.
- (3) Within the unincorporated area of the county, the committee shall also serve as the tree advisory committee. In such capacity, the duties of the committee shall be as follows:
- a. To develop a tree management program for the care of trees on property owned by the county;
 - b. To promote awareness of the county's tree canopy through educational programs;

- c. To review grant requirements and to prepare grant proposals for submittal by the county for the purpose of funding tree management programs; and
- d. To coordinate the county's observance of Arbor Day each year.

(c) Authority of the environmental lands management and acquisition committee.

- (1) The committee shall have the authority to elect officers from its membership to serve the needs of the committee. Officers elected by the committee will be a chairman and vice-chairman.
 - a. Chairman. The duties of the chairman will be to preside at all meetings and to see that the work is carried out in a constructive and businesslike manner. The chairman of the committee or his/her appointee will be the liaison to work closely with the county administrator or his/her designee. The chairman will appoint special committees where and when needed to work on any of the aforementioned duties, and will oversee the work of such subcommittee.
 - b. Vice-chairman. The vice-chairman will preside in the absence of the chairman and will be available to assist the chairman when requested.
- (2) Further, the committee shall have the authority to set the time and place for its meetings. The committee will meet on a schedule, and at a time and place to be determined by the committee. Meetings may be rescheduled or a special meeting called by the committee at any regular meeting. In addition, the chairman shall have the authority to call a special meeting. Upon a decision to cancel a meeting, committee members and the ~~board~~ Board shall be notified by phone if the decision is made less than seven (7) days prior to the scheduled meeting; otherwise, notification shall be by letter. Meetings will be advertised as to time and place. Each meeting will have a prepared agenda for distribution, and records will be kept. A majority of currently-appointed committee members will constitute a quorum for the conducting of committee business.
- (3) The committee will carry out its responsibilities in the most cost-effective manner. Expenses incurred by the committee or a member thereof, in pursuing its duties, may be paid directly or reimbursed by the ~~board~~ Board in accordance with applicable laws and policies established by the ~~board~~ Board, which shall require prior approval and administrative authorization before making any expenditures.

- (4) The committee shall report its findings and recommendations to the ~~board~~ Board, in open session, at least once annually. Said reports shall only be made by the chairman or vice-chairman of the committee, upon the advice of and consent of a majority of the committee.

(d) *Membership of the committee.*

- (1) The committee will be made up of ~~seventeen~~ fifteen (15) members. To the extent possible, members shall have expertise in ecology, conservation of natural resources, real estate or land acquisition business and land development, land planning, land management, or environmental education. An applicant shall submit evidence of his or her expertise in any of the above. The ~~board~~ Board shall appoint committee members from the following groups or with the following affiliations:

- a. A member from the Florida Engineering Society;
- b. A member ~~schooled~~ with a degree and/or certification in a natural science: ecology, biology, botany, etc.;
- c. A member with background or education in active passive outdoor sports and recreation;
- d. A member of a local environmental group;
- e. A member recommended by the Manatee Chamber of Commerce;
- f. ~~An employee of the Manatee County School Board;~~

~~f.g.~~ A member with background/education in banking, finance, or real estate;

~~g.h.~~ A member ~~with background/education in banking, finance, or real estate~~ engaged in the agricultural business of farming, ranching or commercial horticulture;

~~h.i.~~ A member ~~who represents~~ recommended by Keep Manatee Beautiful, Inc.; and

~~i.j.~~ Seven (7) members who reside in Manatee County appointed by each individual commissioner. One member in District 1, one member in District 2, one member in District 3, one member in District 4, one member in District 5, and two (2) district wide members to be appointed by the two (2) at large commissioners.

~~k.~~ ~~One resident of Manatee County at large.~~

(2) All members shall be permanent residents of Manatee County as defined in Section 196.012, Florida Statutes.

(3) The county administrator or his/her designee is hereby assigned the responsibility of providing clerical and administrative support to the committee. The county attorney's office will be responsible for the legal needs of the committee, but only as specifically directed, from time to time, by the ~~board~~ Board.

(e) *Terms and eligibility requirements.*

(1) Terms of service on the committee will be for three (3) years, with reappointment at the discretion of the ~~board~~ Board, with the exception of members appointed by each individual commissioner for their district, whose terms shall expire with the appointing commissioner's term, or after three (3) years, whichever is sooner. If the three (3) year service term is set to expire within the same year as the commissioner's term expiration, the seat shall expire when the commissioner's term expires. Members must re-apply at the end of their term if they wish to be re-appointed. Members whose terms have expired may continue serving until the ~~board~~ Board selects a replacement. Initial appointments may be for one, two (2), or three (3) years to provide a balanced rotation of new members.

(2) A member missing three (3) consecutive meetings in a calendar year may be removed from the committee by the ~~board~~ Board upon the recommendation of a majority of the committee. The ~~board~~ Board may appoint a new member for the remainder of the term.

(3) Should any member of the committee be unable to complete his or her term of office, the ~~board~~ Board may appoint other(s) to complete the balance of the term of that position.

(4) A member appointed as a result of specific affiliation may continue, ~~in~~at the ~~board's~~ Board's discretion, to serve for the remainder of theat term even if the affiliation has changed.

(5) The terms of the chairman and vice-chairman shall be restricted to no more than two (2) consecutive two-year terms in those offices.

* * *

Sec. 2-25-56. Environmental lands acquisition, management and protection policies.

- (a) *Acquisition, management and protection.* The county will acquire, manage and protect environmental lands in a manner that is consistent with the goals and objectives set forth in this article and the policies of the Manatee County Comprehensive Plan.
- (b) *Priorities.* The county will restrict its acquisition, management and protection to property interests, whether previously or hereafter acquired, which have been evaluated utilizing the criteria specified and approved by the ~~board~~ Board for the priority list after review and recommendation by the ELMAC committee, and subject to a final determination by the ~~board~~ Board.
- (c) *Acquisition, management and protection methods.* The county will acquire environmental lands, or an interest therein, pursuant to this article only after obtaining voluntary approval of the landowner. Methods of acquisition of fee title or property interests will include, but not be limited to, conservation easements, tax incentives, compensation, transfer of development rights, exchanges, use reservations, acceptance of gifts of land, donations, and acquisition of property interests.
- (d) *Cooperation with other groups.* The county will work in a cooperative manner with, but not limited to, the following entities in the protection of environmental lands:
- (1) Private landowners.
 - (2) Municipalities.
 - (3) Private nonprofit organizations and land trusts.
 - (4) Florida Department of Environmental Protection.
 - (5) Southwest Florida Water Management District.
 - (6) Florida Fish and Wildlife Conservation Commission.
 - (7) ~~Department of Community Affairs.~~ Florida Department of Agriculture and Consumer Services.
 - (8) Appropriate federal, state and local agencies.
- (e) *Cooperation with profit and nonprofit groups.* The county will cooperate and consult with profit and nonprofit conservation organizations and trusts regarding purchase negotiations with willing sellers, environmental inventories and audits, matching funding, and procedures and processes for the acquisition and management of environmental lands. In no event shall this article, the authority granted hereunder, or the efforts of any such organization create an agency

relationship, express or implied, between the organization and the county. The county shall not be bound by any person or entity to approve or complete any transaction involving real property or real property interests, as a result of the negotiations or other acts of omissions of such organizations, unless and until approved by formal action of the ~~board~~ Board.

- (f) *Matching funding source*. When desirable matching fund opportunities exist, the county will follow and implement protection procedures for environmental lands in accordance with the State of Florida's Florida Forever program, ~~Save Our Rivers program~~, Rural and Family Lands Protection program, Florida Communities Trust program, and other matching fund programs to enhance opportunities for securing matching funding from these programs for protection of environmental lands.

Sec. 2-25-57. Environmental lands procedures for setting priorities.

- (a) *Procedure*. The county's procedure for listing and ranking sites on the protection priority list will be as follows:

- (1) *Site nominations*. County staff will assemble all available resources and identify sites nominated by the county staff and consultants, the ~~board~~ Board, ELMAC, other government organizations, private conservation organizations and the general public. There will be no ranking of the sites nominated; the sites will be listed randomly and not in order of importance. Sites may be nominated at any time.
- (2) *Eligibility*. County staff will review nominated sites, apply the selection criteria to determine eligibility and any applicable criteria that applies to the revenue sources in question. If initial review indicates the site is eligible, staff will contact the landowners to introduce the program and determine their willingness to participate in the program. If willing, a site visit will be scheduled to collect further information and a preliminary site report prepared. County staff will revise the eligible sites to include only those lands for which willing participants exist, thereby comprising the priority list. Owner participation may be withdrawn or initiated at any time until a legal agreement for protection has been fully executed.
- (3) *Priority groupings*. The ELMAC committee will review preliminary site reports for approval and develop priority groupings for county staff to move forward with the due diligence process for site acquisition.
- (4). *Contractual negotiation*. Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until required funds are identified.

(45) *Work plan.* The ELMAC committee and county staff will develop a work plan for each site on the priority list. The work plan will include protection methods, strategy to achieve protection, funding sources and methods, land management strategies and costs, and public access. Some work plans may warrant a more thorough analysis for full consideration and prioritization than staff can provide. Staff shall seek ~~board~~ Board approval prior to hiring an outside contractor for site analysis. A request for consultant services will be made in the work plan.

(56) *Approval.* The work plan adopted by ELMAC will be presented by county staff to the ~~board~~ Board concurrent with the contract for sale and purchase of each site. The ~~board~~ Board may either accept, reject, or modify the work plans and contract.

(67) *Implementation.* Upon ~~board~~ Board approval, county staff will execute the purchase of the environmental lands and implement the work plans.

~~(7) *Contractual negotiation.* Due diligence, appraisals, and contractual negotiation for lands on the priority list will not begin until:~~

~~a. A work plan has been completed and approved by the board.~~

~~b. Required funds are identified.~~

(8) *Evaluation.* The ELMAC committee and county staff will review and update the priority list at least once annually. Owner willingness, partner and funding support, and conformance with the criteria will be the basis for changes to the list. Any changes to the list must be forwarded from the ELMAC committee to the ~~board~~ Board for consideration, except for deletions at the landowner's request, which will be deleted immediately by county staff.

* * *

Sec. 2-25-60. Persons authorized to negotiate, obligation to maintain confidentiality and public records law.

(a) The ~~board~~ Board shall, by majority vote, authorize the appropriate county staff member(s) to negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article.

- (b) No member of the ~~board~~ Board, or ELMAC, shall directly negotiate for the purchase, sale, or exchange of real property, or real property interests, on behalf of the county, pursuant to the terms of this article, unless authorized to do so by a majority vote of the ~~board~~ Board.
- (c) No person or entity shall be authorized to negotiate on behalf of the county, or otherwise be directly involved in the purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, if that person, entity, or a relative of that person has a financial interest in the transaction.
- (d) Except to the extent required under Section 119.07, Florida Statutes, as amended, no person acting on behalf of the county shall divulge information obtained in their official capacity with respect to any proposed purchase, sale or exchange of real property, or real property interests, pursuant to the terms of this article, for the purpose of giving the third party an unfair advantage. Nothing contained in this paragraph shall constitute a waiver by the county of its right to claim exemptions under Section 119.07, Florida Statutes, as amended. Furthermore, the provisions of Section 125.355, Florida Statutes, as amended, may be invoked by the county to maintain the confidentiality of appraisals, offers and counteroffers as allowed by that statute.
- (e) Persons acting on behalf of the county during the period of active negotiations for real property, or real property interests, pursuant to the terms of this article, shall provide a written statement verifying that neither they, the entity which they are employed by or otherwise represent, or a related person has a financial interest in the proposed transaction, and they acknowledge their agreement to maintain the confidentiality of information and documents as described in this article.
- (f) No contract or agreement negotiated pursuant to the terms of the ordinance for the purchase, sale, transfer or exchange of real property or real property interests shall be binding upon the county unless approved by a vote of the ~~board~~ Board in a public meeting.

Sec. 2-25-61. Conservation easements-agricultural lands.

- (a) *[Listing and ranking of sites for potential eligibility.]* The county's procedure for listing and ranking of sites for potential eligibility for the voluntary acquisition of conservation easements to preserve agricultural lands shall be consistent with the procedures set forth in section 2-25-57(a) with the addition of consideration of the following criteria:
 - (1) The quality of land for agricultural use, such as classifications of prime, unique, locally-important or state-wide important or other designation; and

- (2) Economic viability of the parcel, including agricultural on-site farm infrastructure and proximity to off-site farm infrastructure such as markets and adequate size for a bona fide agricultural operation; and
 - (3) Compatibility of surrounding uses or intended as a low-intensity/alternative agricultural operation; and
 - (4) Degree of development pressure on the parcel, including indicators such as proximity to the urban service boundary, zoning, residential development; and
 - (5) Proximity to other protected agricultural or environmental lands or wildlife corridors/greenways; and
 - (6) Additional benefits including, but not limited to, enhancement of wildlife habitat, air and water quality, hydrology, ground water recharge, preservation of historic and other cultural features and preservation of scenic qualities.
- (b) *Duties of the ~~director of conservation lands management~~ Department Director of Natural Resources.* The ~~director~~ Director of ~~conservation and lands management~~ Natural Resources, or designee, shall perform the following duties in regard to conservation easements for agricultural land:
- (1) Provide for the monitoring and maintenance of conservation easements for agricultural lands purchased by the county; and
 - (2) Promote, educate and encourage land owners to participate in the program established by this section; and
 - (3) Shall submit to the ~~board~~ Board of ~~county commissioners~~ an annual report based on all the activities carried out pursuant to the purchase of conservation easements for agricultural purposes. This report shall include, but is not limited to, a map indicating the location of agricultural lands in the county and location of the parcels from where development rights were purchased; total number of conservation easements and number of acres of each of the conservation easements in the agricultural lands throughout the county; number of land owner applications for the given year for the agricultural land purchase of development rights program.
 - (4) Provide any necessary assistance in the enforcement of conservation easements for agricultural lands. Conservation easements including those applicable to agricultural lands are enforceable by injunction or proceeding in equity or at law by ~~Manatee County~~ the county in accordance with applicable law including Section 704.06, Florida Statutes.

Secs. 2-25-62—2-25-79. Reserved.

Ordinance No. 26-40

Chapter 2-25 Article IV Code of Ordinances Text Amendment Acquisition, Protection and Management of Environmental Lands



**September 1, 2026 BCC Regular Meeting
Kara Koenig – Property Management
Environmental Lands Program Section Manager**

SEC. 2-25-55 - ENVIRONMENTAL LANDS OVERSIGHT COMMITTEE

MEMBER SEATS

- **Reduction from 17 to 15 members**
 - Removal of Manatee County School Board Employee
 - Removal of Manatee County At-Large Resident
 - Two at-large seats already exist
- **Modifications to Membership Seat Expertise**
 - A member schooled with a degree and/or certification in a natural science
 - A member with background or education in active passive outdoor sports and recreation
 - A member ~~who represents~~ recommended by Keep Manatee Beautiful
- **Terms and Eligibility Requirements**
 - Added: If the three (3) year service term is set to expire within the same year as the commissioner's term expiration, the seat shall expire when the commissioner's term expires.



SEC. 2-25-57 - ENVIRONMENTAL LANDS PROCEDURE FOR SETTING PRIORITIES

PROCEDURES

➤ Due Diligence Process

- *Priority groupings.* The ELMAC committee will review preliminary site reports for approval and develop priority groupings for county staff to move forward with the due diligence process for site acquisition.

➤ Contract and Work Plan Approval

- Contract and work plan to move forward concurrently to Board for approval
 - Approval. The work plan adopted by ELMAC will be presented by county staff to the ~~board~~ Board concurrent with the contract for sale and purchase of each site. The ~~board~~ Board may either accept, reject, or modify the work plans and contract.
 - Implementation. Upon ~~board~~ Board approval, county staff will execute the purchase of the environmental lands and implement the work plans.



Respectfully Requests Adoption of Ordinance No. 26-40





Natural Resources Department

Environmental Lands
1022 26th Ave E
Bradenton, FL 34208
Phone number: (941) 748-4501

MEMORANDUM

To: Board of County Commissioners

Through: Charlie Bishop, County Administrator

From: Charlie Hunsicker, Natural Resources Director

Date: September 19, 2023

Subject: ELMAC Meeting September 11, 2023

As the Board is aware, staff was directed on August 8, 2023 to adjust the Conservation and Parks projects approval process, leading to Board approval for conservation land purchases. The shortened procedures allow staff to proceed to due diligence steps for conservation parcels approved by the ELMAC committee, so that a more complete portfolio of information for recommended purchases can be presented for Board consideration. Properties will be presented to BOCC for consideration when appraisals and other key information are available.

The purpose of the memorandum is to brief the Board on significant ELMAC recommendations received at their September 11, 2023 meeting and their direction to proceed to due diligence on parcels brought forward by staff.

