

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
WORK SESSION  
COUNTY ADMINISTRATION BUILDING; HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
MARCH 16, 2021**

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

Present were:

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

Also present were:

Karen Stewart, Acting County Administrator  
William Clague, County Attorney  
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court



Vice Chairman Kruse called the meeting to order at 9:00 a.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

1. The Invocation was delivered by Pastor Bill Pierson, J.O.Y. Fellowship, followed by the Pledge of Allegiance.

**AGENDA**

BC20210316DOC001

**1. PUBLIC SAFETY/COASTAL MAPPING/PERIL OF FLOOD ACT**

Nicole Knapp, Impact Fee Administrator, used a slide presentation to discuss Coastal Mapping, should Coastal Maps be changed, the Coastal Management Element, studies, data and cumulative impacts, designation and purpose of the Coastal High Hazard Area (CHHA), the definition and purpose of the Coastal Evacuation Area (CEA), definition and goals of the Coastal Planning Area (CPA), policies to consider regarding density, prohibited uses in specific areas, infrastructure, hazard mitigation, vegetation and water quality, history of the SLOSH (Sea, Lake, and Overland Surges from Hurricanes) model 2009 versus 2016, increased inundation, at-risk population and affected parcels, a map of the Coastal High Hazard Area, 2010 and 2016 maps of the CHHA and CEA, SLOSH inundation 2012 versus 2020, NOAA's 2020 Sea Level Rise (SLR) inundation, and policies from Sarasota, Hillsborough, Pinellas, and Charlotte Counties.

BC20210316DOC002

(Enter Commissioner Van Ostenbridge during presentation)



Jerry Murphy, Consultant from the University of Florida, presented slides to review Resilience Planning Grant R2106, how Flood Insurance Rate Maps (FIRM) are created, digital format for FIRMs, FEMA Flood Map Service Center for Manatee County, FIRMette, Flood Insurance Study (FIS), Coastal Flood Zones, Zone VE is also known as the Coastal High Hazard Area which has a different definition with the State, and is where wave action and fast moving water can cause extensive damage during a base flood event. Zone AE and Zone AO and difference with wave action, FEMA encourages using VE standards in A zones, Base Flood Elevations (BFEs), Zone X, Limit of Moderate Wave Action (LMWA) model, FIRMs and SLOSH models are based on past events, SLOSH are computerized models, illustrations of storm surge, hurricane models, and tide with storm surge models. The purpose of the SLOSH model is to determine the potential surge for a location. The

accuracy of the SLOSH model is generally within 20 percent of peak storm surge. More intense storms cause higher surges, and higher surges occur to the right of the storm tract. Mr. Murphy continued to address generalizations from SLOSH. The applications are used to estimate potential storm surge and flooding for a given hurricane category, forward speed, and direction. He concluded the slides with additional SLOSH data.

Discussion ensued regarding how to address projects that are partly within the CHHA.

 Ms. Knapp explained staff has the ability to look at each development, and there are options to change the effects of mapping. Recreational Vehicle parks do not have the same restrictions since the vehicles can be moved.

 Discussion ensued regarding projects can be shifted, structures must comply with the building code, restrictions to have density bonuses, altering the effects of mapping and entitlement may not eliminate appeals from developers, avoid added regulations, limiting long term medical/care facilities in CHHA, other counties discourage hotels in the CHHA, limit density, effect of restrictions on District 3, people want to live near the water, taxes go with regulation, adjust policies regarding avoiding urban sprawl versus limiting density, prohibiting building County facilities in the CHHA, and the regulations are flawed.

 Ms. Knapp clarified the policies presented are already in existence. The Board has the ability to change the maps and the policies, and this presentation is for information.

 Discussion continued that the CPA and CEA are subjective for the purpose of protecting people from themselves, parcels that have a low percentage of square footage in the CEA and CPA, developers understand how the development works and will build what is marketable, build housing in smarter locations, SLOSH models are updated every five years, SLOSH may take sea level rise into consideration in the future, and all of the policies are have existed since 1987/1989.

 Mr. Murphy responded that there is a trend toward looking into requiring securities/bonds for development in the Coastal areas.

 Discussion took place that the designations can change quickly based on the location of the property, maps are based on science, consider least restrictive model, protect property rights, adopt the least amount of restrictions, and adjust building codes to allow development within the CEA and CPA.

 Mr. Murphy stated flood regulations are set by the (Federal Emergency Management Agency (FEMA), and the rating system allows for discounts when certain measures are taken. The Comprehensive Plan should be based on the best and most current information available, and the flood rating could be affected by changes.

Discussion ensued regarding building codes, and have the CEA and CPA mirror the CHHA.

 Thomas Gerstenberger, Engineering Division Manager, the explained difference between the CHHA, CEA and CPA is that the CHHA is based on elevation. Regarding the CEA and CPA, staff is drawing out areas of inundation based on elevation. The regulations due to the Flood Insurance system, are based on regulatory exercises and clearances. There is significant difference between what FEMA regulates and the FIRM.

 Discussion continued that obtaining flood insurance is up to the homeowner, what private infrastructure is allowed in the CHHA, support not adding to the regulations, the maps are arbitrary, Board has been consistent with their comments, adopt a similar plan to Sarasota that looks at the actual elevation, and giving too much power to a map.

 Regarding previous meetings where this topic was discussed, Ms. Knapp responded the first request was to transmit the maps, and the second meeting was an appeal. There is the ability to look at the Sarasota plan and take the data and map the CEA the same as the CHHA. The human element can be removed, and staff can analyze what actions can be taken. Policy 2.2.2.4.2 limits the amount of infrastructure in the CEA.

 Mr. Gerstenberger responded that the flood rating (community rating system) determines the level of discounts for the County which is determined by qualification through the certification process, and is not associated with the mapping exercise, but with the FIRM, which is utilized to determine base flood elevation and base floor elevation. Staff has been working on the flood plain ordinance, which determines the CRS.

 Edward Vogler stated he has been involved in many developments located in the coastal area, and referred to the maps in the presentation and text that is predicated to the perils of flood law. The goal of the text amendments is to integrate nature based adaption. He asked for consideration for affordable housing resilience, and flood mitigation. He displayed an email regarding legislation and language related to preserving property rights.

 Michael Neal, Developer, stressed the importance of property rights, and the extra effort that is needed to build to Code when building in certain areas. These regulations effect the ability to build affordable housing. These are planning maps, not flood insurance maps, and the goal is not to make flood insurance go up.

 Carlos Beruff distributed a handout and stated the FEMA maps dropped elevations by three feet, and are expected to be adopted in August. Development works on waterfront property when it is built to deal with flooding. He opposed another layer of restrictions on private property.

 Andra Griffin displayed a map of Florida with hurricane tracks from the past 100 years and stressed that this area has not had many direct hits. It is not the responsibility of the County to make sure insurance rates are low, but to protect the citizens. She encouraged removing the human element from the policy and having fewer regulations.

 Glen Gibellina discussed that the building codes have improved since Hurricane Andrew and encouraged building to withstand storms. He disagreed with adopting the maps.

 Caleb Grimes stressed the problem is how the County uses the maps to put regulations in certain areas that are evacuation zones. The regulations were put in place for the CHHA based on science, and discouraged expanding those regulations to the CEA and CPA.

 Dawn Kitterman commented on flooding events in Houston from tropical storms that do not move out, and the importance of stormwater systems to combat flooding.

 Caroline Prezan addressed building codes that do not protect against storm surge and flooding, and opposed development along coastal areas to protect the elderly.

**RECESS/RECONVENE:** 10:38 a.m. – 10:48 a.m. All Commissioners present.

 Discussion ensued regarding additional regulations to CEA, there are no new regulations being added, and building codes protect homeowners.

 John Barnott, Building and Development Services Director, clarified that building codes do not take SLOSH maps into account, as they only address the structure. Freeboard is one foot above base flood elevations. Flood insurance ratings include a 25 percent discount for Manatee County. Structures must be built above base flood elevation based on the FIRM maps.

 Discussion continued that the Board's role is to protect the human element, and built up elevations.

 Ms. Knapp explained no action is required today, but to seek guidance as to how staff should move forward with the maps, and how it would affect existing policy language. The CHHA is required by Statute, but each county is different with their policies. She acknowledged the board is leaning toward no increased regulations beyond the CHHA.

 Chairman Baugh requested a presentation on the State standards compared to Manatee County. The packet included is for public comment which is required by the State for the Peril of Flood. Staff wanted to make sure Peril of Flood was consistent with the mapping. Peril of Flood requirements must be transmitted by the end of the year to the State.

 Discussion ensued that the SLOCH model is important, and if the CEA and CPA were deleted, would there be consequences from the State.

 Ms. Knapp stated it is her opinion that to delete the CEA and CPA could create repercussions.

 Mr. Murphy responded that to take the current language in the policy, and to adopt the new maps based on the new modeling, would not receive an ORC (Objection, Recommendations, and Corrections) report.

 Discussion ensued regarding what responsibility should the government have to protect citizens if there is a disaster.

 William Clague stated there are no repercussions if the County stays within State regulations.

 Mr. Murphy stated until the new FIRMS are formally adopted, the 2016 FIRMS will remain.

 Discussion continued to appreciate staff's professional opinion, flooding from the last storm that came through, what is the Board's intent regarding the CEA and CPA, the State requires planning, flood zones, State standards and building codes are adjusted, any possible

liabilities to the County if the CEA and CPA are not adopted, simply adhere to State requirements, cannot prevent natural disasters, people need to take personal responsibility, protecting public infrastructure, and need reasonable regulations for a coastal community.

 Mr. Clague reminded the Board that they cannot give direction at a work session.

2. **FINANCIAL MANAGEMENT/FY22 BUDGET**

Item deferred to March 30, 2021 at 9:00 a.m.

BC2021 0306DOC003

**COMMISSIONER COMMENTS**

 Commissioner Whitmore

- Requested that Commissioners set an example for social distancing and wearing masks
- Questioned rumors regarding privatizing libraries and noted the Library endowment supplies the baking pans for check out

Commissioner Van Ostenbridge

- Will reach out to Holmes Beach Mayor Titsworth regarding beach parking issues
- Reviewed resumes of County Administrator applicants and he will submit Dr. Scott Hopes
- Wished everyone a safe trip to Tallahassee

 Commissioner Kruse

- Reviewed resumes and feels there are qualified applicants
- Parrish Heritage Day is scheduled for March 20 at the Parrish Community High School

Commissioner Servia

- Mentioned Commissioner will be taking separate cars to Tallahassee

William Clague, County Attorney, asked Commissioners to follow usual protocol, and that only one Commissioner will speak to Legislatures.

Commissioner Servia asked permission to record the meetings and share the recordings with Commissioners who are not going to Tallahassee. Commissioner Van Ostenbridge and Chairman Baugh were against recording the meetings.

Discussion ensued that legislatures would not be open to have the meetings recorded, and it is a more relaxed atmosphere, Chairman Baugh will be the spokesperson for the meetings, there has never been a request to record the meetings with legislatures in the past, and it is important to ensure everyone is comfortable with the meetings, being able to discuss bridges with Florida Department of Transportation, Commissioners can have discussions one on one with certain individuals, and the State determines the design of the Cortez bridge to Anna Maria Island.

 Mr. Clague cautioned that Sunshine issues cannot be resolved after the fact, and it is safer to meet individually.

Discussion continued that the contingent is meeting with the Department of Environmental Protection (DEP) and discuss only what is on the platform, full confidence that the Chairman will represent the Board and not sway legislatures in other directions, and maintain proper decorum on the Board especially during Commissioner Comments.

 Nick Azzara stated a Google Doc was sent to Commissioners and it can be updated, since there is the chance for changes to the schedule.

 Commissioner Whitmore apologized and it was not her intention to create strife. The Meetings are the only time Commissioners have the opportunity to discuss items that are important.

Commissioner Servia clarified she wanted recordings so commissioners who are not there, have the opportunity to listen, and to protect herself, since other Commissioners are under investigation for Sunshine violations. She will only listen during meetings.

 Chairman Baugh stated nothing has come out of the Sunshine Violation investigations.

 Commissioner Bellamy

- Spoke on the Radio show Military Matters and he reached out to Lee Washington regarding options for assisting homeless veterans
- Wished his son a happy birthday

Commissioner Satcher

- Encouraged everyone to attend Parrish Heritage Day
- Wished well to Commissioners going to Tallahassee to meet with legislatures

Chairman Baugh

- Requested the Legislative Priorities be available for all Commissioners

## ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 11:53 p.m.

Minutes Approved: April 6, 2021