

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
August 8, 2024**

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

Present were:

Mike Rahn, Chairman
Amanda Ballard, First Vice-Chairman
Ray Turner, Second Vice-Chairman
Jason Bearden
George Kruse
Kevin Van Ostenbridge

District 1 seat is vacant.


Also present were:

Sarah Schenk, Chief Assistant County Attorney
Nicole Knapp, Development Services Director
Denise Greer, Development Services, Deputy Director
Rachel Layton, Division Manager and Impact Fee Administrator
Julissa Santana, Deputy Clerk, Clerk of Circuit Court


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

All witnesses and staff giving testimony were duly sworn.


INVOCATION

 The Invocation was delivered by Missy Paramenter, Community Impact Pastor, Oasis Church.


PLEDGE OF ALLEGIANCE

 The Pledge of Allegiance was led by Commissioner Bearden.


ANNOUNCEMENTS

 Jodie Fiske, Director of Public Safety, provided a brief update on impacts from Hurricane Debby, and stated residents can find information on the 311 app or the County website.

AGENDA

-  Agenda Update Memorandum: BC20240808DOC001
BC20240808DOC002
- Citizen Comments (Consideration for Future Agenda Items) - Public Comment Letter attached;
 - Item 7- Adoption of Resolution R-24-164 for Invest 97L (Hurricane Debby).


CITIZEN COMMENTS (Future Agenda Items)

 Larry Arnold discussed the high number of residential projects approved by the Board in recent years.

There being no further public comments, Chairman Rahn closed public comments.

CONSENT AGENDA

There being no public comments, Chairman Rahn closed public comments.

 A motion was made by Commissioner Turner, seconded by Commissioner Ballard, and carried 6-0, to approve the Consent Agenda with the changes incorporated in the Agenda Update Memorandum.

1. **ADMINISTRATOR/MEETING SCHEDULE**

Approved the Revised 2024 Board of County Commissioners Meeting Schedule

BC20240808DOC003

2. **DEVELOPMENT SERVICES/FINAL PLAT/WOODLAND PRESERVE PHASE 1-A**

- Executed and Recorded Final Subdivision Plat;
- Recorded Community Declaration for Woodland Preserve;
- Accepted, Executed, and Recorded Mortgagee's Joinder in and ratification of subdivision plat and all dedications and reservations thereon;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Public Improvements Woodland Preserve Phase I-A;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Woodland Preserve Phase I-A, Surety Bond 800180723 issued through Atlantic Specialty Insurance Company for \$5,092,576.57;
- Authorized the County Administrator to accept, execute, and record Agreement for Private Subdivision with Private Improvements Woodland Preserve Phase I-A;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Woodland Preserve Phase I-A, Surety Bond 800180722 issued through Atlantic Specialty Insurance Company for \$8,333,941.54;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Woodland Preserve Phase I-A, Surety Bond 80180720 issued through Atlantic Specialty Insurance Company for \$277,822.74;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Woodland Preserve Phase I-A, Surety Bond 80180721 issued through Atlantic Specialty Insurance Company for \$329,654.00;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Woodland Preserve Phase I-A, Surety Bond 80180729 issued through Atlantic Specialty Insurance Company for \$4,416.

BC20240808DOC004

7. **PUBLIC SAFETY/RESOLUTION/HURRICANE DEBBY**

Adopted Resolution R-24-164 extending the Local State of Emergency relate to (Hurricane Debby)


Invest 97L

BC20240808DOC005

(End Consent Agenda)


PUBLIC HEARINGS (Presentations Upon Request)

3. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance 24-43/LDCT 24-13- County Initiated Land Development Code Text Amendment, County Impact Fees. The Planning Commission recommended adoption.


and

4. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance 24-44/PA-24-04 - County Initiated Comprehensive Plan Text Amendment, Concurrency-Alternative Transportation System. The Planning Commission recommended adoption.

and


5. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance 24-66/LDCT-24-05 - County Initiated Land Development Code Text Amendment,


Concurrency-Alternative Transportation System. The Planning Commission recommended adoption.

 Discussion ensued regarding consideration of the future of the County, with not collecting impact fees, increases in single-family home prices, repercussions not increasing impact fees by the maximum allowable by the State, Community Development District (CDD) and stewardship bonds, and an extenuating circumstances report takes an average of 10 days.


Motion- Failed


 Commissioner Kruse made a motion to direct staff to begin the process of preparing an extenuating circumstances report. The motion died due to lack of second.


 Nilgun Kamp, Benesch, recommended the Board adopt a policy on impact fees before October 1, 2024.


 Discussion continued regarding possibilities of redoing a demonstrated need study showing extraordinary circumstances, legal risks by moving together with a study that is cobbled together, relying on staff to give the Board the best recommendation, and the County has seven years to spend all impact fees.

 David Dean expressed concern regarding impact fees.


 Diana Shoemaker recommended the Board take the time to review impact fee information.

 Tim Hayes believes the Board should redo the impact fee study.


 Glen Pearson stated now is the time to perform an extenuating circumstances report.

 Keith Green believes growth should be embraced, not feared in the County.


 Larry Arnold urged the Board to reconsider, and perform the 10-day study.

 Pat Simmons questioned why citizens need to pay impact fees for infrastructure, and roads they do not use.

There being no further public comments, Chairman Rahn closed public comments.


 Discussion ensued regarding the extenuating circumstances report for Citrus County took an average of 90-days to complete, and not wanting to delay the impact fee process even further.

Ordinance 24-43


 Based upon the Staff Report, evidence presented, comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan, and in accordance with Section 341 of the LDC, Commissioner Van Ostenbridge moved to adopt Manatee County Ordinance 24-43, amending the Manatee County Land Development Code, as amended, as recommended by the Planning Commission. The motion was seconded by Commissioner Bearden, and carried 5-1, with Commissioner Kruse voting nay.

BC20240808DOC006

Ordinance 24-43


 Based upon the staff report, evidence presented, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan, and the applicable portions of Chapter 163, Part II, Florida Statutes, Commissioner Van Ostenbridge moved to adopt Plan Amendment PA-24-04 / Ordinance 24-44, as recommended by the Planning Commission. The motion was seconded by Commissioner Ballard, and carried 6-0. BC20240808DOC007


Ordinance 24-66

 Based upon the Staff Report, evidence presented, comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan, and in accordance with Section 341 of the LDC, Commissioner Van Ostenbridge moved to adopt Manatee County Ordinance 24-66, amending the Manatee County Land Development Code, as recommended by the Planning Commission. The motion was seconded by Commissioner Bearden, and carried 6-0. BC20240808DOC008


PUBLIC HEARINGS (Presentations Scheduled)

6. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PA-23-20 / Ordinance 24-15 Seaport Manatee Master Plan Update 2022 Large-Scale Comprehensive Plan Text Amendment. The Planning Commission recommended adoption.

 Rachel Layton, Division Manager and Impact Fee Administrator, and Daniel Fitzpatrick, Director of Planning at Seaport Manatee, utilized a slide presentation to review the request to adopt a Large-Scale Text Amendment to the Port sub-element, Element 5, Transportation, to remove the existing and previously approved Port Master Plan (Port Manatee Master Plan Update 2016), and to adopt an updated Master Plan (Seaport Manatee Master Plan Update 2022). The request is consistent with the Land Development Code (LDC) and Comprehensive Plan.

There being no public comments, Chairman Rahn closed public comments.

 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan, in compliance with the applicable provisions of Section 340, Land Development Code and the applicable portions of Chapter 163, Part II, Florida Statutes, Commissioner Bearden moved to adopt Plan Amendment PA-23-20 / Ordinance 24-15, as recommended by the Planning Commission. The motion was seconded by Commissioner Turner, and carried 6-0. BC20240808DOC009

ADJOURN

 There being no further business, Chairman Rahn adjourned the meeting at 10:19

a.m. Minutes Approved: August 27, 2024