

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING
COUNTY ADMINISTRATION BUILDING, FIFTH FLOOR, MANATEE ROOM
1112 Manatee Avenue West
Bradenton, Florida
January 7, 2025**

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

Present were:

George Kruse, Chairman, District 7
Dr. Bob McCann, First Vice-Chairman, District 5
Tal Siddique, Second Vice-Chairman District 3
Carol Ann Felts, District 1, Third Carol Ann Felts, District 1
Amanda Ballard, District 2
Jason Bearden, District 6
Mike Rahn, District 4

Present were:


Charlie Bishop, County Administrator
Pamela D'Agostino, County Attorney
Robin Toth, Deputy Clerk, Clerk of the Circuit Court

 Chairman Kruse called the Special Meeting to order at 9:00 a.m.

INVOCATION

 Pastor Brock Patterson, Longboat Island Chapel, delivered the Invocation.

PLEDGE OF ALLEGIANCE

 Commissioner McCann led the Pledge of Allegiance.

AGENDA

1. Agenda Revision 1 and Update Memorandum (dated 1/3/25)
 - Item 3 - Updated to include a PowerPoint Presentation
 - Item 4 - Updated to include a PowerPoint Presentation
 - Item 5 - Updated to include a PowerPoint Presentation
 - Item 6 - Updated to include a PowerPoint Presentation
 - Item 7 - Moved up on the Agenda


BC20250107DOC001


BC20250107DOC002


Agenda Revision 2, Update Memorandum (dated 1/6/25) and Proof of Publication for this meeting


BC20250107DOC003


CITIZEN COMMENTS - FUTURE AGENDA ITEMS, IMPACT FEES AND LEGISLATIVE PRIORITIES


 John Taylor commented on the Florida 2070 Water Report and Florida Water Star Program Landscape Design Standards.


 Mike Meehan spoke about the County's surplus funds.


 David Dean spoke about a robocall he received pushing for restoring the Historic Confederate Monument. A monument recognizing all Veterans should be erected.


 Jannelle Taylor commented on continued impacts to the agricultural industry in Manatee County, and the need for a task force to preserve the industry.


 Rusty Chinnis spoke on the need to preserve the County's natural resources.

 Patricia Simmons submitted information and spoke on the County’s Strategic Plan and people with disabilities.

 Andra Griffin commented on action of the prior Board to remove the Historic Confederate Monument from the Courthouse property. She questioned if the broken Monument has been repaired, where is it being stored, and when will it be re-erected.

 Glen Gibellina submitted information, spoke on homeless Veterans, and urged immediate funding for Veterans.


 Rita Smith thanked Commissioner Ballard for supporting Washington Park.

 Dalton Nelson stated there are solutions to flooding caused by over development, the infrastructure in District 1 is very limited and should be updated, and there is not enough sewer capacity in north county to accommodate development.

There being no further public comments, Chairman Kruse closed public comments.
(Additional Public Comments were taken later in the meeting)

BC20250107DOC004

2. **COUNTY ADMINISTRATOR/STATE OF THE CHAIR 2025**

 Chairman George Kruse utilized a slide presentation to discuss his plans and priorities for the Manatee County Commission.

BC20250107DOC005

(NOTE: Item 7, Discussion of Revised Rules and Procedures for the Board of County Commissioners and Planning Commission, with DRAFT version of unnumbered 2025 Resolution, amending and repealing previously-adopted Rules of Procedure R-22-051, was incorporated into the State of the Chair 2025 presentation)

BC20250107DOC006

1. **Fix Our Board of County Commissioner (BCC) Meetings**

- Conduct briefings and release agendas to the public earlier
- Move Consent to the beginning
- Limit Proclamations to three, with the remainder on Consent
- No new items that are not administrative or time-sensitive, within three (3) business days of a meeting
- Better agenda item details: Land Use briefings will be done 11 days prior to Land Use meetings, and the agendas will be released ten days in advance; Regular briefings will be done eight days prior to Regular meetings, and the agendas will be released one week in advance
- Better agenda item details, per Draft Resolution Section 4.4.3
- The Board should be following Roberts Rules of Order, per Draft Resolution Section 7.2
- Non-noticed agenda items – no additional motions, per Draft Resolution Section 4.4.4


2. **Expand Public Comments**

- Removing the write-in comment deadline
- Second Public Comments at the end of meeting, per Draft Resolution Section 5.3.1.1
- Speaking time for quasi-judicial public comment, per Draft Resolution Section 5.5.4.3 – all other persons shall be entitled to speak for five (5) minutes in quasi-judicial items
- Waive in support or in opposition, per Draft Resolution Section 5.3.1.8

3. **Expand Our Advisory Board Utilization**

- We will seat all vacant board positions to meet quorum
- Creation of task forces
- Advisory Board Comments and Updates added to agenda – Advisory Boards will have a spokesman to update the County Commission on topics they have been discussing

- Advisory Board inclusion on cover pages of agenda items
4. Expand Commissioner Accessibility
- More Commissioner Aides to be more active in the public
 - Outside office space/hours at public libraries and other locations
 - Liaison positions for community boards
 - Joint meetings with all six Municipalities, School Board and Sarasota County

My Top Five Priorities – Chairman Kruse 

1. Finalize the Comprehensive Plan Update
- Future Development Area Boundary (FDAB) – He is not moving the FDAB line
 - Policy 2.1.2.8 – Removal from the Comprehensive Plan
 - Minimum lot sizes/parking ratios – The Board’s current approach is detrimental
 - Mixed use/affordable incentives should be stopped
 - Encourage in-fill redevelopment
2. Adjust Development Revenue and CIP Priorities
- Adjust Impact Fees: make revenue match budget
 - Adjust Facility Investment Fees (FIFs)
 - Adjust CIP priorities to match available funds and community needs
3. Proactively Resolve Stormwater Issues
- Flood plain maps
 - Land Acquisitions
 - Funded Maintenance – Take inventory of every canal, ditch, culvert
 - Protect our wetlands
4. Improve Animal Welfare
- Prioritize Bishop expansion – Accomplish this year
 - Expand adoption events
 - Launch Animal Welfare task force
 - Reconsider legal status of pet retailers in Manatee County
5. Gateway Greenway Trail System
- Break ground on first leg of regional trail system
 - Facilitate creation of a “Friends of” group
 - Continue planning for future east-west spurs
 - Seek to incorporate wildlife corridor

Priorities – Commissioner Siddique 


- Ability for the public to submit comments and information through the on-line portal on the website within the 24-hour period prior to a meeting


Priorities – Commissioner Felts 


- For the Board to stay on task during Land Use meetings
- Make issues more transparent to the public in both Regular and Land Use meetings
- Timely notification to the public of published agendas and materials
- Discussion on various Land Use matters


Priorities – Commissioner McCann 

- Questioned if Roberts Rules of Order would be used for small groups of less than 12.

 Chairman Kruse stated minor things are to be incorporated in a flexible nature; and non-agenda items should not be brought up in meetings. A motion can be made to put new business on the next meeting agenda.

 Commissioner McCann questioned if the action to restore the wetlands (9/10/24) has been accomplished.

 Nicole Knapp, Development Services Director, explained the action cannot happen without amending the Comprehensive Plan, and this process takes time. Staff anticipates getting this to the Board before Summer Recess.


 Commissioner McCann stated the Board has the authority to rescind previous action (9/10/24), and the wetlands could be restored, based on Quiles v. City of Boynton Beach, 802 So. 2d 397 (Fla. 4th DCA 2001) and Florida Statutes 166.041.


Motion to Restore Wetlands


 Commissioner McCann read a prepared Motion to Restore Wetlands:

1. Void Ordinance 23-66/PA-23-06 – Wetlands Protection PLN2302-0091, that became on October 5, 2023:
 - a. Officially declare Ordinance 23-66/PA-23-06 – Wetlands Protection PLN2302 cancelled and no longer in effect.
2. Revert to Original Language:
 - a. Reinstate the original language of the ordinance as it existed prior to the enactment of Ordinance 23-66/PA-23-06 Wetlands Protection PLN2302.
 - b. Ensure that all references to Ordinance 23-66/PA-23-06 – Wetlands Protection PLN230 in official documents and records are updated to reflect the reversion to the original language.
3. Procedural Instruction: This motion directs the County Attorney and County Staff to follow Florida Statute 166.041, which lays out a consistent process for adopting and enacting municipal resolutions and ordinances to make this return.


The motion was seconded by Commissioner Felts.


 Pamala D’Agostino, County Attorney, stated she did not have an opportunity to review Commissioner McCann’s motion, and requested the County Attorney’s office be given that opportunity to do so before a response is given.


 Commissioner Siddique stated he was briefed by the County Attorney on this motion, and asked the County Attorney to explain why a different approach should be taken.


 Ms. D’Agostino stated she was not aware this topic would be brought up today, and was not prepared to address Commissioner McCann’s motion. She did not recommend that level of briefing be held in this form of public setting, and would prefer to brief Commissioners McCann and Felts.


 Commissioner Ballard stated she understood and appreciated Commissioner McCann’s research, but would like to proceed as recommended by the County Attorney and staff.


 Commissioner Bearden stated he does not have confidence in the County Attorney’s office, and answers and information are not coming to him in a timely manner. The chain of command needs to be clarified at this meeting.


 Commissioner Rahn agreed with Commissioner Ballard, and supports the County Attorney and staff. Senate Bill (SB) 250 should be researched.


 Commissioner Siddique spoke on wetland policy, and noted the Comprehensive Plan has been abused. He encouraged the Board to recognize the buffers are still in the Land Development Code (LDC).


 Commissioner Felts stated the Board is constantly told they are going to be sued, the Board does not care, and fear is being cultivated causing the Board to lose sight of their purpose. The threat of being sued must stop, and the Board wants the wetlands restored. She has confidence in the County Attorney's office and staff, but some risks must be taken.


 Commissioner Ballard agreed with the basic premise by Commissioner Felts, but not the method of unnecessary risk to move the issue of wetlands more quickly versus going through the established process. She asked Commissioner McCann about his research on SB 250.


 Chairman Kruse stated he is not a huge fan of the process, but supports moving the wetland issue forward. He does not fundamentally believe in SB 250, but would support Commissioner McCann's motion, because a position needs to be taken.

 Commissioner McCann stated SB 250 is based on law, and should not be a problem from a legal standpoint.

 Glen Gibellina commented on how zero wetlands were established, and that the Board should proceed with the motion on the floor.

 Andra Griffin stated government works for the people, and citizens are tired of developers controlling Manatee County.


 David Dean stated the County has the risk of getting sued on the motion, and questioned if it could be delayed 30 days.

 Dalton Nelson stated he has commented about wetland buffers since November, and suggested the Board proceed with the motion.

 Rusty Chinnis, Suncoast Water Keepers, spoke in support of the motion.

 Joe Bartolomeo applauded Commissioner McCann's assertiveness for action.

There being no further public comment, Chairman Kruse closed public comment.


 Ms. D'Agostino reiterated her position of having no opportunity to see or read the motion by Commissioner McCann in detail, nor research what is being proposed, and she was not prepared to give legal advice in this type of format.


 The motion carried 6-1, with Commissioner Rahn voting nay.
(Further action on the Motion to Restore Wetlands occurred later in the meeting)


BC20250107DOC007


RECESS/RECONVENE: 10:32 a.m. – 10:54 a.m. All Commissioners were present.


4. COUNTY ADMINISTRATOR/2025 STATE LEGISLATIVE PRIORITIES


 Courtney DePol, Deputy County Administrator, introduced Stephanie Garrison, Director of Governmental Relations.

 Crosley Jones, Legislative Aide, distributed Manatee County's 2025 State and Federal Legislative Priorities with associated funding requests. The Board will travel to Tallahassee January 21-23, and Washington, D.C., in mid-March.


 Commissioner Ballard noted a correction is needed on Page 2 of the Federal document.

 Commissioner Siddique thanked staff for removing 51st Street West from the priorities, and did not think the Old Green Bridge/Fishing Pier Replacement should be included on the Legislative Priorities List.

 Ms. DePol stated a motion could be made to approve the Legislative Priorities List, omit the Old Green Bridge/Fishing Pier Replacement, and make the minor correction. Draft documents could be presented in tomorrow's Board meeting for final vote.


 Chairman Kruse stated the Old Green Bridge/Fishing Pier Replacement has been on the Legislative List for consecutive years. There needs to be greater discussion of alternatives to the Green Bridge if it is going to be removed, because it has been a mainstay. There are people who advocate for it, including some members of the Delegation, and it may be premature to remove it at the 11th hour. These Priority Lists are requests to Legislators. Board members will have the opportunity to present the top, three priorities. The Green Bridge can remain on the List, but can be removed by a motion.

Motion - Remove Green Bridge - Died

 A motion was made by Commissioner Siddique, to remove the Green Bridge from the Legislative Priorities. The motion died for lack of a second.


Motion - Approve Legislative Priorities

 A motion was made by Commissioner McCann, and seconded by Commissioner Bearden, to approve the Legislative Priorities.

 Glen Gibellina spoke about the robocall on the Historic Confederal Monument, and asked for more resources for Veterans.

 Andra Griffin requested Veterans services be added to the Legislative Priorities List.


There being no further public comment, Chairman Kruse closed public comment.

 Commissioner Ballard stated she was glad to see Fresh Start Manatee Facility (homeless shelter) on the 2025 State Legislative Priorities, but would like to see the language modified to reflect a more accurate description of the Program, and the Sheriff's office is invested and will run the day-to-day operations.

Motion - Withdrawn


 Commissioner McCann withdrew the motion to approve the Legislative Priorities.


 Commissioner Bearden supported keeping Veterans on the Legislative Priorities List.

 Chairman Kruse stated Ms. DePol would meet with Commissioner Ballard to fine tune the language on the Fresh Start Manatee Program prior to Board action in tomorrow's meeting.


BC20250107DOC008


3. **COUNTY ADMINISTRATOR/DISCUSSION OF STRATEGIC PLANNING INITIATIVES**


 Courtney DePol, Deputy County Administrator, stated Stephanie Garrison, Director of Governmental Relations, will oversee implementation in the development of a Strategic Plan.


 Robert Burke, Business Services Manager, utilized a slide presentation on the development of a County Comprehensive Strategic Plan. This effort will provide an opportunity for the Board to articulate a unified vision, and establish clear and actionable priorities to guide decision making and resource allocation in upcoming years. He spoke on the proposed approach, Strategic Planning Benefits, which can be aligned with Board priorities, Key Components, Strategic Plan Development Process, Implementation, Stakeholder Engagement, Timeline, Expected Outcomes, Next Steps, and Proposed Motion.

Currently, Manatee County does not have a formal Strategic Plan based on Board priorities. By undertaking this process, the County can position itself better to address current challenges, leverage opportunities, build accountability and transparency framework, and focus on delivering high value and better services to the community.


 Mr. Burke distributed a list of suggested topics and discussion items for Board dialogue. It would benefit the County to work collaboratively with the municipalities.


 Discussion ensued regarding support for the approach in theory, Strategic Plan document will be utilized regularly, purpose of the Plan is for each department to establish goals and staff to pursue and achieve the goals of the Board, status of strategic priorities are continually updated, Employee Performance Evaluations (EPE), performance elements in SMART Format (Specific, Measurable, Attainable, Realistic and Time driven), the Plan will help develop a mission for the County, and the cost of a Strategic Consultant is unknown at this time.

 Ms. DePol stated the proposed motion directs staff to solicit for a Strategy Consultant. This would be a competitive solicitation, and the contract would be presented to the Board.


 Commissioner McCann questioned if Manatee County has staff capacity to develop the Plan without having to hire an outside Consultant. Commissioner Felts agreed.


Commissioner Siddique stated two fundamental questions must be asked: What is Manatee County doing today, and what is Manatee County building toward for tomorrow. The hiring of an outside, Strategic Consultant avoids internal biases.


 Commissioner Siddique displayed The Florida Scorecard, <http://thefloridascorecard.org>, which is an online tool overseen by the Florida Chamber of Commerce, to capture data points and track key metrics important to Florida's economy now and into the future. Metrics indicate Manatee County has not grown as a county, but has lost 3,461 jobs over the past year. Policy is needed to improve that number, and this key metric should be tracked. A Strategic Plan that clearly communicates what Manatee County is doing and building toward is needed.


 Commissioner Bearden asked Sheila McLean, Financial Management Director, how the hiring of a Consultant would lower the County's cost.


 Commissioner Rahn stated the Strategic Plan must be easily understood by the public.


 Commissioner Siddique advocated for a Strategic Plan with a shorter review period of every one to two years to keep the County on track.


 Ms. DePol stated the purpose of the presentation was for Board dialogue. Imagine Manatee and Envision Manatee initiatives were attempts at a Strategic Plan, but were not finalized.

 Commissioner Felts questioned what is being achieved with this dialogue. She did not oppose a Strategic Consultant, but clear objectives are needed on what is to be accomplished. Internal issues should be discussed to achieve an attainable and measurable outcome.


 A motion was made by Commissioner Rahn, to direct staff to solicit for a Strategic Consultant to implement the approach outlined today. The motion was seconded by Commissioner Siddique.


 Rob Bartolomeo stated the facilitator could set up a methodology to accomplish the Board's goals. The Board needs to establish a Request for Information or a Request for Quote. This is a multi-stage process and would take more than a year to accomplish.

 By telephone, Charlene Kow questioned how a Consultant would help reduce County costs, and the Board should be accountable to set and achieve its own goals.

 By telephone, Mark Vanderee agreed with the idea of a Strategic Plan with a shorter review period, and questioned if the purpose of the re-organization in Administration was to develop a Strategic Plan.

There being no further public comment, Chairman Kruse closed public comment.


 Commissioner Bearden stated there is capable staff to develop a Strategic Plan to make the County more efficient, and trusts the County Administrator to make sure this happens.


 The motion failed 3-4, with Commissioners Ballard, Bearden, Felts, and McCann voting nay.


BC20250107DOC009

RECESS/RECONVENE: 12:19 p.m. – 1:31 p.m. All Commissioners were present.

3. **COUNTY ADMINISTRATOR/DISCUSSION OF STRATEGIC PLANNING INITIATIVES** (cont'd)


 Commissioner Ballard realized that in voting down to have a Consultant, the Board did not give staff direction for a Strategic Plan to go forward.

 Chairman Kruse stated staff is clear on the direction.

 Mr. Burke stated the presentation was for the Board to engage in informal discussion on strategic priorities and to learn Commissioners' priorities. The documents he distributed earlier in the meeting are a list of suggested discussion topics for informal dialogue.

 Chairman Kruse suggested each District Commissioner express thoughts and priorities.


District 1 – Commissioner Felts


 District 1 is the largest District land wise and the most diverse. Her challenge is the amount of diversity and territory. In looking at the amount of land use changes made in District 1 in the past eight years, the County has effectively changed the Comprehensive Plan and Land Development Code (LDC) in District 1.

Two, primary things were done simultaneously in District 1 that need to be examined, and one negated the other: Approval of Comprehensive Plan Amendment 2.1.2.8, allowing Commissioners to approve projects east of the FDAB boundary line, and not charging 100 percent impact fees. Priority One in District 1 is to repeal Amendment 2.1.2.8 and get needed infrastructure in place. Agriculture is Manatee County’s legacy and economy. Priority Two is emphasis on Agriculture and embrace agritourism. Incentives to farmers are needed to remain in business.


District 1 has housing issues, and increased density is creating a need for parks and open spaces. The trail plan must incorporate neighborhood communities in order to be fully utilized. District 1 borders Sarasota, DeSoto, Hardee and Hillsborough Counties, and communication should be expanded to include these counties.

District 2 – Commissioner Ballard


 Commissioner Ballard stated District 2 priorities align with Chairman Kruse, to update the Comprehensive Plan, repeal Amendment 2.1.2.8, minimum lot size and parking ratios, encouraging in-fill development, and stormwater issues. She agreed with Commissioner Felts on agritourism/agricultural heritage, create more community gardens/food forests on non-conforming lots and other County-owned land, similar to the community garden in Elwood Park, and provide more opportunities for hunting and fishing.

 Other priorities include addressing issues regarding Airbnb rentals, a long-term opioid treatment program, homelessness, and for the County to work with municipalities to make sure anti-camping and anti-loitering ordinances are working collaboratively, the Under One Roof facility, and the ability to open up The Salvation Army to focus their attention on families to be funded by Opioid Settlement funds.


District 3 – Commissioner Siddique

 Commissioner Siddique stated the population in District 3 is over 80,000. His philosophy on the role of government is to provide needed services and limit County involvement in enterprises.


Priority One for District 3 is to achieve a common understanding on core functions. Additional priorities include maintaining garbage collection and utility work, Light-Up Manatee Initiative, homelessness, maintain infrastructure (roads, sidewalks, sewer/water lines, stormwater systems), and the waterline problem on Manatee Avenue.

 Other priorities are to excel at core competencies, an easier way to communicate policies/priorities, collaborate with Constitutional Officers, improve quality of life and job opportunities, evaluate economic development incentives, water quality, reduce traffic congestion establish a better traffic concurrency program, bike lanes on Cortez Road, a comprehensive transportation plan, expand the Island Ferry, build relationship with Manatee Memorial Hospital, review Municipal water agreements, and Manatee County golf courses.

District 4 – Commissioner Rahn


 Commissioner Rahn stated District 4 priorities include the Adopt-A-Spot to develop sustainable gardens, infill development, lot sizes, infill urban development, more workforce housing, support the Economic Development Council (EDC), multi-lanes on major roadways, a women’s Veterans Task Force, stormwater, how to expand Bowlees Creek and Pierce Canal, bring back GAP Funding and Catalytic Loan program, Light-Up Manatee Initiative, and rural health needs.


District 5 – Commissioner McCann


 Commissioner McCann stated District 5 priorities are time sensitive: protect the County’s natural resources including wetland buffers and habitat and to get this done immediately, disaster management, involve residents in zoning and land use matters, meet with builders on needed infrastructure, indigent care, traffic congestion and more roads, concurrency, affordable housing, update the Comprehensive Plan, and facilities for Veterans.

District 6 – Commissioner Bearden 


Commissioner Bearden stated District 6 priorities are traffic congestion, adequate roads, a north/southbound road, acquisition of right-of-way along railroads, protect water sources, a long-term Opioid treatment program, tourism, use of Uber travel to the beach for tourists, and school concurrency.


 As a member of the Children’s Services Advisory Board, Commissioner Ballard stated there are currently no restrictions on illegal immigrants using funds from the County through the Children’s Millage. When allocating funds to the non-profit organizations, she asked that the verbiage in the funding contracts be revised to state the County’s Children’s Millage Funds will not be used to serve illegal immigrant parents.


 Chairman Kruse stated broad priorities were presented, warranting further discussion. He suggested this conversation be tabled so more information can be presented on an agenda.

 Commissioner Bearden questioned how people are vetted to confirm they are legal, and the amount of Children’s Millage Funds currently going to illegal immigrants.

(Depart Commissioner Bearden)


 Commissioner Siddique stated he and Chairman Kruse attended the Florida Association of Counties Legislative meeting, and would like to see more attendance from Administration.

 Mr. Burke stated Commissioners have covered their priorities, and staff is present to answer any questions.


 Charlie Bishop, County Administrator, stated staff has a list of priorities to start building a strategic plan, with follow-up at a later date.

RECESS/RECONVENE: 3:13 p.m. – 3:26 p.m. All Commissioners were present.

REVISED MOTION TO RESTORE WETLANDS (cont’d)

 Commissioner McCann stated he was provided with a revised written motion, prepared by the County Attorney, to clarify his motion made earlier in the meeting:

Revised Motion to Repeal Ordinance 23-66 Clarified

 A motion was made by Commissioner McCann, to direct County Administration to immediately take the appropriate steps to bring back to the Board for consideration an ordinance to repeal Ordinance 23-66/PA-23-06, and reinstate the Comprehensive Plan language, which was amended by the adoption of Ordinance 23-66/PA-23-06, within the timeframe prescribed by Chapter 163 of Florida Statutes. The motion was seconded by Commissioner Felts.

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 After this motion is approved, the County Attorney asked that the Board rescind the prior motion for clarity. The revised motion accomplishes the exact same effect.

 By telephone, Andra Griffin spoke in support of the clarified motion.

There being no further public comment, Chairman Kruse closed public comment.

 The motion carried 6-1, with Commissioner Rahn voting nay.

Motion to Rescind Previous Motion to Restore Wetlands

 Ms. D'Agostino recommended a motion to rescind the motion made in the morning (Motion to Restore Wetlands).


A motion was made by Commissioner McCann, to rescind the motion made in the morning. The motion was seconded by Commissioner Felts.

There being no further public comment, Chairman Kruse closed public comment.

 The motion carried 7-0.

BC20250107DOC007

5. **PUBLIC WORKS/DISCUSSION OF TRANSPORTATION CONCURRENCY**

 Clarke Davis, Deputy Director, Public Works, utilized a slide presentation regarding the proposed reinstatement of transportation concurrency, understanding the intent of direction to staff on December 10, 2024, former version of concurrency, history, transportation-specific concurrency, further concurrency limitation, controls of the County Commission on development, Board direction to establish intersection Level of Service (LOS), LOS Policy, and Motion from December 10, 2024.


Manatee County rescinded transportation concurrency (effective 9/9/24), and simultaneously implemented an Alternative Transportation System, similar to a Florida Mobility Fee. The Board directed staff (12/10/24) to prepare a plan to reinstate transportation concurrency. This presentation is a step toward developing that plan by addressing the following:

- Policy Framework
- Level of Service Standards
- Implementation Mechanisms
- Regulatory, fiscal and economic impacts, and
- Stakeholder involvement


Staff seeks additional Board input before proceeding to more in-depth processes of drafting formal policy and regulations, impact review, and stakeholder involvement.


The motion from December 10, 2024, can be implemented with proper LDC and Comprehensive Plan changes, as well as Policy/Procedures, but it is not likely to achieve staff's understanding of the intent of the Board's motion due to limitations placed upon the


County by State Law. Staff would return a more costly, time-consuming and complex traffic study process.


 Commissioner Bearden questioned whether 50 percent of the impact fees could be collected up front.


(Depart Commissioner Rahn)


 Nicole Knapp, Development Services Director, stated Florida Statute allows the applicant the opportunity to pay impact fees early, but the County is not allowed to require them before occupancy, and this applies to residential, commercial, and industrial development.


 Discussion ensued the Board needs to think outside the box, the need to identify a plan to collect more funds, have discussion with applicants, transportation requirements are addressed during site plan review, charge the full impact fees, what can be done to make sure roads are built at the same time an application is submitted, concept of pay and go, make the transportation study more comprehensive, the current concurrency plan is flawed, concurrency needs to account for developed areas and get away from strictly focusing on the road rating system, come up with a concurrency plan that avoids getting the county locked into having to upgrade roads, Transportation Concurrency Exception Areas (TCEA) on the County's website need to be looked at, goal is to encourage infill development, revisit infill policy, focus on alternate methods of transportation (trails, Ubers, bus system or trolley system) that have a rating system that can be leveraged/evaluated as part of a concurrency plan, a concurrency plan that references the Capital Improvement Program that has better policies, do the opposite of concurrency and do not give impact credits, do not let anyone build their own roads for their convenience, collect impact fees in the manner they should be collected, and spend them where they should be spent.


 Commissioner Felts stated the original motion was overbuilding without the appropriate infrastructure in place. The objective is what to do about it now and to prevent this from reoccurring. Impact Fee Credits have been an issue for a while, the County is not collecting 100 percent, but impact fee credit is at 100 percent. Sometimes there is an obsolescence that is built into the impact fee credit. She questioned how the County keeps up.


 Mr. Davis stated the issue of fiscal responsibility comes into play when dealing with catching up. With the growth in recent years, it benefitted to pay as we go. It is a question on where the County wants to go with a growth management policy. The words require and timing are used.


 Further discussion continued on how to bring stake holders on board, more discussion is needed moving forward, the need to revisit the CIP prioritization, the Big 6 projects do not work, a work session is needed on a transportation plan and mobility fees, how to incorporate the CIP with what the Metropolitan Planning Organization (MPO) has proposed, identify funding sources and get out of debt, the work session should focus on major thoroughfares and how to prioritize the timeline of those projects, align the CIP with the MPO, get resident input, and there is too much money in the CIP and it needs to be reevaluated.


 Ms. DePol stated prioritization of the CIP could be added to the February 19 work session, and include what transportation concepts were working in the Comprehensive Plan rewrite and ideas to strengthen the Plan. In the past when projects were brought to the Board, staff was told to not provide a recommendation, but just say whether the project was consistent with Code. Staff will work with Public Works with transportation in mind.


 Commissioner Felts stated the objective of this discussion is what can we do to catch up with what we have created. Citizens in District 1 want a building moratorium. This is taking away from other Districts. Moccasin Wallow Road must be completed before another residential subdivision is built on this road.

 Commissioner Bearden stated a more detailed approach of pros and cons needs to be developed that gives the Board the information they need to make a decision, and what the Board wants to see in those pros and cons.

 Chairman Kruse stated the Board is looking to implement the absolute best practice to maximize the ability to catch infrastructure up with development. Staff is being tasked to bring back options, along with the pros and cons of those options that can be implemented to best enact the Board's vision of how to fix infrastructure. The Board needs real discussion on what is and is not allowable in a moratorium and the theoretical options of such a moratorium both from State Statute and a legal standpoint.


 Commissioner Bearden also requested data on what the potential effects could be.

 Ms. DePol stated that staff would make a presentation on February 19.
(Depart Commissioner Siddique)


 Mr. Davis stated Transportation Concurrency Exception Areas (TCEA) still exist on the County's website, but some of the ideas are in the background and will be brought back.


BC20250107DOC011


6. **DEVELOPMENT SERVICES/DISCUSSION OF IMPACT FEES**


 Rachel Layton, Impact Fee Coordinator, utilized a slide presentation to give an overview on the summary of a motion (12/10/24) to update the impact fee study to reassess current rates, and determine the feasibility and implications of restoring impact fees to 100 percent of present-day calculated value. The study has expired and needs to be updated with current information to include economic analysis, service needs assessment, comparative review and stakeholder input.


(Enter Commissioner Siddique)

 Nicole Knapp, Development Services Director, stated the County is within the threshold to do a partial update to the data. The Process would entail amending the Benesch contract to update the study; coordinate with County staff on immediately collecting internal data; Benesch would need 60 days to prepare the updated study to include extraordinary circumstances final report, review by the County Attorney's office; no less than two, advertised workshops with an option to occur within the same week or on the same day; Planning Commission public hearing; and two, required County Commission hearings. The 90 days would be needed to enact the new impact fees.


 One thing to consider that if the Board adopts on September 22, that would put the County 12 days behind the School Board's increase. It is possible to expedite by 12 days and get adoption on June 5 or sooner, to increase the County's fees to 100 percent with the School's next phase increase.

 Chairman Kruse stated this schedule is originally longer because of the Consultant. Staff has been tasked with creating an expedited, aggressive schedule to get this entirely done before Summer Recess. By September 2025, the County will be collecting 100 percent of the new, revised study Impact Fees.

 Ms. Knapp added Florida Statute states two, publicly advertised meetings can be done in one day, but it would be a courtesy to hold one during the day and one after 5:00 p.m., for the benefit of the public. County Commissioners are not required to attend.


 Commissioner Siddique stated the County will most likely get sued. He challenged staff to work on their legal reasoning to meet the definition of extenuating circumstances.


(Depart Commissioner Siddique)

 Ms. Knapp clarified that one of the two workshops should be held after 5:00 p.m. There is no definition of extraordinary circumstances. Benesch is an expert in this, who is well versed in the legal aspects of Statute and has worked with many others who did the same reports, that have successfully defended them in Court based upon substantially similar reasoning, will be handling this process.


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CITIZEN COMMENTS (cont'd) 


 Dalton Nelson stated he spoke with developers, who stated they have no interest to construct public utilities in District 1. He would like to see the ideas presented at this meeting implemented.


 By telephone, Charlene Kow thanked the Board for this meeting.

 By telephone, Glen Gibellina commented on statements by Clarke Davis.

 By telephone, Elizabeth Arnold congratulated the Board on this meeting.

 By telephone, Mark Vanderee was very encouraged by Board discussion in today's meeting. The Board needs to establish extraordinary circumstances to accomplish goals.

 By telephone, Brice Claypool thanked the Commission for today's meeting. She urged the Board to investigate climate resilience, and focus on acquiring more conservation land.

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

COMMISSIONER COMMENTS 

There were no Commissioner Comments.

ADJOURN

There being no further business, Chairman Kruse adjourned the Special Meeting at 5:21 p.m.

Minutes Approved: February 4, 2025