

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
WORK SESSION
COUNTY ADMINISTRATIVE CENTER
1112 Manatee Avenue West
Bradenton, Florida
October 17, 2017**

Present were:

Betsy Benac, Chairman
Robin DiSabatino, First Vice-Chairman
Charles B. Smith, Second Vice-Chairman
Stephen R. Jonsson, Third Vice-Chairman
Carol Whitmore
Priscilla Whisenant Trace

Absent was:

Vanessa Baugh

Also present were:

Ed Hunzeker, County Administrator
Mitchell O. Palmer, County Attorney
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court



Chairman Benac called the work session to order at 9:02.

AGENDA

BC20171017DOC001

REPORTS

1. INDIGENT HEALTH CARE



Joshua Barnett, Health Care Services Manager, utilized a slide presentation to provide an update on Low Income Pool (LIP) funding to Manatee Memorial Hospital (MMH), Manatee County Rural Health, and Blake Hospital. He recommended, due to the lower tier status of Blake, to continue to monitor the monies and not get the State return for Blake Hospital.

Discussion ensued regarding Rural Health and Blake can still get funds, but need to sign up for the Health Information Exchange (HIE).



Mr. Barnett continued the presentation addressing Physician Services and Behavioral Health. He stressed the importance of the HIE, and the need for access to specialist care services. Mr. Barnett explained the process for reimbursing specialists. The County provides funding for both Baker and Marchman Acts, and follows up to ensure the patients are getting the level of care they need.



Cheri Coryea, Neighborhood Services Director, discussed progress with the opioid epidemic.

Discussion ensued regarding progress with the opioid epidemic, the Marchman Act, results first contracting with private organizations, and the Public Safety Council.



Mr. Barnett continued the presentation and addressed Results First funding, and partnerships with hospitals, frontline clinicians and professional societies. All organizations must follow the same protocols. The Health Care Advisory Board provided recommendations for cost effective and best care for patients. Results First Funding provides for performance,

quality and value based payments. It will also help identify high cost users. MMH has a residency clinic which can provide continuity of care, and redirecting patients from the emergency room for services that do require that level of care. It also helps to redirect the high frequency utilizers. The County is partnering with Centerstone and managing entities for the Department of Children and Families. He addressed substance abuse services, ambulatory detoxification (keeping patients in their environment and providing transportation) and risk stratification. Counties maintain the level of LIP funds to improve quality and prioritize services. The State may have to come up with a new alternative to LIP funding; therefore, the County may have to redo their funding. Mr. Barnett also addressed opioid-specific recovery peer coaching.

 Mr. Barnett stressed that health outcomes are not quick, but measured, to demonstrate outcomes and provide the proper funding needed. The County works closely with the Department of Health in Manatee County. He is serving as the Chair to the Health Care access subcommittee of the Department of Health Community Health Improvement Plan.

 Discussion ensued regarding evaluating services at the jail, jail medical services require meetings to manage care an ensure proper care is being provided, RFP for health care provided at the jail, why a prisoner is at the jail and what their health issues are to provide the best care, work with Public Safety Coordinating Council, to ensure the prisoner is in the right place, and the laws are being followed, case studies will be provided, there could be a variety of health care services provided, lack of specialty care at the jail, engage experts to develop a way to reduce the time people may be waiting, and meeting guidelines for medical treatment, opioid epidemic, dialysis needs, transporting prisoners to the hospital and the costs involved, increasing costs for health care at the jail, community paramedicine, acute needs addressed and need someone to help them long term, how is MMH being paid by submitting bills for reimbursement through LIP funding, quarterly reporting for updates, attending various health care organizations, where are the biggest holes in the process, dental, follow up to care, subspecialty services, federal programs are questionable and remain as connected as possible, LIP funding to Rural Health and tracking the spending, requirement with Rural Health is to for Manatee County residents only and use the HIE, and provide a service detail, HIE system is relatively simple to connect to, there has been discussion regarding new services at Manatee Rural Health, audits performed for health care providers, Centerstone has issues with outreach with psychiatrists, praise for Mr. Barnett, health care changes constantly, non-profits pay for their own audit which are shared with the County, counties can bill other counties for residents being treated there, Department of Juvenile Justice mental health and substance abuse costs, and ensure kids are getting the education they need to get out of certain cycles.

Ernest “Sandy” Marshall, submitted a letter and discussed notification of information, and topics for the next Healthcare Advisory Board Meeting.

 Katherine Edwards thanked Commissioner Whitmore for addressing psychotherapy and thanked Mr. Barnett for his efforts to assist the community, and drug abuse.

There being no futher public comment, Chairman Benac closed citizen comment.

 Ms Coryea addressed getting information out in a timely manner.

Mitchell O. Palmer, County Attorney, explained the Healthcare Advisory Board is under Sunshine Laws.

RECESS/RECONVENE: - 10:36 a.m.10:46 a.m. All Commissioners present except Commissioner Baugh

2. **ECONOMIC DEVELOPMENT INCENTIVES AND SOUTHWEST DISTRICT**

 Geri Lopez, Redevelopment and Economic Opportunity Director, addressed there are many different factors that affect the economy, and what Manatee County can do to provide more economic development and be more successful, especially in the Southwest District. She acknowledged Debbie Underwood has joined the Redevelopment and Economic Opportunity (REO) Department.

 Karen Stewart used a slide presentation to review the economic development program and introduced the REO Team. The current program is more than money and provides government customer service including the scoping program, rapid response and incentives. Incentives are based on jobs and targeted industry. The program enhances the work of other organizations in the County that target economic development. For every one dollar spent in incentive there is a \$52 return. The average wage for new companies coming into Manatee County is \$58,000. The Southwest District business retention and expansion program is progressing with outreach. Small business expos have taken place, and staff has reached out to businesses regarding preparing for disasters. Business corridor clean ups have taken place with four plus tons of junk being removed. Ms. Stewart recommended expanding the incentive program to the Southwest District for grants and business improvement programs. The Southwest District Development Incentives includes a detailed outline of the suggested guidelines and the business improvement programs. Projects could include curb cuts, transit stops and other projects. These projects increase property value and public safety. Staff will work with the County Attorney's office regarding agreements with businesses. The maximum incentive is \$20,000 per business.

Ms. Lopez continued the slide presentation and addressed community-based strategies that aim to improve economic opportunities for all, with a focus on disadvantaged residents. Strategies include skill development, employment support, and fostering growth of disadvantaged business enterprise. A pilot program with the Manatee Community Action Agency is proposed. Classes could help small businesses identify and secure a micro-biz start up. There would be ongoing monitoring, and a business plan would be developed to go to a bank for funding. The agreement is \$50,000 and would be covered with CRA funds.

 Ms. Lopez continued to discuss the community policing initiative with a proactive approach on the commercial corridor, and the outcome should be a reduction in robbery, homicide, aggravated assault and other crimes. The next steps include a revised incentive program with guidelines, and update on economic development, and the Southwest District Plan Report. The focus will be on the urban corridors, opportunity sites and incentives.

 Discussion ensued regarding a small business expo in December at the Central Library, being proactive with businesses that could use assistance and sites that would be good for new businesses, vacant properties near established businesses, searching for owners of properties, policing for 14th Street CRA area, incentives would be similar for Southwest District as with the current economic incentives, all funding is approved in the current budget, if the program is successful can this be taken on the road to the rest of the County, dedicated funding source in the Southwest District, economic incentives offered countywide, depending on success of new program, community partners could be helpful, focus on the Southwest District, investments in the urban area, new businesses open, 15th Street East needs improvements for businesses and drainage, and public/private partnerships.

 Ms. Lopez confirmed there is approximately \$4 million in the Southwest TIF. The amount for community policing has been bumped up for the Sheriff, which will be based on statistics. The CRA's were sunsetted, and the monies from those areas are being spent on programs that were already in place.

Mr. Hunzeker noted this is not new funding for public safety, and it has been carried over from the CRAs.

 Ms. Lopez clarified the hours for policing will be provided in a Memorandum of Understanding and the \$85,000 is for one year. The Sheriff has flexibility to address the activities that need the most attention. This is part of the existing plan, and by continuing the plan, it allows the CRA funds to be used. The Sheriff is paid for performance, and the focus is on issues that have been laid out by staff to be proactive in community policing.

Mr. Hunzeker explained the CRAs are gone and there does not need to be external policing of the fund. The Board designated the funds will be spent in the Southwest District. The same program adopted years ago is still in place, but costs have increased.

 Ms. Lopez clarified the funds are only spent in the Southwest District and there is a map specifying the area.

 Discussion ensued regarding the Board making a commitment to keep the former CRA funds in the District, money is in the general fund, set aside to make sure the Board committed to all those involved that the funds would be spent in the CRA areas, there was no obligation to do this, and there is no more money going into the fund, and the Board committed that community policing could be included in the funds that come in from the Southwest TIF.

Mr. Hunzeker stated when the Board dissolved the CRAs, the funds would be spent until they are depleted, and then the same programs would be funded by TIF funds. When the CRA funds run out, there will be a budget item presented.

 Discussion ensued regarding winding up the affairs of Community Redevelopment Agencies which are regulated by Florida Statute and this Board committed to spend those funds in specific geographic areas.

 Ms. Stewart clarified a County approved vendor is used for the incentives for businesses to improve their property. The funds would be paid to the vendor, not the business directly. This incentive would be granted if the business provides the proper documentation.

Ms. Lopez noted Under the Southwest District dollars, matching grants are not possible. Under Florida Statute, improvements can be made to right-of-ways and include job creation.

 Ms. Stewart explained funds can be used to change internal traffic patterns and driveway aprons. These are cooperative programs that involve the business and other county departments, and county approved vendors.

 Discussion ensued taking programs such as this to different areas, specifically north of the River, program could be expanded, but District funds could not be used for other areas, there may not be enough projects to fund, the TIF is area specific, working on redeveloping a

specific area, funds can be used for new projects coming into the area, programs will continue to be available, craft incentives for projects that have bold expectations for economic development to the area, affordable housing and Livable Manatee program, having the incentives available can attract developers, and return on investment calculations used.

 Katherine Edwards discussed the ratio of dollars spent to dollars returned, use of natural resources, and cost to community of large projects.

Lori Gale addressed the success of economic development projects and providing guidance to new businesses. She questioned the location of the small business expo, the specifics of the area's population, the need for higher paying jobs, and assistance with work force training.

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

Discussion ensued regarding affordable housing, and spending money from the District accordingly.

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RECESS/RECONVENE: - 12:13 p.m.1:30 p.m. All Commissioners present except Commissioner Baugh

3. PROPERTY ASSESSED CLEAN ENERGY (PACE)

 Jan Brewer, Financial Management Director, used a slide presentation to provide an update on the PACE program. PACE providers enter into agreements with homeowners for energy improvements, which are paid via a non-ad valorem assessment. The property owner agrees to the annual assessment. The PACE provider determines the financing and the contractor. The assessment will stay with the property until the assessment is paid in full. The only role the County plays is to have the assessment as a non ad-valorem assessment on the tax bill. The PACE provider must indemnify the County against all liability. There are four PACE providers in Florida.

 William Clauge, Assistant County Attorney, summarized PACE is a special district that funds loans to improve property, which are paid back through a special assessment on the homeowner's property taxes. These assessments show up as a tax lien on the property. The district can issue bonds to raise the money to finance the loans that go back to the property owners. The proceeds of the special assessments are used to fund the loans. The funds go from the bond holders, to the PACE providers to the home owners. The PACE program is authorized through Florida Statutes. Someone could challenge the special assessment. There is concern in the way the providers have proposed to come into Manatee County and how they want to do business. There must be an interlocal agreement with the PACE district. Florida PACE is offering an arm's length agreement. The other PACE providers want the County to be member local government in those PACE districts. The option to require the County to be a member of the other districts is an issue. A Community Development District (CDD) is similar, but they do not ask the County to become a member of the CDD. By becoming a member of the district, the County would be a party to any dispute. There are local governments who are members, but they have run into issues. He recommends not becoming a member to the PACE districts.

Discussion ensued regarding the difference of being a member and non-member, benefits to homeowners, improvements must be energy efficient, and how long is the payoff,

 Mr. Clauge noted the PACE programs are a financing mechanism to help residents make improvements to their homes, where they may not have been able to get the financing through the open market.

 Ms. Brewer noted the life of the assessment will equal the life of the improvement. There are different options for various improvements. The cities should have their own agreements. Statute provides the specific categories of improvements that can be made.

 Discussion ensued regarding Manatee County is not providing these services, and this is a way to pay off improvements via the tax bill as opposed to a home equity loan.

 Mr. Clauge explained special assessments are not tax deductible.

 Discussion ensued regarding all Manatee County needs to select a District to work with, do not waste time with those that want Manatee County to be a member, suggest the PACE providers address the Board, financing based on available equity in the home, and improvements to be fixed to structure.

 Mike Bennett, Supervisor of Elections, noted the benefit to the homeowner would be having a more energy efficient and safer home. BC20171017DOC004

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

4. **STORMWATER**

 Ron Schulhofer, Public Works Director, used a slide presentation to introduce storm water issues. There are no projects in the five year Capital Improvement Plan (CIP) addressing storm water. The no name event, created more damage than Hurricane Irma. Two studies are being done on Pearce Drain and Bowlees Creek, and staff is seeking adding to the scope, to address storm water mitigation. The results from the consultants will be shared with the Board, and funding includes a 50/50 match with the Southwest Florida Water Management District (SWFWMD)

 Sia Mollanazar, Deputy Director Engineering Services, thanked the Public Works engineering team and others for their help with the presentation. He reviewed the outline for the presentation. Since 1986 the design storm standard has been the 25 year/24 hour storm of eight inches. This is used to determine discharge rate, and the minimum state standard is the post-developed discharge rate. Water retention ponds are designed to collect storm water discharge. The pond will be built to the standards of the area. Property rights cannot be denied as long as landowners can mitigate for stormwater. Floodplain compensation is required for encroachment in the 100-year floodplain. Floodplain compensation volume should be equal to/or exceed floodplain impact volume. The canals are connected to the compensation pond. Floodwater goes into the lake, not the runoff from the homes.

 Mr. Mollanazar continued that County standards are more stringent than SWFWMD rules. The 50 percent reduction has been in place since 1998 for Bowlees Creek and February 1999 for the remainder of the watersheds. The county requires a one foot freeboard, and the finished floor elevation must be one foot above FEMA requirements, which is 13 feet.

 Ken Kohn, Project Engineer, reviewed the rainfall data and history for the past 25 years through the end of August. The stormwater system is designed for the 24 hour/8 inch standard. Most rainfall events in Florida are one inch or less. The average is 55 inches a year. The observed rainfall for the Pearce Drain on August 26, 2017 for 24 hours was 9.67 inches. For five hours there was a torrential downpour, following by another one 10 hours later. The rain gauge at Bowlees creek showed a 24 hour rainfall of 11.9 inches. The Pearce drain rainfall over a three day period was 13.25 inches; the three day rainfall total for Bowlees creek was over 17.78 inches. Mr. Kohn discussed rain fall averages since 2001, and there have been three significant events. The observed rain fall event in August 2017 exceeded the design standard.

 Mr. Mollanazar displayed a map in the slides of the watershed boundaries. Although the watersheds are not connected, there could be overflow, because they do sit side by side. Pearce Drain covers 5,350 acres and flows north from existing lakes along University Parkway until it empties into the Braden River. There are no dedicated drainage easements for the drains. He reviewed a map of Pearce Drain basin and hydrology. There are small tributaries off the main drain. He reviewed the FEMA map, and Center Lake was platted two years after the map was drawn. A second study was done for FEMA in 1992 which placed Center Lake in the flood zone. Center Lake has had flooding in 1988, 1992, 2001, 2016 and 2017. Flooding in Center Lake is caused by rising flood waters from Pearce Drain internal drainage system or retention pond. He used a drone video to show the flooding in Center Lake at the end of August 2017. All 62 homes in Center Lake have flood damage. There was a similar flood in 1992.

 Mr. Mollanazar continued the slide presentation to address issues along the Bowlees Creek watershed. Bowlees Creek drains south toward Lake Brennan then west to Sarasota Bay. He addressed Oakwood Apartments built in 1986 and the expansion in 2010 of the existing retention ponds associated with Hidden Acres. The 2014 FEMA map is the same as the 1984 map showing existing flood elevations. A repetitive loss area map was included in the slide presentation.

 John Pari, Project Engineer continued the slides and discussed Pearce Drain and Bowlees Creek inundation. The peak stage for Pearce Drain was 15. A 240 acre pond site would be needed to address the flooding for Pearce Drain. The Bowlees Creek Inundation area and the peak stage is 13, and a pond site of 95 acres would be needed.

 Discussion ensued regarding there is a better model now for building, each property can be modeled individually, developers can pay a consultant to interpret the models and plan the developments properly,

 Mr. Mollanazar noted up to a decade ago, everyone relied on the Federal Government to develop the maps, and the County has now started to conduct their own studies to look at real data, all stormwater systems are being built into the model and include up to the 100 year storm events. There are 27 watersheds, with Braden River, Buffalo Creek and Gamble Creek studies being completed as well as three others. The remaining watersheds have FEMA studies and small versions of the other studies. FEMA studies are done for the insurance industry, and there could be a 50 percent margin of error.

 Discussion ensued regarding flood events that have happened in the past, and new development is not the cause of the flooding, the developers must use the best available information to design the development, and Shadybrook was built 12 years prior to any flood maps existing.

 Mr. Mollanazar explained the problem in August 2017 was 17 inches of rain in a creek system that can only handle 5 inches of rain. These types of events have occurred in the past. The design standard is the 25 year flood/eight inch requirements.

Mr. Kohn noted existing rates of discharge and new runoff must be at an additional 50 percent to avoid any flooding on existing areas. The water must be retained and released slower than the 50 percent reduction. The design standard is set at a higher level.

 Discussion ensued regarding the property loss that occurred and the need for a resolution, the creeks are natural stream systems, no money for dredging, stormwater utility fees, fix aging infrastructure, and new development must catch their own runoff,

 Ron Schulhofer, Public Works Director, stated he has requested funding for maintenance personnel for the past five years and the funding has been denied. He has requested the stormwater utility fees for the past 10 years. There are three people working in the Stormwater division. The cost will be over \$1 million for the studies on Pearce Drain and Bowlees Creek. It takes about nine months for a ditch to be cleared.

Discussion ensued regarding Manatee being one of the lowest taxed Counties in the State, 50 percent reduction may not be enough, and supporting a stormwater utility fee.

Commissioner DiSabatino displayed pictures of debris from homes in Center Lake.

RECESS/RECONVENE: – 3:40 p.m.3:50 p.m. All Commissioners present except Commissioner Baugh

 Chairman Benac noted this is a work session

 Robin Moore displayed photographs from her phone and commented on flooding at her home (photographs not emailed to clerk).

 Jill Sanburg expressed concern with the effects of flooding on her property and how those affected by the flooding cannot wait for a study to be completed.

 Dr. Raymond Hunley, Sabina Road resident, thanked staff for the report and residents are organizing so they can communicate amongst themselves to prevent the flooding from happening in the future. He reported on the cost associated with repairing his home after it was damaged from flooding. Widening and dredging Bowlees Creek and associated ditches will solve the flooding issues.

 Kenny Marshall, Sabina Road resident, relayed similar concerns as previous speakers.

 Forrest walker, ShadyBrook Village Board, submitted web pages and stated Bowlees Creek is the source of flooding in the area as well as recent area development. He inquired if

Bowlees Creek is supposed to be navigable, but it is not due to impediments.

 Leola Myer addressed flooding and questioned the floodplain policy.

 Kelly Wayne spoke on flooding in her home and the personal losses suffered.

 Blake Williams displayed photographs of flooding at his home in Center Lake and questioned the engineering of the development.

Norm Lupino displayed photographs of flooding for Bowlees creek and discussed sediment in the creek.

 John Holsom questioned why newer developments are built at a higher level, and discussed having to wait for FEMA assistance.

 John Zimmerman displayed a photograph of the radar from the no name event and addressed drainage problems throughout the county.

 Lori McDonald questioned why the no name event was not attached to Hurricane Harvey and addressed developers having lobbyists.

 Bob Kinney stated residents are willing to pay additional taxes to have stormwater drains taken care of. He displayed a photograph of flooding behind his home on property owned by a developer.

 Judy Smith addressed damage suffered during Hurricane Hermine, and the no name event which damaged her home even more.

 Barbara Elway addressed the difficulty of selling homes in flooded areas, and the amount of flooding that can happen in just a few hours. She encouraged establishing a stormwater utility fee.

 Paula Klipson, displayed a photograph from her phone of flooding in the creek and her yard and the expense of tree removal due to the rain (photographs not emailed to Clerk).

 Kathleen Larson spoke of flooding in Center Lake and the affects of development on flooding.

 Ernie Ford commented on developers building on wetlands and the need for retention ponds and more stringent development requirements. He questioned maintenance of ditches and retention ponds.

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

 Upon question, Mr. Schulhofer explained there are studies being done on Pearce Drain and Bowlees Creek. They changed the scope of the studies to include potential mitigation for the flood events. The price could be \$300,000 per study to change the scope.

 Discussion ensued regarding ways to fund the studies, and authorize contracts to clean the major drainage areas with contract labor from the jail and anywhere they can get labor, sediment study to dredge Bowlees creek, future work session on a stormwater utility fee, County does use inmates but there is still a cost for the guards and insurance, Commissioner DiSabatino does visit Villa Del Sol, homeowners using the railroad to access ditches, homes are built at water level by the creek, campaign donations do not influence land use votes, new developments built to county standards, Municipal Service Benefit Unit (MSTU) for the areas that are being affected, retrofit areas to dig ponds bigger and deeper, borrow money to get the work done, Bowlees Creek was dredged to allow homeowners boating access, dredging in State waters, State laws dictate what the County can do, must have partners to get the dredging done, and outfall cleanouts are taken care of.

 Ron Schulhofer noted WCIND funding can be used if there is public access needed for boating. There are problems for removing silt as easements do not exist. Outfall is taken care of by Public Works, but more funding for staff is needed.

 Discussion ensued that there was a requirement to have a stormwater utility fee to address drainage problems, but a previous Board voted to remove the fee and not implement it, residents in developments that do not have flooding issues do not want to pay the stormwater utility fee, these issues are not going to get better, and short term solutions.

 Sandy Tudor, Building and Development Services, noted there are opportunities for flood mitigation assistance grants, for repetitive loss, and the grant is nationwide. Residents cannot get disaster aid if the area is not declared a disaster area, but homeowners can still make claims on their flood insurance.

 Discussion continued regarding the process for starting a stormwater utility fee.

 Mr. Clauge explained the County cannot make property owners mitigate over and beyond the impacts they create. Rights are violated by making someone fix something that is not their fault. There is a disagreement regarding the cause of the problem.

Ms. Tudor noted renters can purchase flood insurance for their belongings. Insurance premiums may start to go up if there are repeated floods and claims on a policy.

 Mr. Clauge clarified that stormwater utility fees can be special assessments or on the utility bill, studies must be done and a work session would be required to give direction to staff.

 Mr. Schulhofer noted several trees are in the canals due to Hurricane Irma; therefore, other ditches are not being cleared. Contractors are working throughout the State due to Hurricane Irma. There are also access issues for the canals.

 Discussion ensued that Public Works would be the first department to be funded.

Mr. Clauge explained a consultant engineer is needed to complete a stormwater utility fee study, and the timing also depends on the structure of the fee.

 Discussion ensued regarding having an MSTU for the affected areas and it must be put on the tax roll, so revenue would not be received until the following year, need time to determine what projects can be done with the MSTU, and Wares Creek funding and project done with the Army Corps of Engineers.

ADJOURN

There being no further business, Chairman Benac adjourned the meeting at 5:26 p.m.

Minutes Approved: _____