Present were:
Stephen Rinehart, Chairman
Divina Westerfield-Maruca, Vice-Chairman (Attended via Zoom)
William Conerly
Mark Dunlop (Attended via Zoom)
Kenneth Ellis (Attended via Zoom)
Glen Gibellina
Sharon Glasgow
Keith Green
Garin Hoover (Attended via Zoom)
Misty Servia, Board of County Commissioners
Mark Vengroff

Absent were:
Vallerie Guillory

Also present were:
Geri Lopez, Redevelopment and Economic Opportunity
Denise Thomas, Redevelopment and Economic Opportunity Manager
Deborah Ash, Redevelopment and Economic Opportunity
Lisa Wenzel, Building and Development Services
Jonathan Martinez, Board Records, Clerk of the Circuit Court

AGENDA AND SIGN-IN SHEET

1. CALL TO ORDER
Chairman Rinehart called a work session to order at 2:06PM.

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

Chairman Rinehart called for a recess at 2:18pm work session resumed at 2:25pm.

4. IMPACT FEE STUDY UPDATE
Nicole Knapp, Impact Fee Administrator of Manatee County, shared a slide presentation on the Land Development Code (LDC) Amendment Update. The impact fee study received recommendation from the consultant regarding affordable housing. The administration has decided to do a partial update of the impact fee study. It can take six to eight months to process the amendment. House bill 7103 effects the impact fees frame work allowing local government to either waive or reduce impact fees for construction of affordable housing. Chapter 11 of the LDC explains how it relates to impact fees and how Livable Manatee can offset those fees. In the proposed amendment the Board of County Commissioners may, by resolution, provide an exception or wavier of impact fees without using any revenue to offset the fee for development. This language will not give staff the power to make any changes.

Chairman Rinehart gave a brief updated to the members on Zoom regarding impact fees.
Ms. Knapp clarified the proposed amendment. The language will allow staff to work with the Board of County Commissioners.

Discussion ensued regarding the impact fee study, this will be the first step that will allow Redevelopment and Economic Opportunity (REO) and impact fee division to work together with the Board, the timeline provides parameters to work with, legislation gives the ability to the Board to waive or reduce fees, the impact fees for the school Board is a separate process, and the process will not change for Land Use Restrictive Agreements (LURA).

Member Gibellina shared concerns about how many permits are pulled for affordable housing.

Denise Thomas, Redevelopment and Economic Opportunity Manager, explained staff does not have that information. In order to obtain that information, they would need to go through permitting with the building department.

3. **DECLARATION OF A QUORUM**
   - Chairman Rinehart ended the work session and called the meeting to order at 2:43pm. A quorum was declared.

2. **PLEDGE OF ALLEGIANCE /ROLL CALL**
   - The pledge of allegiance was conducted and roll call of the members was performed.

5. **REVIEW OF INCENTIVES**
   - Chairman Rinehart went over the incentives the Board previously discussed.

   **Incentive B**
   - Discussion ensued regarding language of the affordable housing incentives, the notes on the incentives are the Florida Statute language that cannot be changed, if the Board adopts the incentives, impact fees and review fees have the potential to be waived.

   **Recommended Motion 1 – Incentive B**
   - Motion was made by Member Conerly, seconded by Member Gibellina, to accept Incentive B.

   Discussion occurred regarding questions of incentive B, there are two types of LURAs: (1) homeownership which binds the owner with the property and limits the resell ability for ten years; and (2) rentals, which restricts the owner for 20 to 25 years, prior to Livable Manatee a LURA was meant for the life of the property, if the property is sold in less than ten years the waived fees are paid back, the deferral fee will provide a credit for the affordable project, the LURA is estimated at the final site plan, and the Board can still add any recommendation to the incentive.

   The motion carried 11-0 to accept incentive B.

**Incentive C**
- Discussion ensued regarding incentive C, language was added for the range of potential zoning districts, a density increase can be asked for from plan development, the applicable zones describe the potential for bonuses if criteria is met, density bonuses are only used
within the project, parameters have been added for zoning changes, and a 20-foot screening buffer will be used if lot sizes are not consistent.

Member Gibellina expressed concern with the future land use category. A handout was shared regarding New Pierce subdivision with 51 houses. When a permit was pulled, the mortgage was offset with an Accessory Dwelling Unit (ADU).

Lisa Wenzel, Building and Development Services, clarified the table has nothing to do with ADU’s, only affordable housing.

Recommended Motion 2 – Incentive C
Motion was made by Member Conerly, seconded by Member Servia, and carried 10-1, with Member Gibellina voting nay, to accept the edits and ask staff to further evaluate Section 4 of incentive C.

Recommended Motion 3 – Incentive E
Motion made by Member Maruca, seconded by Member Green, to accept incentive E.

Brief discussion occurred regarding the incentive.

Motion carried 11-0, to approve incentive E.

Incentive H
Discussion ensued regarding incentive H, Manatee County has addressed the Florida statue separate components in one LDC, the modification of standard is for affordable housing to allow flexibility, the right of way standards is included in the LDC to allow for administrative approvals, in order to amend the standard a real reason such as a utility line creating conflict must be presented, and the ability was created so the county can modify street requirements.

Recommended Motion 4 – Incentive H
Motion made by Member Conerly, seconded by member Glasgow, and carried 11-0, to maintain the current language of Incentive H.

Recommended Motion 5 - Incentive K
Motion made by Member Maruca, seconded by Member Green, to maintain the current language of Incentive K.

Discussion ensued regarding Incentive K, in 2020 the motion included more density, higher heights, and right sizing, originally the language in the LDC came from the comprehensive plan, in 2018 more incentives were added for increase in density and intensity at the nodes, and the AHAC can add more recommendations after the incentive is approved.

Member Green recommended tabling Incentive K.

Ms. Thomas clarified the State requires the Board to make a decision today.

Motion carried 11-0 to maintain the current language on Incentive K.
Ms. Wenzel clarified staff’s recommended motion. The Board should give a final motion to move forward with the amendments to Section 545 of the LDC and then comeback at a later time if any changes are to be made.

Discussion ensued regarding the tree trust fund, money is put into the fund and then used for other projects, provide a breakdown of the funding to AHAC, the tree trust fund money cannot be moved to Livable Manatee, and the idea is to use the money to plant trees in preserves for the benefit of the whole County.

Recommended Motion 6 – Incentive L

Motion made by Member Servia, seconded by Member Dunlop, and carried 11-0, to table item L and move items A through K to formalization.

6. WHAT IS A CHDO

Jennifer Yost, Community Development Project Manager, shared a slide presentation on Community Housing Development Organization (CHDO). The organization is a private, community-based non-profit whose purpose is to provide affordable housing to low-income individuals. The funds are used for administration and CHDO set-aside. The legal structure for CHDOs is nonprofit. At least one third of the Board must represent the low-income community and no more than one third can be public officials or employees of participating jurisdiction. CHDO must have an effective project control. Proceedings must be tracked and reported annually. The use of the proceeds must be used for county approved activities. Next steps for CHDO are to develop requests for funding processes for future consideration.

Discussion ensued regarding CHDO, $650,000 is received each year, $220,000 is set aside for CHDO, at least one project is being brought on per year, the major source of funds are provided to homeowners, by Florida statute 15 percent of the funds is set aside and the rest goes to rehab programs, COVID-19 delayed construction projects for CHDO, funding is used to help streamline new units for low income buyers, and the United States Department of Housing and Urban Development (HUD) regulations require the money to sit in an interest account.

7. LOCAL LAW SEMINAR

The Manatee County attorney’s office is providing a local government law webinar that goes over Sunshine laws and land use on November 17, 2021.

8. NEXT MEETING

The next meeting is scheduled for November 15, 2021, at 3:00 p.m.

9. MEMBER COMMENT

Chairman Rinehart thanked Member Gibellina for finding information on what Fort Myers has been doing with affordable housing.

Geri Lopez, Redevelopment and Economies Opportunity Department Director, informed the Board on recent communication with the financial access credit union. A revolving loan fund is being set up for entrepreneurships and developers.
Chairman Rinehart described difficulties faced by small developers and how risky the business is.

Member Dunlop explained there needs to be more options for small developers. High risk discourages smaller banks from getting involved.

Member Hoover requested to have more information of different affordable housing opportunities in Manatee County.

Ms. Thomas reminded AHAC about the regulations and deadlines that determine the funding.

Member Green shared concerns regarding the members on AHAC. Some Board members are not focused on helping the County but instead focused on their personal gains. AHAC is created to help the Board of County Commissioners make sound decisions regarding affordable housing.

Member Gibellina spoke on infill lots, which can be utilized for affordable housing.

Ms. Thomas responded to questions and explained the low-income household could apply for down payment assistance. The developer chooses who they want to utilize the housing.

Ms. Lopez clarified that Livable Manatee incentives go directly to the developer. The down payment incentive goes directly to the end buyer.

10. **PUBLIC COMMENT**
    There being no public comment, Chairman Rinehart closed public comments.

11. **ADJOURN**
    There being no further business, Chairman Rinehart adjourned the meeting at 5:02 PM.

Minutes Approved: ☐ ☐ ☐ ☐