

LEGISLATIVE ISSUES WORKSHOP

BOARD OF COUNTY COMMISSIONERS

NOVEMBER 15, 2004

A workshop of the Board of County Commissioners was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were present: Chairman Matthew D. DeBoer and Commissioners Thomas C. D'Aprile, Adam Cummings and Sara Devos. (**Commissioner Horton was not present for this workshop.**) Also in attendance were County Administrator Bruce D. Loucks, Interim County Attorney Brendan Bradley and Deputy Clerk Karen S. Mitchell. The meeting was called to order at **2:05 P.M.** followed by the Pledge of Allegiance to the Flag.

Chairman DeBoer welcomed everyone, reported the committees and sub-committees in Tallahassee were already meeting, said if they really intend to be effective in this process they need to start much earlier than this, say by June at the latest, and suggested they look at this as a year round issue with periodic updates on their agenda. **Commissioner Devos** agreed, said their lobbyist works for them all year and so should they.

I. Discussion of Specific Legislative Items

Kelly Shoemaker, Assistant County Administrator, briefly reviewed her memorandum to the Board dated November 12, 2004 titled Legislative Agenda. **Chairman DeBoer** asked when they would receive the actual language of the tax relief proposals to be discussed during the Special Session the week of December 13, 2004. Mrs. Shoemaker said she would let the Board know as soon as she received it. **Chairman DeBoer** suggested they take a position right now to support any legislation fully funded by the state. **Commissioner Devos** concurred. **Commissioner D'Aprile** said he'd pass on commenting on this for now but he does have problems with that one. **Commissioner Cummings** said it sounds like a good idea because it puts the burden back on the state and they would be seizing the initiative by stating their position upfront. **Commissioner Devos** said the Governor has publicly stated numerous times that he expects revenues the next two years to far exceed expectations due to the dollars being spent on the recovery. Bruce D. Loucks, County Administrator,

said the Commissioner was correct, he had just listened to an update on the revenue estimating conference that took place last week and two things were expected - the fund balance carry forward from the prior year would exceed budget by \$2 billion, and the estimated revenues for this year and next would be far in excess of a minimum of \$30 million to \$40 million each year. **Chairman DeBoer** said regarding the January 4th delegation meeting he felt that meeting was more for the general public to access their legislators not for the elected bodies but added he didn't want to give the wrong perception by not going, asked the Board's feelings on attending and if they go should they present everything or keep the list relatively short. **Commissioner Devos** said they should have a presence at the meeting and the list should be very specific containing those items they really need such as a building for the health department and Charley mitigation issues. **Commissioner Cummings** agreed they need to be represented at the delegation, a short list would be more effective and they should bring along a full packet but concentrate on say the top five. **Chairman DeBoer** concurred their short list should be things specific to them locally and then provide the packet for the rest of the things. **Commissioner Cummings** said he wanted to support some water issues but not as part of the top local issues. **Commissioner Devos** recalled when Lindsay Harrington was in Tallahassee he wanted better communication from us, said Mrs. Shoemaker's list would accomplish that, another thing might be finding what rule changes were critical regarding phosphate and reiterated the draft outline was wonderful but opined it was too wordy. **Chairman DeBoer** said he'll probably disagree on the issue of phosphate, he felt rule making wasn't part of what they were talking about today because the legislature was already gearing up to go into the rule making process now and he assumed what they meant was the agency was intending to weaken the provisions for reclamation. **Commissioner Cummings** said his understanding was the proposed changes would possibly weaken the reclamation rules beyond where they are now. **Chairman DeBoer** opined if they're going to have any meaningful effect it would be in rule making not through the legislature and said he didn't think they'd even get anything to a committee legislatively on phosphate this year because the interest just wasn't there. **Commissioner Devos** said she thought what happened in Hillsborough County would make a difference. Mrs. Shoemaker reviewed the Proposed Legislative Priorities 2005 list.

II. Recommendations

Following Board discussion, the following were the top six priorities:

1. Hurricane Recovery Projects. **Chairman DeBoer** noted they need to hire a recovery manager, asked staff to put that on the next regular Board agenda and reported he'd heard that in the past FEMA has funded that position for local government.
2. No Unfunded Tax Relief For Storm Damaged Properties.
3. Platted Lands.
4. Beach Renourishment.
5. County Health Departments.
6. Phosphate Mining.

Commissioner Devos said it was a good list. **Commissioner Cummings** said a lot of his efforts lately have gone towards Babcock Ranch, water supply issues and possibly proposing a water reservation for the Peace River. **Commissioner Devos** asked if there was anyone in the legislature with an environmental background. **Commissioner Cummings** responded not really. **Commissioner Devos** said she felt the water issue was too complex for a stand-alone bullet. **Commissioner Cummings** stated he was agreeable with the six bullets and having the remaining items as a supplemental packet. (**Discussion ensued regarding the topics on pages 2 through 4, items supported by the Florida Association of Counties, water issues and a state-wide water commission.**) **Commissioner Cummings** said he would be okay with having water issues as a seventh bullet if that's the consensus, he does want to line up with the forces trying to oppose these negative changes being pushed, clarified he didn't want to fracture the coalition that's been put together to oppose this, he felt there was a clear majority of people in the water supply and marine environment communities that oppose these changes, and a unified effort was needed to be successful. **Chairman DeBoer** agreed there was a unified effort behind these policies as a defensive mechanism to block what's going on and said this was something

he was going to undertake by developing an offensive plan and for a now he was okay with the six issues. **Chairman DeBoer** said he continues to receive calls from Betsy McCallum about their final ordinance and whether or not the County was going to be able to get it done on time and whether the Board would authorize Attorney Bradley to outsource that. Brendan Bradley, Interim County Attorney, clarified Community Development has assigned someone to work on it as their priority, the IDC has been stretched out from 90 to 180 days which he felt was doable, and he didn't support outsourcing this because Community Development and the County Attorney's Office know the most about this. **Commissioner Cummings** said he was inclined to take Attorney Bradley's advise. **Chairman DeBoer** asked the Board members to speak to Administration about the affordable housing development in Deep Creek, said the developers want to know if the County would give them a loan based on the TIF money that comes out of building this project, it would truly be a repayable loan and if the Board agrees to this the developers would change the Deep Creek affordable housing to elderly instead of family which they hope will quell the uprising in Deep Creek. Mr. Loucks suggested they could do a developer's agreement instead of creating a TIF zone which is much more costly. **Commissioner Cummings** asked if the need for elderly housing exceeded the need for family housing. **Commissioner Devos** responded the need was equal. **Chairman DeBoer** said he would take that to mean the Board was happy with what the developer was doing and he needs to just proceed because he was meeting the need for families. Attorney Bradley advised the Florida Association of County Attorneys sent an e-mail which he received this morning, the Department of Community Affairs (DCA) has declared the DJJ funding mechanism unconstitutional so the County doesn't have to make their November payment and he would be speaking with Ms. Navan about recovering their October payment. Mr. Loucks stated they were planning to have the Murdock Village presentation on the November 23, 2004 agenda, some of the Board members have mentioned they would prefer doing that as a workshop, recommended scheduling it for November 30, 2004 which wasn't a normal Board meeting day but it was an open Tuesday and said he would set it after checking the calendars. **Chairman DeBoer** said he was still trying to get other developers not just Lennar to give proposals, one of the big issues right now was getting accurate information on the projected costs for the purchase of the rest of the property, he felt it he had that

and it was less than what the increase estimate was then he could probably get Kitson to come back to the table because right now they've backed off, Kitson's redevelopment plan was very close to the Board's original concept and he will contact Kitson because he would like to have three presentations if possible.

MEETING ADJOURNED: 4:00 P.M.

Signature on file in Commission Minutes
Matthew D. DeBoer
Chairman

ATTEST:

**BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS**

**By: Signature on file in Commission Minutes
Deputy Clerk**

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