

Bill pushing UTC special district sparks concerns



Nathan Benderson Park comprises about a third of the proposed 1,514-acre district, which would stretch from University Park in Manatee County south to Fruitville Road in Sarasota County, all west of Interstate 75. The public park is owned by Sarasota County, which has committed tens of millions of dollars in public taxes to fund it. PROVIDED BY KAREN GALVIN

Commissioner says he's unsure how measure will impact Sarasota County

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A new bill in the Florida House would turn the University Town Center into a special government district and give one of the region's most influential developers the power to set specific rules and levy new taxes.

House Bill 4091, introduced last week by state Rep. Bill Conerly, R-Lakewood Ranch, would give the largest private landowner in the district — Manatee County-headquartered Benderson Development Co. — its own local government to finance and oversee future expansions of the shopping hub, largely composed of commercial retail around the mall and rowing park.

The inclusion of Nathan Benderson Park in the special district, combined with the broad powers the new district would wield in an area that spans both Sarasota and Manatee counties, has raised concerns from a former assistant county attorney and at least one county commissioner.

Sarasota Commissioner Tom Knight raised the issue at a meeting on Jan. 13, saying he didn't understand the bill or how it impacts Sarasota County.

Even as the Sarasota County Commission cannot influence the outcome of the proposed legislation, Knight noted there's nothing in the bill's vague language that requires the new district to coordinate with other local governments.

"Something I noticed in the bill that would be missing is the cooperation between this new body – this new area that's being designated in two counties – and how that would affect us with public safety, our Phillippi Creek drainage system, and how that all will come together," Knight told commissioners.

Nathan Benderson Park comprises about a third of the proposed 1,514-acre district, which would stretch beyond the 3 million-square-foot UTC shopping corridor — an area the bill says is expected to nearly double in size over the next 20 years. Under the legislation, the boundaries would stretch from University Park in Manatee County south to Fruitville Road in Sarasota County, all west of Interstate 75.



Mote Science Education Aquarium is next to the Mall at University Town Center in Sarasota County.
THOMAS BENDER/SARASOTA HERALD-TRIBUNE

The public park is owned by Sarasota County, which has committed tens of millions of dollars in public taxes to fund it.

The new UTC improvement district would join nearly 90 such districts, including the more commonly known community development districts, across the region, according to a Suncoast Searchlight review of registration filings with the state. These districts have fueled an explosion of new development in both Sarasota and Manatee counties through tax-exempt bonds.

A recent Suncoast Searchlight investigation found these hyperlocal government entities bonded out \$2.9 billion in recent years. The developers can then dictate terms on how the residents and business owners who buy into those developments will pay back the debt, covering the cost of infrastructure historically handled by developers themselves.

In the proposed University Town Center Improvement District, the vast majority of property would be commercial, with the exception of a few apartment complexes and single-family homes.

If approved, the new district would be governed by a five-person board of supervisors elected by the largest landowners, with Benderson owning the lion's share, aside from county property. The board would oversee "infrastructure, public safety, flood control, transportation, recreation, and economic development needs," allowing it to tap millions of dollars in tax-free municipal bonds, according to the bill summary.

Dave Ramba, a powerful Tallahassee lobbyist for Benderson Development whose firm drafted the bill, sent the proposed language to the Manatee and Sarasota legislative delegations in an Oct. 10 letter seeking their support. Legislators from both counties signaled approval during their respective delegation meetings held in October and November.

In an interview with a reporter this week, Ramba pitched the measure as a way to fund stormwater improvements following catastrophic flooding in 2024. He said the special district would be able to bypass government

bureaucracy by letting stormwater projects be funded and carried out directly through the district.

“If you look at the hydrologic maps on everything that’s west of I-75 and in those commercial areas, it’s basically a big bowl,” he said. “And right now, the bowl at the bottom of the bowl is the (Benderson Park) rowing facility.”

Ramba confirmed Benderson Development would have a majority voting interest of the appointed board.

Todd Mathes, Benderson’s director of development, echoed Ramba’s remarks, saying the company’s interest in creating the district was spurred by the flooding caused by Hurricane Debby.

“We think it’s very important to protect the commercial properties and to protect the improvements at Nathan Benderson Park,” Mathes said.

Sarasota and Manatee county governments would have no say in the proposed district – or the new assessments there — since county-owned property does not pay taxes and therefore cannot vote.

The new district could levy up to 3 mills of property tax or \$3 for every \$1,000 of a property’s taxable value. For a property valued at \$1 million, that would be an additional \$3,000 added to a property owner’s annual tax bill in addition to other taxes already set by local governments.

The bill’s language suggests no property would transfer from Manatee and Sarasota counties to the special district, nor would the district reduce county tax revenues since its assessments would be in addition to — not a replacement for — existing taxes.

Conerly said he was likely chosen to file the bill because of his experience with community development districts. He described the proposed district as essentially a capital improvement plan for UTC, with an emphasis on roadways and stormwater. He framed it as an opportunity to use private dollars to fund public improvements.

“The idea is that the UTC won’t have to rely on tax dollars to do these improvements,” Conerly said.

Ramba, Conerly and Mathes all said residential properties in the district will not pay additional taxes, but the bill does not clearly say that.

Conerly cautioned that the bill could still go through changes before it reaches the floor of the Florida House for a vote. Since a companion bill is required only when local legislation impacts at least three counties — and this one impacts just two — no Senate version of this bill was filed.

Susan Schoettle, a former assistant Sarasota County attorney whose private practice focuses on land use and local government law, expressed concern to Knight before the meeting on Jan. 13, raising several issues about the proposed district. “The powers that would be granted to this new district as outlined in HB4091 are extremely broad and go way beyond what is needed to address any stormwater issues that may exist,” she wrote in an email to Knight.

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ABOUT

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