



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.5.

9/16/2025

Subject:

Proposed ordinance amending Chapter 58 - Historical Preservation, Article II - Historical Commission, Section 58-37 - Members; Qualifications, Term, Method of Appointment, of the Brevard County Code of Ordinances, pertaining to the Historical Commission's membership.

Fiscal Impact:

None

Dept/Office:

District 3 Commission Office/County Attorney

Requested Action:

It is requested that the Board of County Commissioners hold a public hearing and consider adopting an ordinance amending Chapter 58 - Historical Preservation, Article II - Historical Commission, Section 58-37 - Members; Qualifications, Term, Method of Appointment, Brevard County Code of Ordinances.

Upon adoption, District 3 Commissioner requests the Board approve appointment of Dan Reiter to the Historical Commission - District 3 seat.

Summary Explanation and Background:

Brevard County Code currently provides for a 15-member historical commission, with membership "consisting of three residents of each county commission districts of the county appointed by the board of county commissioners." The proposed ordinance provides an amendment that will allow a commissioner to appoint a resident who is knowledgeable in the history, cultural lore, and development of Brevard County, regardless of the commission district in which they reside.

At the August 12, 2025 Board of County Commissioners meeting, the Board approved legislative intent and permission to advertise an ordinance amending Chapter 58 - Historical Preservation, Article II - Historical Commission, Section 58-37 - Members; Qualifications, Term, Method of Appointment, Brevard County Code of Ordinances, pertaining to the Historical Commission's membership requirements and providing for appointment of members at-large, rather than by district residency.

The proposed ordinance was prepared by the County Attorney's Office following the Board's direction and was advertised on September 5, 2025.

Clerk to the Board Instructions:

Upon approval by the Board, execution by the Chair, and attestation by the Clerk, file the ordinance with the Department of State as required by law within the 10-day deadline. Please return a copy of the executed

ordinance with the Department of State's official acknowledgment of filing to the County Attorney's Office.



September 17, 2025

MEMORANDUM

TO: Commissioner Kim Adkinson, District 3

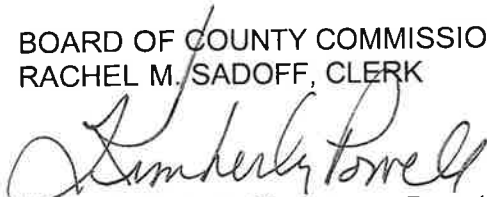
RE: Item H.5., Ordinance Amending Chapter 58 – Historical Preservation, Article II – Historical Commission, Section 58-37 – Members; Qualifications, Term, Method of Appointment of the Brevard County Code of Ordinances, Pertaining to the Historical Commission's Membership

The Board of County Commissioners, in regular session on September 16, 2025, conducted the public hearing and adopted Ordinance No. 25-18, amending Chapter 58 – Historical Preservation, Article II – Historical Commission, Section 58-37 – Members; Qualifications, Term, Method of Appointment of the Brevard County Code of Ordinances; and approved appointing Dan Reiter to the Historical Commission – District 3 seat. Enclosed is a fully-executed Ordinance and Letter of Appointment.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/ds

Encls. (2)

cc: County Attorney



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 17, 2025

Rachel Sadoff
County Clerk
Brevard County
Post Office Box 999
Titusville, FL 32781-0999

Dear Rachel Sadoff,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 25-18, which was filed in this office on September 17, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

ORDINANCE NO. 2025-18

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, PERTAINING TO THE BREVARD COUNTY HISTORICAL COMMISSION; AMENDING CHAPTER 58 – HISTORICAL PRESERVATION, ARTICLE II. - HISTORICAL COMMISSION, SECTION 58-37. - MEMBERS; QUALIFICATIONS, TERM, METHOD OF APPOINTMENT., OF THE BREVARD COUNTY CODE; PROVIDING FOR RESOLUTION OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN AREA ENCOMPASSED; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES.

WHEREAS, Section 125.01(1)(f), Florida Statutes, provides county governments with the authority to provide historical commissions; and

WHEREAS, it is in the public interest that respect, understanding and preservation of our local history be encouraged through maintaining membership in a local historical commission; and

WHEREAS, the Board of County Commissioners of Brevard County desires to allow district commissioners to appoint residents to the historical commission who are knowledgeable in the history, cultural lore, and development of Brevard County regardless of the commission district in which they reside; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Brevard County, Florida, that:

SECTION 1. Recitals. The foregoing recitals are incorporated by reference into this Ordinance.

SECTION 2. Brevard County Code of Ordinances, Chapter 58 – Historical Preservation, Article II. – Historical Commission, Section 58-37. – Members; qualifications, term, method of appointment, is hereby amended, to read as follows below. Additions to the Code are underlined and deletions are stricken through.

Sec. 58-37. - Members; qualifications, term, method of appointment.

(a) The commission shall consist of 15 members, ~~consisting of three residents of each of the county commission districts of the county~~ appointed by the board of

county commissioners, with each district commissioner selecting three residents of Brevard County. The members shall be appointed for a term of two years or with the term of the commissioner making the appointment, whichever occurs first. A district commissioner's appointee may continue to serve after the expiration of the district commissioner's term until he or she is reappointed or until a new appointment is made. The members of the commission shall elect a chairman and vice-chairman each year.

(b) The terms of the members of the commission shall commence on January 1 of the year of their appointment and the members shall serve at the pleasure of the board of county commissioners.

(c) Any appointment to fill a vacancy shall be for the unexpired term only.

(d) In selecting citizens to serve on the commission, the board of county commissioners shall consider the interest of such citizens in the history and cultural lore and development of the county.

(e) The board of county commissioners may appoint such additional officers and employees to serve the commission as it shall deem necessary.

(f) The members of the commission shall receive no compensation, but shall be reimbursed for expenses incurred in the performance of their duties to the extent permitted by law.

SECTION 3. Conflict. All resolutions, ordinances, and agreements or parts thereof that may be determined to be in conflict with this ordinance are repealed.

SECTION 4. Severability. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause or provision and shall not be affected by such holding.

SECTION 5. Area Encompassed. This ordinance shall be applicable within the unincorporated areas of Brevard County.

SECTION 6. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. The ordinance shall take effect upon adoption and filing pursuant to law.

SECTION 7. Inclusion in Code. This ordinance shall be included and be made a part of the Code of Ordinances of Brevard County, Florida, and the sections of this ordinance may be re-numbered or re-lettered in order to conform to the format used in the Code of Ordinances.

DONE, ORDERED AND ADOPTED, in regular session, this 16th day of September, 2025.

ATTEST:


Rachel M. Sadoff, Clerk
(SEAL)

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA


Rob Feltner, Chairman

As approved by the Board on 9/16/2025

Approved as to legal form and sufficiency:


Assistant County Attorney



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

September 17, 2025

Dan Reiter
949 S. Atlantic Avenue
Cocoa Beach, FL 32931

Dear Mr. Reiter:

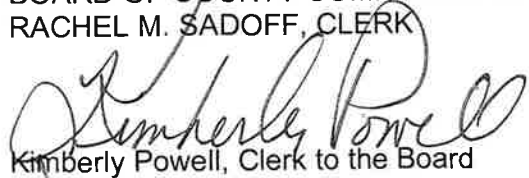
Re: Appointment to Historical Commission

On the recommendation of Commissioner Kim Adkinson, the Board of County Commissioners, in regular session on September 16, 2025, acknowledged your appointment to the Historical Commission. Said term of appointment expires December 31, 2026. Enclosed are memorandums explaining the Sunshine Law and Voting Conflict Law for your information.

Your willingness to serve the citizens of Brevard County in this capacity is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/tr

Encls. (2)

cc: Commissioner Adkinson
Historical Commission
Support Services Coordinator



BOARD OF COUNTY COMMISSIONERS

Commissioner Kim Adkinson, District 3

1311 E. New Haven Ave.
Melbourne, FL 32901

d3.commissioner@brevardfl.gov

FROM THE DISTRICT 3 COMMISSION OFFICE

ADVISORY COMMITTEE APPOINTMENT CANDIDATE

Name of Committee: Historical Commission

Name of Appointee: Dan Reiter

Home Address: 949 S. Atlantic Ave., Cocoa Beach, FL 32931

Cell Number: (321)368-2016

Home Number:

Email Address: reiter2012@gmail.com

Reappointment: Yes () or No (X)

Replacing: Vacant Seat

Term of Appointment: 09/16/2025 – 12/31/2026

Office Contact: Brian Bond

Date of Request: 09/16/2025

A waiver of the term limit is recommended due to difficulty to fill the appointment? Yes () or No (X)

Business Impact Estimate

This form must be uploaded into Granicus to be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the County's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

HISTORICAL COMMISSION MEMBERSHIP AMENDMENT

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, PERTAINING TO THE BREVARD COUNTY HISTORICAL COMMISSION; AMENDING CHAPTER 58 – HISTORICAL PRESERVATION, ARTICLE II. - HISTORICAL COMMISSION, SECTION 58-37. - MEMBERS; QUALIFICATIONS, TERM, METHOD OF APPOINTMENT., OF THE BREVARD COUNTY CODE; PROVIDING FOR RESOLUTION OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN AREA ENCOMPASSED; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES.

Pursuant to Section 125.66, Florida Statutes, a business impact estimate is **not** required if any of the following statements apply. Check all that apply and include this page in the agenda packet for the proposed ordinance under consideration.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of Section 125.66, Florida Statutes, and in the absence of an exemption listed above, the County hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinance amends the Brevard County Code of Ordinances, Chapter 58 Historical Preservation, Article II Historical Commission, Section 58-37- Members; qualifications, term, method of appointment, regarding appointment to membership in the Brevard County Historical Commission. The proposed ordinance deletes the district residency requirement and allows district commissioners to appoint residents to the Historical Commission regardless of the commission district in which they reside.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the County:

No direct economic impact is expected.

3. Estimate of direct compliance costs that businesses may reasonably incur if enacted:

No direct compliance costs for businesses are reasonably expected.

4. Any new charge or fee imposed on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:

No new charges or fees will be imposed by the proposed ordinance.

5. Estimate of the County's regulatory costs, including estimated revenues from any new charges or fees that will be imposed on businesses to cover such costs:

No increase in County regulatory costs is expected.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Brevard County estimates that no businesses are likely to be impacted by the proposed Ordinance.

7. Additional information that the Board of County Commissioners determines useful:

N/A.

Board Meeting Date

9-16

2nd motion
appl. Ryd to

Item Number: H.S

Motion By: KA KA

Second By: KD KD

Nay By: _____

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓ ✓	
Vice Chair Goodson	2	✓ ✓	
Commissioner Adkinson	3	✓ ✓	
Commissioner Altman	5	✓ ✓	
Chairman Feltner	4	✓ ✓	