

Meeting Date
April 28, 2015



AGENDA	
Section	New Business
Item No.	VI.E.1

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Citizens Recommendations for Greater Efficiency and Effectiveness
DEPT/OFFICE:	County Manager's Office

Requested Action:

The County Charter was amended to include a provision for Citizen Recommendations for greater Efficiency and Effectiveness to come to the Board for definitive action. It is requested the Board of County Commissioners review the recommendations and vote to either accept the recommendation, accept the recommendation with revisions, or reject the recommendation.

Summary Explanation & Background:

The County Charter was amended and approved on November 2, 2010. Item 2.9.10 of the County Charter provides *a mechanism for an individual, or an organized group of individuals to submit a formal written recommendation for the enhancement of the effectiveness and efficiency of County government to the County Commission...*

Attached are the citizen recommendations and the staff comments as provided for in the CEER Policy. Policy BCC-95, III.D.7 states, The Board of County Commissioners must take a final vote to either approve, reject or revise and accept the recommendations within 120 days of the recommendation submittal date.

Clerk to the Board Instructions:

Exhibits Attached: Summaries, Staff Responses, BCC-95, Summary Sheet

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager, Mel Scott	Department Director / Extension
Stockton Whitten	Assistant County Manager, Venetta Valdengo	



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

April 29, 2015

M E M O R A N D U M

TO: Stockton Whitten, County Manager

RE: Item VI.E.1., Citizen Recommendations for Greater Efficiency and Effectiveness

The Board of County Commissioners, in regular session on April 28, 2015, considered Citizen Efficiency and Effectiveness Recommendations (CEER), as follows:

Ceer #52	Rejected
Ceer #54	Rejected
Ceer #55	Approved
Ceer #56	Approved, with modification to create a resolution of support for the next legislation session
Ceer #57	Rejected
Ceer #58	Rejected
Ceer #59	Approved
Ceer #61	Rejected
Ceer #62	Rejected
Ceer #63	Rejected
Ceer #64	Rejected
Ceer #65	Rejected
Ceer #66	Rejected
Ceer #68	Rejected
Ceer #69	Approved, with modification to develop more information on the Solid Waste webpage
Ceer #70	Rejected
Ceer #71	Rejected
Ceer #72	Rejected
Ceer #73	Approved

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

CITIZEN EFFICIENCY AND EFFECTIVENESS RECOMMENDATIONS
FY 2015

V.E.I.

Case #	Submitted Recommendation	Staff Response by:	Approve	Reject	Approve w/ revisions
52	Dogs on public beaches threaten beaches, David Long	Jack Masson, Director, Parks and Recreation		T/AA	reject
54	Solar Energy Incentives for hot water and electrical power Barbara Beler	Ian Golden, Director, Housing and Human Services		C/AA	
55	Aesthetic improvements needed on Wickham Rd. Maria Dockery	Teresa Camarata, Director, Central Services	AA/CS		
56	Request action from the State to regulate and enforce plastic bags under the States proposed guidelines. Christine Kane	Virginia Barker, Interim Director, Natural Resources Euri Rodriguez, Director, Solid Waste	UB/TI w/ Paul ob Resolution support		reject for next yrs package
57	Revised Fire Services Assessment Tax; charge by the Sq/Ft. Randal Agostini	Chief Mark Schollmeyer, Fire Rescue		T/CS	w/ TI addressing proportionally to incorporate
58	Appoint a Review Board to examine all County rules and regulations. Randal Agostini	Robin Sobrino, Director, Planning and Development		UB/PA	budget process
59	Turn lights off in Moore Justice Center at night. Lois Jaffe	Teresa Camarata, Director, Central Services	AA/CS		reject
60	Quality of Life in Palm Bay, noise generated by loud vehicles. George W. Thode	Referred to City Manager of Palm Bay	n/a	n/a	n/a
61	Change the filing submission dates for Citizen Recommendations. Patricia Pasley	Stockton Whitten, County Manager		AA/UB	reject
62	Use of closed prison to house homeless veteran or turn into rehab center. Pam Costello	Teresa Camarata, Director, Central Services Ian Golden, Director, Housing and Human Services		T/AA	reject
63	Equal rights for LGBT residents in Brevard County. Cynthia Sweet	Frank Abbate, Director, Human Resources	AA/TI		reject
64	Civilian Launch Expansion, NASA to release some of the abandoned launch pads for private company use. Gary Lighton	Don Walker, Director, SCGTV		AA/TI	reject

CITIZEN EFFICIENCY AND EFFECTIVENESS RECOMMENDATIONS
FY 2015

Ceer #	Submitted Recommendation	Staff Response by:	Approve	Reject	Approve w/ revisions
65	Co-op Gardening, Heather Heineman	Linda Seals, Director, Extension Services Jack Masson, Director, Parks and Recreation		AA KS	reject
66	Fix the Lagoon; run sewer pipes under A1A. Marilyn Smith	Virginia Barker, Interim Director, Natural Resources		AA KS	reject
67	n/a		n/a	n/a	n/a
68	Create an incentive for small businesses to recycle	Euri Rodriguez, Director, Solid Waste		AA JB	Reject
69	Create a more aggressive program to promote business recycling	Euri Rodriguez, Director, Solid Waste	JB /AA		
70	Provide recycling services and collection bins in public places	Euri Rodriguez, Director, Solid Waste		CS/ /AA	reject
71	Create incentives for businesses to donate returned/unwanted merchandise	Euri Rodriguez, Director, Solid Waste		AA /A	reject
72	Extend Citizens program and create hotline to help disseminate County Information	Linda Seals, Director, Extension Services		AA /JB	reject
73	Reduce the number of lights left on in public buildings after hours	Teresa Camarata, Director, Central Services	AA /A		

TITLE: Citizens Process For Advising
The County Commission

NUMBER: BCC-95

APPROVED: May 24, 2011

ORIGINATOR: County Manager's
Office

REVIEW: May 24, 2014

I. OBJECTIVE:

To provide a process for Citizens as individuals or as an organized group of individuals to submit formal written recommendations for the enhancement of the effectiveness and efficiency of Brevard County Government.

II. REFERENCE:

A. Brevard County Home Rule Charter Section 2.9.10.

III. DIRECTIVES

A. The County Manager, within this policy document, shall establish and recommend to the Board of County Commissioners a process and procedures whereby the Board can review and formally vote to accept, accept with revisions, or reject recommendations on the enhancement of the effectiveness and efficiency of County Government.

B. An annual filing date with a review period shall be established for receipt of submission and final vote of the Board of County Commissioners.

C. The County Manager will solicit, under this policy and process, recommendations that promote the efficiency and effectiveness of County government as the intent of the Charter amendment was not to address citizen grievances or specific citizen service requests.

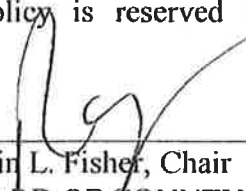
D. Any individual or organized group may submit recommendations intended to enhance the efficiency and effectiveness of County Government by submitting to the County Manager an electronic or hardcopy of the "Citizen Efficiency and Effectiveness" form attached to this policy. Upon submittal, the form will be reviewed and acted upon according to the following procedure.

1. The annual filing date for submission shall be July 15, 2011 for the initial year and January 1 of each year thereafter.

2. The form will be available for download and submission on the County Internet Homepage. Hardcopies of the form will be available by request from the County Manager's Office.
3. Within forty five (45) days of receipt of the recommendation the County Manager's Office shall evaluate and comment upon the recommendation with a recommendation for the consideration of the Board of County Commissioners. If necessary the County Manager's Office will also forward the recommendation to the County Attorney for a review of the legality of the recommendation.
4. The County Manager after completion of the above referenced reviews will forward the recommendation and review package to the Board of County Commissioners for their review.
5. After forwarding the County Manager report to the Commission, the County Manager shall schedule an agenda item for the Board of County Commissioners to consider the citizen recommendation as is practical within the 120 day final vote requirement.
6. The County Manager will give the sponsor of the recommendation at least seven (7) days notice of the date, time and place of the meeting the recommendation is scheduled to be heard by the Board of County Commissioners.
7. The Board of County Commissioners must take a final vote to either approve, reject or revise and accept the recommendation within 120 days of the recommendation submittal date.
8. Under unusual or unforeseen circumstances, the Board of County Commissioners may waive any of the timing provisions relating to submittal, reporting or notice, as set forth in this policy with the exception of the 120 day final vote requirement specified in the Brevard County Home Rule Charter Section 2.9.10.
9. The County Manager will provide a electronic listing with disposition, via the County's webpage, of all recommendations.

IV. RESERVATION OF AUTHORITY

The authority to issue and/or revise this policy is reserved for the Board of County Commissioners.



Robin L. Fisher, Chair
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA
As approved by the Board on May 24, 2011

copy



May 25, 2011

MEMORANDUM

TO: Stockton Whitten, Assistant County Manager

RE: Item VII.D.1., Approval of Board Policy for Citizens Process for Advising the County Commission

The Board of County Commissioners, in regular session on May 24, 2011, approved the proposed Board Policy that outlines the process for receiving and reviewing citizens recommendations for effectiveness and efficiency improvements in Brevard County Government. Enclosed is the original Policy for your action.

Your continued cooperation is always appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
MITCH NEEDELMAN, CLERK

Tammy Etheridge, Deputy Clerk

/ds

Encls. (1)

cc: Budget
Finance



Citizen Efficiency & Effectiveness Recommendations

[BCC Home](#) > Citizen Efficiency & Effectiveness Recommendations

Board Policy and Procedure

Mission: Contribute to enhancing and ensuring Brevard's quality of life ... Today and always!

Contact Information

First Name:
Last Name:
Middle Initial:

Street Number:
Street Name:
 Select

Zip Code: (5 digits)
City & State: *Enter Zip Code*

Phone Number:
Email Address:

Group/Organization Name:

[Click to Add Additional Contacts](#)

Recommendation Information

Recommendation Title:

Areas Affected: (If Known)

Program or service

Or Select Department

Describe the current problem, issue, or concern that is addressed by the recommendation:

Describe your recommendation, how it would make an improvement, and how it could be adopted:

Upload any optional applicable attachments for your recommendation:

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? (Check all you think apply)

Tangible Benefits:

- Conserve Energy
- Cost Savings
- Eliminate Duplication
- Generate Revenue

Increase Productivity Prevent Waste

Estimated Cost to Implement: (If Known) \$:

Estimated Return on Investment: \$:

Intangible Benefits:

Improve Quality Improve Safety
 Improve Service Improve Workplace

Complete Security Code



Enter the code shown:

Please type the code exactly as it appears in the image on the left.

The code is CaSe SeNsItIvE.

This helps prevent automated submissions.

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Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



The Official Site of Brevard County, Florida

County Manager's Office
2725 Judge Fran Jamieson Way, Bldg. C
Viera, FL 32940
Tel: (321) 633-2010 / Fax: (321) 633-2115

VI E I REPLACEMENT

CITIZEN EFFICIENCY AND EFFECTIVENESS RECOMMENDATIONS
FY 2015

Case #	Submitted Recommendation	Staff Response by:	Approve	Reject	Approve w/ revisions
52	Dogs on public beaches threaten beaches, David Long	Jack Masson, Director, Parks and Recreation			
54	Solar Energy Incentives for hot water and electrical power Barbara Beier	Ian Golden, Director, Housing and Human Services			
55	Aesthetic improvements needed on Wickham Rd. Maria Dockery	Teresa Camarata, Director, Central Services			
56	Request action from the State to regulate and enforce plastic bags under the States proposed guidelines. Christine Kane	Virginia Barker, Interim Director, Natural Resources Euri Rodriguez, Director, Solid Waste			
57	Revised Fire Services Assessment Tax; charge by the Sq/Ft. Randal Agostini	Chief Mark Schollmeyer, Fire Rescue			
58	Appoint a Review Board to examine all County rules and regulations. Randal Agostini	Robin Sobrino, Director, Planning and Development			
59	Turn lights off in Moore Justice Center at night. Lois Jaffe	Teresa Camarata, Director, Central Services			
60	Quality of Life in Palm Bay, noise generated by loud vehicles. George W. Thode	Referred to City Manager of Palm Bay	n/a	n/a	n/a
61	Change the filing submission dates for Citizen Recommendations. Patricia Pasley	Stockton Whitten, County Manager			
62	Use of closed prison to house homeless veteran or turn into rehab center. Pam Costello	Teresa Camarata, Director, Central Services Ian Golden, Director, Housing and Human Services			
63	Equal rights for LGBT residents in Brevard County. Cynthia Sweet	Frank Abbate, Director, Human Resources			
64	Civilian Launch Expansion, NASA to release some of the abandoned launch pads for private company use. Gary Lighton	Don Walker, Director, SCGTV			

CITIZEN EFFICIENCY AND EFFECTIVENESS RECOMMENDATIONS
FY 2015

Ceer #	Submitted Recommendation	Staff Response by:	Approve	Reject	Approve w/ revisions
65	Co-op Gardening, Heather Heineman	Linda Seals, Director, Extension Services Jack Masson, Director, Parks and Recreation			
66	Fix the Lagoon; run sewer pipes under A1A. Marilyn Smith	Virginia Barker, Interim Director, Natural Resources			
67	n/a		n/a	n/a	n/a
68	Create an incentive for small businesses to recycle	Euri Rodriguez, Director, Solid Waste			
69	Create a more aggressive program to promote business recycling	Euri Rodriguez, Director, Solid Waste			
70	Provide recycling services and collection bins in public places	Euri Rodriguez, Director, Solid Waste			
71	Create incentives for businesses to donate returned/unwanted merchandise	Euri Rodriguez, Director, Solid Waste			
72	Extend Citizens program and create hotline to help disseminate County information	Linda Seals, Director, Extension Services			
73	Reduce the number of lights left on in public buildings after hours	Teresa Camarata, Director, Central Services			

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #52

I. CITIZEN RECOMMENDATION:

NAME: David Long

ADDRESS: 3235 Beach View Way
Melbourne Beach, FL 32951

PHONE: (727) 856-7468

E-MAIL: longcabin@cfl.rr.com

A. Recommendation Information:

Recommendation Title:	Dogs on public and environmentally threaten beaches
Area/Dept Affected:	Parks And Recreation Department
Current Problem:	Uncaring or unknowing people bring dogs to public beaches and sea turtle nesting areas, sometimes uncontrolled and unleashed. Many of them are tourist and the dogs are not licensed or properly vaccinated in Brevard County. Many beach goers are afraid or allergic to dogs and this poses a physical threat. The dogs deficate on the beach which creates unsanitary conditions for humans and the wildlife. They also dig up sea turtle nesting areas that kills protected species.
Recommendation:	Provide animal control beach patrols that fine or impound animals or their owners for violating county ordinance. Provide more notices posted along the beaches that give penalties for each infraction and then do enforcement sweeps to make people aware of the violations.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Generate Revenue; Prevent Waste;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality; Improve Safety;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

February 24, 2015

TO: Stockton Whitten, County Manager
THROUGH: Venetta Valdengo, Assistant County Manager *vv*
FROM: Jack Masson, Parks and Recreation Department Director
SUBJECT: CEER #52



Jack Masson

Please find below my response to CEER #52 reference dogs on the beach:

(1/8/2015) Brevard County provides access to the beach at numerous oceanfront parks and crossover locations. The beachside municipalities additionally provide access to the beach within their incorporated boundaries. Park rules signage posted at each of the accesses state "No Dogs Allowed except Service Animals". Brevard County does allow, by ordinance, dogs (on leash) in the section of unincorporated beach at Canova Beach Park.

The enforcement of the prohibition of dogs on the beach rests with each jurisdictional law enforcement agency. The Parks and Recreation Department will continue to monitor the posting of regulatory signage at our public beach parks and crossovers.

If additional information is needed, please do not hesitate to contact me.

Stockton Whitten
Stockton Whitten, Brevard County Manager

Jan Golden
315-faced over

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #54

I. CITIZEN RECOMMENDATION:

NAME: Barbara Geier
PHONE: (321) 635-8888

ADDRESS: 6969 McGrady Drive
Melbourne, FL 32940
E-MAIL: prunella@msn.com

A. Recommendation Information:

Recommendation Title:	Solar energy incentives
Area/Dept Affected:	Developmental & Environmental Services
Current Problem:	The State of Florida has not acted to encourage the use of solar for hot water and electrical power for it's residents.
Recommendation:	I would like to see incentives offered to homeowners who install solar water or power systems. Since there is no state tax, a rebate for percentage of the installation could be offered.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Conserve Energy; Prevent Waste; Cost Savings;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Safety; Improve Service;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



RECEIVED
MAR 9 2015
County Manager's Office

Housing and Human Services
2725 Judge Fran Jamieson Way
Building B, Suite 106
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Board of County Commissioners
THRU: Stockton Whitten, County Manager
THRU: Venetta Valdengo, Assistant County Manager
Community Services Group
FROM: Ian Golden, Director
Housing and Human Services Department
DATE: March 9, 2015
SUBJECT: Citizen Efficiency and Effectiveness Recommendation #54

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a current problem, issue, or concern with "The State of Florida has not acted to encourage the use of solar for hot water and electrical power for it's residents."

CEER #54 goes on to appear to recommend, as a potential solution, incentives for homeowners who install solar water or electrical systems through a rebate for a portion of the installation costs.

Staff offers the following response:

The Housing and Human Services Department (HHS) supports the use of energy efficiency measures that reduce homeowner's energy costs and impact upon the environment. The department has a long history of utilizing energy efficient or "green" building practices in the programs, funded through grants, which are provided to income eligible County residents.

A local rebate program, as recommended, would require the use of the General Fund for payment to residents. This would either require a decrease in funds being used for other purposes or an increase in the millage rate. There would be difficulty in determining the amount to dedicate to this type of program because of uncertainty in usage.

However, there is a current program available through The Energy Policy Act of 2005, which provides for a federal tax credit of up to 30% of qualified expenditures for a system that serves a dwelling unit located in the United States that is owned and used as a residence by the taxpayer. Expenditures include labor costs for on-site preparation, assembly, or original system installation, and for piping or wiring to interconnect a system to the home. If the federal tax credit exceeds tax liability, the excess amount may be carried forward to the succeeding taxable year. Currently this credit is available through December 31, 2016. For more information, please visit: <http://energy.gov/savings/residential-renewable-energy-tax-credit>

Stockton Whitten, Brevard County Manager

RECEIVED
MAR - 9 2015
County Manager's Office

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #55

I. CITIZEN RECOMMENDATION:

NAME: Maria Dockery

ADDRESS: 2771 Englewood Dr
Melbourne, FL 32940

PHONE: (321) 610-7740

E-MAIL: mariadockery@gmail.com

A. Recommendation Information:

Recommendation Title:	More Aesthetic Improvements needed on Wickham Rd. Buildings
Area/Dept Affected:	Board Of County Commissioners
Current Problem:	I have long thought there should be funds allocated to improving the aesthetic appearance of the City/County sheds located beside Joe's Place on Wickham Road. One building has been repainted and looks VERY nice. The other buildings beside it are an eyesore, a little paint on the remaining metal building, straightening of the chainlink fencing along the road landscaping and a "living" fence to help conceal as much as possible would benefit ALL the neighborhoods in our area.
Recommendation:	Paint, vegetation to conceal open space, landscaping in front of the building.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached




Central Services Department
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Stockton Whitten, County Manager

FROM: Teresa Camarata, Central Services Director 

SUBJECT: CEER #55, Aesthetic Improvements at 4690 N. Wickham Road

DATE: March 4, 2015

The recommendation submitted regarding the Central Fleet/Road and Bridge facilities suggests repair or demolition of dilapidated structures and fencing, paint, and a landscape screen to improve the property's appearance.

In 2014 the east side (street side) and south side of the Central Fleet building was pressure washed and painted. Budget constraints limited the painting to the sides visible from the street. The north side is mostly bordered by an unimproved lot and will be painted when funding is available. Additional improvements to the site include:

- Reduced signage in front parking area which was cluttered with NO DUMPING, NO PARKING, RESERVED signs; replaced faded/illegible facility sign with new.
- Removed a 4-foot wide strip of dirt and overgrown grass in front parking lot to provide additional parking space.
- Removed dilapidated fencing that served no purpose. Removed numerous Brazilian Pepper and Palmetto trees growing into front fence. Trimmed excessive growth from hedges, palms, and hibiscus in the front lawn. Trimmed two large oak trees to reduce accumulation of leaves on parking lot and in the shop.
- Removed rusted derelict shed facing N. Wickham Road, along with its block foundation.
- Engaged volunteers to paint a 14-foot County logo on the front of the building.
- Removed layers of leaves and dirt from parking area.
- Removed a collection of old tables, chairs, and an old candy machine from the front of the building.
- Removed junk and scrap metal from the north side of the garage.


Stockton Whitten, Brevard County Manager



**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #56

I. CITIZEN RECOMMENDATION:

NAME: christine kane

ADDRESS: 754 davidson St
Palm Bay, FL 32909

PHONE: (321) 327-5901

E-MAIL: cdkane@gmail.com

A. Recommendation Information:

Recommendation Title:	Requesting Action from the State
Area/Dept Affected:	highways, waterways, flood control / Natural Resources Management
Current Problem:	plastic bags can be seen in trees, flying across open fields, on highways, private property, etc., inhibit flood control and are a contributing factor to the death of the animals that call the Indian River Lagoon their home; many animals see the bags and think they are a food source, eating them and then dying; this is not even mentioning the fact that plastic bags are heavily dependent on fossil fuels which we should be working to conserve
Recommendation:	I would respectfully request that the County petition the State to either amend Section 403.7033, under House Bill 1257 and companion Senate Bill 830 (providing for local regulation and enforcement of plastic bags under the State's proposed guidelines) or, if amendment of the above referenced statute fails, that the County request the repeal of the above referenced section so that local governments are no longer preempted from enacting appropriate legislation relating to the regulation of plastic bags
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Stockton Whitten, County Manager

THROUGH: Mel Scott, AICP, Assistant County Manager *MS*

FROM: Virginia Barker, Interim Director, Natural Resources Management Department *VB*

DATE: March 4, 2015

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #56, Requesting Action from the State

Ms. Christine Kane resides in Palm Bay, FL and submitted the following recommendation to Brevard County. She stated the current problem is "plastic bags can be seen in trees, flying across open fields, on highways, private property, etc., inhibit flood control and are a contributing factor to the death of the animals that call the Indian River Lagoon their home; many animals see the bags and think they are a food source, eating them and then dying; this is not even mentioning the fact that plastic bags are heavily dependent on fossil fuels which we should be working to conserve." Her recommendation is: "I would respectfully request that the County petition the State to either amend Section 403.7033, under House Bill 1257 and companion Senate bill 830 (providing for local regulation and enforcement of plastic bags under the State's proposed guidelines) or, if amendment of the above referenced statute fails, that the County request the repeal of the above referenced section so that local governments are no longer preempted from enacting appropriate legislation relating to the regulation of plastic bags."

Natural Resources staff concur that plastic bags that get loose in the environment can be harmful to wildlife. Reduced use/production of plastic bags could conserve fossil fuels. Staff sought input from the County's Solid Waste Department on House Bill 1257 and State Bill 830 because plastic bags are a concern in the landfill. They catch the wind and blow around making them more difficult to control than paper bags or no bags.

Euripides Rodriguez, Director of the Solid Waste Department, gave the following reply to Ms. Kane's recommendations on legislation:

"The bills have certain concerns:

- Compostable bags (as described) that make it to the landfill would not degrade because of the anaerobic conditions of the landfill and we do not compost.
- This relegates to the local governments the adoption without any monies to enforce this bill.

(Continued on page 2)

- Not having a bill like this enforced at the State level will leave the counties in a situation of potentially having various entities that ban and others that do not.
- It excepts small stores. If it is beneficial to the environment then it should not matter if the stores are small or large.
- The bill provides monies to the School District, but no monies for the counties to, at the very least, handle the enforcement and mandatory reporting.
- Paper bags are recyclable and degrade in the landfill but still seem to be banned.

While plastic bags do cause issues, the legislation proposed last session has limitations that are problematic to implement and enforce. Should you have any follow-up questions or concerns, please contact Virginia Barker at 633-2016 or Euripides Rodriguez at 633-2042.



Stockton Whitten, County Manager

3/5/15
Date



Citizen Efficiency and Effectiveness Recommendations

This is a notification email that Citizen Efficiency and Effectiveness Recommendation ID#56 has been assigned to you for evaluation.

[Click here](#) to view the Citizen Efficiency and Effectiveness Recommendations evaluation page on the BEACH. The information and any available attachments for CEER ID#56 will be available under the "My Assigned Recommendations" area. The original citizen recommendation has been included below for your review.

First Name: christine
Last Name: kane
Street Address: 754 davidson St
City/State/Zip: Palm Bay, FL 32909
Phone Number: 321 3275901
Email Address: cdkane@gmail.com
Group Name: N/A

Recommendation Title: Requesting Action from the State

Areas/Department Affected: highways, waterways, flood control Natural Resources Management

Current Problem: plastic bags can be seen in trees, flying across open fields, on highways, private property, etc., inhibit flood control and are a contributing factor to the death of the animals that call the Indian River Lagoon their home; many animals see the bags and think they are a food source, eating them and then dying; this is not even mentioning the fact that plastic bags are heavily dependent on fossil fuels which we should be working to conserve

Citizen Recommendation: I would respectfully request that the County petition the State to either amend Section 403.7033, under House Bill 1257 and companion Senate Bill 830 (providing for local regulation and enforcement of plastic bags under the State's proposed guidelines) or, if amendment of the above referenced statute fails, that the County request the repeal of the above referenced section so that local governments are no longer preempted from enacting appropriate legislation relating to the regulation of plastic bags

Tangible Benefits: **Intangible Benefits:**
Est. Cost to Implement: \$0.00
Est. Return on Investment: \$0.00

*Research proposed for
Ask solid waste for
their opinion*

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environmental Preservation and Conservation

BILL: SB 830

INTRODUCER: Senator Bullard

SUBJECT: Carryout Bags

DATE: March 24, 2014

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hinton	Uchino	EP	Pre-meeting
2.	_____	_____	CA	_____
3.	_____	_____	CM	_____

I. Summary:

SB 830 provides legislative findings that it is necessary to adopt uniform statewide standards prohibiting the use of plastic carryout bags. The bill removes provisions related to a study that was produced in 2010 and a provision preventing local governments from instituting local ordinances concerning containers, wrappers, and plastic bags. It provides definitions and standards. The bill prohibits certain businesses from providing plastic carryout bags. It provides for the distribution of fees. Lastly, it provides for quarterly reporting, penalties, and local government adoption of ordinances.

II. Present Situation:

Section 403.7033, F.S., was enacted in 2008, requiring the Department of Environmental Protection (DEP) to study “the need for new or different regulation of auxiliary containers, wrappings, or disposable plastic bags used by consumers to carry products from retail establishments.”¹ The report was submitted on February 1, 2010. Until the DEP’s recommendations are adopted, no state agency or governmental entity may regulate containers, wrappers, or plastic bags.²

The report noted two major concerns regarding retail bags. First, improper disposal of retail bags can hinder recycling, waste management, stormwater management, and litter control. Second, improper disposal affects natural systems and wildlife.³ The report recommended four different options to address the problem of plastic bags:

- Bans;

¹ Chapter 2008-227, s. 96, Laws of Fla.

² Section 403.7033, F.S.

³ DEP, *Florida Department of Environmental Protection, Retail Bags Report*, 4 (Feb. 1, 2010), available at http://www.dep.state.fl.us/waste/quick_topics/publications/shw/recycling/retailbags/Retail-Bag-Report_01Feb10.pdf (last accessed Mar. 23, 2014).

- Fees and taxes;
- Voluntary measures; and
- Phase-out.

The report concluded that while all methods of reducing plastic bags had merit, some were more effective than others. The fastest results in reducing plastic bag use came from bans, followed closely by fees or taxes. Many people and businesses prefer voluntary measures because they do not involve any new fees or costs.⁴

Banning plastic bags and placing fees and taxes on auxiliary containers, wrappings, or plastic bags have been contemplated in several places, but neither has been widely enacted.⁵ Phasing out retail bags typically involves progressively combining fees and bans. Voluntary measures, which are difficult to quantify, places the responsibility of recycling on the businesses that provide plastic bags and the consumers who use them.⁶ Voluntary measures include providing store recycling bins, using reusable bags, and providing benefits such as discounts for those who use recyclable bags.⁷

One of the most publicized bans was in San Francisco, California. The city passed its ordinance in 2007, requiring pharmacies and supermarkets with gross annual sales of \$2 million or more to provide only paper, compostable, or reusable bags.⁸ Currently, California, Massachusetts, and Washington are considering legislation that would ban single-use bags.⁹

A phase out approach was pursued in Australia in 2005, but an analysis of the program in 2008 concluded the economic costs of a regulatory phase out would significantly outweigh the environmental benefits.¹⁰

Several states have enacted legislation to address compostable plastic bags. For example, California has passed statewide laws, including labeling requirements for compostable or marine degradable plastic bags, and a prohibition of the sale of plastic products labeled as compostable, home compostable, or marine degradable unless they meet certain standards.¹¹

One widely used standard for compostable bags promulgated by the American Society for Testing & Materials is the ASTM D6400 standard. It was developed to establish standards for identifying products and materials that will compost satisfactorily in commercial and municipal aerobic composting facilities.¹²

⁴ *Id.* at 18.

⁵ *Id.* at 15.

⁶ *Id.* at 17.

⁷ *Id.* at 17.

⁸ *Id.* at 15.

⁹ National Conference of State Legislatures, *State Plastic and Paper Bag Legislation: Fees, Taxes and Bans; Recycling and Reuse* (Feb. 2014), <http://www.ncsl.org/research/environment-and-natural-resources/plastic-bag-legislation.aspx> (last visited Mar. 23, 2014).

¹⁰ *Supra* note 3, at 17.

¹¹ *Supra* note 9.

¹² Buygreen.com, *ASTM D6400 certified*, <http://www.buygreen.com/astmd6400certified.aspx#UzA3rPk7uG4>, (last visited Mar. 24, 2014).

Currently, eight states are considering legislation that would impose a fee or tax on single-use bags.¹³ The fees under consideration range from \$0.01 to \$0.15.¹⁴

Other states that have enacted legislation to address plastic bags are Delaware, Maine, and North Carolina, among others. Delaware requires stores to establish an at-store recycling program. Similarly, Maine also requires recycling receptacles to be available in affected stores. North Carolina enacted a law designed to reduce plastic bag usage in the Outer Banks. The law requires affected retailers to display a sign that reads: "[county name] County discourages the use of single-use plastic and paper bags to protect our environment from excess litter and greenhouse gases. We would appreciate our customers using reusable bags, but if you are not able to, a 100% recycled paper bag will be furnished for your use."¹⁵

Recyclable bags are often marked with a symbol such as this:¹⁶



Labeling may include the percentage of total recycled fiber or plastic as well.

III. Effect of Proposed Changes:

The bill amends s. 403.7033, F.S., removing the ban on laws concerning any regulation of containers, wrappings, or plastic bags. It provides legislative findings, stating that it is necessary and appropriate to adopt uniform statewide standards prohibiting the use of plastic carryout bags. It allows local governments to adopt regulations concerning plastic bags by ordinance. The bill prohibits affected stores from providing plastic carryout bags.

The bill defines:

- “Affected store” to mean stores that are within the jurisdiction of a local government that adopts standards relating to carryout bags and is:
 - A full-line, self-service retail store that has gross annual sales of \$2 million or more and sells canned goods, dry grocery, nonfood, or perishable items; or
 - A drugstore, pharmacy, supermarket, grocery store, convenience store, or other entity of at least 10,000 square feet, which sells a limited line of goods.
- “Carryout bag” to mean a bag provided for the purpose of carrying away goods;
- “Local government” to mean a county or municipality;
- “Plastic carryout bag” to mean a carryout bag made predominantly of plastic;
- “Postconsumer recycled material” to mean material that has completed its use cycle and would normally be disposed of as solid waste;
- “Produce bag” to mean a plastic bag without handles designed to carry produce, meats, or other items from inside the store to the point of sale, or to separate those items from others;

¹³ California, Hawaii, Massachusetts, New York, Pennsylvania, Vermont, Virginia, and Washington are all considering fees or taxes on single-use bags.

¹⁴ *Supra* note 9.

¹⁵ *Supra* note 9.

¹⁶ American Forest and Paper Association, *Recycling Symbol Guidelines*, available at <http://www.afandpa.org/docs/default-source/default-document-library/recycling-symbol-guidelines.pdf?sfvrsn=0> (last visited Mar. 24, 2014).

- “Recyclable paper bag” to mean a bag that:
 - Contains no old-growth fiber;
 - Is 100 percent recyclable and contains at least 40 percent postconsumer recycled material;
 - Is capable of composting, consistent with ASTM D6400 standard;
 - Has printing on it that identifies the manufacturer, its country of origin, and the percentage of postconsumer recycled material used; and
 - Visibly displays the word “recyclable”;
- “Reusable bag” to mean a bag with handles that is designed for multiple reuse and which meets the following requirements:
 - Can carry a minimum of 22 pounds 125 times over a distance of at least 175 feet;
 - Has a minimum volume of 15 liters;
 - Is machine washable or can be cleaned or disinfected;
 - Does not contain certain heavy metals in toxic amounts;
 - Has printing or a tag that identifies the manufacturer and the country of origin, a statement that the bag does not contain lead, cadmium, or any other heavy metal in toxic amounts, and the percentage of postconsumer recycled material used; and
 - If it is plastic, it has to be at least 2.25 mils thick.

The bill requires any store affected by a local ordinance to provide reusable bags at either no cost or for a fee to a customer. Affected stores may also provide recyclable bags for a fee of \$0.10 per bag with no rebate or discount to offset the costs. The number of bags supplied must be indicated on the store receipt. The store may not provide a plastic carryout bag. The bill allows customers to bring whatever type of bag with them to the store for carrying out goods.

The bill provides that 50 percent of the fees collected must be distributed to the school district the store is located in for educational purposes only, and up to 50 percent of the fees may be retained by the store to offset costs associated with complying with s. 403.7033, F.S.

The bill requires quarterly reporting to the local government by any affected store, including:

- The total number of recyclable paper bags provided;
- The fees collected for providing recyclable paper bags; and
- A summary of any effort by the store in the prior quarter to promote customer use of reusable bags.

The bill authorizes local governments to impose a penalty for violations of provisions of the bill.

Lastly, the bill provides that any ordinances relating to carryout bags may only be enacted pursuant to the provisions of the bill, in order to provide uniform statewide standards. The bill will go into effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Depending on the cost to provide recyclable paper bags to customers, the fiscal impact of the provision allowing up to 50 percent of the revenue generated from fees to be used by affected stores to offset the costs of compliance is indeterminate. There will be no effect if the store's portion of the \$0.10 fee charged to consumers for recyclable paper bags fully pays for the cost of the bags. If it is not enough pay for the recyclable paper bags, then it will result in an indeterminate negative fiscal effect on affected stores.

Requiring labeling on bags used in Florida could impose a cost on bag manufactures. Bags that are produced for sale nationally will require different labeling depending on the destination of the bags. The cost cannot be calculated at this time.

Depending on the type of ordinance implemented by a local government, there could be significant fees imposed on consumers if the costs of compliance are passed on via higher costs for the products sold at affected businesses. While cumulatively these costs might be large, on an individual basis, they will be minimal.

C. Government Sector Impact:

The provision of the bill directing 50 percent of fees collected under the provisions of the bill be distributed to the local school district will provide a significant positive financial effect on those school districts if recyclable paper bag use increases substantially.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Lines 119-120: "An affected store may not provide a customer with a plastic carryout bag or other type of bag." This language is not clear. A strict interpretation is that an affected store may not provide any bags, whatsoever. "[O]ther type of bag," likely means another type non-recyclable plastic bag, but it needs clarification.

VIII. Statutes Affected:

This bill substantially amends section 403.7033 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Bullard

39-00482-14

2014830

1 A bill to be entitled
2 An act relating to carryout bags; amending s.
3 403.7033, F.S.; providing legislative findings;
4 deleting obsolete provisions; providing definitions;
5 creating statewide standards for reusable bags and
6 recyclable paper bags for stores located within a
7 county or municipality that adopts ordinances pursuant
8 to this act; requiring affected stores to charge
9 customers a fee for each recyclable paper bag
10 provided; prohibiting affected stores from providing
11 plastic carryout bags or other types of bags;
12 providing for allocation of fees collected; providing
13 reporting requirements for affected stores;
14 authorizing local governments to impose a penalty;
15 authorizing local governments desiring to regulate the
16 use of carryout bags to adopt ordinances pursuant to
17 this act; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Section 403.7033, Florida Statutes, is amended
22 to read:

23 403.7033 Standards for carryout bags ~~Departmental analysis~~
24 ~~of particular recyclable materials.-~~

25 (1) LEGISLATIVE FINDINGS.-The Legislature finds that
26 prudent regulation of recyclable materials is crucial to the
27 ongoing welfare of Florida's ecology and economy. The Department
28 of Environmental Protection conducted an analysis to determine
29 the need for new or different regulations of bags used by

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30 customers to carry products from retail establishments and found
 31 that the implementation of new standards requiring the
 32 prohibition of plastic carryout bags encourages the use of
 33 reusable bags. As such, the Legislature finds that it is
 34 necessary and appropriate to adopt uniform statewide standards
 35 prohibiting the use of plastic carryout bags, which may be
 36 adopted by local ordinance across the state ~~the Department of~~
 37 ~~Environmental Protection shall undertake an analysis of the need~~
 38 ~~for new or different regulation of auxiliary containers,~~
 39 ~~wrappings, or disposable plastic bags used by consumers to carry~~
 40 ~~products from retail establishments. The analysis shall include~~
 41 ~~input from state and local government agencies, stakeholders,~~
 42 ~~private businesses, and citizens, and shall evaluate the~~
 43 ~~efficacy and necessity of both statewide and local regulation of~~
 44 ~~these materials. To ensure consistent and effective~~
 45 ~~implementation, the department shall submit a report with~~
 46 ~~conclusions and recommendations to the Legislature no later than~~
 47 ~~February 1, 2010. Until such time that the Legislature adopts~~
 48 ~~the recommendations of the department, no local government,~~
 49 ~~local governmental agency, or state government agency may enact~~
 50 ~~any rule, regulation, or ordinance regarding use, disposition,~~
 51 ~~sale, prohibition, restriction, or tax of such auxiliary~~
 52 ~~containers, wrappings, or disposable plastic bags.~~

53 (2) DEFINITIONS.—As used in this section, the term:

54 (a) "Affected store" means a retail establishment located
 55 within a jurisdiction of a local government that adopts
 56 standards relating to carryout bags and is:

57 1. A full-line, self-service retail store that has gross
 58 annual sales of \$2 million or more and sells canned goods, dry

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2014830

59 grocery items, nonfood items, or perishable items; or

60 2. A drugstore, pharmacy, supermarket, grocery store,
61 convenience store, or other entity of at least 10,000 square
62 feet which engages in the retail sale of a limited line of
63 goods, including milk, bread, soda, and snack foods.

64 (b) "Carryout bag" means a bag provided to a customer at
65 the point of sale for the purpose of carrying away goods.

66 (c) "Local government" means a county or municipality.

67 (d) "Plastic carryout bag" means a carryout bag made
68 predominantly of plastic. The term does not include produce bags
69 or reusable bags made of plastic.

70 (e) "Postconsumer recycled material" means material that
71 has completed its intended use or life cycle and typically would
72 be disposed of as solid waste. The term does not include
73 materials or byproducts generated from, or commonly reused in,
74 an original manufacturing or fabrication process.

75 (f) "Produce bag" means a plastic bag without handles used
76 exclusively to carry produce, meats, or other food items inside
77 a store to the point of sale or to prevent such food items from
78 coming into direct contact with other purchased items.

79 (g) "Recyclable paper bag" means a paper bag that:

80 1. Contains no old-growth fiber;

81 2. Is 100 percent recyclable and contains at least 40
82 percent postconsumer recycled material;

83 3. Is capable of composting, consistent with ASTM D6400,
84 the standard specification for labeling of plastics designed to
85 be aerobically composted in municipal or industrial facilities;

86 4. Has printed on the bag the name of the manufacturer, the
87 country in which the bag was manufactured, and the percentage of

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88 postconsumer recycled material used; and

89 5. Visibly displays the word "recyclable" on the outside of
90 the bag.

91 (h) "Reusable bag" means a bag with handles which is
92 specifically designed and manufactured for multiple reuse and
93 which meets all of the following requirements:

94 1. Can carry a minimum of 22 pounds 125 times, over a
95 distance of at least 175 feet.

96 2. Has a minimum volume of 15 liters.

97 3. Is machine washable or can be cleaned or disinfected.

98 4. Does not contain lead, cadmium, or any other heavy metal
99 in toxic amounts as defined by applicable federal standards and
100 regulations for packaging of reusable bags.

101 5. Has printed on the bag, or on a tag permanently affixed
102 to the bag, the name of the manufacturer; the country in which
103 the bag was manufactured; a statement that the bag does not
104 contain lead, cadmium, or any other heavy metal in toxic
105 amounts; and the percentage of postconsumer recycled material
106 used, if any.

107 6. If made of plastic, is at least 2.25 mils thick.

108 (3) STANDARDS FOR CARRYOUT BAGS.-

109 (a) An affected store shall provide reusable bags, at no
110 cost or for a fee, to a customer for the purpose of carrying
111 away goods or other items from the point of sale, subject to the
112 terms of this section.

113 (b) An affected store may provide recyclable paper bags to
114 a customer for a fee of 10 cents for each recyclable paper bag
115 purchased. The affected store may not rebate or otherwise
116 reimburse any portion of the 10 cent charge and shall indicate

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117 on the customer receipt the number of recyclable paper bags
118 provided and the total amount charged for the bags.

119 (c) An affected store may not provide a customer with a
120 plastic carryout bag or other type of bag.

121 (d) This section does not prohibit a customer from using a
122 bag of any type which he or she brings to the affected store or
123 from carrying away goods that are not placed in a bag.

124 (e) Fees collected under this subsection shall be used as
125 follows:

126 1. At least 50 percent of the fees shall be distributed to
127 the school district in which the affected store is located, to
128 be used solely for educational purposes; and

129 2. Up to 50 percent of the fees may be retained by the
130 affected store to offset the costs of complying with this
131 section.

132 (4) REPORTING.—An affected store shall report quarterly to
133 the local government the total number of recyclable paper bags
134 provided, the total amount of fees collected for providing
135 recyclable paper bags, and a summary of any effort by the
136 affected store in the prior quarter to promote customer use of
137 reusable bags. Such reporting shall be done on a form prescribed
138 by the local government and signed by a responsible agent or
139 officer of the affected store confirming that the information
140 provided on the form is accurate and complete. The report must
141 be submitted within 30 days after the end of each of the
142 following quarters:

143 (a) January 1 through March 31.

144 (b) April 1 through June 30.

145 (c) July 1 through September 30.

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2014830

146 (d) October 1 through December 31.

147 (5) PENALTY.—A local government may impose a penalty for
148 violation of this section.

149 (6) APPLICATION.—To ensure uniform statewide standards, a
150 local government desiring to regulate the use of carryout bags
151 may adopt ordinances relating to carryout bags only pursuant to
152 this section.

153 Section 2. This act shall take effect upon becoming a law.

HB 1257

2014

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 61 convenience store, or other entity of at least 10,000 square
 62 feet which engages in the retail sale of a limited line of
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 68 predominantly of plastic. The term does not include produce bags
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 71 has completed its intended use or life cycle and typically would
 72 be disposed of as solid waste. The term does not include
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 80 1. Contains no old-growth fiber;
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 83 3. Is capable of composting, consistent with ASTM D6400,
 84 the standard specification for labeling of plastics designed to
 85 be aerobically composted in municipal or industrial facilities;
 86 4. Has printed on the bag the name of the manufacturer,
 87 the country in which the bag was manufactured, and the
 88 percentage of postconsumer recycled material used; and
 89 5. Visibly displays the word "recyclable" on the outside
 90 of the bag.
- 91 (h) "Reusable bag" means a bag with handles which is
 92 specifically designed and manufactured for multiple reuse and
 93 which meets all of the following requirements:
- 94 1. Can carry a minimum of 22 pounds 125 times, over a
 95 distance of at least 175 feet.
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 97 3. Is machine washable or can be cleaned or disinfected.
 98 4. Does not contain lead, cadmium, or any other heavy
 99 metal in toxic amounts as defined by applicable federal
 100 standards and regulations for packaging of reusable bags.
 101 5. Has printed on the bag, or on a tag permanently affixed
 102 to the bag, the name of the manufacturer; the country in which
 103 the bag was manufactured; a statement that the bag does not
 104 contain lead, cadmium, or any other heavy metal in toxic

105 amounts; and the percentage of postconsumer recycled material
 106 used, if any.

107 6. If made of plastic, is at least 2.25 mils thick.

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109 (a) An affected store shall provide reusable bags, at no
 110 cost or for a fee, to a customer for the purpose of carrying
 111 away goods or other items from the point of sale, subject to the
 112 terms of this section.

113 (b) An affected store may provide recyclable paper bags to
 114 a customer for a fee of 10 cents for each recyclable paper bag
 115 purchased. The affected store may not rebate or otherwise
 116 reimburse any portion of the 10 cent charge and shall indicate
 117 on the customer receipt the number of recyclable paper bags
 118 provided and the total amount charged for the bags.

119 (c) An affected store may not provide a customer with a
 120 plastic carryout bag or other type of bag.

121 (d) This section does not prohibit a customer from using a
 122 bag of any type which he or she brings to the affected store or
 123 from carrying away goods that are not placed in a bag.

124 (e) Fees collected under this subsection shall be used as
 125 follows:

126 1. At least 50 percent of the fees shall be distributed to
 127 the school district in which the affected store is located, to
 128 be used solely for educational purposes; and

129 2. Up to 50 percent of the fees may be retained by the
 130 affected store to offset the costs of complying with this

131 section.

132 (4) REPORTING.—An affected store shall report quarterly to
 133 the local government the total number of recyclable paper bags
 134 provided, the total amount of fees collected for providing
 135 recyclable paper bags, and a summary of any effort by the
 136 affected store in the prior quarter to promote customer use of
 137 reusable bags. Such reporting shall be done on a form prescribed
 138 by the local government and signed by a responsible agent or
 139 officer of the affected store confirming that the information
 140 provided on the form is accurate and complete. The report must
 141 be submitted within 30 days after the end of each of the
 142 following quarters:

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 148 violation of this section.

149 (6) APPLICATION.—To ensure uniform statewide standards, a
 150 local government desiring to regulate the use of carryout bags
 151 may adopt ordinances relating to carryout bags only pursuant to
 152 this section.

153 Section 2. This act shall take effect upon becoming a law.

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #57

I. CITIZEN RECOMMENDATION:

NAME: Randal Agostini

ADDRESS: 132 SE 1St Street
Satellite Beach, FL 32937

PHONE: (321) 216-3390

E-MAIL: randal.agostini@yahoo.com

A. Recommendation Information:

Recommendation Title:	Revised Fire Services Assessment Tax
Area/Dept Affected:	Fire Rescue Department
Current Problem:	The current Fire Assessment Tax for properties in Unincorporated Brevard County is truncated at 2,601 Sq/Ft. Those with properties that are larger than 2,601 SQ/Ft pay a reduced rate for fire services although their requirements would be far greater.
Recommendation:	In the age of computerization taxes could be paid according to the Sq/inch. Taxes should be charged by the Sq/Ft with no lower or upper limits. This would make for a fair system.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Generate Revenue;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Service;

II. STAFF RECOMMENDATIONS / COMMENTS


See Attached



BOARD OF COUNTY COMMISSIONERS

Brevard County Fire Rescue
1040 S. Florida Ave.
Rockledge FL 32955

Inter-Office Memo

TO: Stockton Whitten, County Manager
FROM: Mark Schollmeyer, Fire Chief/Director 
DATE: March 11, 2015
SUBJECT: Response to CEER Question 57 re: Fire Assessment Revenue Methodology

CEER QUESTION 57:

Current problem, issue, or concern that is addressed by the recommendation:

The current Fire Assessment Tax for properties in Unincorporated Brevard County is truncated at 2,601 Sq/Ft. Those with properties that are larger than 2,601 SQ/Ft pay a reduced rate for fire services although their requirements would be far greater.

Recommendation description, recommendation improvement, and recommendation adoption:

In the age of computerization taxes could be paid according to the Sq/inch. Taxes should be charged by the Sq/Ft with no lower or upper limits. This would make for a fair system.

DEPARTMENT RESPONSE TO CEER 57

The current Fire Assessment (FA) methodology was developed by a consultant, Burton & Assoc. and presented to Board in July 2008. The Board subsequently approved the proposed methodology during budget public hearings in September of 2008 for the fiscal year 2009.

The FA's methodology addresses two primary property types: commercial and residential. The question and response concerns the residential property methodology. Within the FA, residential properties rates were developed based on three factors: square footage, base rate benefit factor (cost per square foot basis per the Property Appraiser) and the equivalent residential unit (ERU) which is related to the middle "bin" or range of property sizes. Below is the table illustrating the bins (range of square feet) with correlating base rate benefit factor and ERU:

Size Ranges				Assessments							
Size Range (Sq. Ft.)	Frequency	ERU Size Factor	Current Assessment	Base Rate		Base Rate		Base Rate			
				Benefit Factor	Percent Change	Benefit Factor	Percent Change	Benefit Factor	Percent Change		
0 - 700	2,899	0.22	\$212	1.00		0.50		0.42			
701 - 1,100	13,373	0.56	\$212	\$39.13	-82%	\$22.70	89%	\$16.44	92%		
1,101 - 1,400	18,972	0.78	\$212	\$99.61	-53%	\$67.77	73%	\$41.84	80%		
1,401 - 1,800	21,140	1.00	\$212	\$138.74	-35%	\$80.47	62%	\$58.27	73%		
1,801 - 2,200	18,566	1.25	\$212	\$177.87	-16%	\$103.16	51%	\$74.71	66%		
2,201 - 2,600	10,565	1.50	\$212	\$222.34	-6%	\$128.96	39%	\$93.38	56%		
2,601 - 1,000,000	9,975	1.75	\$212 / \$276	\$266.81	26%	\$154.75	-27%	\$112.06	47%		
				\$311.27	47% / 133%	\$180.54	-15% / -35%	\$130.73	-38% / -53%		

The question posed to the CEER by submitter is an equity question directed at residential properties with square footages greater than 2601 sq. ft. Because this particular range has a large square footage variance, the submitter believes that residential properties that exceed or greatly exceed 2601 sq. ft. receive fire protection services at significantly lesser rate than properties of smaller size situated in narrower sized bins. To illustrate this point, a home of 2601 sq. ft. pays the same rate of \$311.27 that a home of 5000 sq. ft. (almost twice the size) pays. It is obvious, that should a fire occur, the larger illustrated home will require more fire protection resources than its much smaller comparative counterpart.

Fire Rescue reviewed the residential parcels within the Fire Assessment. There are 99,358 residential parcels; 10,945 have square footages greater that fall in the 2601 – 1,000,000 range (bin). A more detail stratification of the bin in question looks as follows:

SQ. FT.	# PARCELS
2601 - 3000	5206
3001 - 3500	2867
3501 - 4000	1577
4001 - 4500	613
4501 - 5000	275
5000 – 1,000,000	407

The question posed to the CEER regarding whether fire protection services received by large residential parcels (> 2601 sq. ft.) are at a reduced cost does have merit and is worthy of possible reevaluation of the Fire Assessment methodology.

The CEER question along with the information provided in this memorandum was forwarded to Burton & Associates, the consultant service that devised the current Fire Assessment methodology. The below information related to the CEER was provided by Michael E. Burton (President, Burton & Assoc.):

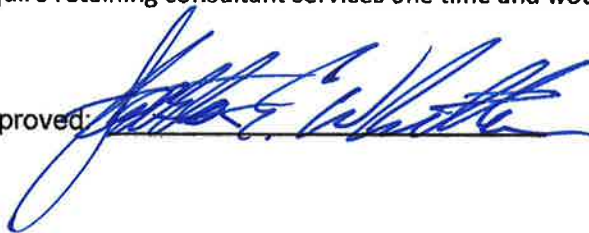
I do not disagree with the conclusions drawn by the fire department response. Whenever ranges or bins are set up there is variability for properties at the low and the high ends of the range. This is exacerbated in the highest bin because there is no top end to that bin range. The mitigating factor is that the bin ranges are set up so that the number of properties that fall in the top bin are relatively few. However, for those properties that do fall within that bin there is the discontinuity described in the fire departments response.

An alternative to the bin structure that we have developed since the county's fire assessments were developed is to effectively have continuous bins of 500 sq.ft. In this concept a rate is developed for every 500 ft.² of space which would be considered an equivalent benefit unit (EBU). Each property is rounded down to the nearest 500 ft.² and that result is divided by 500 ft.² to determine the number of EBUs attributable to that property. Each property's assessment would be the number of EBUs (increments of 500 sq.ft.) times the rate per EBU. Under this concept there would be no top end limit so larger properties would pay proportionately more than smaller properties no matter how large they are.

We believe this would be a better approach than to develop a rate per square foot. The reasons are 1) the resources required and the benefit received by the property owners do not really vary for every one square foot differential in size; however, we believe that in 500 square-foot increments the resources required and benefits to the property do increase, and 2) basing the assessment on one square foot increments will open up potential disputes regarding what the actual square footage of the home is (if a homeowner measures the square footage in their home they will likely come up with a different number than the property appraiser's professional assessment of the square footage). In the concept proposed rounding down to the nearest 500 ft.² also mitigates that issue.

Reformulation of the methodology would require the assistance of consultant services (i.e. Burton & Assoc.) as Fire Rescue does not have the internal capability to modify the methodology that will produce a desired annual revenue amount. Fire Rescue suggests that the evaluation of the methodology (related to this CEER question) occur when the Fire Assessment's annual reoccurring revenue requires an increase to meet annual operating expenses and maintain an appropriate reserve fund balance. Addressing these two items (methodology and revenue) simultaneously would require retaining consultant services one time and would provide a more effective Fire Assessment model.

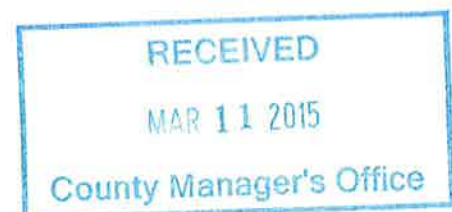
Approved: _____



Date: _____

4/10/15

cc: Dennis Neterer, Deputy Chief
Fabiola Mundo, FR Admin. Svc. Manager
Cindy Paulin, FR Special Projects Coordinator



**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #58

I. CITIZEN RECOMMENDATION:

NAME: Randal Agostini

ADDRESS: 132 SE 1st St
Satellite Beach, FL 32937

PHONE: (321) 216-3390

E-MAIL: randal.agostini@yahoo.com

A. Recommendation Information:

Recommendation Title:	Rules and Regulations
Area / Dept Affected:	Fees, Rebates, Applications /
Current Problem:	County Rules and regulations require review. In many cases the process to obtain a rebate is more costly than the fee. Building applications require review. The process should not require additional steps other than a building survey, and approved architectural/engineering drawings. Surveyors, Architects and Engineers should be conversant with the rules and regulations, sufficient to satisfy Code Enforcement. Too many applications are posted with deficiencies that cause delays and extra fees, which is inefficient and costly.
Recommendation:	Appoint a Review Board to examine all County rules and regulations. Empower that Board to accept verifiable problems on a confidential basis and to make recommendations accordingly. The result could be made revenue/expense neutral.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Prevent Waste; Cost Savings; Increase Productivity; Eliminate Duplication;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality; Improve Service;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

Inter-Office Memo

BOARD OF COUNTY COMMISSIONERS

TO: Mel Scott, AICP
Assistant County Manger *ms*

FROM: Robin M. Sobrino, AICP *RMS*
Director, Planning & Development Department

DATE: February 24 2015

SUBJECT: CEER # 58

Pursuant to the email dated February 23, 2015, attached please find CEER # 58 as well as the Planning & Development Department's evaluation of CEER # 58.

Please feel free to contact me, should you have additional questions.

attachments

Evaluation of Citizen Efficiency and Effectiveness Recommendation ID# 58

In the 'Current Problem' section, the writer's statement references multiple subjects. Therefore, staff has responded individually to each issue, as follows:

1. *County Rules and regulations require review.*

Response: Agreed; laws, rules and ordinances are living systems that require continual evaluation for relevance in an ever changing world.

2. *In many cases the process to obtain a rebate is more costly than the fee.*

Response: Unclear as to what rebate is being referred to in the comment.

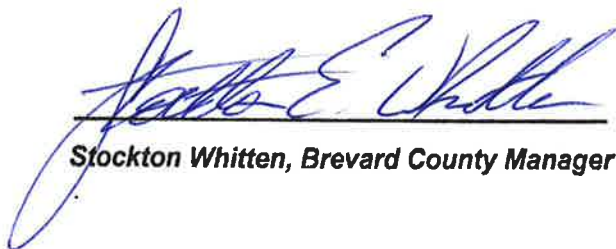
3. *Building applications require review.*

Response: Florida Statutes require local governments to perform building permit application review for compliance with the Florida Building Code and the Florida Fire Prevention Code, where applicable.

4. *The process should not require additional steps other than a building survey, and approved architectural/engineering drawings. Surveyors, Architects and Engineers should be conversant with the rules and regulations, sufficient to satisfy Code Enforcement. Too many applications are posted with deficiencies that cause delays and extra fees, which is inefficient and costly.*

Response: As noted in item three above, State law mandates local government review of permit applications and to examine and inspect construction for compliance with the Florida Building Code and Florida Fire Prevention Code. The writer's statement suggests or seems to imply that the County should accept construction documents prepared by design professionals without review by county staff. Routinely, County review staff finds that some design professionals do not kept abreast of changing code requirements, which results in design deficiencies. Moreover, it has also been our experience that some design professionals rely upon County reviewers to ensure that their projects meet minimum codes by citing those deficiencies.

In response to the 'Citizen Recommendation' section: "Appoint a review board to examine all County rules and regulations..." the County already has various boards in place to oversee County development regulations including the Building Construction and Advisory Committee (BCAC), Local Planning Agency (LPA), and the Contractor Licensing Board (CLB), in addition to the Board of County Commissioners. These boards hold regular meetings open to the public and receive public comment relevant to their respective areas of responsibility. The Brevard County Code also provides for appeals of administrative decisions to these boards for any person aggrieved by an administrative decision or order concerning the interpretation or implementation of a County ordinance.



Stockton Whitten, Brevard County Manager

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #59

I. CITIZEN RECOMMENDATION:

NAME: lois jaffe

ADDRESS: 3413 carambola Cir
Melbourne, FL 32940

PHONE: (321) 507-4108

E-MAIL: jaffe9371@gmail.com

A. Recommendation Information:

Recommendation Title:	Cost savings
Area/Dept Affected:	
Current Problem:	We live near the Moore Justice Center on Judge Fran Jameson, I am curious as to why all the lights are left on in the building all night. Each floor is fully lighted, and no one is in the building. If this is for the cleaning of the offices, why are the lights not turned off when the task is completed. It would seem to save a great amount of electricity in both of the county office buildings at night.
Recommendation:	If this is to clean the offices, why not turn lights off when completed.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Conserve Energy;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



Central Services Department
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Stockton Whitten, County Manager

FROM: Teresa Camarata, Central Services Director *te*

SUBJECT: CEER #59, Energy Savings at Moore Justice Center

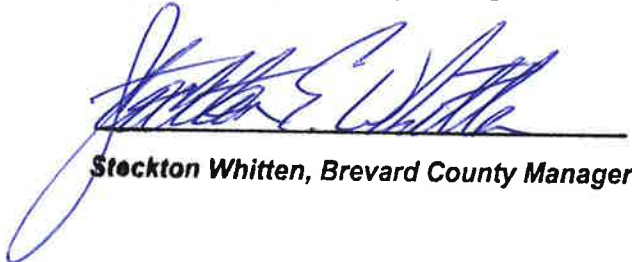
DATE: March 4, 2015

The recommendation submitted suggests lights, perhaps left on by cleaning staff, should be turned off at night at the Moore Justice Center.

Janitors do not clean at night unless assigned due to exceptional circumstances. The lights visible at night are those illuminating the public hallways which extend along windows of all four floors of the building.

The building is frequently occupied at night by Clerk's employees who traverse all floors delivering case files to judges for the following day's proceedings. The teen court program, and other State's Attorney's Office programs are conducted at night. The light switches control large areas of the building. A master switch that reduces the lighting to a low level throughout the building is located at the secured entrance at the rear of the building. It is difficult, if not impossible, for anyone to know that when turning off lights they are not leaving others in the dark.

The energy performance contract work being conducted at the Justice Center will resolve this problem in public areas. Dual-technology sensors, which use both passive infrared sensors (PIR) and ultrasonic (motion) technologies, will activate the lights only when both technologies detect the presence of occupants. This setup virtually eliminates the possibility of false-on problems. PIR sensors detect occupants' presence by sensing the difference between heat emitted by moving people and background heat. Ultrasonic sensors detect the presence of people by sending out ultrasonic sound waves into a space and measuring the speed at which they return. They look for frequency changes caused by a moving person.



Stockton Whitten, Brevard County Manager





STOCKTON WHITTEN
County Manager
2725 Judge Fran Jamieson Way, Building C
Viera, FL 32940
Stockton.whitten@brevardcounty.us

Phone: 321.633.2004
Fax: 321.633.2115

TO: Board of County Commissioners

FROM: Stockton Whitten, County Manager

DATE: April 13, 2015

SUBJECT: Citizen Efficiency and Effectiveness Review # 60

As this Citizen Efficiency and Effectiveness recommendation addresses an issue within the City of Palm Bay, the Item has been forwarded to Mr. Chad Schoultz, acting City Manager for the City of Palm Bay.

There is no action or follow up necessary by the Board of County Commissioners.

cc: Mr. Chad Schoultz, Acting City Manager

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #61

I. CITIZEN RECOMMENDATION:

NAME: Patricia I Pasley

ADDRESS: 4740 Hwy A1A
Melbourne Beach, FL 32951

PHONE: N/A

E-MAIL: ppasley@cfl.rr.com

A. Recommendation Information:

Recommendation Title:	Change the filing submission dates for Citizen Recommendations
Area/Dept Affected:	Policy BCC-15 /
Current Problem:	Section III, D1 states that the annual filing date shall be 7/15/11 for the initial year and Jan 1 thereafter. Citizens come up with ideas throughout the year and yet they must wait for this time frame to submit their recommendation. Therefore a good idea may have been forgotten and not submitted.
Recommendation:	My recommendation is that the filing date be eliminated and that recommendations to the County be allowed to come in through out the year. If someone has a suggestion on cost savings, increase to productivity or the prevention of waste, it would be beneficial to the county for the county commission to act on this in a timely manner.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Cost Savings;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality; Improve Safety; Improve Service; Improve Workplace;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



Lewis, Sally A3/11/2015 9:45 AM

EVALUATION APPROVED: Sally Lewis for Stockton Whitten

Whitten, Stockton E3/6/2015 9:14 AM

Pursuant to the County's Charter, Policy BCC-95 was created with specific submission deadlines. The County's webpage has a feedback link that is available 24/7 allowing citizen's to submit comments, compliments and recommendations at any time.

Citizen Efficiency and Effectiveness Recommendations

The BEACH > County Manager > Citizen Efficiency and Effectiveness Recommendations >

County Manager > Citizen Efficiency and Effectiveness Recommendations:

Recommendation #61 Documents - [Upload Evaluations Here](#)

This page displays all the information submitted by the citizen as well as some additional internal information related to its processing.

To upload your Evaluation Document, click the **Add a New Document** link just below. You can continue to work with the document from here. When the evaluation document is complete and is ready to be viewed by the Assistant County Manager, check the box labeled **Evaluation Is Complete**.

To assist in the collaboration process, you can view and add comments in the section to the right labeled Staff Comments; not to be used to replace the actual evaluation document. For further instruction click here to view a [Quick Guide](#) document.

Type	Name	Modified	Modified By	Rec ID
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There are no items to show in this view of the "Supporting Documents" document library. To add a new item, click "Add document".

[\(More Documents...\)](#)

[+ Add a New Document](#)

Evaluation Is Complete:

Staff Comments

Lewis, Sally A3/11/2015 9:45 AM

EVALUATION APPROVED: Sally Lewis for Stockton Whitten

Whitten, Stockton E3/6/2015 9:14 AM

Pursuant to the County's Charter, Policy BCC-95 was created with specific submission deadlines. The County's webpage has a feedback link that is available 24/7 allowing citizens to submit comments, compliments and recommendations at any time.

[+ Add a Comment](#)

[Generate Cover Page](#)

Contact Information

Full Name:	Patricia I Pasley	Mailing Address:	4740 Hwy A1A Melbourne Beach, FL 32951
Phone Number:	N/A	Email Address:	ppasley@cfl.rii.com
Group Name:	N/A		

Recommendation Information

Recommendation Title: Change the filing submission dates for Citizen Recommendations

Areas/Department Affected: Policy BCC-15 N/A

Current problem, issue, or concern that is addressed by the recommendation:

Section III, D1 states that the annual filing date shall be 7/15/11 for the initial year and Jan 1 thereafter. Citizens come up with ideas throughout the year and yet they must wait for this time frame to submit their recommendation. Therefore a good idea may have been forgotten and not submitted.

Recommendation description, recommendation improvement, and recommendation adoption:

My recommendation is that the filing date be eliminated and that recommendations to the County be allowed to come in throughout the year. If someone has a suggestion on cost savings, increase to productivity or the prevention of waste, it would be beneficial to the county for the county commission to act on this in a timely manner.

Recommendation Benefits

What type(s) of benefit(s) will your recommendation provide?

Tangible Benefits:

- Cost Savings

Estimated Cost to Implement: \$0.00

Estimated Return on Investment: \$0.00

Intangible Benefits:

- Improve Workplace
- Improve Safety
- Improve Quality
- Improve Service

Internal Information

Assigned Department:	50000001	Assigned Director:	stockton.whitten@brevardcounty.us
Evaluation Completed:	3/6/2015 9:15:14 AM	ACM Approved On:	3/11/2015 9:45:00 AM
CM Approved On:		Package Sent On:	

Agenda Item #:

Meeting Location:

Citizen Notified By: None

Meeting Date/Time:

Citizen Notified On:

Board Voting Results

Citizen Notified By: None

Citizen Notified On:



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Government Center at Night [Courtesy: Rich Ataman]

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**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #62

I. CITIZEN RECOMMENDATION:

NAME: Pam R Costello

ADDRESS: 1273 Potomac Dr
Merritt Island, FL 32952

PHONE: (321) 452-6387

E-MAIL: tvcostello@earthlink.net

A. Recommendation Information:

Recommendation Title:	Use of closed prison
Area/Dept Affected:	Entire County / Judicial Branch Administration
Current Problem:	There is an empty building that could house homeless veterans and/or turned into a rehab center for those in county detention who have a drug addiction but are not criminals. They are sick (manic depressants, schizoffective disorders). Those who run this county have put their heads in the sand for the last 20 years. Jailing people is not the answer. Miami judges have reduced jail populations with the Assertive Community Treatment program. We have a portion of the general population who are sick and yet we jail them or they are living in homeless camps.
Recommendation:	A mirror program should be implemented as in Miami/Dade county. There are mentally ill people, who with proper guidance, would be off the street and working, making a difference in this county and would be able to act as peer counselors to other residents of this county.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Cost Savings; Eliminate Duplication;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality; Improve Safety;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached




BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Stockton Whitten, County Manager

THRU: Venetta Valdengo, Assistant County Manager
Community Services Group

FROM: Teresa Camarata, Central Services Director 
Ian Golden, Housing and Human Services Director

SUBJECT: CEER #62, Use of Closed Prison

DATE: April 14, 2015

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a current problem, issue, or concern as follows: "There is an empty building that could house homeless veterans and/or turned into a rehab center for those in county detention who have a drug addiction but are not criminals. They are sick (manic depressants, schizoaffactive disorders). Those who run this county have put their heads in the sand for the last 20 years. Jailing people is not the answer. Miami judges have reduced jail population with the Assertive Community Treatment program. We have a portion of the general population who are sick and yet we jail them or they are living in homeless camps."

CEER #62 goes on to recommend: "A mirror program should be implemented as in Miami/Dade county."

Central Services staff offers the following response:

The State Department of Corrections Brevard Correctional Institution is in disrepair. The structural integrity of the buildings has been compromised by spalling concrete and roof failures. Environmental conditions revealed in recent tests conducted on building materials, soils, and groundwater, require that hazardous substances above and below grade be removed. Renovating the outdated facility to current housing code, including sewer, domestic water, and HVAC is cost prohibitive. The most effective method of cleanup for reuse of the 100-acre site appears to be an abatement, demolition, and salvage operation to level the entire site within the prison compound.

Structures located on the former State Work Camp site are deemed salvageable, and will be used by the Sheriff's Office for additional programs and work farm.

Housing and Human Services staff offers the following response:

Currently, there are several options available for homeless veteran assistance in Brevard County:

- Center for Drug Free Living which provides housing and supportive services for homeless veterans with mental health and substance use disorders

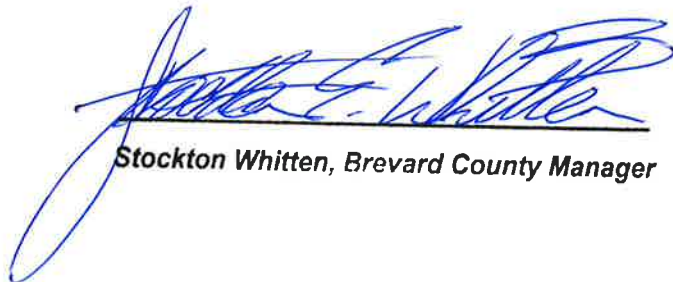
(321) 637-1866

www.cfdfl.com

- Housing for Homeless Veterans which provides homeless veterans with discounted apartments
(321) 264-1889 (321) 639-0166
- Homeless Veterans Reintegration Program which provides employment and housing services to homeless veterans
(321) 631-2963 x.101 <http://www.dol.gov/vets/programs/hvrp/main.htm>
- National Veterans Homeless Support, Inc. which provides assistance to homeless veterans
(888) 787-6847 www.nvhs.us
- Veterans Transition Housing Facility which provides temporary shelter for veterans and their families while they look for employment
(referrals through the VA Clinic (321) 637-3788)
- WIN/VET Program which provides transitional housing for homeless veterans in small group homes
(321) 264-1887 <http://www.va.gov/homeless/housing.asp>
- Additionally, Circles of Care, Inc. (321-722-5200) provides inpatient and outpatient substance abuse treatment and mental health treatment services

For individuals who have been arrested and meet specific criteria, there is a specialty court available which has been designed to address those with mental illness. Mental Health Court combines treatment with diversion from the criminal justice system.

The main recommendation in CEER #62 appears to be replicating the Assertive Community Treatment program from Miami/Dade County. Brevard County currently has a Florida Assertive Community Treatment (FACT) Team (321-504-3888). The FACT program uses a multidisciplinary team approach to provide intensive, community-based treatment, rehabilitation, and support services for persons with severe and persistent psychiatric disabilities. Persons targeted for participation are hard-to-reach and not adequately served in the traditional service system. Nearly all behavioral health services are provided directly by the team, which takes responsibility for managing access to more specialized behavioral health services and to all health and social services. The FACT team has the capacity to serve up to 100 persons.



Stockton Whitten, Brevard County Manager

RECEIVED
APR 14 2015
County Manager's Office

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #63

I. CITIZEN RECOMMENDATION:

NAME: cynthia l sweet

ADDRESS: 203 sand dollar Rd
Indialantic, FL 32903

PHONE: (321) 750-4141

E-MAIL: cskisweet@aol.com

A. Recommendation Information:

Recommendation Title:	Equal rights
Area/Dept Affected:	LGBT people, friends and families of LGBT / Board Of County Commissioners
Current Problem:	There currently is little to no equality for LGBT residents in Brevard County.
Recommendation:	We are requesting that the local government put through a referendum giving equal rights to all Brevard County residents including a nondiscrimination policy to protect LGBT. Brevard County is growing with companies such as Northrop Grumman and Harris Corp. who continue to score highly in equality in the workplace evaluations. Now our county needs to support them in their efforts to promote equality and support the LGBT community.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Increase Productivity; Generate Revenue;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$1,000,000.00
Intangible Benefits:	Improve Safety; Improve Workplace; Improve Quality; Improve Service;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

TO: Stockton Whitten, County Manager


Stockton Whitten, Brevard County Manager

FROM: Frank Abbate, Office of Human Resources Director

SUBJ: 2015 CEER 63 – Equal Rights

DATE: January 29, 2015

At your request, the Office of Human Resources has reviewed the above referenced CEER request. In reading this recommendation, it is our assessment that the recommendation addresses not only Brevard County Board of County Commissioner employees, but rather would apply to all employers conducting business in Brevard County.

Initially, staff would point out that as this recommendation requests that a referendum be initiated. A citizen initiative is currently provided for under the County Charter as outlined in Section 5.1 of Brevard County's charter. This charter provision specifically states:

SECTION 5.1. INITIATIVE

The electors of Brevard County shall have the right to initiate County ordinances in order to establish new legislation that is not in conflict with the State Constitution, general law or this Charter, and to amend or repeal existing ordinances when such amendments or repeal are not in conflict with the State Constitution or general law, upon petition signed by a number at least equal to five percent (5%) of electors qualified to vote in the last preceding general election; provided that the number shall contain at least five percent (5%) of the qualified electors in each of at least three Commission election districts.

5.1.1. Procedure for Petition.

The sponsor of an initiative shall, prior to obtaining any signatures, submit the text of a proposed ordinance or Charter amendment to the Supervisor of Elections, with the proposed ballot summary and the form on which signatures will be affixed and obtain a dated receipt therefor. The allowable period for obtaining signatures on the petition shall be completed not later than nine (9) months after the initial receipt of the petition by the Supervisor of Elections. The sponsor shall thereupon submit signed and dated forms to the Supervisor of Elections and upon submission shall pay all fees required by general law. The Supervisor of Elections shall within sixty (60) days verify the signatures thereon, or specify a reason for the invalidity of each rejected signature if the petition is rejected for insufficiency of the number of valid signatures. If the petition is rejected for insufficiency of the number of signatures, the sponsor shall have an

additional thirty (30) days within which to submit additional signatures for verification. The Supervisor of Elections shall, within thirty (30) days verify the additional signatures. In the event sufficient signatures are still not acquired, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition.

5.1.2. Consideration by Board of County Commissioners.

Within sixty (60) days after the requisite number of names has been verified by the Supervisor of Elections and reported to the Board of County Commissioners, the Board of County Commissioners shall give notice and hold a public hearing on the proposed ordinance according to law and vote on it. If the Board fails to enact the proposed ordinance, it shall by resolution, call a referendum on the question of the adoption of the proposed ordinance to be held at the next general election occurring at least forty-five (45) days after the adoption of such resolution. If the question of the adoption of the proposed ordinance is approved by a majority of those registered voters voting on the question, the proposed ordinance shall be declared by resolution of the Board of County Commissioners to be enacted and shall become effective on the date specified in the ordinance, or if not so specified, on January 1 of the succeeding year. The Board of County Commissioners shall not amend or repeal an ordinance adopted by initiative, without the approval of a majority of the electors voting at a referendum called for that purpose.

5.1.3. Limitation on ordinances by initiative.

The power to enact, amend or repeal an ordinance or amend this Charter by initiative shall not include ordinances or provisions relating to the existing County budget, existing debt obligations, existing capital improvement programs, salaries of non-elected County officers and employees, the collection of taxes, or the rezoning of less than five percent (5%) of the total land area of the County.

Currently, Brevard County Government follows both Federal laws relating to unlawful employment discrimination, including but not limited to Title VII of the Civil Rights Act of 1964, the Age Discrimination Employment Act (ADEA), the Equal Pay Act and the American with Disabilities Act as well as the state law prohibiting unlawful discrimination as provided for under Florida Civil Rights Act of 1964. None of these employment discriminations laws specifically names sexual orientation as a “protected class.” However, the Equal Employment Opportunity Commission (EEOC) has determined that claims by lesbian, gay, and bisexual individuals alleging sex stereotyping may state an unlawful sex discrimination claim, including but not limited to a hostile work environment claim, under Title VII of the Civil Rights Act of 1964.

Additionally, for Board of County Commissioners employees, the Board’s Merit System, Policy XIII, Section D. provides for Appeals related to Discrimination as follows:

Any employee in the County Service who believes he/she has been suspended, demoted, denied promotion or dismissed because of political opinion or affiliation, religious beliefs, race, color, gender, marital status, national origin, ancestry, age or disability which does not preclude

the performance of essential functions of the job, with or without reasonable accommodations provided as necessary, shall have the right of appeal to the Personnel Council.

The Board of County Commissioners can choose to include as part of the Board's internal Merit System Policy applicable to all Board employees sexual orientation as an additional protected class of prohibited employment discrimination appealable to the Board's Personnel Council. At the Board's direction, staff could prepare for public hearing a proposed modification to Merit System Policy XIII, Section D to include sexual orientation as a protected classification.

Returning to the broader community applicability requested in CEER 63, as an alternative to the Citizen Initiative outlined above, the Brevard County Board of County Commissioners could choose to approve an Ordinance that mirrors both federal and state law prohibiting unlawful discrimination for specific protected classes as provided for under current and federal state laws adding sexual orientation as an additional protected classification. If from a policy perspective this is the direction the Board of County Commissioners wished to implement, a draft ordinance can be prepared for the Board's consideration. Staff would point out, however, that creating and implementing such an ordinance adding sexual orientation as a protected classification from unlawful employment discrimination, would also require the establishment of a policing body (a Brevard County Human Relations Commission) that would be responsible to review and address claims of unlawful discrimination covered by the ordinance. This would require appropriate staffing to review and address complaints of unlawful discrimination prohibited under such local legislation. This may be of concern to the Board as it has been the Board's policy to avoid creating duplicative functions in County government when such areas (unlawful employment discrimination for example) are covered by federal or state law and their agencies (The Equal Employment Opportunity Commission and the Florida Human Relations Commission). Typically, the Executive Director of such Commissions, investigative and support staffs would require appropriate funding.

This Office is prepared to work with the County Attorney's Office to address CEER 63 as the Board of County Commissioners directs.

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #64

I. CITIZEN RECOMMENDATION:

NAME: Gary R Lighton

ADDRESS: 2050 Savannah Blvd
Titusville, FL 32780

PHONE: (315) 431-5314

E-MAIL: gary@grlighton.com

A. Recommendation Information:

Recommendation Title:	Civilian Launch Expansion
Area/Dept Affected:	Board Of County Commissioners
Current Problem:	NASA Dominance
Recommendation:	NASA needs to release some of the abandoned launch pads for private company use without crazy Government standards. It is ridiculous to loose business to Texas because of rules and Red Tape that make it cheaper to go to Texas and build completely new, what is already here.
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Generate Revenue; Prevent Waste; Increase Productivity; Eliminate Duplication;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Workplace; Improve Quality;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



SCGTV/Communications

2725 Judge Fran Jamieson Way, C-215
 Viera, FL 32940
 Phone: 321.690.6843
 Fax: 321.617.7214
 www.scgtv.org

Mr. Lighton,

Thank you very much for taking the time to file a Citizen Recommendation through our Speak Up Brevard initiative. We believe in regard to your concerns about abandoned launch pads there is good news on the horizon that will continue Brevard County's foothold on the "Space Coast" namesake.

While NASA, Kennedy Space Center and Cape Canaveral Air Force Base do not fall under the purview of the Board of County Commissioners, our county benefits economically from jobs and tourism generated by rocket launches and space-related attractions.

Despite recent news that SpaceX CEO Elon Musk selected Texas for the site of a private launch complex for commercial satellite launches, NASA continues to make significant strides in positioning itself as a commercial launch complex and for future manned deep-space missions, which are targeted before 2025 in the Orion space capsule.

KSC's post-shuttle transformation into a multi-user center supporting both government and commercial missions is well under way. U.S. Sen. Bill Nelson recently predicted a "robust" future for launches and is working with the Air Force, NASA and FAA to open up existing or former launch sites for commercial use. A \$25 million contract is funding launch pad upgrades.

Work is under way to diversify future launch activity at Kennedy Space Center and Cape Canaveral Air Force Station. Atlas V, Atlas IV, Delta and Falcon 9 rockets routinely launch from pads at Cape Canaveral. In fact, a launch is scheduled for 4:33 p.m. today (April 13) and another launch is targeted for April 24. So, as you can see, there is much activity to capitalize on the assets we have here.

Sincerely,

Don Walker
 Communications Director/SCGTV

Stockton Whitten, Brevard County Manager



UF/Brevard Extension Service

3695 Lake Drive

Cocoa, FL 32926

Tel: 321-633-1702 Fax: 321-633-1890

MEMORANDUM

Date: February 26, 2015

To: Stockton Whitten, County Manager

Mel Scott, Assistant County Manager

From: Linda Seals, Director, UF/Brevard Extension Service

A handwritten signature in blue ink, appearing to read 'Linda Seals', with a long horizontal line extending to the right.

RE: CEER #65

The University of Florida Institute of Agricultural Sciences (UF/IFAS) Extension in Brevard County develops and implements numerous educational programs to adults and youth. Our health and nutrition program goals include reducing obesity, hunger, and diabetes; increasing physical activity; providing access to healthy, fresh food; teaching participants how to grow their own food; and providing the tools to help our local farmers increase production yields and expand marketing capacity.

We advise several groups on creating and maintaining community gardens including the Clearlake Education Center and KLD Schools. At our Cocoa Campus, we provide about 40 community garden plots to participants in our 12-week vegetable gardening course. Our 4-H Youth and Development program works with youth in afterschool programs to develop community or school gardens where participants learn about local food systems, the benefits of consuming more fruits and vegetables, and how to cook fresh food. Youth also benefit from increased outdoor play and exercise.

We conduct numerous health-related educational program including the Food & Nutrition Program, which works with youth and adults in schools, community centers, and senior facilities. Participants in these programs also learn about healthy living—consuming more fruits and vegetables, exercise, and how to cook healthy meals through onsite cooking demonstrations. UF/IFAS Extension in Brevard County also partners with Health First, Inc, to educate teenagers and their parents about healthy eating and exercise.

The Brevard County Farmers Market was created by and is managed by UF/IFAS Extension in Brevard County. The market's goal is to provide fresh, local food to consumers, educate consumers about local agriculture, expand the marketing capacity of local farmers/producers, and educate consumers about healthy living. The market implements the Supplement Nutrition Assistance Program (SNAP) Electronic Benefits Transfer (EBT), which has increased the availability of fresh and local food to underserved patrons.

Our urban agriculture/horticulture programs are targeted to farmers, hobbyists, garden enthusiasts, industry professionals, and homeowners. We provide expertise and educational programs on fruit and vegetable production, landscape management, lawn care, pest management, and more. Our programs teach participants about best management practices that reduce stormwater runoff and leaching, and promote water conservation.

Please contact us about implementing a community garden in your community. We look forward to hearing from you.



3/3/15

Mel Scott, Assistant County Manger



Stockton Whitten, County Manager

RECEIVED
MAR - 3 2015
County Manager's Office

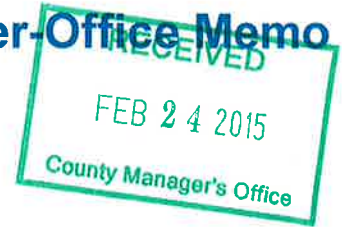


Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo



February 24, 2015

TO: Stockton Whitten, County Manager
THROUGH: Venetta Valdengo, Assistant County Manager *VV*
FROM: Jack Masson, Parks and Recreation Department Director *Jack Masson*
SUBJECT: CEER #65

Please find below my response to CEER #65 reference gardens:

(1/16/2015) The Parks and Recreation Department is currently in discussions with the UF/Brevard County Extension Services for the concept of a small scale community garden potentially located in Wickham Park in Melbourne.

If additional information is needed, please do not hesitate to contact me.

A handwritten signature in blue ink, appearing to read 'Stockton Whitten', written over a horizontal line.

Stockton Whitten, Brevard County Manager

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #66

I. CITIZEN RECOMMENDATION:

NAME: Marilyn Smith

ADDRESS: 4890 Hawksbill Ct.
Melbourne Beach, FL 32951

PHONE: (321) 733-4997

E-MAIL: flnjgl@cfl.rr.com

A. Recommendation Information:

Recommendation Title:	fixing the lagoon
Area/Dept Affected:	Developmental & Environmental Services
Current Problem:	algae blooms killing the fish and manatees in the Lagoon
Recommendation:	The problem could actually be solved by simply running about 20 4' diameter sewer type pipes under A1A to the ocean exiting near Patrick AFB and also the pipes would go into the lagoon ,this would allow a flow of cleaner water to reach the lagoon without the expense of an additional inlet with tidal flow that is lacking . it would help to overcome the continual dumping from far inland and local of nitrogen products by the water exchange . This is so simple and would work and be affordable for 1/10 the cost of an inlet .
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



Natural Resources Management Department


2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Stockton Whitten, County Manager

THROUGH: Mel Scott, AICP, Assistant County Manager

FROM: Virginia Barker, Interim Director, Natural Resources Management Department 

DATE: March 4, 2015

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #66, Fixing the Lagoon

Ms. Marilyn Smith resides in Melbourne Beach, FL and submitted the following recommendation to Brevard County. She stated the current problem is “algae blooms killing the fish and manatees in the Lagoon.” Her recommendation is: “the problem could actually be solved by simply running about 20 4’ diameter sewer type pipes under A1A to the ocean exiting near Patrick AFB and also the pipes would go in the Lagoon, this would allow a flow of cleaner water to reach the Lagoon without the expense of an additional inlet with tidal flow that is lacking. It would help to overcome the continual dumping from far inland and local of nitrogen products by the water exchange. This is so simple and would work and be affordable for 1/10 the cost of an inlet.”

Staff concurs that limited tidal exchange between the Indian River Lagoon and the Atlantic Ocean creates a longer residence time for water and pollution here compared to most other estuaries. Adding inlets or pipes as described by Ms. Smith would increase exchange. The challenge is to figure out how much additional exchange is necessary to make a significant difference to water quality, examine the feasibility of different construction designs, and then evaluate the cost and any unintended consequences of such ecosystem modifications.

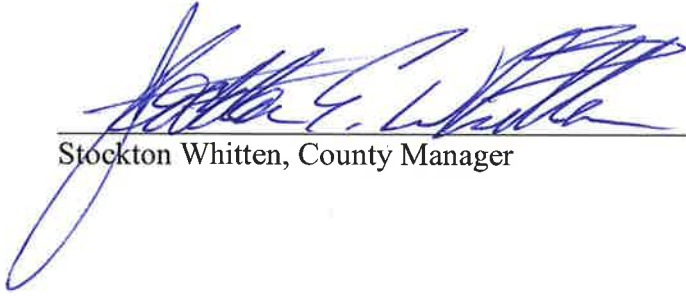
Dr. Zarillo at the Florida Institute of Technology has been contracted by the St. Johns River Water Management District (SJRWMD) to examine how much additional exchange is necessary to make a significant difference to lagoon water quality. He has developed a highly accurate 3-dimensional hydraulic computer simulation of tidal forcing, water movement and ocean exchange to determine the number, minimum size and distribution of ocean connections that would work the best, if at all, for the Indian River Lagoon. Dr. Zarillo’s final report to the SJRWMD should be available in April or May. Dr. Zarillo stated that he would be happy to give a presentation of his findings to the County. Susan Moor at SJRWMD confirmed that Dr. Zarillo’s investigation is ongoing.

Dr. Richard Baker, University of Florida biology professor emeritus and president of Pelican Island Audubon Society, was also consulted. Because of the large volume of exchange needed to make a significant difference in lagoon flushing, he is skeptical of the effectiveness of a lagoon/ocean connection.

SJRWMD and Indian River Lagoon National Estuary Program staff have stated in public meetings the importance of considering any unintended consequences of increasing ocean exchange. Many small pipes, as suggested by Ms. Smith may have significantly fewer unintended consequences than large inlets or other connectivity options.

One more consideration is that flushing may significantly dilute pollution, but it does not address the sources of the pollution problem. It moves the pollution from the Indian River to the Atlantic Ocean.

Should you have any follow-up questions or concerns, please contact Terry Williamson or Virginia Barker at 633-2016.



Stockton Whitten, County Manager

3/5/15
Date

RECEIVED
MAR - 5 2015
County Manager's Office

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #67

I. CITIZEN RECOMMENDATION:

NAME: Christopher Waltz

ADDRESS: 526 Holmes32907 Ave
Palm Bay, FL 32907

PHONE: N/A

E-MAIL: Taxodium1982@yahoo.com

A. Recommendation Information:

Recommendation Title:	Environment/Ecotourism
Area/Dept Affected:	Board Of County Commissioners
Current Problem:	
Recommendation:	
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Conserve Energy; Cost Savings; Prevent Waste;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality; Improve Service;


II. STAFF RECOMMENDATIONS / COMMENTS

See Attached



STOCKTON WHITTEN
County Manager
2725 Judge Fran Jamieson Way, Building C
Viera, FL 32940
Stockton.whitten@brevardcounty.us

Phone: 321.633.2004
Fax: 321.633.2115

TO: Board of County Commissioners
FROM: Stockton Whitten, County Manager 
DATE: April 13, 2015
SUBJECT: Citizen Efficiency and Effectiveness Review # 67

As this Citizen Efficiency and Effectiveness recommendation did not include a recommendation from the Citizen, no action needs to be taken.

Lewis, Sally A

From: Whitten, Stockton E
Sent: Friday, February 06, 2015 4:27 PM
To: Taxodium1982@yahoo.com
Cc: Barrett, Pamela A; Lewis, Sally A
Subject: Citizen Efficiency and Effectiveness Recommendation

Mr. Waltz

We have received your recommendation and will require additional information in order to be able to evaluate it. In your submittal you have not provided us with the following information

- Current problem, issue, or concern that is addressed by the recommendation:
- Recommendation description, recommendation improvement, and recommendation adoption

If you interested in future consideration of your suggestion please submit the additional information bulleted above. Thank you in advance for your prompt reply.

Stockton Whitten

County Manager
2725 Judge Fran Jamieson Way, Suite 301
Viera, Florida 32940
321-633-2001 (Phone)
321-633-2115 (Fax)



Please note: Florida has a very broad public records law. Most written communications to or from county employees regarding county business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

**SPEAK UP BREVARD / 2015
CITIZEN EFFICIENCY AND EFFECTIVENESS REVIEW (CEER) PACKAGE**

CEER #67

I. CITIZEN RECOMMENDATION:

NAME: Christopher Waltz

ADDRESS: 526 Holmes32907 Ave
Palm Bay, FL 32907

PHONE: N/A

E-MAIL: Taxodium1982@yahoo.com

A. Recommendation Information:

Recommendation Title:	Environment/Ecotourism
Area / Dept Affected:	Board Of County Commissioners
Current Problem:	
Recommendation:	
Attachment Link(s):	

B. Recommendation Benefits:

Tangible Benefits:	Conserve Energy; Cost Savings; Prevent Waste;
Estimated Cost to Implement:	\$0.00
Estimated Return on Investment:	\$0.00
Intangible Benefits:	Improve Quality; Improve Service;

II. STAFF RECOMMENDATIONS / COMMENTS

See Attached

Not enough info.

Your Contact Information

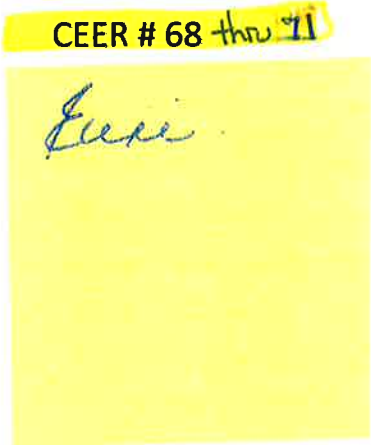
First Name: Marcia Last Name: Booth

Street Number: 5943 Street Name: Goleta Cir

Zip Code: 32940

Phone Number: 321-208-7928

Email Address: marcia@RecycleBrevard.org



Recommendation Information

Recommendation Title: Create an incentive for small businesses to recycle

Areas Affected: (if known) Solid Waste Management

Describe the current problem, issue, or concern that is addressed by the recommendation:

Any business has to pay extra for recycling services. Since recycling is not mandatory, most businesses -- especially small businesses -- do not recycle even if they would like to. Contracts are complex and prices may vary from year to year, there are additional fees charged, cancelling services normally involve penalties, iow there is no incentive for businesses to go through the trouble (find a hauler, negotiate a contract, add a service, and so on) to recycle. The issue is worse for small businesses: because they do not generate much waste to begin with, they don't save anything on taxes by recycling. A 96 gallon container would be enough for the volume they generate.

Describe your recommendation, how it would make an improvement, and how it could be adopted:

We all recognize that we must increase recycling rates and reduce waste for the sake of our community and the environment. The county negotiated a contract with haulers to get recycling done for residents. Could a rate/package be negotiated with haulers so better contracts are available for small businesses? Or perhaps the county could negotiate with haulers a lower rate for trash collection for small businesses (since their volume is small) and apply the county savings toward a fund to assist small businesses in having access to highly discounted recycling rates and more favorable contract conditions?

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? (Check all you think apply)

Tangible Benefits:

- Conserve Energy, Cost Savings, Eliminate Duplication, Generate Revenue, Increase Productivity, Prevent Waste

Intangible Benefits:

- Improve Quality, Improve Safety, Improve Service, Improve Workplace

Your Contact Information

First Name: Marcia Last Name: Booth

Street Number: 5943 Street Name: Goleta Cir

Zip Code: 32940

Phone Number: 321-208-7928

Email Address: marcia@RecycleBrevard.org

CEER # 69

Marcia

Recommendation Information

Recommendation Title: Create a more aggressive program to promote business recycling

Areas Affected: *(If Known)* Solid Waste Management

Describe the current problem, issue, or concern that is addressed by the recommendation:

Big businesses generate a lot of waste, but from what we see not many have adopted recycling as part of their daily operations. I hope the reason for that is that they are not fully aware of their possible tax savings for recycling or they have not had access to a simple tool to help them implement a recycling program.

Describe your recommendation, how it would make an improvement, and how it could be adopted:

Create a program to promote recycling and generate publicity for businesses that recycle. The program would make it very clear for businesses how much savings they could enjoy if they recycled part of what is currently thrown into the regular trash. This calculation could be available on the county's website -- one page with step-by-step instructions, fields to allow for data entry and a button to calculate savings. Businesses would need to be informed of the program and directed to the website to calculate their savings. Businesses that sign up for the program and embrace recycling would be highlighted on a monthly press release and be featured on the website as an example of business that is a community partner assisting our community raise recycling rates and consequently helping the environment.

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? *(Check all you think apply)*

Tangible Benefits:

- Conserve Energy
- Cost Savings
- Eliminate Duplication
- Generate Revenue
- Increase Productivity
- Prevent Waste

Intangible Benefits:

- Improve Quality
- Improve Safety
- Improve Service
- Improve Workplace

Your Contact Information

First Name: Marcia Last Name: Booth

Street Number: 5943 Street Name: Goleta Cir

Zip Code: 32940

Phone Number: 321-208-7928

Email Address: marcia@RecycleBrevard.org

CEER # 70

Juni

Recommendation Information

Recommendation Title: Provide recycling services and collection bins in public places -- lik

Areas Affected: *(If Known)*

Describe the current problem, issue, or concern that is addressed by the recommendation:

All around the county, especially in the areas frequented by families and close to wildlife and nature, residents that wish to recycle have to save their waste and bring it home to place it in the recycle bin. Not all residents are willing to carry their waste around... Currently there are no bins to promote or motivate residents to do the right thing. If there are no bins, there is a higher chance that recyclables will end up in the landfills. Also, if there are no recycle bins in public places, the message sent out to residents is that the county does not consider recycling important.

Describe your recommendation, how it would make an improvement, and how it could be adopted:

Install recycle bins in public places. The bins should have signs that clearly indicate what goes in the bin - clear pictures and short descriptions. Those bins should be placed next to the trash cans so individuals can throw trash and recyclables at the same time. That would show that recycling is important and is a priority; that our county is focused on preventing waste; that the optimal use of our limited resources is a concern. The more we expose people to that message, the more we educate them about it as we walk the walk, and the more people will embrace recycling and grow conscious of resource utilization. It is a long-term process, but it needs to be done. Perhaps a good way to get started is to create partnerships with communities and organizations willing to donate services and bins or offer them at a discounted price. Maybe Brevard County BRAVE volunteers could assist in launching and managing the program.

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? *(Check all you think apply)*

Tangible Benefits:

- Conserve Energy
- Cost Savings
- Eliminate Duplication
- Generate Revenue
- Increase Productivity
- Prevent Waste

Intangible Benefits:

- Improve Quality
- Improve Safety
- Improve Service
- Improve Workplace

Your Contact Information

First Name: Marcia Last Name: Booth

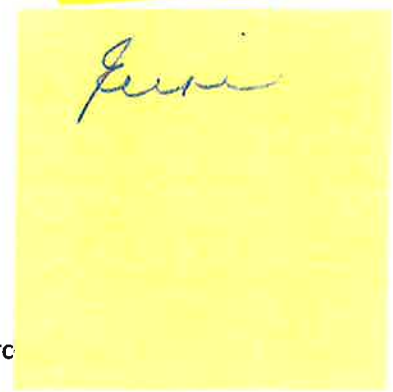
Street Number: 5943 Street Name: Goleta Cir

Zip Code: 32940

Phone Number: 321-208-7928

Email Address: marcia@RecycleBrevard.org

CEER # 71



Recommendation Information

Recommendation Title: Create incentives for businesses to donate returned/unwanted merc

Areas Affected: (If Known)

Describe the current problem, issue, or concern that is addressed by the recommendation:

A lot of returned, but working and in good condition, merchandise ends up in the dumpster. This is a problem around the country and, unfortunately, it is no different in our county. While many families are homeless and children going hungry, businesses throw away good clothes, toys, books, toiletries, appliances, and many, many other items that could help a lot of families in need, but instead fill up our landfills.

Describe your recommendation, how it would make an improvement, and how it could be adopted:

Create a program to give an incentive to those businesses and their employees to donate unwanted merchandise to charitable organizations in our community. That would help the ones in need in our community, lower their need for assistance from the government, reduce the volume of materials sent to the landfills, and benefit local businesses willing to participate in the program. The incentives could be publicity (contributing to build a positive image of the business), or a tax credit/break, for example.

This kind of program coupled with a recycling incentive program could be the start of a county-wide awards program and each positive, community-oriented action a business takes, gives them a certain number of points. A business making strides and working towards positive changes could be highlighted every month and one business would be selected Brevard Green Business of the Year. Other businesses would look up to winner businesses and the participation -- and positive impact in the community -- would increase.

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? (Check all you think apply)

Tangible Benefits:

- Conserve Energy, Cost Savings, Eliminate Duplication, Generate Revenue, Increase Productivity, Prevent Waste

Intangible Benefits:

- Improve Quality, Improve Safety, Improve Service, Improve Workplace

Your Contact Information

First Name: Marcia Last Name: Booth

Street Number: 5943 Street Name: Goleta Cir

Zip Code: 32940

Phone Number: 321-208-7928

Email Address: marcia@RecycleBrevard.org

CEER # 72

Hide
Lead

Recommendation Information

Recommendation Title: Extend Citizens program and create hotline to help disseminate Coun

Areas Affected: (If Known) UF/IFAS Extension Services

Describe the current problem, issue, or concern that is addressed by the recommendation:

There is a lot of food waste and most of it is justified by two words: health hazard. From an experience at a supermarket, I tried to find out our definition of "health hazard" to see what is currently considered to pose a health hazard so I could better understand policies regarding returned merchandise. I searched the county's website (https://www.municode.com/library/fl/brevard_county/codes/code_of_ordinances) but could not find it there. I called the Florida Department of Agriculture and Consumer Services and was transferred from one extension to another for about two hours and could not find an answer. I think if businesses and consumers understood exactly what a health hazard means in regards to food purchased/ sold/ returned, we could avoid a lot of the waste we see today. The easy way is to simply throw in the trash perfectly good food that could be either back on the shelf (e.g. bag of potato chips), be sold to employees at a discounted price or donated to others in need, food banks, and shelters.

Describe your recommendation, how it would make an improvement, and how it could be adopted:

As any big institution, the volume of information ends up being a problem because is not easily retrievable. Important regulations, ordinances, statutes, and definitions like this one are just difficult to find and to refer to. Programs like what UF/IFAS offers -- the Citizens Academy -- is a great start to get citizens more in touch with our local government. I commend UF/IFAS for creating that. That program could be extended and offered more often at different hours, smaller chunks, and covering specific topics. It would be wonderful to have a hotline service established where we could have answers to question like I had -- and still have -- about the definition of health hazard and guidelines used for food safety. Informed and participating citizens help move the community forward.

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? (Check all you think apply)

Tangible Benefits:

- Conserve Energy
- Cost Savings
- Eliminate Duplication
- Generate Revenue
- Increase Productivity
- Prevent Waste

Intangible Benefits:

- Improve Quality
- Improve Safety
- Improve Service
- Improve Workplace





Solid Waste Management Department

2725 Judge Fran Jamieson Way
Building A, Room 118
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

March 24, 2015

To: Stockton Whitten, County Manager
Through: Mel Scott, Assistant County Manager
From: Euripides Rodriguez, Director 
Subject: CEER #68 Recommendations thru CEER #71 

We received four CEER Recommendations from Marcia Booth via email regarding different aspects of recycling and proceeded to analyze them. The responses follow each recommendation.

Recommendation:

We all recognize that we must increase recycling rates and reduce waste for the sake of our community and the environment. The county negotiated a contract with haulers to get recycling done for residents. Could a rate/package be negotiated with haulers so better contracts are available for small businesses? Or perhaps the county could negotiate with haulers a lower rate for trash collection for small businesses (since their volume is small) and apply the county savings toward a fund to assist small businesses in having access to highly discounted recycling rates and more favorable contract conditions?

Response:

Unfortunately business recycling cannot be regulated. The state laws specifically make the market for collection of recyclables from businesses to be an open market and cannot be part of the franchise agreement.

Recommendation:

Create a program to promote recycling and generate publicity for businesses that recycle. The program would make it very clear for businesses how much savings they could enjoy if they recycled part of what is currently thrown into the regular trash. This calculation could be available on the county's website -- one page with step-by-step instructions, fields to allow for data entry and a button to calculate savings. Businesses would need to be informed of the program and directed to the website to calculate their savings. Businesses that sign up for the program and embrace recycling would be highlighted on a monthly press release and be featured on the website as an example of businesses that is a community partner assisting our community raise recycling rates and consequently helping the environment.

Response:

Currently the Solid Waste Management Department has a program similar to this in which we encourage businesses to convert from a square footage calculation of the disposal assessment to an individual calculation. This permits the business to lower what they pay while recycling more. I think the idea of developing a page on the County's Solid Waste website <http://www.brevardcounty.us> is an idea worth pursuing. Thank you very much for the idea.

Recommendation:

Install recycle bins in public places. The bins should have signs that clearly indicate what goes in the bin - clear pictures and short descriptions. Those bins should be placed next to the trash cans so individuals can throw trash and recyclables at the same time. That would show that recycling is important and is a priority; that our county is focused on preventing waste; that the optimal use of our limited resources is a concern. The more we expose people to that message, the more we educate them about it as we walk the walk, and the more people will embrace recycling and grow conscious of resource utilization. It is a long-term process, but it needs to be done. Perhaps a good way to get started is to create partnerships with communities and organizations willing to donate services and bins or offer them at a discounted price. Maybe Brevard County BRAVE volunteers could assist in launching and managing the program.

Response:

The County currently has various carts for recycling throughout the Viera Government Center. Unfortunately, this program has not spread beyond this site because costs associated with cart maintenance and pick up will exceed recycling revenues generated.

Recommendation:

Create a program to give an incentive to those businesses and their employees to donate unwanted merchandise to charitable organizations in our community. This would help the ones in need in our community, lower requirement for assistance from the government, reduce the volume of materials sent to the landfills and benefit local businesses willing to participate in the program. The incentives could be publicity (contributing to build a positive image of the business) or a tax credit/break, for example.

This kind of program coupled with a recycling incentive program could be the start of a county-wide awards program and each positive, community-oriented action a business takes, gives them a certain number of points. A business making strides and working towards positive changes could be highlighted every month and one business would be selected Brevard Green Business of the Year. Other businesses would look up to the winning businesses and the participation -- and positive impact in the community -- would increase.

Response:

Creating new programs in this day of restricted budget is extremely difficult; these programs would have to increase efficiency for the department or lower operating cost. This program as stated would increase cost and/or lower revenues.


Stockton Whitten
County Manager

4/10/15
Date

Your Contact Information

First Name: Marcia Last Name: Booth

Street Number: 5943 Street Name: Goleta Cir

Zip Code: 32940

Phone Number: 321-208-7928

Email Address: marcia@RecycleBrevard.org

CEER # 72

Linda Seals

Recommendation Information

Recommendation Title: Extend Citizens program and create hotline to help disseminate County information

Areas Affected: *(If Known)* UF/IFAS Extension Services

Describe the current problem, issue, or concern that is addressed by the recommendation:

There is a lot of food waste and most of it is justified by two words: health hazard. From an experience at a supermarket, I tried to find out our definition of "health hazard" to see what is currently considered to pose a health hazard so I could better understand policies regarding returned merchandise. I searched the county's website (https://www.municode.com/library/fl/brevard_county/codes/code_of_ordinances) but could not find it there. I called the Florida Department of Agriculture and Consumer Services and was transferred from one extension to another for about two hours and could not find an answer. I think if businesses and consumers understood exactly what a health hazard means in regards to food purchased/ sold/ returned, we could avoid a lot of the waste we see today. The easy way is to simply throw in the trash perfectly good food that could be either back on the shelf (e.g. bag of potato chips), be sold to employees at a discounted price or donated to others in need, food banks, and shelters.

Describe your recommendation, how it would make an improvement, and how it could be adopted:

As any big institution, the volume of information ends up being a problem because is not easily retrievable. Important regulations, ordinances, statutes, and definitions like this one are just difficult to find and to refer to. Programs like what UF/IFAS offers -- the Citizens Academy -- is a great start to get citizens more in touch with our local government. I commend UF/IFAS for creating that. That program could be extended and offered more often at different hours, smaller chunks, and covering specific topics. It would be wonderful to have a hotline service established where we could have answers to question like I had -- and still have -- about the definition of health hazard and guidelines used for food safety. Informed and participating citizens help move the community forward.

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? *(Check all you think apply)*

Tangible Benefits:

- Conserve Energy
- Cost Savings
- Eliminate Duplication
- Generate Revenue
- Increase Productivity
- Prevent Waste

Intangible Benefits:

- Improve Quality
- Improve Safety
- Improve Service
- Improve Workplace



UF/Brevard Extension Service
3695 Lake Drive
Cocoa, FL 32926
Tel: 321-633-1702 Fax: 321-633-1890

MEMORANDUM

Date: April 9, 2015
To: Stockton Whitten, County Manager
Mel Scott, Assistant County Manager
From: Linda Seals, Director, UF/Brevard Extension Service
RE: CEER #72

Handwritten signature of Linda Seals

The University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension in Brevard County develops and implements educational programs to adults and youth. Our community development program goals include increasing civic engagement and knowledge of local government, teaching citizens how to take action in their community to address sustainability and resiliency, educate consumers about local food, we assist farmers with marketing their products and services, provide educational opportunities to farmers to learn about farm food safety, and increase citizen knowledge of food safety issues.

The Brevard County Citizens Academy is a 12-week program targeted to adults who are interested in learning more about how their government works. The program location, days and time are different each year to accommodate various work schedules. Only one Extension faculty member is available to deliver this program, so it is only offered once per year.

UF/IFAS is the leader in Florida on food safety education. The http://edis.ifas.ufl.edu website contains hundreds of research-based publications on numerous food safety issues. The Family, Youth, and Community Sciences website (http://fyccs.ifas.ufl.edu/extension/hnfs/FoodSafety/) contains a lot of information and links to even more information on food safety. Information on farm food safety can be found at http://smallfarm.ifas.ufl.edu/food_safety/index.html.

We don't have the staff to develop a hotline service specific to food safety; however, feel free to contact the Extension office at any time for help with food safety issues. Beth Shephard, Family and Consumer Sciences Faculty, is well-versed in food safety issues, regulations, and topics, so can assist you. Her number is 321-633-1702 or you can email her at bshephar@ufl.edu.

Feel free to contact me if you need further information.

Mel Scott, Assistant County Manager Date 4-9-15

Stockton Whitten, County Manager Date 4/9/15



Your Contact Information

First Name: Marcia Last Name: Booth

Street Number: 5943 Street Name: Goleta Cir

Zip Code: 32940

Phone Number: 321-208-7928

Email Address: marcia@RecycleBrevard.org

CEER # 73

Recommendation Information

Recommendation Title: Reduce the number of lights left on in public buildings after hours and weekends

Areas Affected: *(If Known)*

Describe the current problem, issue, or concern that is addressed by the recommendation:

As a local resident, we see the Moore Justice Center building in Viera (2825 Judge Fran Jamieson Way Viera, FL) very brightly lit after hours and even during the weekends. I am not sure how many other buildings are lit like that in our county, but it would be worth assessing it.

Describe your recommendation, how it would make an improvement, and how it could be adopted:

Make sure the buildings use energy-saving bulbs and have their lights turned off when not in operation-- if not all lights, at least most of them. If there is a concern about safety, motion sensors could be installed. In the long run, those measures could represent a lot of savings.

Benefits from Recommendation

What type(s) of benefit(s) will your recommendation provide? *(Check all you think apply)*

Tangible Benefits:

- Conserve Energy
- Cost Savings
- Eliminate Duplication
- Generate Revenue
- Increase Productivity
- Prevent Waste

Intangible Benefits:

- Improve Quality
- Improve Safety
- Improve Service
- Improve Workplace




Central Services Department

2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Stockton Whitten, County Manager

FROM: Teresa Camarata, Central Services Director 

SUBJECT: CEER #73, Reduce Lights Left on in County Facilities

DATE: March 20, 2015


The recommendation suggests lights should be turned off after hours at County Facilities.

The energy performance contract currently in progress throughout County facilities includes the installation of improved dual-technology occupancy sensors. Dual-technology sensors use both passive infrared sensors (PIR) and ultrasonic (motion) technologies. PIR sensors detect occupants' presence by sensing the difference between heat emitted by moving people and background heat. Ultrasonic sensors detect the presence of people by sending out ultrasonic sound waves into a space and measuring the speed at which they return. Lights come on when the occupancy sensor detects frequency changes caused by a moving person, and turn off in the absence of those frequency changes. This virtually eliminates the possibility of lights being left on after hours.

Lighting controls and timers will be installed in areas not appropriate for occupancy sensors.

Additional savings from lighting County facilities will be realized by replacing 32 watt fluorescent tubes with 25 watt tubes and replacing magnetic ballasts with electronic ones. These changes will reduce the amount of energy used and extend the useful life of existing lamps and lighting fixtures. Furthermore, retro-fitting light fixtures with reflectors will increase light and reduce the number of lamps.

The lighting improvements county-wide will be completed by the end of April.



Stockton Whitten, Brevard County Manager

CITIZEN EFFICIENCY AND EFFECTIVENESS RECOMMENDATIONS
FY 2015

VI E 1 REPLACEMENT

Cear #	Submitted Recommendation	Staff Response by:	Approve	Reject	Approve w/ revisions
52	Dogs on public beaches threaten beaches, David Long	Jack Masson, Director, Parks and Recreation			
54	Solar Energy Incentives for hot water and electrical power Barbara Beier	Ian Golden, Director, Housing and Human Services			
55	Aesthetic improvements needed on Wickham Rd. Maria Dockery	Teresa Camarata, Director, Central Services			
56	Request action from the State to regulate and enforce plastic bags under the States proposed guidelines. Christine Kane	Virginia Barker, Interim Director, Natural Resources Euri Rodriguez, Director, Solid Waste			
57	Revised Fire Services Assessment Tax; charge by the Sq/Ft. Randal Agostini	Chief Mark Schollmeyer, Fire Rescue			
58	Appoint a Review Board to examine all County rules and regulations. Randal Agostini	Robin Sobrino, Director, Planning and Development			
59	Turn lights off in Moore Justice Center at night. Lois Jaffe	Teresa Camarata, Director, Central Services			
60	Quality of Life in Palm Bay, noise generated by loud vehicles. George W. Thode	Referred to City Manager of Palm Bay	n/a	n/a	n/a
61	Change the filing submission dates for Citizen Recommendations. Patricia Pasley	Stockton Whitten, County Manager			
62	Use of closed prison to house homeless veteran or turn into rehab center. Pam Costello	Teresa Camarata, Director, Central Services Ian Golden, Director, Housing and Human Services			
63	Equal rights for LGBT residents in Brevard County. Cynthia Sweet	Frank Abbate, Director, Human Resources			
64	Civilian Launch Expansion, NASA to release some of the abandoned launch pads for private company use. Gary Lighton	Don Walker, Director, SCGTV			

CITIZEN EFFICIENCY AND EFFECTIVENESS RECOMMENDATIONS
FY 2015

Ceer #	Submitted Recommendation	Staff Response by:	Approve	Reject	Approve w/ revisions
65	Co-op Gardening, Heather Heineman	Linda Seals, Director, Extension Services Jack Masson, Director, Parks and Recreation			
66	Fix the Lagoon; run sewer pipes under A1A. Marilyn Smith	Virginia Barker, Interim Director, Natural Resources			
67	n/a		n/a	n/a	n/a
68	Create an incentive for small businesses to recycle	Euri Rodriguez, Director, Solid Waste			
69	Create a more aggressive program to promote business recycling	Euri Rodriguez, Director, Solid Waste			
70	Provide recycling services and collection bins in public places	Euri Rodriguez, Director, Solid Waste			
71	Create incentives for businesses to donate returned/unwanted merchandise	Euri Rodriguez, Director, Solid Waste			
72	Extend Citizens program and create hotline to help disseminate County Information	Linda Seals, Director, Extension Services			
73	Reduce the number of lights left on in public buildings after hours	Teresa Camarata, Director, Central Services			

#36

W.E.L.

By the Committee on Environmental Preservation and Conservation;
and Senators Bullard, Soto, and Sobel

592-03760-15

2015966c1

1 A bill to be entitled
2 An act relating to disposable plastic bags; creating
3 s. 403.70325, F.S.; authorizing certain municipalities
4 to establish pilot programs for the regulation or ban
5 of disposable plastic bags; providing program
6 criteria; providing for expiration of the program;
7 directing participating municipalities to collect data
8 and submit reports to the municipal governing body and
9 the Department of Environmental Protection;
10 republishing s. 403.7033, F.S.; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Section 403.70325, Florida Statutes, is created
16 to read:

17 403.70325 Municipal pilot program for regulation or ban of
18 disposable plastic bags.-

19 (1) Notwithstanding s. 403.7033, a municipality with a
20 population of fewer than 100,000 which is a coastal community
21 may establish a pilot program to regulate or ban disposable
22 plastic bags. A municipality establishing a pilot program shall,
23 by December 31, 2015, enact an ordinance for the regulation or
24 ban of disposable plastic bags that begins January 1, 2016, and
25 expires June 30, 2018. Such ordinance may not include any new
26 taxes or fees on the use or distribution of disposable plastic
27 bags.

28 (2) A municipality that establishes a pilot program shall:

29 (a) Collect data pertaining to the impact of such

592-03760-15

2015966c1

30 regulation or ban.

31 (b) By April 1, 2018, submit a report on the impact of such
32 regulation or ban to the governing body of the municipality at a
33 public hearing that is open to comments from the public.

34 (c) Provide a copy of the report to the department.

35 Section 2. Section 403.7033, Florida Statutes, is
36 republished to read:

37 403.7033 Departmental analysis of particular recyclable
38 materials.—The Legislature finds that prudent regulation of
39 recyclable materials is crucial to the ongoing welfare of
40 Florida's ecology and economy. As such, the Department of
41 Environmental Protection shall undertake an analysis of the need
42 for new or different regulation of auxiliary containers,
43 wrappings, or disposable plastic bags used by consumers to carry
44 products from retail establishments. The analysis shall include
45 input from state and local government agencies, stakeholders,
46 private businesses, and citizens, and shall evaluate the
47 efficacy and necessity of both statewide and local regulation of
48 these materials. To ensure consistent and effective
49 implementation, the department shall submit a report with
50 conclusions and recommendations to the Legislature no later than
51 February 1, 2010. Until such time that the Legislature adopts
52 the recommendations of the department, no local government,
53 local governmental agency, or state government agency may enact
54 any rule, regulation, or ordinance regarding use, disposition,
55 sale, prohibition, restriction, or tax of such auxiliary
56 containers, wrappings, or disposable plastic bags.

57 Section 3. This act shall take effect upon becoming a law.

1 A bill to be entitled
2 An act relating to disposable plastic bags; creating
3 s. 403.70325, F.S.; authorizing certain municipalities
4 to establish pilot programs for the regulation or ban
5 of disposable plastic bags; providing program
6 criteria; providing for expiration of the program;
7 directing participating municipalities to collect data
8 and submit reports to the municipal governing body and
9 the Department of Environmental Protection;
10 authorizing municipalities to continue such regulation
11 or ban after the program expires under certain
12 conditions; providing an effective date.

14 Be It Enacted by the Legislature of the State of Florida:

16 Section 1. Section 407.70325, Florida Statutes, is created
17 to read:

18 403.70325 Municipal pilot program for regulation or ban of
19 disposable plastic bags.-

20 (1) Notwithstanding s. 403.7033, a municipality with a
21 population of fewer than 100,000 may establish a pilot program
22 to regulate or ban disposable plastic bags. A municipality
23 establishing a pilot program shall, by December 31, 2015, enact
24 an ordinance for the regulation or ban of disposable plastic
25 bags that begins January 1, 2016, and expires June 30, 2018.
26 Such ordinance may not include any new taxes or fees on the use

27 | or distribution of disposable plastic bags.

28 | (2) A municipality that establishes a pilot program shall:

29 | (a) Collect data pertaining to the impact of such
 30 | regulation or ban.

31 | (b) By April 1, 2018, submit a report on the impact of
 32 | such regulation or ban to the governing body of the municipality
 33 | at a public hearing that is open to comments from the public.

34 | (c) Provide a copy of the report to the department.

35 | (3) A municipality may continue to regulate or ban
 36 | disposable plastic bags after June 30, 2018, if the municipality
 37 | enacts an ordinance after April 1, 2018, indicating that the
 38 | municipality will continue the regulation or ban of plastic
 39 | bags, notwithstanding s. 403.7033.

40 | Section 2. Section 403.7033, Florida Statutes, reads:

41 | 403.7033 Departmental analysis of particular recyclable
 42 | materials.—The Legislature finds that prudent regulation of
 43 | recyclable materials is crucial to the ongoing welfare of
 44 | Florida's ecology and economy. As such, the Department of
 45 | Environmental Protection shall undertake an analysis of the need
 46 | for new or different regulation of auxiliary containers,
 47 | wrappings, or disposable plastic bags used by consumers to carry
 48 | products from retail establishments. The analysis shall include
 49 | input from state and local government agencies, stakeholders,
 50 | private businesses, and citizens, and shall evaluate the
 51 | efficacy and necessity of both statewide and local regulation of
 52 | these materials. To ensure consistent and effective

53 implementation, the department shall submit a report with
 54 conclusions and recommendations to the Legislature no later than
 55 February 1, 2010. Until such time that the Legislature adopts
 56 the recommendations of the department, no local government,
 57 local governmental agency, or state government agency may enact
 58 any rule, regulation, or ordinance regarding use, disposition,
 59 sale, prohibition, restriction, or tax of such auxiliary
 60 containers, wrappings, or disposable plastic bags.

61 Section 3. This act shall take effect July 1, 2015.

Commercial Recycling: It may just take a nudge

W.E.I.L.



Beyond the Curb
Marcia Booth
President & Founder,
Recycle Brevard

After reading the latest report from Florida Department of Environmental Protection (DEP), we learned that "commercial municipal solid waste accounts for approximately 55 percent of

the total municipal solid waste in Florida [and] only about half of the commercial solid waste in Florida is being recycled." Businesses have the power to make a positive impact on the current recycling rates. There needs to be a way to get more commercial sites on board with recycling. For organizations that use big Dumpsters and have multiple collections of solid waste per week, that should be a no brainer.

Marcia Booth
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Recycle Brevard!
Because everything you do matters

<http://www.RecycleBrevard.org>
<http://www.facebook.com/RecycleBrevard>

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**Reduce
Reuse
Recycle**

If they recycle more, less will go in their regular Dumpster. Consequently, they will need a smaller container and perhaps fewer collections per week. That might affect the total solid waste impact fee assessed by the county if, according to the impact fee resolution (number 13-134), individual calculation — which uses "the annual volume of solid waste generated ... calculated based upon the size and type of the container used" by the business — is applicable. Businesses in this category would perform a trade-off. They would pay for recycling and, in turn, save in their taxes as a result of a reduction of the solid waste impact fee assessed by the county.

For other businesses, though, recycling is an added expense and, especially for small businesses, that could be a negative factor when it comes time to decide whether or not to sign a commercial recycling contract with a hauler. For example, a small café in Melbourne that pays about \$40 a month for regular garbage collection could pay between \$45 and \$81

For more information, check out these websites:
• content.govdelivery.com/accounts/FLDEP/bulletins/c15acd
• brevardcounty.us/SolidWaste/RecyclingInformation
• terraecycle.com/en-US/pages/about-us.html
• recyclebank.com/about-us



(including monthly charges and fees) for recycling services. That price was quoted for a 96-gallon cart and once-a-week collection. The process can also be painful. Some haulers, like Waste Management, charge a cart delivery fee of \$105, a cart removal fee of \$150, and do not allow customers to pick up or drop off their carts to avoid those fees. Contracts vary from one to three years, with penalties applied if canceled before the end of the term. Base prices (not including the varying fuel and environmental fee) are locked in for the first year of the contract only and subject to adjustments after that as determined by the hauler. Small businesses that would like to recycle end up not choosing to do it mostly

because of the options they currently face. Some recycle by installing their own bins in their offices and taking their recyclables home at the end of the week, which is a lot cheaper and simpler than the service options offered by local haulers.

We do recognize the need for commercial recycling in order to boost our recycling rates, but there seems to be no real incentive for businesses to move in that direction. If we want businesses to embrace recycling to be able to reach the goal of a 75 percent recycling rate set for 2020, we must create more attractive options and convenient ways for them to do so. They've got the power; all they might need is a nudge.

Contact Marcia Booth at Marcia@RecycleBrevard.org