

Meeting Date
<b>September 01, 2015</b>



AGENDA	
Section	<b>Public Hearing</b>
Item No.	<b>IV.B.</b>

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

SUBJECT:	<b>Resolution:</b> Adoption of the Stormwater Utility Resolution Ratifying, Confirming and Certifying the Annual Stormwater Utility Special Assessment Rolls <b>Fiscal Impact: \$4,956,903.38</b>
DEPT/OFFICE:	Natural Resources Management Department

Requested Action:

It is requested that the Board of County Commissioners adopt the Resolution ratifying, confirming and certifying the Annual Stormwater Utility Special Assessment Rolls.

Summary Explanation & Background:

As specified by Florida Statute 197.3632 and per Resolution 95-205, adopted by the Board of County Commissioners on August 8, 1995, and revised as recently as April 3, 2014 (2014-51), the Board must annually ratify and certify to the Tax Collector the Stormwater Utility Special Assessment Roll. The Roll is maintained in an electronic format by the Property Appraiser's Office.

**Fiscal Impact:** FY 2014-2015 There is no known fiscal impact.  
**FY 2015-2016 Expected Revenues \$4,956,903.38**

**District 1 \$1,599,029.02**  
**District 2 \$1,457,223.74**  
**District 3 \$ 375,792.69**  
**District 4 \$1,117,096.31**  
**District 5 \$ 407,761.62**

**\*Fiscal Impact does not include amounts to be direct billed for assessment of Federal Lands.**

**Name:** Virginia Barker, Natural Resources Management Department  
**Phone:** (321) 633-2016

Clerk to the Board instruction: **Total of two signed originals: one for Clerk of Court and one for Natural Resources Management Department**

Exhibits Attached: **Attachment A:** Resolution Ratifying, Confirming and Certifying Rate and Annual Stormwater Utility

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

County Manager  Stockton Whitten	Department Director / Extension  Virginia Barker/X52435
--	---



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

September 2, 2015

MEMORANDUM

TO: Virginia Barker, Natural Resources Management Director

RE: Item IV.B., Resolution Ratifying, Confirming, and Certifying the Annual Stormwater Utility Special Assessment Rolls (Fiscal Impact \$4,956,903.38)

The Board of County Commissioners, in regular session on September 1, 2015, adopted Resolution No. 15-148, ratifying, confirming, and certifying the Annual Stormwater Utility Special Assessment Rolls. Enclosed is a fully-executed Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

✓ Tammy Etheridge, Deputy Clerk

/af

Encl. (1)

Resolution No. 15- 148

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS RATIFYING, CONFIRMING AND CERTIFYING THE RATE AND THE ANNUAL STORMWATER UTILITY ASSESSMENT ROLLS FOR THE COUNTY FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND FORWARDING THE SAME TO THE TAX COLLECTOR'S OFFICE FOR COLLECTION IN THE SAME MANNER AS AD VALOREM TAXES ARE COLLECTED

**WHEREAS**, The Board of County Commissioners of Brevard County, Florida, has previously adopted a Schedule of Annual Stormwater Utility Special Assessments including a schedule of rates and classifications for the fiscal year; and

**WHEREAS**, the Board of County Commissioners of Brevard County, Florida, on or before September 15 of each year, shall hold a public hearing to adopt a rate resolution to establish the rates required for the operation and maintenance of the county's stormwater program and systems for said County fiscal year; and

**WHEREAS**, an Annual Stormwater Utility Special Assessment Roll must be certified to the Brevard County Tax Collector for collection in the same manner as ad valorem taxes are collected; and

**WHEREAS**, the Board has reviewed the summary of the Annual Stormwater Utility Special Assessment Roll sent to the Tax Collector; and

**WHEREAS**, the Board is satisfied that the Annual Stormwater Utility Special Assessment Roll has been prepared in conformity with the Schedule of Stormwater Special Assessments previously authorized by the Board on April 3, 2014.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA, that:**

1. The Board of County Commissioners confirms the Schedule of Stormwater Assessments and Classifications adopted on April 3, 2014. The stormwater classifications adopted on April 3, 2014 are attached hereto as Exhibit 1. Amendments to the stormwater classifications do not change assessments or methodology.
2. The Board of County Commissioners of Brevard County, Florida, hereby ratifies, confirms and certifies that the Annual Stormwater Utility Special Assessment Roll for Brevard County fiscal year beginning October 1, 2015, a summary of which is attached hereto as Exhibit 2 is in conformity with the Schedule of Stormwater Special Assessments adopted by the Board on April 3, 2014. Exhibit 2 is a summary of the Stormwater Assessment Roll and hereby incorporates the electronic file identified as 2015 Stormwater Assessment Billing Data (stm\_taxbill), dated August 18, 2015, provided by the Natural Resources Management Department. The electronic file identified herein is the Stormwater Utility Special Assessment Roll and contains the details of the Stormwater Assessment Roll. Pursuant to Section 197.3632, Florida Statutes, the Roll is provided via electronic medium to the Property Appraiser, to be transferred to the Tax Collector's data table.
3. The Board of County Commissioners of Brevard County, Florida, hereby certifies, ratifies and confirms such Annual Stormwater Utility Special Assessment Roll to the Tax Collector. The Tax Collector shall collect such special assessments in the same manner as ad valorem taxes are collected.

4. A certified copy of this Resolution shall be delivered to the Tax Collector of Brevard County, Florida.

5. This Resolution shall take effect immediately upon adoption.

**DONE, ORDERED AND ADOPTED this 1st day of September, 2015.**

**ATTEST:**



\_\_\_\_\_  
**Scott Ellis, Clerk**

**BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA**



**By:** \_\_\_\_\_

**Robin Fisher, Chairman**

[As approved by the Board on 9/01/2015]

**EXHIBIT 1**

**SCHEDULE OF CLASSIFICATIONS AND CALCULATIONS FOR ANNUAL STORMWATER UTILITY ASSESSMENT ROLL FOR COUNTY FISCAL YEAR BEGINNING OCTOBER 1, 2015.**

<b>BILLING CLASSIFICATIONS</b>		08/18/2015
<b>A</b>	<b>Agricultural</b>	Any property which is used for commercial agricultural pursuits, and is designated as commercial agricultural on the Brevard County Property Appraiser's records.
<b>B</b>	<b>Condominium and Manufactured Housing</b>	Any property identifying an individual condominium or townhouse unit or any property upon which is located a manufactured home.
<b>D</b>	<b>Multiple Single Family Dwelling Units</b>	Any property upon which is located more than one building or structure, each of which is designed and constructed for, and capable for use as a residence for one family.
<b>E</b>	<b>Commercial</b>	Any lot or parcel upon which is located any structure or facility designed for business related uses.
<b>I</b>	<b>Industrial</b>	Any lot or parcel upon which there is a structure or building for use as productive enterprises and/or manufacturing activities.
<b>M</b>	<b>Multifamily Dwelling</b>	Any property upon which is located any building or structure, consisting of more than one dwelling unit, each designed for occupancy for one family.
<b>N</b>	<b>Non-Billable</b>	Those parcels or lots which are right of way, Government-Owned lands or properties not billable by state, and local laws.
<b>R</b>	<b>Mixed Use Residential</b>	Any lot or parcel which contains more than one use, including one or more Single family dwellings in conjunction with more than one multi-family unit, each unit being assessed at its corresponding billing class ERU calculation.
<b>S</b>	<b>Single Family Dwelling</b>	Any property upon which is located any building or structure designed or constructed for, and capable for use as a residence for one family and is erected on a separate lot or parcel.
<b>T</b>	<b>Vacant Natural</b>	Any lot or parcel that is unaltered, contains no structures, and has not been designated as Agricultural (A) or Non-Billable (N).

**BILLING CLASSIFICATIONS**

08/18/2015

V	Vacant Altered	Any lot or parcel that contains no structures, is not designated as Agricultural (A) or, Non-Billable (N), and has been modified from its natural state, including lots within platted subdivided areas.
Y	Vacant Improved	Any lot or parcel which is not designated as Agricultural (A) or Non-Billable (N), and has been either graded, cleared, compacted and/or excessively landscaped.

## LAND USE Bill Class Formulas

One ERU, or Equivalent Residential Unit, for the purpose of calculating service charge rates has been determined through engineering analysis to be 2,500 square feet of effective impervious area.

List of terms used in the rate calculation formulas

08/18/2015

TERM	DEFINITION
G	Gross Area of Parcel in Square Feet
I	Impervious Area of Parcel in Square Feet
M	Mitigation Factor with a range of 0.2 to 1.0 and an increment of 0.01
N	Number of Dwelling Units or Hook-Ups
NI	Adjustment Factor for Alteration of Pervious Surfaces
0.20	Pervious Factor Coefficient
0.90	Impervious Factor Coefficient
0.03	Pervious Factor Coefficient for Agricultural, Vacant Altered, Industrial Use Only
0.40	Infiltration Factor for Agricultural Land Use Cover for Good Soil Conditions (same question as prevs)
0.60	Average Runoff Coefficient for Open Space for Average Soil Conditions
DF	Melbourne Tillman Drain Fee
RATE	Per ERU. This is set by the taxing authority. (County or city with inter-local agreement)
Billing	Stormwater assessment amount

BILL CLASS		CALCULATION FORMULA	08/18/2015
A	Agricultural (same as Vacant Altered)	# ERU's = $G \times 0.03 \times 0.4 / 2,500$ sq. ft. Billing = [ #ERU's x RATE x M ] - DF	
B	Condominium	Billing = [ 1 ERU x .50 x RATE x M ] - DF	
D	Multiple Single Family Dwelling Units	Billing = [ 1 ERU x N x RATE x M ] - DF <i>(If number units is unavailable this defaults to calculating with 2.)</i>	
E	Commercial	NI = I x 1.25 # ERU's Commercial = { [(NI - I) x 0.2] + (I x 0.9) } / 2,500 sq. ft. # ERU's Vacant Altered = [ (G - NI) x 0.03 x 0.40 ] / 2,500 sq. ft. <i>(If Vacant Altered LT 0 then this defaults to 0)</i> Billing = [ { (# ERU's Commercial x RATE) + (# ERU's Vacant Altered x RATE) } x M ] - DF	
I	Industrial	NI = I x 1.25 # ERU's Commercial = { [(NI - I) x 0.2] + (I x 0.9) } / 2,500 sq. ft. # ERU's Vacant Improved = [ (G - NI) x 0.03 x 0.60 ] / 2,500 sq. ft. <i>(If Vacant Improved LT 0 then this defaults to 0)</i> Billing = [ { (# ERU's Commercial x RATE) + (# ERU's Vacant Improved x RATE) } x M ] - DF	
M	Multifamily Dwelling	Billing = [ 1 ERU x 0.50 x N x RATE x M ] - DF	
N	Non Billable	Billing = 0. No bills generated for these land uses	
R	Mixed Use Residential	Billing = [ (Sum of S, M, B, D ERUs) x RATE x M ] - DF <i>Sum explained - Mixed Use Residential accounts will have more than one structure on the account. To each individual structure the Property Appraiser Office assigns a number of units and a use code. Each use code has a calculation factor of either 0.5 or 1.0. An amount for each structure is computed by multiplying the number of units times the calculation factor times the rate. The sum of these amounts for the account is then used in the Bill Class R calculation.</i>	
S	Single Family Dwelling	Billing = [ 1 ERU x RATE x M ] - DF	

BILL CLASS		CALCULATION FORMULA	08/18/2015
T	Vacant Natural	Billing = 0. No bills generated for these land uses	
V	Vacant Altered (same as agricultural)	# ERU's = $G \times 0.03 \times 0.4 / 2,500$ sq. ft. Billing = [ #ERU's x RATE x M ] - DF	
Y	Vacant Improved	# ERU's = $[ (G \times 0.03 \times 0.6) + (I \times 0.9) ] / 2,500$ sq. ft. Billing = [ #ERU's x RATE x M ] - DF	
	Minimum Bill Amount	The minimum billing is set at \$2.35 per parcel	



BOARD OF COUNTY COMMISSIONERS

EXHIBIT 2

2015 Totals for Stormwater Billing

Count	District - City	Billing Amount
31,257	District 1	1,599,029.02
24,440	District 2	1,457,223.74
12,923	District 3	375,792.69
27,328	District 4	1,117,096.31
8218	District 5	407,761.62
<hr/> 104,166		<hr/> 4,956,903.38

"Exhibit 2" is a summary of the Stormwater Assessment Roll and hereby incorporates the electronic file identified as 2015 Stormwater Assessment Billing Data (stm\_taxbill), dated August 18, 2015 provided by the Natural Resources Management Department. Summary does not include amounts to be direct billed and collected for assessment of Federal



**Classified Ad Receipt**  
**(For Info Only - NOT A BILL)**

**Customer:** B.O.C.C. COUNTY MANAGER'S OFF  
**Address:** 2725 JUDGE FRAN JAMIESON WAY  
MELBOURNE FL 32940  
USA

**Ad No.:** 0000622011  
**Pymt Method:** Invoice  
**Net Amt:** \$200.86

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 08/20/15

**Text of Ad:**

AD#622011 B/20/2015

**NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard County, Florida, on September 1, 2015 at 9:00 A.M., in the Commission Room at 2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, FL, 32940, will hold a public hearing on the following Resolutions:

**Resolution 15-**  
ADOPTION OF THE STORMWATER UTILITY RESOLUTION RATIFYING, CONFIRMING, AND CERTIFYING THE RATE AND THE ANNUAL STORMWATER UTILITY SPECIAL ASSESSMENT ROLLS FOR THE COUNTY FISCAL YEAR BEGINNING OCTOBER 1, 2015.

**Resolution 15-**  
ADOPTION OF RESOLUTION CERTIFYING MUNICIPAL SERVICE BENEFIT UNIT ASSESSMENT ROLLS TO TAX COLLECTOR.

**Resolution 15-**  
ADOPTION OF SCHEDULE OF RATES, ASSESSMENTS, AND CHARGES FOR FIRE SERVICE OPERATIONS, HAZARDOUS MATERIALS SPECIAL OPERATIONS TEAM, FIRE PREVENTION AND INSPECTION FEES, IMPOSED AGAINST ALL IMPROVED REAL PROPERTY WITHIN THE BENEFIT AREA OF BREVARD COUNTY FOR THE FISCAL YEAR BEGINNING OCTOBER 1ST, 2015

**Resolution 15-**  
A RESOLUTION TO AUTHORIZE AND ADOPT USER FEES PURSUANT TO CHAPTER 86-418, FLORIDA STATUTES, AUTHORIZING THE BOARD OF THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT TO LEVY USER FEES FOR FISCAL YEAR 2015-2016 AND PROVIDING FOR AN EFFECTIVE DATE.

All persons for or against said resolution(s) can be heard at said time and place. If a person decides to appeal any decision made by the Board with respect to such hearing or meeting, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The needs of hearing or visually impaired persons shall be met if the department sponsoring the hearing is contacted at least 48 hours prior to the public hearing by any person wishing assistance. The sponsoring department is the Budget Office, Telephone Number: (321)633-2153.

**BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**INITIAL CONTRACT FORM**




**SECTION I**

The following information must be completed on all new contracts submitted to the Board.

<b>1. Contractor:</b>	
<b>2. Fund/Account #:</b>	<b>Division Name: Natural Resources Management Dept</b>
<b>4. Contract Description: Resolution to Certify Annual Stormwater Utility Assessment Roll</b>	
<b>5. Contract Monitor: Valerie Citta 633-2016 X52413</b>	<b>6. Mail Stop #: 81</b>
<b>7. Dept./Office Director: Virginia Barker</b>	<b>8. Contract Type:</b>
<b>ACTION DATE: CAO Edits back by 08-13-2015</b>	<b>ACTION REQUIREMENT: CAO Review</b>

**SECTION II**

The following departments must approve all contracts submitted to the Board:

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>INITIALS</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<u>8/12</u>
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>		<u>8/13</u>
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<u>8/13</u>

If any office denies approval, the package will be returned immediately to the User Agency.

**NOTE:** *This form should be attached to all new contracts being submitted to the Board for approval. After the contract has been approved, the contract package, including this form, will go to the Clerk to the Board. The Clerk's office will return the Initial Contract Form to department for contract to be entered into the Contract Management System. See AO-29 for additional information.*