

AGENDA	
Section	Public Hearing
Item No.	I B 1



Meeting Date
September 19 <sup>2</sup> , 2017

**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
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 &amp; Background:

As specified by Section 110.369(c), Code of Ordinances of Brevard County, Florida, the Board must annually ratify and certify to the Tax Collector the Stormwater Utility Special Assessment Roll on or before September 15<sup>th</sup> of each year. There is no proposed change to the annual assessment rate of \$64 per ERU. The Roll is maintained in an electronic format by the Property Appraiser's Office.

Due to Hurricane Irma, the Board, at a public meeting held on September 7, 2017, rescheduled the September 12th public hearing to September 19<sup>th</sup> at 5:30 p.m. Notice of the rescheduled public hearing was advertised in the Florida Today newspaper on September 15, 2017. Pursuant to the local government emergency management powers granted in Section 252.38(3), Fla. Stat., Board approval of the proposed rate resolution is retroactive to September 15, 2017.

**Fiscal Impact:** FY 2016-2017 There is no known fiscal impact.  
**FY 2017-2018 Expected Revenues \$6,194,316.92**

District 1 \$1,978,637.40  
District 2 \$1,798,818.13  
District 3 \$ 470,129.86  
District 4 \$1,443,476.39  
District 5 \$ 503,255.14

**\*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**

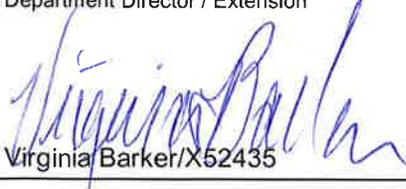
Exhibits Attached: **Attachment A:** Resolution Ratifying, Confirming and Certifying Rate and Annual Stormwater Utility

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

County Manager

Frank Abbate

Department Director / Extension

  
Virginia Barker/X52435

September 19, 2017

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**Fiscal Impact:** FY 2016-2017 There is no known fiscal impact.  
**FY 2017-2018 Expected Revenues \$6,193,186.97**

**District 1 \$1,979,425.11**  
**District 2 \$1,799,101.96**  
**District 3 \$ 470,223.91**  
**District 4 \$1,441,594.75**  
**District 5 \$ 502,841.24**

**\*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 Assessment Rolls

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

County Manager  Frank Abbate 	Assistant County Manager  John Denninghoff 	Department Director / Extension   Virginia Barker/X52435
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**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 (NRMD)</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 #: NA</b>
<b>7. Dept./Office Director: Virginia Barker</b>	<b>8. Contract Type:</b>
<b>ACTION DATE: CAO Edits back by 08-10-2017</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	✓	_____	<u>VC</u>	<u>9/24</u>
Risk Management	_____	_____	<u>VW</u>	<u>8/11/17</u>
County Attorney	_____	_____	_____	_____

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.*



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

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

September 20, 2017

MEMORANDUM

TO: Virginia Barker, Natural Resources Management Director

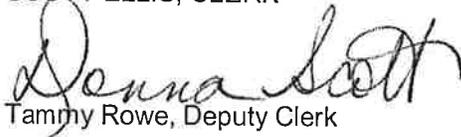
RE: Item I.B.1., Resolution Adopting the Stormwater Utility Special Assessment Ratifying, Confirming, and Certifying the Annual Stormwater Utility Special Assessment Rolls

The Board of County Commissioners, in special session on September 19, 2017, adopted Resolution No. 17-165, ratifying, confirming, and certifying the annual Stormwater Utility Special Assessment Rolls. Enclosed is a certified copy of the Resolution.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*for*   
Tammy Rowe, Deputy Clerk

/cmw

Encl. (1)

cc: Tax Collector  
Finance  
Budget

Resolution No. 17-165

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, 2017 AND FORWARDING THE SAME TO THE TAX COLLECTOR'S OFFICE FOR COLLECTION IN THE SAME MANNER AS AD VALOREM TAXES ARE COLLECTED

**WHEREAS**, On April 3, 2014, the Board of County Commissioners of Brevard County, Florida, (Board) adopted Resolution 2014-51, a Schedule of Annual Stormwater Utility Special Assessments including a schedule of rates and classifications for the fiscal year; and

**WHEREAS**, pursuant to Section 110-369(c), Code of Ordinances of Brevard County, Florida, the Board, 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**, due to Hurricane Irma, the Board, at a public meeting held on September 7, 2017, rescheduled the September 12th public hearing to September 19th at 5:30 p.m. Notice of the rescheduled public hearing was advertised in the Florida Today newspaper on September 15, 2017. Pursuant to the local government emergency management powers granted in Section 252.38(3), Fla. Stat., Board approval of the proposed rate resolution is retroactive to September 15, 2017; 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 pursuant to Resolution 2014-51.

**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 pursuant to Resolution 2014-51. 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, 2017, a summary of which is attached hereto as Exhibit 2 is in conformity with the Schedule of Stormwater Special Assessments adopted pursuant to Resolution 2014-51. Exhibit 2 is a summary of the Stormwater Assessment Roll and hereby incorporates the electronic data view identified as 2017 Stormwater Assessment Billing Data (SAM\_Taxbill), dated September 15, 2017, provided by the Natural Resources Management Department. The electronic data view 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 19<sup>2</sup>th day of September, 2017, retroactive to September 15<sup>th</sup>, 2017.**

Formatted: Superscript

ATTEST:



Scott Ellis, Clerk

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



By:

**Curt Smith, Chairman**

[As approved by the Board on 9/19<sup>2</sup>/2017]

<b>BILLING CLASSIFICATIONS</b>		09/152/2017
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.

BILL CLASS	CALCULATION FORMULA
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	$NI = I \times 1.25$ # 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	$NI = I \times 1.25$ # 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 ERU's) 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



BOARD OF COUNTY COMMISSIONERS

EXHIBIT 2

2017 Totals for Stormwater Billing

Count	District - City	Billing Amount
31,325	District 1	\$1,978,637.40
24,520	District 2	\$1,798,818.13
12,935	District 3	\$ 470,129.86
28,429	District 4	\$1,443,476.39
8171	District 5	\$ 503,255.14
<hr/>		<hr/>
105,380		\$6,194,316.92

"Exhibit 2" is a summary of the Stormwater Assessment Roll and hereby incorporates the electronic data view identified as 2017 Stormwater Assessment Billing Data (SAM\_Taxbill), dated September 15, 2017 provided by the Natural Resources Management Department. Summary does not include amounts to be direct billed and collected for assessment of Federal Lands.

**EXHIBIT 1**

**SCHEDULE OF CLASSIFICATIONS AND CALCULATIONS FOR ANNUAL STORMWATER UTILITY ASSESSMENT ROLL FOR COUNTY FISCAL YEAR BEGINNING OCTOBER 1, 2017.**

<b>BILLING CLASSIFICATIONS</b>		09/15/2017
<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).

<b>BILLING CLASSIFICATIONS</b>		09/15/2017
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. Current ERU Rate = \$64 (effective 10/01/2017)

List of terms used in the rate calculation formulas

09/12/2017

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
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	09/13/2017
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	
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BILL CLASS		CALCULATION FORMULA	09/15/2017
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

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<u>105,380</u>		\$ <u>6,194,316.92</u>

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