



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - County Manager

J.7.

12/20/2022

Subject:

Brevard County 2023 Legislative Program

Fiscal Impact:

n/a

Dept/Office:

County Manager

Requested Action:

It is requested that the Board of County Commissioners consider the 2023 staff recommended Legislative Initiatives and identify priorities for the January 11, 2023 Legislative Delegation Meeting, and determine whether to appoint a Commissioner to present the County's legislative priorities to the delegation or to submit them for the record.

Summary Explanation and Background:

The Board of County Commissioners is asked to review the legislative items that staff has prepared for Board consideration as legislative priorities for the State Legislature's 2023 session. The items the Board supports and authorizes or any additional items the Board directs to be added will make up the items that our legislative delegation will be asked to pursue.

Clerk to the Board Instructions:



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December 21, 2022

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item J.7., Brevard County 2023 Legislative Program

The Board of County Commissioners, in regular session on December 20, 2022, approved the 2023 staff recommended Legislative Initiatives and identified all as priorities for the January 11, 2023, Legislative Delegation Meeting; and appointed Commissioner Tobia to present the County's Legislative priorities to the Delegation.

Your continued cooperation is greatly appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK**

Kimberly Powell
Kimberly Powell, Clerk to the Board

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Brevard County Board of County Commissioners

Staff Recommended 2023 Legislative Initiatives

Utility Services

Infrastructure Optimization

- **SUPPORT** Fixed Capital Outlay funding for a new Advanced Wastewater Treatment plant to serve the growing population of Port St. John. Aging infrastructure and projected population growth in Port St. John require the construction of a new 1.5 million gallon per day (MGD) advanced wastewater treatment plant to service the area's needs. Providing advanced treatment and increasing capacity for septic to sewer projects reduces nutrient loading to the Indian River Lagoon, thereby minimizing negative impacts to the already-burdened ecosystem. Passage of the Clean Waterways Act in 2020 and the Reclaimed Water Bill in 2021 is indicative of future trends towards environmental protection in state of Florida and highlights the need to provide advanced wastewater treatment throughout the County.
- **SUPPORT** Fixed Capital Outlay funding for new Advanced Wastewater Treatment and Potable Water Treatment plants to serve the growing population of South Brevard. Aging infrastructure and projected population growth in South Brevard require the construction of a new advanced wastewater treatment and potable water treatment plants to service the area's needs. Providing advanced treatment and increasing capacity for septic to sewer projects reduces nutrient loading to the Indian River Lagoon, thereby minimizing negative impacts to the already-burdened ecosystem. Passage of the Clean Waterways Act in 2020 and the Reclaimed Water Bill in 2021 is indicative of future trends towards environmental protection in state of Florida and highlights the need to provide advanced wastewater treatment throughout the County. The ability to provide the highest quality drinking water will help Brevard to remain attractive to new development. Upgrades to the drinking water system will ensure that this vital service is delivered in the most cost-effective and environmentally friendly manner.
- **SUPPORT** Fixed Capital Outlay funding for the installation of a new second Underground Injection Well to provide essential effluent disposal at the South Beaches Wastewater Treatment Facility. Passage of the Clean Waterways Act in 2020 and the Reclaimed Water Bill in 2021 is indicative of future trends towards environmental protection in state of Florida and highlights the need to provide additional disposal before the 2032 zero discharge requirement, which reduces nutrient loading to the Indian River Lagoon, thereby minimizing negative impacts to the already-burdened ecosystem.
- **SUPPORT** Fixed Capital Outlay funding for a water treatment plant expansion and the addition of new potable water wells. Foreseeing issues related to salt water intrusion and its impact on diminishing the raw water integrity of our existing surficial wells will require new wells and technology better equipped for converting brackish water into potable water. These improvements will benefit the integrity of the potable water supply in North Brevard and allow for future development.

Transportation Infrastructure Priorities

Ellis Road Widening

- **SUPPORT** funding for the construction and widening of Ellis Road to four lanes. Improvements include the widening of Ellis Road to four lanes for 1.7 miles to Wickham Road. East of Wickham, Ellis Road becomes NASA Blvd which is already 4 lanes. NASA Blvd serves Melbourne Orlando International Airport (MLB) and the numerous businesses on and around Airport property. Strategic Intermodal System designation granted in 2016. National Highway System Designation on August 2, 2022. This is the Space Coast Transportation Planning Office's (TPO) number one transportation priority and is a critical component for the continued growth and economic expansion of our community. Project supported by Brevard County, West Melbourne, Melbourne, Melbourne Orlando International Airport (MLB) and Florida Department of Transportation. Right of way is fully funded. Design completed in 2022 by Brevard County (Federal Funds). Updated construction costs \$52.71 million, including construction engineering inspection. Partially funded at \$30.8 million. Need an additional \$21.91 million.

Natural Resources

Indian River Lagoon and St Johns River

- **SUPPORT** state cost-share for Water Projects that **reduce** pollution sources, **remove** legacy loading, **restore** critical ecosystem functions and provide sound, applied **research** for the Indian River Lagoon, St. John's River Upper Basin and Lake Washington. Water Project funding encourages local governments and agriculture to improve stormwater and waste water treatment, remove legacy loads or restore critical ecosystem functions. Recurring funds are critical to the Indian River Lagoon National Estuaries Program.
- **SUPPORT** algal bloom and PFAS monitoring and remediation. Harmful algae (super blooms, brown tide, red tide, and blue-green cyanobacteria) continue to bloom in the Indian River Lagoon and St Johns River, annihilating seagrass habitat, releasing toxins and occasionally creating hypoxic fish kills. Research is needed on the causes and remediation options for harmful blooms. PFAS are a class of chemical contaminants that pose a health risk to humans and wildlife. Action is needed to track sources and develop cost-effective remediation options.

Resiliency

- **SUPPORT** dedicated state funding sufficient to sustain sand on Florida's beaches. The Legislature has supported a dedicated funding level of \$50 million for cost share grants to maintain sandy beaches. Brevard will be seeking cost share to address erosion caused by Hurricanes Ian and Nicole. Healthy funding levels for this cost share program are critical to support the state's tourism brand, economic well-being, and in Brevard, our globally important sea turtle nesting beaches of the Archie Carr National Wildlife Refuge.
- **SUPPORT** funding to elevate roads over the lagoon and allow for causeway removal. Existing causeways interfere with natural circulation patterns in the lagoon. High residence time and stagnant waters contribute to harmful algae blooms. Elevating the roadways will improve resilience to storm events and allow for causeway removal to restore natural circulation and flow.

Waterways

- **SUPPORT** funding for aerial surveys for manatee population and habitat assessment. Manatee surveys are needed in response to the extensive loss of seagrass in the Indian River Lagoon that has reduced the carrying capacity for manatees and contributed to unprecedented starvation. The aerial surveys will inform risk assessments and help to prioritize urgent habitat restoration.

Transportation Planning Office Projects

- **SUPPORT** funding for the project development and environment (PD&E) phase for the SR405/South Street Widening Project (North Area).
- **SUPPORT** funding for right of way for multimodal safety improvements from Long Point Road to George King Boulevard in Cape Canaveral for the SR A1A Project (Beachside).
- **SUPPORT** funding for the design update and right of way for the SR 501 Clearlake Road Widening Project (Central Area).
- **SUPPORT** funding for the design from St. Johns Heritage Parkway to Minton Road for the Malabar Road Widening Project (South Area).

Brevard Zoo Aquarium Project

- **SUPPORT** additional funding from the state for the Aquarium Project. The East Coast Zoological Society of Florida (ECZS) dba Brevard Zoo's Aquarium Project will play a major role in restoring the health of the Indian River Lagoon (IRL) as one of four designated IRL Restoration Infrastructure centers, as a dedicated funding source delivering an estimated \$500,000 to the IRL National Estuary program each year, and as an educational facility impacting over ½ million people annually. In addition, it will help drive tourism to Brevard County resulting in an annual economic impact of \$85.5 million and supporting 937 new jobs. The ECZS launched the funding campaign for the Aquarium Project last December and to date \$53 million of the \$100 million campaign has been committed. That includes \$950,000 of state funding that was approved last year and \$15 million of Brevard County Tourism Development Office (TDO) support.

Veterans Memorial Amphitheatre Project

- **SUPPORT** Local Funding Initiative Request for up to \$1,000,000 for The Amphitheatre at Veteran's Memorial Park located on Merritt Island for the anticipated cost increases since the initial project design. The Amphitheatre will be an outside venue with an acoustically engineered band shell of approximately 8,000 square feet and an amphitheater with an open spectator area of two-and-a-half acres accommodating 5,000 spectators situated in the center of the newly expanded 66-acre Veterans Memorial Park. The Amphitheatre will contain a performance stage, green room, vendor docking, and storage facilities, electrical infrastructure and stage lighting, and digital performance-level sound production. In addition, the project will include concession facilities and picnic seating, parking walkways, and restrooms. The Veteran's Memorial Amphitheatre was conceived through a partnership in the late 2000s after Brevard County Parks and Recreation Department received an \$800,000 grant from the State of Florida Communities Trust for Veteran's Memorial Park Improvements, and the Merritt Island Redevelopment Agency contributed \$400,000 towards the expansion. Most recently, Merritt Island Redevelopment Agency successfully obtained a \$1.3 Million Grant from the Brevard County Tourism Development Tax, matched by a \$1,000,000 investment from Merritt Island Redevelopment Agency, to complete the Amphitheatre project.