2725 Judge Fran Jamieson Way
Viera, FL 32940

Agenda Report

Unfinished Business

I.2. 2/24/2026

Subject:

Legislative Intent and Permission to Advertise Increase to the Stormwater Utility Assessment Rate

Fiscal Impact:

FY 25/26: ~$120k mailing and staffing costs
FY 26/27: $2.4-3.4M additional recurring Stormwater Assessment revenue

Dept/Office:

County Manager's Office

Requested Action:

It is requested that the Board 1) Approve legislative intent, permission to advertise and public hearing to increase to the Stormwater Utility Assessment in order to increase the level of service for flood protection and water quality programs; 2) Provide staff direction regarding funding split for flood protection and water quality project types; 3) Approve notifying the public of pending rate changes; and 4) Approve all budget changes necessary to facilitate rate change.

Summary Explanation and Background:

The Stormwater Utility was established in 1990 and 1991 by district as a dedicated and restricted source of revenue to provide flood protection and water quality improvements, with an annual assessment of $36/Equivalent Residential Unit (ERU). The ERU was increased to $64 in 2014 and was phased in by FY16/17. To date, the program has constructed more than 650 projects by leveraging numerous State and Federal grants. However, flooding continues to be a concern in multiple areas of the County and water quality projects are still needed for the Indian River Lagoon (IRL) and the St Johns River systems. Major capital investments and new technology are necessary to meet current federal and state adopted water quality mandates such as Total Maximum Daily Loads and the requirements of the North Indian River Lagoon Basin Management Action Plan (BMAP), Central Indian River Lagoon BMAP, Banana River Lagoon BMAP, and the county's National Pollution Discharge Elimination System (NPDES) permit. Additionally, construction costs have increased significantly since 2014 but the stormwater assessment rate has remained a constant annual $64/ERU. This has resulted in a significant loss of buying power for the funding committed to address flooding and water quality priorities over the last decade.

The original Stormwater Utility Fee was to be split, roughly evenly, between flood mitigation and nutrient reduction (water quality) projects. However, the 2014 funding increase was dedicated toward additional nutrient reduction projects due to the severity of the IRL decline, resulting in an approximate funding split of 70% water quality and 30% flood protection. Recent flooding events have raised interest in returning to a more even split between the project types.

Should the Board approve the proposed increase, these funds will be applied toward flood mitigation and nutrient reduction efforts to restore the Indian River Lagoon and the St Johns River systems. A few identified flood mitigation projects under consideration, but in need of additional funding include: D1) Channel and culvert improvements in Scottsmoor, Mims, Dairy Road, Windover Farms, Port St John, Canaveral Groves, and West Cocoa; D2) Pine Island pump and outfall improvements, North Merritt Island berm improvements, West Crisafulli outfall improvements, and channel and culvert improvements in Merritt Island south of the barge canal, Rockledge Drive, and West Cocoa; D3) Culvert, channel improvements, and stormwater storage in Micco, Barefoot Bay area, and throughout the barrier island area; D4) Culvert and stormwater storage improvements in South Patrick Shores and emerging issues in the Suntree drainage system; D5) Channel and culvert improvements in the Police Foundation area and Deer Run. In addition, water level data and rainfall events necessitate an increased need for monitoring and planning for current and future conditions.

Actions for Board Consideration:

1. Direct that new revenue collected be evenly split, to the greatest extent feasible, between water quality and flood mitigation efforts, including modeling, maintenance and other expenditures allowed under the enabling ordinance.

2. Eliminate the design credit, while still providing the maintenance credit incentive for stormwater systems. The County provides a 20% "maintenance" credit to those who have a stormwater system and maintain it. The County also provides up to 80% additional "design" credits for stormwater systems that exceeded the stormwater treatment requirement of 1990. The design standards for new development have changed significantly over time, with very few, if any, systems exceeding current standards. In FY25/26, design credits will result in the non-collection of ~$1M.

3. Raise the stormwater assessment. $64 enacted in 2014 and implemented in 2016 has the same buying power as $85.80 today. While the proposed rate of $85.80 will not fully meet the level of service expectations necessary to perform all the actions desired by the public and Board, it does provide the ability to make meaningful progress toward pollution reduction and flood mitigation throughout the County.

   Increasing the annual fee from $64 to $85.80 would increase annual revenues by ~$2.4M.

District	**Current**	**Proposed**	**Increase**
1	$2,102,761	$2,817,822	$715,061
2	$1,907,580	$2,556,715	$649,135
3	$504,451	$678,236	$173,785
4	$1,843,678	$2,470,921	$627,243
5	$504,883	$693,396	$188,513
Total	$6,863,353	$9,217,090	$2,353,737

4. Annually add the Consumer Price Index (CPI-U) to future year rates to keep up with inflation and ensure relatively constant buying power.

5. Raise the minimum fee to $5.01. When the utility was created, the minimum fee collected by the Tax Collector was $2.35; therefore, properties receiving design credits that would have lowered their fee to less than $2.35 were billed this minimum. The current minimum fee collected by the Tax Collector is $5.01. Raising the stormwater minimum fee to $5.01, would increase annual collections by about $12,000 and provide consistency with the Tax Collector's process.

6. Actions 1-5 above.

7. Other action as determined by the Board.

Clerk to the Board Instructions:

BREVARD County
BOARD OF COUNTY COMMISSIONERS

FLORIDA'S SPACE COAST

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

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

SEAL OF BREVARD COUNTY FLORIDA

February 25, 2026

MEMORANDUM

TO: Jim Liesenfelt, County Manager

RE: Item I.2., Legislative Intent and Permission to Advertise Increase to the Stormwater Utility Assessment Rate

The Board of County Commissioners, in regular session on February 24, 2026, authorized staff to work with each Commissioner on a revenue split option for each Commission District; approved eliminating the design credit; and approved raising the stormwater minimum fee collected by the Tax Collector to $5.01, increasing annual collections by approximately $12,000 to provide consistency with the Tax Collector's process.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell

Kimberly Powell, Clerk to the Board

cc: County Manager
Utility Services
Finance
Budget

BOARD OF COUNTY COMMISSIONERS

Natural Resources Management Department
2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

DATE

Property Owner Name
Address Line 1
Address Line 2
Address Line 3
City, State Zip

NOTICE OF HEARING ON PROPOSED STORMWATER ASSESSMENT FEE RATE INCREASE

The Board of County Commissioners will hold a public hearing at _____ a.m./p.m. on (Date), 2026, at The Viera Government Center in the Commission Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida 32940, to consider a proposed Stormwater Utility rate increase, as set forth in an amended rate resolution. All affected property owners have: 1) the right to appear at the hearing or 2) to file written comments or objections with the Board of County Commissioners at the return address above within twenty (20) days of receiving this notice. If the proposed assessment increase is adopted, the assessment will appear as a non-ad-valorem assessment on your property tax bill on November 1, 2026, and in subsequent years. Failure to pay the assessment will cause a tax certificate to be issued pursuant to Chapter 197, Florida Statutes, which may result in a loss of title to the property. If you have any questions, please contact the Brevard County Natural Resources Department (NRMD), Stormwater Program at 321-633-2016.

Dear Property Owner:

Water quality of the Indian River Lagoon and the St. Johns River has decreased due to excess nutrients, silt, heavy metals, chemicals, and other pollutants carried by stormwater runoff. The Brevard County Natural Resources Department, Stormwater Utility collects funds for stormwater management projects that help prevent water pollution and improve flood control.

The proposed rate increase for the Stormwater Assessment would be from $64.00 per Equivalent Residential Unit (E.R.U.) per year to $_______ per E.R.U. per year (or $5.33 per month to approximately $______ per month). One E.R.U. is equivalent to a single-family residence of approximately 2,500 square feet of impervious area. Thus, each single-family residence will be assessed $_______ per year or approximately $______ per month; and every other type of property is to be assessed an amount which is calculated from a formula which: (a) considers the impervious area of the improvement, the size of the property, use and type of improvements on the property and (b) compares it to an average single-family residence. The formula as set forth in the proposed rate resolution is available at www.brevardfl.gov/NaturalResources/StormwaterProgram/**TBD**, by calling, emailing, or visiting the Natural Resources Management Department during normal business hours.

If approved by the Board of County Commissioners, these new rates will be reflected on your tax bill in November 2026. The total estimated revenue to be collected annually from all the properties within unincorporated Brevard County is $____________________ for the November 2026 tax bill.

Property Identification Number:
Tax Account Number: **Billing Amount:**
Site Address: **Number of E.R.U. Units:**

The billing amount is subject to the same discounts and penalties for early and late payments that apply to the ad valorem property Tax Notice, and properties with less than $5.00 combined ad valorem and non-ad-valorem assessments will not receive a Tax Bill.