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Satellite Beach Public Records

**Lane, Karen**  
From: Valliere, Christine V  
Sent: Thursday, September 3, 2020 9:27 AM  
To: Lane, Karen  
Subject: FW: Further damage to Preserve; poor maintenance  
Attachments: RE: Further damage to Preserve; poor maintenance

Follow Up Flag: Follow up  
Flag Status: Flagged

Please DM both emails.

Hightower Park  
Sandra Sullivan email re Further damage to Preserve; poor maintenance

Thanks,

Christine

Christine Valliere, Esq.  
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**The State of Florida has a broad public records law and a request made under the authority of that Public Records Act may require the disclosure and copying of any email sent to this office unless exempt, privileged or confidential under state law.**

From: Valliere, Christine V  
Sent: Thursday, September 3, 2020 9:23 AM  
To: Barker, Virginia H <Virginia.Barker@brevardfl.gov>  
Cc: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Knight, Michael A <Mike.Knight@brevardfl.gov>; McGarry, Michael J <Mike.McGarry@brevardfl.gov>; Berntson, Paula A <Paula.Berntson@brevardfl.gov>; Jorandby, Abigail F. <Abigail.Jorandby@brevardfl.gov>  
Subject: RE: Further damage to Preserve; poor maintenance

I don't see where she is laying blame on the County for the management of Hightower Park. Here's where she mentioned the County:

"The city has indicated in their last city council meeting that they are negotiating with Brevard County to release the covenants on the park - while they are saying they want to give city residents preferential parking for a park purchased by county funds, we believe the real reason is to get dropped the "public use" clause.

DM 114057

*We are concerned they will then come to the FCT for amendments to allow commercial use and concessions on the beach as well as skyway. Our community is against any change of use to the preserve."*

It seems she may understand at this point that the only leverage the County has are the deed restrictions.

Is someone with the County negotiating with SB to remove the deed restriction on charging the same user fee for all?

This may be a bigger issue that the County should get ahead of. As you know, the State uses the number of public parking spaces in its calculation for FDEP grant funds for beach renourishment projects. Generally, FDEP has not viewed parking spaces as "public" for grant funding purposes where different groups of people are charged different parking fees. That's why county deeds conveying public beach parks include deed restrictions to maintain the current number of spaces with no differential in fees. [There can be other grant programs associated with the original acquisition of park/conservation property which could also impact how public use can be managed. It don't recall whether that is an issue with Hightower. SB should be aware of that or should be researching it.]

We know that Cocoa Beach has a different arrangement with FDEP. They are allowed to offer a cheaper resident beach parking pass, but the City has to pay to the make up the differential with funding from property taxes. The concept is the residents are already paying taxes to support public beach parking. . .

It seems that public beach parking and beach usage has become especially problematic during COVID. More people within the County and from outside the County are using our beaches because there are limited forms of entertainment due to social distancing recommendations. As you may know, Mike McGarry attended the Melbourne Beach council meeting last night to discuss their closure of their public beaches to residents only and the impact that could have on FDEP beach renourishment grant funding. SB may be interested in limiting access to their public beaches for a similar reason. It's likely that all beachside municipalities are experiencing the same problems.

It may be a good idea to reach out to FDEP for clear guidance in what forms of paid public parking are acceptable and what is not.

Please let me know if you'd like to discuss this issue further.

Christine

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