



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - County Manager

I.2.

4/9/2024

Subject:

Speak Up Brevard 2024 - Citizen Efficiency and Effectiveness Recommendation (CEER) Submissions

Fiscal Impact:

To be determined, as directed by the Board.

Dept/Office:

County Manager's Office

Requested Action:

It is requested the Board of County Commissioners review citizen recommendations submitted through Speak Up Brevard and vote to accept the recommendation; accept the recommendation with revisions; or reject the recommendation; as is required under the County Charter.

Summary Explanation and Background:

Brevard County Home Rule Charter, Section 2.9.10, specifically provides 'citizens':

"a mechanism for an individual, or an organized group of individuals to submit a formal written recommendation for the enhancement of the effectiveness and efficiency of County government to the County Commission on an annual basis."

In calendar year 2023, the County received 59 citizen recommendations.

The submission period for 2023 was scheduled beginning December 1, 2023 through December 31, 2023. Staff was notified on December 31st that the software program shutdown at 5:00 a.m. on December 31st. All CEER recommendations that were received either through the Speak Up Brevard Software Program or via email prior to 5:00 a.m. on January 1st have been included. Submission dates and times have been corrected in the Speak Up Brevard/CEER software program.

Attached is a spreadsheet which identifies each citizen recommendation, the County Department that reviewed the recommendation and a staff recommendation to either accept, accept with revisions, or reject each citizen recommendation. Also included in the attachments are the details of each citizens' recommendation, and staff input relating to each recommendation.

Staff is requesting that the Board approve staff recommendations in a single motion for all the citizen recommendations. The Board may choose to pull those items from the staff recommendations that the Board would like to discuss and/or take alternative action on from the staff recommendation for particular Speak Up Brevard recommendations.

On March 13, 2024, the County Manager provided the citizen a notice of the date, time, and place of the meeting their Speak Up Brevard recommendation(s) is/are scheduled to be heard by the Board of County Commissioners.

According to the Brevard County Home Rule Charter and Board Policy BCC-95, the Board of County Commissioners must take a final vote either to accept, accept with revisions, or reject within 120 days of the submittal date of the Speak Up Brevard recommendations. All Speak Up Brevard recommendations for this cycle were received on or before January 1, 2024.

Clerk to the Board Instructions:

Please include recommendations in the Clerk Memo.



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

April 10, 2024

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item I.2., Speak Up Brevard 2024 – Citizen Efficiency and Effectiveness Recommendation (CEER) Submissions

The Board of County Commissioners, in regular session on April 9, 2024, reviewed each citizen recommendation submitted through Speak Up Brevard – CEER; and approved to accept, to accept with modification, or to reject recommendation as required under the Brevard County Charter as follows:

- CEER #2024002, Port St. John Public Library limited hours – accepted with modification to add four hours to Saturdays and five hours on Sunday, and continue to evaluate regarding the weekday hours.
- CEER #2024003, Publicize the Speak Up Brevard event to Brevard residents – rejected.
- CEER #2024008, Property-owner fraud alert – accepted with revisions to recommend that concerned citizens attend Clerk of Court-sponsored property fraud presentations held throughout the year.
- CEER #2024018, Resort dwelling registration process – accepted the recommendation with revisions as detailed in the staff analysis.
- CEER #2024030, Help residents get healthy, post local pickleball opportunities – accepted the recommendation and staff implemented the suggestion.
- CEER #2024033, Pineda Causeway and Wickham Road safety – accepted the recommendation to extend the turn lanes at the intersection of Wickham Road and Pineda Causeway, as the engineering design for this project is already in progress.
- CEER #2024049, Premature closing of Speak Up Brevard website for citizen suggestions – accepted the recommendation with revisions as outlined in the staff analysis.

- CEER #2024050, Brevard County creating three W's Resiliency Campaign 2024 – accepted the recommendation with revisions, as some programs are already underway and program expansions are currently being developed.
- CEER #2024055, Promote more uniform, County-wide development practices – accepted the recommendation with revisions as detailed in the staff analysis.
- CEER #2024057, Increase promotion of Moore Memorial Park for multi-stream revenues – accepted the recommendation.
- CEER #2024059, Building Brevard's unique Space future with quality of life – accepted the recommendation with revisions as detailed in the staff analysis.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/sm

2024 Speak Up Brevard/CEER Recommendations

CEER ID #:	Submitted By:	Title:	Department:	Staff Response:
2024001	Matthew Heyden	Invasive Species	Natural Resources	Reject the Recommendation
2024002	Kevin Shropshire	Library Hours limited	Library Services	Reject the Recommendation
2024003	Kristin Lortie	Publicize the Speak Up Brevard event to Brevard Residents	SCGTV	Accept the Recommendation with Revisions
2024004	Louise Bronar	Tree ordinance	Natural Resources	Reject the Recommendation
2024005	Mary B Blakely	Work Study Program	Human Resources	Reject the Recommendation
2024006	William K Kirwin	Yard trash on A1A south beaches	Solid Waste	Reject the Recommendation
2024007	Joseph F Skowron	Trash Pickup	Solid Waste	Reject the Recommendation
2024008	Ingrid C Mellone	Property owner fraud alert	SCGTV	Accept the Recommendation with Revisions
2024009	Kristin Lortie	Expand Class Size for 2024 County Citizens Academy	UF/Extension Services	Reject the Recommendation
2024010	Kristin Lortie	Reduce Trash Blowing off of Waste Management Trucks	Solid Waste	Reject the Recommendation
2024011	Linda J Griffin	Drainage ditch deterioration	Public Works	Reject the Recommendation
2024012	Gary A Peterford	Excessive TV lawyer's ads	SCGTV	Reject the Recommendation
2024013	Kristin Lortie	Brevard County Needs a 5-year Strategic Plan like other Florida Counties	SCGTV	Reject the Recommendation
2024014	Kristin Lortie	Post Annual Activity and Outcome Metrics on the Speak Up Brevard Website	SCGTV	Reject the Recommendation
2024015	Richard Webb	Stop Sending Ladder Trucks To Heart Palpitations	Fire Rescue	Reject the Recommendation
2024016	Robert Klimkowski	ARTICLE XVII. - REGULATION OF ILLEGAL ARCADE GAMING	County Attorney's Office	Reject the Recommendation
2024017	Robert L Klimkowski Jr	Ordinance Acknowledging Cost-Saving Contributions	SCGTV	Reject the Recommendation
2024018	Eleanor E Glover	Resort Dwelling Registration Process	Planning & Development	Accept the Recommendation with Revisions
2024019	Kay St. Onge	Trees in County Parks	Parks & Recreation	Reject the Recommendation
2024020	Robert Klimkowski	Cannabis Resolution 2024-XX	County Attorney's Office	Reject the Recommendation

2024 Speak Up Brevard/CEER Recommendations

CEER ID #:	Submitted By:	Title:	Department:	Staff Response:
2024021	Robert Klimkowski	Ordinance and Resolution Addressing Unfunded Charter Mandate "Speak Up Brevard"	Budget	Reject the Recommendation
2024022	Nancy Happel	Vacation Rental Control in Residential Neighborhoods/Tax Collection	Planning & Development	Reject the Recommendation
2024023	Richard Webb	Speak Up Brevard - Fix this page	Information Technology	Reject the Recommendation
2024024	Richard Webb	Quiet! !!!	County Attorney's Office	Reject the Recommendation
2024025	Jennifer White	Beach parks maintenance	Parks & Recreation	Reject the Recommendation
2024026	Lora Losi	Landscaping savings	Public Works	Reject the Recommendation
2024027	Lora Losi	Control of water flow	Natural Resources	Reject the Recommendation
2024028	Lora Losi	Landscape Contractor Certification	Planning & Development	Reject the Recommendation
2024029	Vincent McDermott	Long-Term Growth Management Plan for a Sustainable Brevard	Planning & Development	Reject the Recommendation
2024030	Kristin Lortie	Help Residents Get Healthy - Post Local Pickleball Opportunities!	Parks & Recreation	Accept the Recommendation
2024031	Kristin Lortie	Improve Resident Access to Cocoa Conservation Area with County Grant Projects	Natural Resources	Reject the Recommendation
2024032	Kristin Lortie	Brevard Needs a Community Wellness Planning for Longevity and Good Health	SCGTV	Reject the Recommendation
2024033	Terri Friedlander	Pineda Causeway	Public Works	Accept the Recommendation
2024034	Sandra I Sullivan	Moratorium on glyphosate for 2 years - SOIRL funding for Mechanical Control	Natural Resources	Reject the Recommendation
2024035	Sandra I Sullivan	Alternate Board Members for Advisory Boards	Central Services	Reject the Recommendation
2024036	Sandra I Sullivan	Premium Tourism Parks	County Attorney's Office	Reject the Recommendation
2024037	Sandra I Sullivan	Impact Fee for Parks	Planning & Development	Reject the Recommendation
2024038	Sandra I Sullivan	Public Records Requests Transparency	County Attorney's Office	Reject the Recommendation
2024039	Sandra I Sullivan	Infrastructure Surtax	County Attorney's Office	Reject the Recommendation
2024040	Sandra I Sullivan	Speakup Brevard Advisory Council	SCGTV	Reject the Recommendation

2024 Speak Up Brevard/CEER Recommendations

CEER ID #:	Submitted By:	Title:	Department:	Staff Response:
2024041	Sandra I Sullivan	Indian River Lagoon Infrastructure Surtax (SOIRL tax)	Natural Resources	Reject the Recommendation
2024042	Sandra I Sullivan	Transportation Infrastructure Surtax	Planning & Development	Reject the Recommendation
2024043	Laurie Lefebvre	Bring back confidence in elections and lower costs to taxpayers	SCGTV	Reject the Recommendation
2024044	Sandra Sullivan	Increasing Developer Impact Fees	Planning & Development	Reject the Recommendation
2024045	Sandra Sullivan	Hightower/ Pelican Interlocal Agreement	County Attorney's Office	Reject the Recommendation
2024046	Sandra Sullivan	Commissioner Voting	County Attorney's Office	Reject the Recommendation
2024047	Sandra I Sullivan	Speakup Brevard	SCGTV	Reject the Recommendation
2024048	Sandra I Sullivan	SB102 Violation of State Constitution for Local Rule	County Attorney's Office	Reject the Recommendation
2024049	Kristin Lortie	Premature Closing of Speak Up Brevard Website for Citizen Suggestions	SCGTV	Accept the Recommendation with Revisions
2024050	Terry Mott	Brevard County Creating 3 W's Resiliency Campaign 2024	Natural Resources	Accept the Recommendation with Revisions
2024051	Terry Mott	Brevard County Creating 3 W's Resiliency Campaign 2024	Natural Resources	Reject the Recommendation
2024052	Susan B Connolly	Continue Speak Up Brevard Program	SCGTV	Reject the Recommendation
2024053	Susan B Connolly	Municipalities Create Citizens Budget Review Committees	Budget	Reject the Recommendation
2024054	Susan B Connolly	Support the Indian River Lagoon becoming a National Park	Natural Resources	Reject the Recommendation
2024055	Susan B Connolly	Promote more uniform, county-wide development practices	Planning & Development	Accept the Recommendation with Revisions
2024056	Susan B Connolly	Restore the Majors Golf Course at Bayside Lakes	Parks & Recreation	Reject the Recommendation
2024057	Susan B Connolly	Increase promotion of Moore Memorial Park for multi-stream revenue	Parks & Recreation	Accept the Recommendation
2024058	Susan B Connolly	Replicate Florida Chamber of Commerce "Prosperity Initiative"	Housing & Human Services	Reject the Recommendation
2024059	Laurilee Thompson	Building Brevard's Unique Space Future with Quality of Life	Planning & Development	Accept the Recommendation with Revisions



Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, P.E., Assistant County Manager

FROM: Amanda Elmore, Deputy Director, Natural Resources Management Dept.

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024001

DATE: 04/01/2024

CEER #2024001 was received by the County from Matthew Heyden.

Citizen Statement:

Invasive plants such as Brazilian Pepper are out of control, and slowly but surely exterminating the native plants that are supposed to be here.

Citizen Recommendation:

For years we have used inmates to do highway cleanup. While it's a great program, they learn nothing. Hand picked non violent inmates that could benefit from the training and would be interested in a career afterwards, with a REAL future because folks that can do this work are impossible to hire. I have years of experience as a volunteer doing this work, enlisting as many as 140 volunteers. It's hard work....but INCREDIBLY satisfying as the results are instant. When folks are used that don't know what they are doing, the results are terrible. However, when folks know the plants....the natives that are struggling are instantly exposed to sunlight, and when the pepper is killed, the auxins that they release that exterminate surrounding plant life is stopped. This is only a program for folks that want win, win, win. The county gets to protect all public property. Inmates that begin to work in the program gain an immediate sense of self esteem because each day, they accomplished something EXTREMELY important. The county saves a fortune financially, and protects the most important asset. Finally, inmates that have never had an opportunity for self employment, have actual knowledge and skill that makes them valuable. More valuable than a lawn crew...which anyone can do.

Main Line: (321) 633-2016

Website: Brevardfl.gov/NaturalResources

Staff Analysis:

Invasive plant removal on public lands is valuable, as is the rehabilitation of inmates. Natural Resources Management Staff (NRM) has sporadically utilized inmates for land management. However, these efforts mainly involved hand-weeding and less intense physical activities. Removal of invasive plants, such as Brazilian pepper, typically involves chain saws or heavy equipment, and herbicides to stump-treat for the prevention of regrowth. Specialized licensing is required to oversee the use of these herbicides. NRM does not have appropriate oversight staffing to train and supervise inmates in these intensive efforts. NRM will continue leveraging partnerships to ensure the most effective utilization of available resources.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation.

Recommendation Details

Contact Information

Full Name:	matthew heyden	Email Address:	mheyden716@aol.com
Mailing Address:	6534 Ridge Ct Titusville fl 32780	Alt Email Address:	mheyden716@aol.com
		Phone Number	321-338-5857

Group/Organization

Space Coast Audubon

Recommendation Information

Recommendation Title:

Invasive species

Areas Affected:

County Wide

Department:

CRIMINAL JUSTICE DEPARTMENT

Problem

Description:

Invasive plants such as Brazilian Pepper are out of control, and slowly but surely exterminating the native plants that are supposed to be here.

Recommendation Description

Attachments

For years we have used inmates to do highway cleanup. While it's a great program, they learn nothing. Hand picked non violent inmates that could benefit from the training and would be interested in a career afterwards, with a REAL future because folks that can do this work are impossible to hire.

I have years of experience as a volunteer doing this work, enlisting as many as 140 volunteers. It's hard work...but INCREDIBLY satisfying as the results are instant. When folks are used that don't know what they are doing, the results are terrible. However, when folks know the plants...the natives that are struggling are instantly exposed to sunlight, and when the pepper is killed, the auxins that they release that exterminate surrounding plant life is stopped.

This is only a program for folks that want win, win, win. The county gets to protect all public property. Inmates that begin to work in the program gain an immediate sense of self esteem because each day, they accomplished something EXTREMELY important. The county saves a fortune financially, and protects the most important asset. Finally, inmates that have never had an opportunity for self employment, have actual knowledge and skill that makes them valuable. More valuable than a lawn crew...which anyone can do.

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 8, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director



BREVARD COUNTY LIBRARY SERVICES
308 Forrest Avenue
Cocoa, FL 32922
(321) 633-1801

TO: Frank B. Abbate, County Manager

THRU: Jim Liesenfelt, Assistant County Manager

FROM: Wendi Bost, Library Services Department Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024002

DATE: 04/01/2024

CEER #2024002 was received by the County from Kevin Shropshire on 12/13/2023.

Citizen Statement:

I'm not sure if this is county-wide, but our Port St. John public library has very limited hours. Working parents have very limited ability to use library services for their children, or themselves with the current limited hours of operation. Here are the current hours of operation of our library. As a working parent, with 2 children in elementary school, please tell me how I/we can utilize our library more than a few hours per week, when these are the operational hours?

Sunday Closed
Monday 9 AM–5 PM
Tuesday 9 AM–5 PM
Wednesday 12–8 PM
Thursday 9 AM–5 PM
Friday 9 AM–5 PM
Saturday 10 AM–2 PM

Citizen Recommendation:

I know we all have "staff shortages" and "budget cutbacks". But now we're affecting the knowledge base and learning sector. Our public libraries should remain open into the evening, every evening. If we have county funding to keep handing out as incentives to new developers and businesses, we have money to support learning. We need to increase funds to our local libraries, or find sources (possibly tourist dollars). I would recommend changing the operational hours to the following, at the least:

Sunday 12PM-5 PM
Monday 11 AM– 7 PM
Tuesday 11 AM– 7 PM

Wednesday 12–8 PM
Thursday 11 AM– 7 PM
Friday 11 AM– 7 PM
Saturday 10 AM–6 PM

The only increase in hours would be extending Saturday, and adding Sunday.

Staff Analysis:

The Library System has five larger regional libraries open seven days a week. When evaluating operations, the libraries closer in proximity to those regional libraries will have different hours to offer library patrons, allowing access to morning and evening hours.

When determining operating hours for the Port St John Library, we evaluated several factors.

The **Catherine Schweinsberg Rood Library** in Cocoa is open seven days a week. It is 9.7 miles south of the Port St John Library, has more meeting rooms and computers, and has a larger capacity for collections and programming. The Catherine Schweinsberg Rood Library is open on Tuesday and Thursday evenings.

The **Titusville Library** is also open seven days a week and is 9.5 miles north of the Port St John Library. It, too, is open seven days a week and has more meeting rooms, computers, and a larger capacity for collections and programming. The Titusville Library is open Monday and Tuesday evenings.

Within the approximate 10-mile range of the Port St John Library are two libraries open seven days a week. Between the three libraries, evenings are available until 8 pm, four nights a week.

If Saturday and Sunday hours were added to the Port St John Library, as the CEER recommends, the action would add 9 additional weekend hours. The Port St. John Library plans for at least four staff members in the building to cover the work and breaks. We also need additional staffing to help cover vacations, illness, etc. In preparation for operating the library, we have staff in the building before we open to the public, which brings the hours to 12 additional hours of full staffing a week, which is 48 staff service hours.

The total increase required to the Library Services Department budget would be at minimum \$96,310 a year, which requires an approximate .0016 increase to the Library District millage rate.

Staff will continue to evaluate operational hours for each library.

Staff Recommended Action:

It is recommended that CEER # 2024002 be rejected by the Board of County Commissioners.

Recommendation Details

Contact Information

Full Name:	Kevin Shropshire	Email Address:	kshrop2000@hotmail.com
Mailing Address:	4975 Carter ST. Cocoa fl 32927	Alt Email Address:	
		Phone Number	321-626-2507
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Library Hours limited
Areas Affected: Port St. John

Department: LIBRARY SERVICES DEPARTMENT

I'm not sure if this is county-wide, but our Port St. John public library has very limited hours. Working parents have very limited ability to use library services for their children, or themselves with the current limited hours of operation. Here are the current hours of operation of our library. As a working parent, with 2 children in elementary school, please tell me how I/we can utilize our library more than a few hours per week, when these are the operational hours?

Problem Description:

Sunday Closed
Monday 9?AM-5?PM
Tuesday 9?AM-5?PM
Wednesday 12-8?PM
Thursday 9?AM-5?PM
Friday 9?AM-5?PM
Saturday 10?AM-2?PM

I know we all have "staff shortages" and "budget cutbacks". But now we're affecting the knowledge base and learning sector. Our public libraries should remain open into the evening, every evening. If we have county funding to keep handing out as incentives to new developers and businesses, we have money to support learning. We need to increase funds to our local libraries, or find sources (possibly tourist dollars). I would recommend changing the operational hours to the following, at the least:

Recommendation Description

Sunday 12PM-5 PM
Monday 11?AM- 7 PM
Tuesday 11?AM- 7 PM
Wednesday 12-8?PM
Thursday 11?AM- 7 PM
Friday 11?AM- 7 PM
Saturday 10?AM-6?PM

The only increase in hours would be extending Saturday, and adding Sunday.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 13, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	LIBRARY SERVICES DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024003

DATE: 04/01/2024

CEER #2024003 was received by the County from Kristin Lortie that described the following Problem and Recommendation.

Citizen Statement:

In 2022 Brevard County received only (1) submission for Speak Up Brevard, and which was a statement opposing a local development. This submission was voted on during the non-discussed consent agenda, making the process invisible to county residents. This is unacceptable for a county of over 600,00 residents.

- In 2023, as of December 13th, despite receiving an emailed citizen request from me on December 3rd and 4th, Brevard County has declined to put out a press release or to post the event to Facebook or other social media channels that are readily available to county personnel. The request was sent directly to the county manager, the assistant county manager, with follow-up with the communications director (copied to all commissioners), yet the county has declined to initiate any publicity for the event.

- The county Speak Up Brevard website currently has no open or close dates for the event, so residents who do locate the event are unaware of the one-month timeline. I was recently contacted by a confused resident asking if I happened to know the timelines.

- I have had to personally notify other residents of the event and personally request media attention from Florida Today to write the article that was just released today. Residents should not need to work this hard to publicize a county event whose purpose is to solicit resident input.

Citizen Recommendation:

1) Immediately update the Speak Up Brevard website with the beginning and ending dates of the program so that residents are notified of the deadline to submit for the annual program.

2) Immediately publicize the event through posting on the county Facebook page, the county main webpage, and other social media channels by submitting a press release similar to other county press releases;

3) Announce the event at the county's public meetings in December this year (and November and December of subsequent years) so that those attending or watching the meetings are aware of the event.

What are the benefits of implementing my suggestions?

The benefits that publicizing and informing the public would provide are to offer the public an opportunity to participate in the event and to easily see the deadline parameters. Residents cannot participate in an event they are unaware of. Resident participation has the potential to result in receiving the cost and efficiency saving suggestions the program is intended for. The current invisibility of the event sends the message to residents that the county is not interested in our participation or our ideas, and that the process is only a token process required by the county charter.

Attached are:

- 1) The county press release from 2019 showing that the county has previously publicized this event;
- 2) My suggestions submitted to the county manager's office by email on December 3rd, and re-sent on December 4th (copied to all 5 commissioners) after receiving Mr. Walker's response which declined to adopt any of the suggestions submitted.

Staff Analysis:

Section 2.9.10 of the County Charter provides for an annual filing date for a citizen or a group of citizens to submit a formal written formal recommendation for the enhancement of the effectiveness and efficiency of County government to the County Commission on an annual basis. Under BCC-95, the annual filing date for submission date is January 1 of each year. County staff has annually extended the submission date from the January 1st date to include the entire month of December. Additionally, while the Charter provides for "a citizen or a group of citizens to submit a formal written formal recommendation for the enhancement of the effectiveness and efficiency of County government to the County Commission on an annual basis" staff has historically accepted multiple recommendations from a single citizen or group of citizens to maximize recommendations that are eligible for review and consideration.

As in previous years, this program was initiated and posted on the County website under the e-**Government** tab on December 1, 2023. In the future, as recommended in this CEER, the specific timeframe for accepting a formal written recommendation for the enhancement of the effectiveness and efficiency of County government to the County Commission will be posted online and will include any CEER recommendation received during the posted timeframe, including January 1st.

During 2023, 59 CEERs were received for review. Significant staff time has been utilized to carefully review and consider each recommendation received. Staff recommends that during 2024, the Board update and consider any revisions to BCC-95 it deems appropriate.



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office

2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

Additionally, staff will continue to publicize how citizens can submit CEER recommendations under the **e-Government** tab as well as publicize other ways how citizens can provide feedback and recommendations throughout the year to the Board by using a **Provide Feedback** link that's available 24/7 on the County website, by requesting a Commissioner to sponsor an agenda item, or by attending and speaking during the public comment period during a Board of County Commissioner's meeting and requesting the Board to consider a specific recommendation the citizen is seeking the Board to consider.

In an article published and posted on the Florida Today website on December 13, 2023, under the headline, **County seeks resident suggestions through annual Speak up Brevard program**, the County's Public Information Office provided information consistent with the various ways citizen input and recommendations can be provided to the Board as outlined above. Staff recommends continuing a similar course of action in the future.

Staff Recommended Action:

Staff recommends CEER #20024003 be accepted with revisions as outlined above.

Recommendation Details

Contact Information

Full Name:	Kristin Lortie	Email Address:	kristin.lortie@gmail.com
Mailing Address:	5524 Brilliance Circle Cocoa fl 32926	Alt Email Address:	
		Phone Number	720-935-8780
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Publicize the Speak Up Brevard event to Brevard Residents

Areas Affected: Communications

Department: COUNTY MANAGERS OFFICE

Current issue and concern:

Problem Description:

- In 2022 Brevard County received only (1) submission for Speak Up Brevard, and which was a statement opposing a local development. This submission was voted on during the non-discussed consent agenda, making the process invisible to county residents. This is unacceptable for a county of over 600,00 residents.

- In 2023, as of December 13th, despite receiving an emailed citizen request from me on December 3rd and 4th, Brevard County has declined to put out a press release or to post the event to Facebook or other social media channels that are readily available to county personnel. The request was sent directly to the county manager, the assistant county manager, with follow-up with the communications director (copied to all commissioners), yet the county has declined to initiate any publicity for the event.

- The county Speak Up Brevard website currently has no open or close dates for the event, so residents who do locate the event are unaware of the one-month timeline. I was recently contacted by a confused resident asking if I happened to know the timelines.

- I have had to personally notify other residents of the event and personally request media attention from Florida Today to write the article that was just released today. Residents should not need to work this hard to publicize a county event whose purpose is to solicit resident input.

My recommendations are the following:

**Recommendation
Description**

- 1) Immediately update the Speak Up Brevard website with the beginning and ending dates of the program so that residents are notified of the deadline to submit for the annual program.
- 2) Immediately publicize the event through posting on the county Facebook page, the county main webpage, and other social media channels by submitting a press release similar to other county press releases;
- 3) Announce the event at the county's public meetings in December this year (and November and December of subsequent years) so that those attending or watching the meetings are aware of the event.

What are the benefits of implementing my suggestions?

The benefits that publicizing and informing the public would provide are to offer the public an opportunity to participate in the event and to easily see the deadline parameters. Residents cannot participate in an event they are unaware of. Resident participation has the potential to result in receiving the cost and efficiency saving suggestions the program is intended for. The current invisibility of the event sends the message to residents that the county is not interested in our participation or our ideas, and that the process is only a token process required by the county charter.

Attached are:

- 1) The county press release from 2019 showing that the county has previously publicized this event;
- 2) My suggestions submitted to the county manager's office by email on December 3rd, and re-sent on December 4th (copied to all 5 commissioners) after receiving Mr. Walker's response which declined to adopt any of the suggestions submitted.

Attachments

No. Type Name

- | No. | Type | Name |
|-----|---|--|
| 1 |  | 2019 Speak Up Brevard County Press Release.jpg |
| 2 |  | 2023.12.13 Lack of Publicity for Speak Up Brevard - Correspondence with County.pdf |
| 3 |  | SBI.jpg |

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 13, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



Brevard County Government's post



Brevard County Government



Dec 1, 2019 · 🌐

#PressRelease | 11/30/19

Brevard County seeks citizen input through 'Speak Up Brevard'

Source: <https://sites.brevardcounty.us/PIRA/PIRA/ViewRelease.aspx?ID=3734>
<https://sites.brevardcounty.us/PIRA/PIRA/ViewRelease.aspx?ID=3734>



1



1



2



Write a comment...



Re: Speak Up Brevard - Lack of Publicity - Citizen Inquiry

1 message

Kristin Lortie <kristin.lortie@gmail.com>

Mon, Dec 4, 2023 at 6:25 PM

To: "Walker, Don" <Don.Walker@brevardfl.gov>

Cc: "Abbate, Frank B" <frank.abbate@brevardfl.gov>, "Liesenfelt, Jim" <Jim.Liesenfelt@brevardfl.gov>, Rachel.horst@brevardfl.gov, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <d2.commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, d4.commissioner@brevardfl.gov, "Commissioner, D5" <D5.commissioner@brevardfl.gov>

Mr. Walker,

Thank you for your response and for listing the ways that residents can interact with the county throughout the year. As noted in my email, my current inquiry is limited to the annual Speak Up Brevard event which just opened on December 1st.

Regarding your responses to my (3) inquiries, I noted the following:

- December 31st is the cutoff day for the Speak Up Brevard process. The county will not be updating the website with this date so that residents the view the website are aware of the cutoff date. This leaves residents uninformed.

My request is for the county to add the December 31st cutoff date to the Speak Up Brevard website page.

- the county does not intend to publicize this annual event on its Facebook page, social media channels, press releases, newsletter, announcing it at county meetings, etc.

Thus, the only way a citizen can actually locate the information is by locating the information on the specific portion on the county website dedicated to this topic. I did just go to the main website page and there is no information noted on the main county page.

In my opinion this isolated action does not meet a basic definition of "soliciting public comments/suggestions/concerns."

My request is for the county to publicize the event through the counties publicity channels noted above.

- the county does not have any specific areas identified to solicit public input on, and that could perhaps result in more relevant citizen suggestions being submitted this year.

My suggestion is for the county to identify and share any current areas of interest and opportunity that may result in more relevant feedback being obtained from citizens for the commissioners review.

I am disappointed that the county is unwilling to do more to promote this annual event and to actively encourage and solicit citizen participation. If I recall correctly, for the 2022 year there was a single citizen email that made up a 2023 consent agenda item for the entire Speak Up Brevard annual event.

Based on the current invisibility of the 2023 Speak Up Brevard program it does not appear that the county values citizen input in this important annual process required by the county charter. Adopting the above reasonable and pragmatic suggestions may help to shift that perspective.

Regards,

Kristin Lortie, local advocate for citizen engagement

On Monday, December 4, 2023, Walker, Don <Don.Walker@brevardfl.gov> wrote:

Ms. Lortie,

Thank you for reaching out to the County Manager's Office concerning Speak Up Brevard. As the County's Public Information Officer and the County Manager's ombudsman, I'm responsible for reviewing and addressing your inquiry. Speak Up Brevard, as provided for on the Brevard County Charter, solicits public comments/suggestions/concerns during the month of December. As you know, each item of correspondence received through Speak Up Brevard is reviewed and brought before the Commission for input and direction. The Board reviews each and every item submitted to the County through Speak Up Brevard and, as you noted, many of the items brought to light require little to no action because they are either already in progress, they are beyond the scope of County services (although we do provide the information received through Speak Up Brevard to other governmental agencies that would be responsible to take any necessary action,) or the resident's requested item isn't fiscally feasible or prudent.

Beyond Speak Up Brevard, there are many additional ways throughout the year to interact with the County to share one's concerns or suggestions. For example, on our website, www.brevardfl.gov, and under the e-Government tab, and under the title of "**Provide Feedback**" there are options to provide feedback directly to County Departments, to provide input on the County budget, feedback on Space Coast Area Transit, to "**Provide Feedback - Any Subject**," and to comment or raise issues related to various other County services, including Parks and Preserves, Public Safety, the Sheriff's Office and other departments, agencies or charter offices. All of the suggestions, comments, complaints received through these channels are reviewed by County staff and are responded to in a timely manner.

Residents also have other avenues to communicate issues to the County, including during **Public Comments**, which are entertained at every Board of County Commissioner meeting. Alternatively, any resident can interact with their District Commissioner or any other Commissioner to ask them to sponsor an agenda item they would like to have the Commissioner consider. Our website also includes contact information for each County department and each Commissioner office. As provided for by Charter, Speak Up Brevard is posted on the County website from Dec. 1 through the end of the month.

Sincerely,

Don Walker | Director of Communications/SCGTV

don.walker@brevardfl.gov

Office: (321) 633-2000 Ext. 59194

Cell: (321) 795-4858

 facebook logo@BrevardCountyGovt

 twitter logo@BrevardCo_FL

 instagram logo@BrevardCountyGovt

 @SCGTV499



To subscribe to county updates and news

Don Walker | Director of Communications/SCGTV

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Sent Mail

Speak up Brevard Inquiry



Kristin Lortie
to Abbate,, Liesenfelt,
1 day ago

Details

Mr. Abbate and Mr. Liesenfelt,

I'm reaching out with a few questions on the opening of Speak Up Brevard:

1) Can either of you advise me on the Speak Up Brevard suggestion deadline and could it be added to the website? I did not see it on the website.

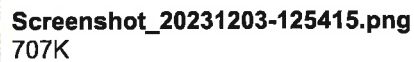
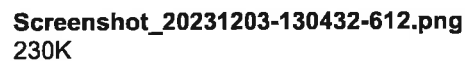
2) Will Brevard be publishing the opening of Speak Up Brevard on its Facebook page and via county email notice alerts? I just checked the Facebook page and don't see it.

Attached is an example of Cocoa's graphic when they are soliciting public feedback. I hope Brevard has something similar to push out the notice of this annual event?

3) I've previously researched the prior year citizen suggestions to see if any/many of them were adopted. Many (if not most) of the prior

Are there any particular areas the county may be more receptive to feedback on? For example Mr. Abbate mentions e-government access on the county manager website page (attached).

2 attachments







Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, P.E., Assistant County Manager

FROM: Amanda Elmore, Deputy Director, Natural Resources Management Dept. (NRM)

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024004

DATE: 04/01/2024

CEER #2024004 was received by the County from Louise Bronar.

Citizen Statement:

We need to save as many trees and green spaces as possible. They collect carbon, provide shade, provide homes for birds, animals, and insects. We need as many trees as possible to combat global warming. Builders are razing lots disrupting the ecology of the area and then plant very few trees after building houses or businesses.

Citizen Recommendation:

We need a tree ordinance to save our landscapes. Cut only trees necessary to build edifices, don't level entire lot. Plant two native trees for every one tree cut down. See tree ordinance in Tallahassee, Florida. Benefits: less erosion, more carbon captured to combat global warming, more shade to combat global warming, provide homes for wildlife which will enhance nature tourism. More stormwater will be captured rather than flowing into the Indian River Lagoon ND will enhance property values.

Staff Analysis:

Brevard County has had a tree ordinance in place for decades. Chapter 62, Article XIII, Division 2 of Brevard County Code is entitled Landscaping, Land Clearing, and Tree Protection (LLTP). The LLTP regulations include canopy preservation and planting requirements that vary depending on the size of the area of alteration and land use. Trees must be preserved or relocated on-site during development to the greatest extent feasible and replacement of protected trees is required if minimum canopy thresholds are not met. If specimen trees are removed, they must be replaced regardless of canopy threshold satisfaction. Where adverse site conditions make

Main Line: (321) 633-2016

Website: Brevardfl.gov/NaturalResources

the removal of a protected or specimen tree necessary and cause the site to fall below the minimum required canopy preservation percentage, an Alternative Landscape Enhancement Plan is required that demonstrates the adverse site conditions and provides a planting plan that exceeds the minimum landscape and canopy standards.

For vacant parcels, land clearing is prohibited without Natural Resources Management review and approval with few exemptions (bona fide agricultural use pursuant to F.S. Ch. 163.3162(4), emergency removal of a dead or seriously damaged tree that poses an immediate threat, removal of nonnative invasive or undesirable plants, etc). For parcels that are already developed, minimum landscaping and canopy preservation requirements must be maintained in perpetuity, after the issuance of certificate of occupancy.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation as a tree ordinance has already been implemented.

Recommendation Details

Contact Information

Full Name:	Louise Bronar	Email Address:	grammy4u1722@gmail.com
Mailing Address:	1722 JORDAN DR ROCKLEDGE fl 32955	Alt Email Address:	grammy4u1722@gmail.com
		Phone Number	321-243-5575
Group/Organization	NA	Recommendation Information	

Recommendation Title: Tree ordinance
Areas Affected: Building

Department: DEVELOPMENTAL & ENVIRONMENTAL SERVICES

We need to save as many trees and green spaces as possible. They collect carbon, provide shade, provide homes for birds, animals, and insects. We need as many trees as possible to combat global warming. Builders are razing lots disrupting the ecology of the area and then plant very few trees after building houses or businesses.

Problem Description:

We need a tree ordinance to save our landscapes. Cut only trees necessary to build edifices, don't level entire lot. Plant two native trees for every one tree cut down. See tree ordinance in Tallahassee, Florida.

Recommendation Description

Benefits: less erosion, more carbon captured to combat global warming, more shade to combat global warming, provide homes for wildlife which will enhance nature tourism. More stormwater will be captured rather than flowing into the Indian River Lagoon ND will enhance property values.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 14, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Office of Human Resources
2725 Judge Fran Jamieson Way
Building B, Room 209
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager
FROM: Melissa H. Powers, Human Resources Director 
SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024005
DATE: 04/01/2024

CEER #2024005 was received by the County from Mary B. Blakely.

Citizen Statement:

Not enough help in many County Offices.

Citizen Recommendation:

When I was in High School during my Senior year I went to school until 10:30 then I went to work. I worked for the County I lived in. Ann Arundel County Maryland.

The school set up the jobs with different businesses throughout the county, we received a small paycheck, and we gained office experience. We had a teacher who kept in contact with the places we were employed. We also received 4 high school credits for this program. I think this could help the County with filling job openings. Some students went to the Animal Shelter, some went to hospitals, some to government offices, some to the police department. In the job I had worked for the public works division. Some of the duties were answering phones, doing the mail, filing, and one thing I did while working for the water department was each month the water department sent someone out to turn off water on citizens that did not pay the bill, my job was to contact the water department driver on radio and send him back to the residences to reconnect the water. We gained experience while making a small paycheck. I have heard that Brevard County has quite a few job openings. If they gave a program like this a try many jobs could be filled. Here in Brevard County a student could work for Housing and Human services, HR, Natural Resources, Survey, Planning and Development. The students could fill in answering phones while staff is at lunch, or when someone is out. they could also learn how to deal with the public. It can be an eye opener for a student who is about to step out into adulthood to see how the County is run, and all of the different things we do. Once they graduate, they could apply for a full-time position with the County.



BOARD OF COUNTY COMMISSIONERS

Office of Human Resources
2725 Judge Fran Jamieson Way
Building B, Room 209
Viera, Florida 32940

Inter-Office Memo

Staff Analysis:

Through a strong partnership with Brevard Public Schools' Career Technical Education (CTE) program, we offer paid internships to junior and senior students. This valuable initiative allows students to gain real-world work experience while earning compensation and opportunities to earn service hours for the Bright Futures program. Interns have worked with County Staff in Human Resources, Public Works, Central Services, Planning & Development, Communications/SCGTV, Information Technology, and Solid Waste Management. Students can devote 15-20 hours per week during a semester to delve into the intricacies of the public sector, boosting their knowledge and skills. During their internship, students receive regular evaluations from staff, ensuring that they receive valuable feedback on their performance. Brevard Public Schools CTE Coordinator and school staff also take time to visit the student interns on-site, further enhancing their learning experience. Several Student Interns have in fact secured County employment after their internships.

A partnership between Brevard Schools, Brevard County Fire Rescue, and Eastern Florida State College created the Brevard Public Schools Fire Academy, which began classes in August 2022 at Palm Bay Magnet School. In addition to this program, BCFR's implementation of a sponsorship program to award scholarships to students pursuing studies in Fire Services has resulted in hiring numerous scholarship recipients.

Brevard County BOCC and Brevard Public Schools have joined forces to co-sponsor a student job fair in April 2024. This event, to be held at Viera Regional Community Center, will provide students with a unique opportunity to connect with local businesses and government agencies. The aim is to facilitate meaningful interactions and empower students with the chance to explore potential career paths and establish networking opportunities within the community.

In addition to our commitment to internships, Brevard County established the Brevardians Responding as Volunteers (BRAVE) program, which offers unpaid opportunities for students and other community members to contribute to county government and enhance the quality of services provided. BRAVE offers a platform for individuals to contribute their skills, time, and talents to various roles and projects, thus making a difference in their community. BRAVE has provided a valuable educational



BOARD OF COUNTY COMMISSIONERS

Office of Human Resources
2725 Judge Fran Jamieson Way
Building B, Room 209
Viera, Florida 32940

Inter-Office Memo

experience, allowing participants to gain new knowledge, expand their skill sets, establish meaningful connections, while giving back to the community and keeping their resumes current.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation as this has already been implemented.

Recommendation Details

Contact Information

Full Name: Mary B Blakely **Email Address:** blakely_bern@yahoo.com
Mailing Address: 842 Belhurst Lane **Alt Email Address:** blakely_bern@yahoo.com
Rockledge fl 32955 **Phone Number** 321-877-0013

Group/Organization

NA

Recommendation Information

Recommendation Title:

Work Study Program

Areas Affected:

Any departments that need help in clerical

Department:

Not enough help in many County Offices

Problem Description:

When I was in High School during my Senior year I went to school until 10:30 then I went to work. I worked for the County I lived in, Ann Arundel County Maryland.

The school set up the jobs with different businesses through out the county, we received a small pay check and we gained office experience. We had a teacher who kept in contact with the places we were employed. We also received 4 high school credits for this program. I think this could help the County with filling job openings. Some students went to the Animal Shelter, some went to hospitals, some to government offices, some to the police department. In the job I had worked for the public works division. Some of the duties were answering phones, doing the mail, filing, and one thing I did while working for the water department was each month the water department sent someone out to turn off water on citizens that did not pay the bill, my job was to contact the water department driver on radio and send him back to the residences to reconnect the water. We gained experience while making a small paycheck. I have heard that Brevard County has quite a few job openings. If they gave a program like this a try many jobs could be filled. Here in Brevard County a student could work for Housing and Human services, HR, Natural Resources, Survey, Planning and Development. The students could fill in answering phones while staff is at lunch, or when someone is out, they could also learn how to deal with the public. It can be an eye opener for a student who is about to step out into adulthood to see how the County is run, and all of the different things we do. Once they graduate they could apply for a full time position with the County.

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 14, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	HUMAN RESOURCES OFFICE Assigned

Awaiting action from department director



Solid Waste Management Department
2725 Judge Fran Jamieson Way
Building A, Suite 118
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Interoffice Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager

FROM: Thomas J. Mulligan, Solid Waste Management Department Director *TJM*

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2024006

DATE: April 1, 2024

CEER #2024006 was received by the County from William K. Kirwin.

Citizen Statement:

The piling up of yard trash next to the road instead of in the owners' yards would not only clear the walking paths for safer travel it would also allow the trash trucks to pull out of the roadway for pickup, relieving traffic. It is unsightly as much of the debris sits quite a while on the sidewalk. Most homeowners have space for their debris pile off the road. Not sure why they think the road is better?

Citizen Recommendation:

Pile debris on their own yards...or west of the sidewalks.

Staff Analysis:

The collection point of any solid waste to be collected is defined by both Section 94-1 of the Brevard County Code of County Ordinances and Section 6 Paragraph C of the current contract with Waste Management to be a point within five feet from the curblineline or paving line of the nearest public street. Section 94-47 of the Code of Ordinances further states that solid waste and receptacles shall be kept upon property in ownership or tenancy of the person generating the waste, and that waste and receptacles shall be placed so as to allow convenient passage of persons and conveyances. Section 94-49 of the Code of Ordinances and Section 6 Paragraph A of the current contract with Waste Management state that any yard waste not containerized must be stacked in a uniform direction, limited to four feet in length, 24 inches in diameter, and 50 pounds in weight, and that for any yard waste not meeting these limits the customer must notify the collector to schedule a special pickup.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024006 as the issues raised are already addressed in County Code of Ordinances 94-47 and 94-49 and Section 6 A of the County's contract with Waste Management.

Recommendation Details

Contact Information

Full Name:	William K Kirwin	Email Address:	bkswave@gmail.com
Mailing Address:	463 SPOONBILL LN MELBOURNE BEACH fl 32951	Alt Email Address:	
		Phone Number	321-427-2462
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Yard trash on A1A south beaches
Areas Affected: Trash pickup

Department:

The piling up of yard trash next to the road instead of in the owners yards would not only clear the walking paths for safer travel it would also allow the trash trucks to pull out of the roadway for pickup, releaving traffic. It is unsightly as much of the debris sits quite a while on the sidewalk. Most homeowners have space for their debris pile off the road. Not sure why they think the road is better?

Problem
Description:

Pile debris on their own yards...or west of the sidewalks.

Recommendation
Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 14, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SOLID WASTE DEPARTMENT Assigned



Solid Waste Management Department
2725 Judge Fran Jamieson Way
Building A, Suite 118
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Interoffice Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager

FROM: Thomas J. Mulligan, Solid Waste Management Department Director *TJM*

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2024007

DATE: April 1, 2024

CEER #2024007 was received by the County from Joseph F. Skowron.

Citizen Statement:

Trash (contained in the large green containers) is picked up at my address TWICE as week – Mondays and Thursdays. Quite frequently. I do not put trash out for pickup on Monday because the container is less than one half full. Also, on Thursday, I seldom put out the trash for the same reason. As I look down the street at other residences, I see others doing the same. It appears to me that the county could save a considerable amount of money by picking up trash only ONCE a week as they do with recycles and yard waste. I made this suggestion in the past when the new budget was being considered but apparently it was either rejected or not given consideration.

Citizen Recommendation:

Cost Savings!

Staff Analysis:

When the Board of County Commissioners solicited a Request for Proposals for Solid Waste Collection in 2019 there were four weekly collection options available for pricing: Option 1) trash 2x, recycling 1x, yard waste 1x (unlimited quantity); Option 2) trash 1x, recycling 1x, yard waste 1x (unlimited quantity); Option 3) trash 2x, recycling 1x, yard waste 1x (limited to 10 cubic yards); Option 4) trash 1x, recycling 1x, yard waste 1x (limited to 10 cubic yards). Based on the proposed pricing for each option provided by bidders, the Board directed staff to negotiate with the lowest qualified bidder, Waste Management. The resulting contract was executed by the parties based upon Option 1. Staff plans to include the four weekly collection options for pricing when proposals for this service are again solicited in 2026.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation for the reasons outlined in the staff analysis.

Recommendation Details

Contact Information

Full Name: Joseph F Skowron Email Address: jskowron4177@gmail.com

Mailing Address: 4177 SAN YSIDRO WAY
ROCKLEDGE fl 32955 Alt Email Address:

Phone Number 321-243-6174

Group/Organization N/A

Recommendation Information

Recommendation Title: Trash Pickup
Areas Affected: Rockledge

Department:

Trash (contained in the large green containers) is picked up at my address TWICE as week - Mondays and Thursdays. Quite frequently, I do not put our trash out for pickup on Monday because the container is less than one half full. Also, on Thursday, I seldom put out the trash for the same reason. As I look down the street at other residences, I see others doing the same. It appears to me that the county could save a considerable amount of money by picking up trash only ONCE a week as they do with recycles and yard waste. I made this suggestion in the past when the new budget was being considered but apparently it was either rejected or not given consideration.

Problem Description:

Cost savings!

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 14, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SOLID WASTE DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024008

DATE: 04/01/2024

CEER #2024008 was received by the County from Ingrid C. Mellone.

Citizen Statement:

Brevard County has no system alerting property owners to possible fraud. According to the FBI, property fraud is one of the fastest growing white-collar crimes. Deed fraud can occur when someone records a fraudulent document in the Official Records, apparently changing the ownership of their property. Fraudulent mortgages and liens could also be recorded with respect to a property.

Citizen Recommendation:

Offer a system like that of nearby Orange County:
<https://ocpaweb.ocpafl.org/content/PropertyInfoAlert>

Staff Analysis:

Staff contacted Brevard County Clerk of Court Rachel Sadoff. Her office recommends homeowners become their own property information fraud advocate because, despite property fraud programs or safety measures that are touted, there is no alert notification system in place that prevents fraud from occurring, and alerts are not generally property specific. None of these systems eliminate or prevent fraud of any kind. "Our office suggests searching our Official Records free of charge which are available 24/7 on our website at www.brevardclerk.us. This allows property owners to search for documents affecting your property from the comfort of one's home, cell phone, or tablet without the need to come into one of our branch offices."

The Clerk of Court's Office has scheduled public property fraud presentations on the following dates for 2024: (All presentations will be from 2:30-4 p.m. at the Brevard County Government Center, Space Coast Room, Building C, 2725 Judge Fran Jamieson Way, Viera, FL, 32940)

Tuesday, May 21

Tuesday, July 23

Thursday, Sept. 24

Thursday, Nov. 7

(Please visit www.brevardclerk.us to schedule your presentation date and save your seat!)

Staff Recommended Action:

It is recommended that CEER #20024008 be accepted with revisions, to recommend that concerned citizens attend Clerk of Court-sponsored property fraud presentations held throughout the year.

Recommendation Details

Contact Information

Full Name:	Ingrid C Mellone	Email Address:	mellonei@hotmail.com
Mailing Address:	2225 HIGHWAY A1A Indian Harbour Beach fl 32937	Alt Email Address:	
		Phone Number	407-616-7662
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Property owner fraud alert
Areas Affected:

Department: PROPERTY APPRAISER

Brevard County has no system alerting property owners to possible fraud. According to the FBI, property fraud is one of the fastest growing white-collar crimes. Deed fraud can occur when someone records a fraudulent document in the Official Records, apparently changing the ownership of their property. Fraudulent mortgages and liens could also be recorded with respect to a property.

Problem Description:

Offer a system like that of nearby Orange County: <https://ocpaweb.ocpafl.org/content/PropertyInfoAlert>

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 14, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director

2024008 - Links Contained Within Citizen CEER Submission

<https://ocpaweb.ocpafl.org/content/PropertyInfoAlert>



UF/Brevard Extension Service

3695 Lake Drive

Cocoa, FL 32926

Tel: 321-633-1702 Fax: 321-633-1890

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: Jim Liesenfelt, Assistant County Manager *RL*

FROM: Elizabeth Shephard, County Extension Director *ES*

SUBJ: CEER# 2024009 - Expand Class Size for 2024 County Citizens Academy

DATE: April 1, 2024

CEER# 2024009 was received by the County from Kristin Lortie.

Citizen Statement:

This year I took the County Citizens Academy. It was an excellent program introducing attendees to numerous county departments and department heads. It's a valuable opportunity to let citizens know more about all the great work the county does on behalf of residents and to get to know our local department heads.

The class size was relatively small and there was some attrition. The spots that were available were over half filled with county staff and there were lots of empty seats in the large meeting space that could have been used for additional resident attendance.

Citizen Recommendation:

Please expand class size to allow more residents to participate. Given attrition and the large classroom size extra spaces should be allowed for residents. Once the limit has been reached instead of closing enrollment a back up list could be created in case people do not show up so that these people can be contacted early on in the course.

The benefits of allowing more participation are that more residents would become knowledgeable about county services and can become ambassadors for the same to other residents. This costs no money and helps the county deliver the programming more efficiently. Greater participation may reduce unnecessary staff time helping residents get familiar with county offerings and programs, and to better understand where our local tax dollars are going.

Staff Analysis:

The 2023 Citizen's Academy class did not fill, nor was the class closed to additional participants. Additional attendees were welcome to join in any class. Classes are promoted through press releases and social media.

In the event a class exceeds capacity limits, the procedure is to have a waiting list and add people in as soon as openings occur. Since Extension started hosting this event, no one has been denied the opportunity to participate. We have always been able to make space for anyone wanting to participate.

The 2024 class began on February 8, 2024. We have always been able, and will continue, to make space available to those who would like to participate.

Staff Recommended Action:

It is recommended that CEER# 2024009 be rejected by the Board of County Commissioners, as class sizes are not limited.

Recommendation Details

Contact Information

Full Name: Kristin Lortie **Email Address:** kristin.lortie@gmail.com
Mailing Address: 5524 Brilliance Circle
Cocoa fl 32926 **Alt Email Address:**
Phone Number 720-935-8780

Group/Organization

N/A

Recommendation Information

Recommendation Title: Expand Class Size for 2024 County Citizens Academy
Areas Affected: Citizens Academy

Department:

COUNTY MANAGERS OFFICE

This year I took the County Citizens Academy. It was an excellent program introducing attendees to numerous county departments and department heads. It's a valuable opportunity to let citizens know more about all the great work the county does on behalf of residents and to get to know our local department heads.

Problem Description:

The class size was relatively small and there was some attrition. The spots that were available were over half filled with county staff and there were lots of empty seats in the large meeting space that could have been used for additional resident attendance.

Please expand class size to allow more residents to participate. Given attrition and the large classroom size extra spaces should be allowed for residents. Once the limit has been reached instead of closing enrollment a back up list could be created in case people do not show up so that these people can be contacted early on in the course.

Recommendation Description

The benefits of allowing more participation are that more residents would become knowledgeable about county services and can become ambassadors for the same to other residents. This costs no money and helps the county deliver the programming more efficiently. Greater participation may reduce unnecessary staff time helping residents get familiar with county offerings and programs, and to better understand where our local tax dollars are going.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 15, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	UF/BREVARD COUNTY EXTENSION SERVICES OFFICE Assigned

Awaiting action from department director



Solid Waste Management Department
2725 Judge Fran Jamieson Way
Building A, Suite 118
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Interoffice Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager 

FROM: Thomas J. Mulligan, Solid Waste Management Department Director 

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2024010

DATE: April 1, 2024

CEER #2024010 was received by the County from Kristin Lortie.

Citizen Statement:

I live near the Cocoa dump and am on a main corridor for trash distribution to the dump. Thus, numerous waste trucks a day travel down SR524. Trash regularly blows off the trucks and is left on the side of the road until it is eventually collected by hand. If trash is not picked up timely it is often run over by lawnmowing equipment making it even more challenging to collect.

Citizen Recommendation:

Reducing trash blowing off of dump trucks reduces the amount of hand pick up required by residents and city/county staff while improving the appearance of our county. Please ask Waste Management to improve trash containment practices to help keep Brevard beautiful.

Staff Analysis:

Windblown debris from vehicles that have not fully secured their solid waste load is a continuing roadside litter challenge. However, it is important to note that State Road 524 and Adamson Road are the two roads used by nearly every vehicle that accesses the Central Disposal Facility for solid waste disposal. This means that these roads are used not only by Waste Management vehicles contracted for collection service in unincorporated Brevard County, but also by collectors contracted by municipalities, construction and demolition debris contractors, roofing contractors, landscapers, and citizens hauling their own solid waste for disposal. Chapter 316.520 of the Florida Statutes provides the requirements for all vehicles carrying loads on roads and highways. Solid Waste Management Department personnel regularly clean up litter along Adamson Road and regularly remind solid waste haulers, including Waste Management, of the regulations concerning loads on vehicles. However,

State Road 524 is maintained by the Florida Department of Transportation and is not in the County jurisdiction of cleanup or enforcement of the statute.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation as it has already been implemented.

Recommendation #2024010

Recommendation Details

Contact Information

Full Name:	Kristin Lortie	Email Address:	kristin.lortie@gmail.com
Mailing Address:	5524 Brilliance Circle Cocoa fl 32926	Alt Email Address:	
		Phone Number	720-935-8780
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Reduce Trash Blowing off of Waste Management Trucks
Areas Affected: Solid Waste Management

Department: SOLID WASTE DEPARTMENT

I live near the Cocoa dump and am on a main corridor for trash distribution to the dump. Thus numerous waste trucks a day travel down SR524. Trash regularly blows off the trucks and is left on the side of the road until it is eventually collected by hand. If trash is not picked up timely it is often run over by lawnmowing equipment making it even more challenging to collect.

Problem Description:

Reducing trash blowing off of dump trucks reduces the amount of hand pick up required by residents and city/county staff while improving the appearance of our county. Please ask Waste Management to improve trash containment practices to help keep Brevard beautiful.

Recommendation Description

There are no attachments for this recommendation.

Attachments

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 15, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SOLID WASTE DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Marc Bernath, Public Works Director

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024011

DATE: 04/01/2024

CEER #2024011 was received by the County from Linda Griffin.

Citizen Statement:

At the corner of Bayshore Drive & West Bay in Snug Harbor the ditch along the South side of West Bay is caving in presenting a potential liability issue for the county should the road collapse or someone falls. Some photos are provided below:

<https://share.icloud.com/photos/0f4y0iQuiL8i4a9yppLGIOANA>

Citizen Recommendation:

Maybe some fill could be brought in as a temporary fix to stop the ditch from caving in as it is.

Staff Analysis:

This is a standard service request. Service request SR #673907580 was created in the Public Works iWorQ System on December 19, 2023. The necessary repair was made on December 21, 2023.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation. Staff promptly responded to the service request and addressed the issue.

Recommendation #2024011

Recommendation Details

Contact Information

Full Name:	Linda J Griffin	Email Address:	griffj49@gmail.com
Mailing Address:	1301 Bayshore Drive Cocoa Beach fl 32931	Alt Email Address:	griffj49@gmail.com
		Phone Number	321-784-1494

Group/Organization

N/A

Recommendation Information

Recommendation Title: Drainage ditch deterioration
Areas Affected:

Department:

At the corner of bayshore day & w bay in snug harbor the ditch along the south side of w bay is caving in presenting a potential liability issue for the county should the road collapse or someone falls. Some photos are provided below

<https://share.icloud.com/photos/0f4y0iQuIL8i4a9ypplGIOANA>

Problem Description:

Maybe some fill could be brought in as a temporary fix to stop the ditch from caving in as it is.

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 15, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	PUBLIC WORKS DEPARTMENT Assigned

Awaiting action from department director















BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office

2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director

OW

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024012

DATE: 04/01/2024

CEER #2024012 was received by the County from Gary Peterford on December 15, 2023.

Citizen Statement:

Is there any way to get Lawyer Dan Newlin to slow down on all his TV ads about suing auto insurance companies to get these clients loads of money?

A lot of us are tired of hearing this ambulance chaser day and night on most of the channels. It's impacting the cost of our auto insurance when he keeps suing them and it also encourages people who want to become rich to get into a crash after they hear those tremendous awards. The clients should never be put on camera and brag how much of an award they won with a grin. I am sure Dan pays them extra to do that.

At least the other lawyers don't show their clients and don't broadcast what they won.

If need be, I will start a petition to get action on this issue.

Please look into this matter.

Citizen Recommendation:

Please look into what can be done to slow down Dan Newlin's TV ads.

Staff Analysis:

The regulation of lawyer advertising on television (and otherwise) has come about as a result of various court decisions and the Florida Bar Rules on Professional Conduct. The County has no role to play in the regulation of lawyers or advertisement of legal services. Under Florida Bar Rules of Professional Conduct Rule 4-7.11(b), the lawyer advertising rules in Florida apply to lawyers admitted to practice in Florida advertising to provide legal services in Florida.

Staff Recommended Action:

It is recommended that CEER #20024012 be rejected by the Board as the County has no jurisdiction on advertisements pertaining to the legal profession.

Recommendation #2024012

Recommendation Details

Contact Information

Full Name:	Gary A Peterford	Email Address:	Gareee2562@aol.com
Mailing Address:	430 Wynfield Circle Rockledge fl 32955-5390	Alt Email Address:	
Group/Organization	N/A	Phone Number	321-208-8143

Recommendation Information

Recommendation Title: Excessive TV lawyer's ads
Areas Affected:

Department:

Hello,
Is there any way to get Lawyer Dan Newlin to slow down on all his TV ads about suing auto insurance companies to get these clients loads of money?
A lot of us are tired of hearing this ambulance chaser day and night on most of the channels. It's impacting the cost of our auto insurance when he keeps suing them and it also encourages people who want to become rich to get into a crash after they hear those tremendous awards. The clients should never be put on camera and brag how much of an award they won with a grin. I am sure Dan pays them extra to do that.
At least the other lawyers don't show their clients and don't broadcast what they won.
If need be, I will start a petition to get action on this issue.
Please look into this matter.
Thank you, Gary Peterford

Problem Description:

Please look into what can be done to slow down Dan Newlin's TV ads.

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER	Citizen	Dec 15, 2023	

User	Status	Date	Remarks
WebUser	Submitted		
Karen Conde	Department Assigned	Dec 20, 2023	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office

2725 Judge Fran Jamieson Way

Building C, Room 301

Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024013

DATE: 04/01/2024

CEER #2024013 was received by the County from Kristin Lortie.

Citizen Statement:

Unlike many other Florida counties, Brevard County does not currently have a strategic plan for the county. A simple google search of the words "strategic planning counties Florida" returns multiple search results for Florida counties including Seminole, Marion, Bay, Pasco, Okeechobee, Miami-Dade, Jackson, Leon, Citrus, Hillsborough, Orange, Palm Beach, Sumter, Flagler, Pinellas, Nassau, Charlotte and numerous other counties that are planning a cohesive strategy for their futures and have their documents easily available on the internet.

Given Brevard County's rapidly exploding county, it's time for us to have our own strategic plan to map our county's future.

The following was copied from Harvard Business School site <https://online.hbs.edu/blog/post/why-is-strategic-planning-important>

WHAT IS STRATEGIC PLANNING?

Strategic planning is the ongoing organizational process of using available knowledge to document a business's intended direction. This process is used to prioritize efforts, effectively allocate resources, align shareholders and employees on the organization's goals, and ensure those goals are backed by data and sound reasoning.

Citizen Recommendation:

Suggest that the county initiate a 5-year strategic planning effort that includes multiple components (Values, Vision, SWOT, Resiliency, Community Participation, etc). A 5-year plan would provide a more cohesive vision for Brevard residents, employees, businesses, and elected officials, and should be created in collaboration with citizen participation in the goal-setting for the county.

A 5-year strategic plan would be appealing to new businesses and residents, to know that Brevard County acknowledges itself as a growing county that wants to serve it's residents and stakeholders through its planning efforts.

Attached are samples of current strategic plans from Orange and Leon Counties. Many others are available via simple google search. It's time Brevard County had our own 5-year Strategic Planning that is easy to locate on our county website!

Staff Analysis:

The County's annual budget plan, including an annual Budget Message, as approved by the Board of County Commissioners, sets and continues initiatives that target both long-range and short-term strategic priorities, including public safety, infrastructure, employee compensation, recruitment, retention and environmental resilience. Brevard County departments have many long-range plans that include, but are not limited to, expansion and upgrades to utility services and infrastructure, roads and bridges paving, maintenance, replacement and reconstruction, Indian River Lagoon restoration, solid waste disposal, and emergency response services. Such long-range plans include but are not limited to:

- **Public Work's** cornerstone plan is a 5-year and beyond plan for road resurfacing, reconstruction and preservation across the county. Serving effectively as a report card, a Pavement Condition Assessment is routinely performed by an independent consultant. It helps guide the County on which roads need attention, and each year the list of actual streets that will be addressed in the following year are revisited by staff's visual inspection. As such, specific roads are adjusted accordingly based on need, potential conflicts, and available funding.
- Public Works also has a 5-year Bridge Plan. Bridges are inspected either by Florida Department of Transportation or by one of the County's consultants. Based on criticality and available funding, Public Works has focused its efforts into maintenance, rehabilitation, and replacements.
- Public Works also has over 80 active large-scale maintenance or capital improvement projects in either the planning/feasibility, design, or construction stage. Based on available funding, these projects are planned out over many years and are often impacted by permitting, citizen support, and Right of Way impacts.
- Each year during the budgeting process, the current year's efforts are reviewed and compared to projections and adjusted accordingly. Smaller maintenance projects, largely driven by citizen complaints, are tracked but are typically completed within 1-2 years. As projects are completed, it serves as the bench and a strategic plan/roadmap for future projects if newer projects aren't deemed more critical.
- **Solid Waste Management** currently has both short-term and long-term Capital Improvement Programs that set forth the projected needs of the Solid Waste Management system for the immediate future and subsequent 25-year planning period. Revenue and expenditures are mapped out over a 30-year period to ensure that adequate funding is available to facilitate the Department's mission of providing a dependable, cost-effective, and environmentally sound Solid Waste Management system. The plans include landfill expansions and closures, facility

maintenance, new facility construction, equipment replacement, and environmental compliance.

- **Brevard County Fire Rescue** has a long-term plan to invest in personnel, infrastructure, and capital to address the needs of Brevard County citizens and visitors. Long-range planning continues to be updated as time progresses to remain consistent with the needs of the County and its residents and visitors.
- **Natural Resources Management** has several long-range initiatives in the County's Comprehensive Plan. The state requires an Evaluation and Appraisal Report (EAR) of the Comprehensive Plan every seven years.
- The Save Our Indian River Lagoon Project Plan is a 10-year plan that is updated annually.
- The Capital Improvement Plan for NRM is a 5-year plan for capital projects.
- Beaches has a 50-year agreement with the U.S. Army Corps of Engineers.
- Boating and Waterways has a Comprehensive Maritime Management Master Plan and a Manatee Protection Plan.
- **Utility Services** has invested in many efforts since 2000 to establish a long-term implementation plan on current and future services. Utility Services developed a long-term plan to identify treatment plant and pipeline expansion needs that was based on a 2035 population projection analysis. Assessment of all County water and wastewater assets are near completion to program replacements as part of a long-term plan.
- The County's **Comprehensive Plan**, which the Board regularly reviews and modifies as needed, guides the County's long-range plan for community growth. The plan is available on the County website at this link: https://www.brevardfl.gov/docs/default-source/planning-development/comprehensive-plan/table-of-contents.pdf?sfvrsn=94099b77_1

Staff Recommended Action:

It is recommended that CEER #20024013 be rejected by the Board of County Commissioners, and the long-range planning as outlined above be continued. Brevard County has previously approved strategic plans similar to those recommended in this CEER with limited success. The long-range planning outlined herein has proved successful in moving our organization forward in a cohesive aligned manner consistent with Board direction.

Recommendation Details

Contact Information

Full Name:	Kristin Lortie	Email Address:	kristin.lortie@gmail.com
Mailing Address:	5524 Brilliance Circle Cocoa fl 32926	Alt Email Address:	
		Phone Number	720-935-8780

Group/Organization

Recommendation Information

Recommendation Title: Brevard County Needs a 5-year Strategic Plan like other Florida Counties

Areas Affected: County Planning

Department: COUNTY MANAGERS OFFICE

Unlike many other Florida counties, Brevard County does not currently have a strategic plan for the county. A simple google search of the words "strategic planning counties Florida" returns multiple search results for Florida counties including Seminole, Marion, Bay, Pasco, Okeechobee, Miami-Dade, Jackson, Leon, Citrus, Hillsborough, Orange, Palm Beach, Sumter, Flagler, Pinellas, Nassau, Charlotte and numerous other counties that are planning a cohesive strategy for their futures and have their documents easily available on the internet.

Problem Description:

Given Brevard County's rapidly exploding county, it's time for us to have our own strategic plan to map our county's future.

The following was copied from Harvard Business School site <https://online.hbs.edu/blog/post/why-is-strategic-planning-important>

WHAT IS STRATEGIC PLANNING?

Strategic planning is the ongoing organizational process of using available knowledge to document a business's intended direction. This process is used to prioritize efforts, effectively allocate resources, align shareholders and employees on the organization's goals, and ensure those goals are backed by data and sound reasoning.

Suggest that the county initiate a 5-year strategic planning effort that includes multiple components (Values, Vision, SWOT, Resiliency, Community Participation, etc). A 5-year plan would provide a more cohesive vision for Brevard residents, employees, businesses, and elected officials, and should be created in collaboration with citizen participation in the goal-setting for the county.

Recommendation Description

A 5-year strategic plan would be appealing to new businesses and residents, to know that Brevard County acknowledges itself as a growing county that wants to serve it's residents and stakeholders through its planning efforts.

Attached are samples of current strategic plans from Orange and Leon Counties. Many others are available via simple google search. It's time Brevard County had our own 5-year Strategic Planning that is easy to locate on our county website!

Attachments

No.	Type	Name
-----	------	------

1		Leon County FY2022-2022 Strategic Plan.pdf
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No. Type Name

2  Orange County - Strategic Plan 2020-2025.pdf

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 15, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director

2024013 - Links Contained Within Citizen CEER Submission

<https://online.hbs.edu/blog/post/why-is-strategic-planning-important>

LEON COUNTY FY2022-2026

STRATEGIC PLAN



UPDATED FEBRUARY 2023

LEON COUNTY BOARD OF COUNTY COMMISSIONERS



(From left) District 1 Commissioner Bill Proctor, District 5 Commissioner David T. O'Keefe, At-Large Commissioner Carolyn D. Cummings (Vice Chairman), At-Large Commissioner Nick Maddox (Chairman), District 4 Commissioner Brian Welch, District 3 Commissioner Rick Minor, and District 2 Commissioner Christian Caban.

VISION

A community that is safe, healthy and vibrant.

MISSION

To efficiently provide public services which serve and strengthen our community.

OUR VALUE PROPOSITION

WHAT YOU GET AS A TAXPAYER AND A STAKEHOLDER IN OUR COMMUNITY

Leon County Government leverages partnerships, embraces efficiency and innovation, and demands performance to the benefit of our taxpayers. We actively engage our citizens, not only as taxpayers, but as stakeholders and co-creators of our community – providing meaningful opportunities to capitalize on their talents in making important decisions and shaping our community for future generations.

MESSAGE FROM THE COUNTY ADMINISTRATOR



VINCENT S. LONG,
County Administrator

On behalf of the Board of County Commissioners and the dedicated men and women of Leon County Government, I'm proud to present the Fiscal Year (FY) 2022-2026 Leon County Strategic Plan. The County's current Strategic Plan builds upon the County's long-term term strategic framework that has produced results and ensured we remain agile and innovative in the face of unprecedented challenges.

Each year, we update our Strategic Plan as we continue to evolve, engage, and execute our strategy. And every fifth year, we reflect on the County's impact and progress over the past strategic plan while affirming and updating the County's vision, priorities, and initiatives that continue to guide our daily efforts. In addition, we set our sights on new or even more aspirational bold goals and five-year targets, which keep County employees striving to make Leon County a special place to live, work, and play.

Our culture of performance has made Leon County known nationwide, and here at home, as a county government of innovative problem solvers working on behalf of and alongside our citizens in addressing the needs of the community and shaping our future.

In the pages ahead, you will see how we at Leon County plan and measure our success in the priority areas of Economy, Environment, Quality of Life, and Governance. Our Strategic Plan guides our efforts at every level of the organization and provides a foundation for setting the standard in public service. The plan also features five-year targets that keep us focused on tangible results and our bold goals that ensure we stretch ourselves to expand possibilities and exceed expectations.

And we cannot do all this alone. In the years ahead, we will continue to engage citizens as co-creators of this special community we share.

LEON COUNTY CORE PRACTICES

- ▶ Delivering the "Wow" factor in Customer Service.
- ▶ Connecting with Citizens.
- ▶ Demonstrating Highest Standards of Public Service.
- ▶ Accepting Accountability.
- ▶ Exhibiting Respect.
- ▶ Employing Team Approach.
- ▶ Exercising Responsible Stewardship of the Community's Resources.
- ▶ Living our "People Focused, Performance Driven" Culture.



FY2022-2026 STRATEGIC PLAN

VISION

A community that is safe, healthy and vibrant.

MISSION

To efficiently provide public services which serve and strengthen our community.

CORE VALUES

Service, Integrity, Accountability, Respect, Collaboration, Stewardship, Transparency, Performance

STRATEGIC PRIORITIES

Economy

To be an effective leader and a reliable partner in our continuous efforts to make Leon County a place which attracts and retains talent, to grow and diversify our local economy, and to realize our full economic vitality. (EC)

Environment

To be a responsible steward of our precious natural resources in our continuous efforts to make Leon County a place which values our environment and natural beauty as a vital component of our community's health, economic strength and social offerings. (EN)

Quality of Life

To be a provider of essential services which promote the well-being of our citizens and the livability of our community in our continuous efforts to make Leon County a place where people are healthy, safe, and connected to their community. (Q)

Governance

To be a model for local governance with innovative, competent, and responsible public servants, committed to promoting integrity and diversity, creating meaningful opportunities for citizen engagement and co-creation, and ensuring fiscal stewardship. (G)

STRATEGIC INITIATIVES

BOLD GOALS AND TARGETS

Vision

A community that is safe, healthy and vibrant.

Leon County's vision statement is an aspirational description of what the organization would like to achieve and accomplish in the future. The vision statement also describes how Leon County, in an ideal state, should look in the future.

Mission

To efficiently provide public services which serve and strengthen our community.

Leon County's mission statement supports the vision and serves to communicate purpose and direction to employees, citizens, vendors and other stakeholders. The mission statement reflects the organization's vision, but is more concrete and action-oriented.

Core Values

Service, Integrity, Accountability, Respect, Collaboration, Stewardship, Transparency, Performance

Leon County's core values are the foundational, guiding principles on how the County team serves the public, exceeds expectations, and accomplishes big, game-changing projects and initiatives. These core values serve as the foundation for our core practices, which are the ways we live our values every day through public service.

Strategic Priorities

Leon County's Strategic Priorities are high-level categories of focus in the County's major areas of responsibilities: Economy, Environment, Quality of Life, and Governance. The priorities consider the County's future in each area and are critical to the success of the community. As part of the strategic plan, these priorities inform every decision and every initiative made by Leon County.

Strategic Initiatives

Leon County's strategic initiatives are program- or area-specific projects that align with the County's strategic priorities to serve and strengthen the community. In the FY2017-2021 Strategic Plan, the 75 strategic initiatives ensure that the optimized resources of the County are aligned to address the community's most pressing issues and to achieve the County's top priorities.

Bold Goals and Targets

Bold goals are truly stretch goals that will be big and difficult to achieve, but are worthy of Leon County's best efforts. Bold goals require the County to explore new partnerships, identify new opportunities, and inspire new ideas.

Leon County's five-year targets are aligned with each strategic priority and will communicate to the public and staff throughout the County the specific results the County expects to achieve through the collective execution of the strategic initiatives. Achieving these five-year targets will demonstrate results, accountability, and the strength of long-term planning.

ECONOMY

► PRIORITY

To be an effective leader and a reliable partner in our continuous efforts to make Leon County a place which attracts and retains talent, to grow and diversify our local economy, and to realize our full economic vitality. (EC)



Do well-designed public infrastructure which supports business, attracts private investment, and has long term economic benefits. (EC1)



Support programs, policies and initiatives to attract, create, and promote expansion of business, entrepreneurship, job creation, workforce development, economic equity and mobility. (EC2)



Leverage university and community partnerships to increase entrepreneurial, technology transfer and commercialization opportunities. (EC3)



Grow our tourism economy, its diversity, competitiveness, and economic impact. (EC4)

BOLD GOAL

**Grow the
five-year
tourism
economy to
\$5 billion.** (BG1)

23%
\$1.15 billion





5-YEAR TARGETS

- ▶ Attract 100 State, Regional or National Championships Across All Sports
- ▶ Grow the Job Market by 10,000 New Jobs and Co-Create 500 Entrepreneur Ventures
- ▶ Connect 7,000 Students to Skilled Job Opportunities through Leon Works and Other Talent Development Initiatives
- ▶ Increase the Number of Certified MWSBEs by 30%

PROGRESS TO DATE

16%

(16 Championships)

208 new entrepreneurial ventures co-created

54%

(Connected 3,700 students)

18%

(Certified 35 new MWSBEs)



ENVIRONMENT

► PRIORITY

To be a responsible steward of our precious natural resources in our continuous efforts to make Leon County a place which values our environment and natural beauty as a vital component of our community's health, economic strength and social offerings. (EN)



Protect the quality and supply of our water. (EN1)



Conserve and protect environmentally sensitive lands and our natural ecosystems. (EN2)



Promote orderly growth and sustainable practices. (EN3)



Reduce our carbon footprint. (EN4)

BOLD GOAL

**Upgrade or Eliminate
500 Septic Tanks in
the Primary Springs
Protection Zone** (BG2)

39%

195 septic upgrades and/or
conversions completed or in
progress to date





5-YEAR TARGETS

PROGRESS TO DATE

- | | |
|---|---|
| <p>▶ Reduce Greenhouse Gas Emissions Stemming from County Operations by 25%</p> | <p>8%
(Reduced GHG emissions by 2%)</p> |
| <p>▶ Double Solar Power Generation at County Facilities</p> | <p>37%
(Increased generation by 50 kW)</p> |
| <p>▶ Divert 3 Million Pounds of Household Hazardous Waste from Landfill</p> | <p>27%
(Diverted 795,000 pounds of waste)</p> |
| <p>▶ Increase the Number of Fully Electric Vehicles in the County's Fleet by 500%</p> | <p>275%
(Anticipated increase through FY 2023)</p> |



QUALITY OF LIFE

► PRIORITY

To be a provider of essential services which promote the well-being of our citizens and the livability of our community in our continuous efforts to make Leon County a place where people are healthy, safe and connected to their community. (Q)



Maintain and enhance our parks and recreational offerings and green spaces. (Q1)



Provide relevant and essential offerings through our libraries and community centers which promote literacy, life-long learning, and social equity. (Q2)



Provide essential public safety infrastructure and services while supporting early intervention and prevention strategies. (Q3)



Support and promote access to basic healthcare, mental health, affordable housing, and homeless prevention services to our community members most in need. (Q4)



Promote livability, health and sense of community by supporting strong neighborhoods, enhancing mobility, encouraging human scale development, and creating public spaces for people of all ages. (Q5)



Assist local veterans and their dependents with securing entitled benefits and advocating their interests. (Q6)



Build, sustain and improve resilience to mitigate against, prepare for, respond to and recover from man-made and natural disasters. (Q7)

BOLD GOAL

**Support Community
Partners to Place
100 Residents
Experiencing Chronic
Homelessness
in Permanent
Supportive Housing**

(BG3)

23%

23 placements



5-YEAR TARGETS

- ▶ Secure More Than \$150 Million in Federal, State, and Local Benefits for Leon County Veterans and Their Families
- ▶ Support 900 Community Events, Sporting Competitions, Festivals, Performances and Cultural Programing That Will Attract Visitors and Residents
- ▶ Construct 90 Miles of Sidewalks, Greenways, Trails and Bike Lanes
- ▶ Host 100,000 Residents and Visitors through County-Supported Performances at the Amphitheater

PROGRESS TO DATE

17%
(Secured \$25 million)

15%
(Supported 135 community events)

10%
(Constructed nearly 10 miles)

25%
(Supported 11 performances)



GOVERNANCE

► PRIORITY

To be a model for local governance with innovative, competent, and responsible public servants, committed to promoting integrity and diversity, creating meaningful opportunities for citizen engagement and co-creation, and ensuring fiscal stewardship. (G)



Sustain a culture of transparency, accessibility, accountability, civility, and the highest standards of public service. (G1)



Sustain a culture of performance, and deliver effective, efficient services that exceed expectations and demonstrate value. (G2)



Inform and engage citizens through multiple outreach platforms to ensure consistent, high-value, transparent communication on our most important issues. (G3)



Retain and attract a highly skilled, diverse and innovative County workforce, which exemplifies the County's Core Practices. (G4)



Exercise responsible stewardship of County resources, sound financial management, and ensure that the provision of services and community enhancements are done in a fair and equitable manner. (G5)

BOLD GOAL

**Implement 600
Citizen Ideas,
Improvements,
Solutions and
Opportunities for
Co-Creation** (BG4)

23%

138 citizen ideas





5-YEAR TARGETS

- ▶ Connect 50,000 Volunteers with Service Opportunities Communitywide
- ▶ Reach 100,000 More Citizens Across All County Platforms and Programming
- ▶ Offer 100% Online Permitting for Licensed Contractors, Engineers and Architects
- ▶ Communicate More Than 1.5 Million Disaster Preparedness Messages to Create Resilient Households, Businesses and Nonprofits

PROGRESS TO DATE

15%

(Connected 7,400 volunteers)

18%

(Reached 18,000 more citizens)

100%

(on track to complete this target by FY 2023)

41%

(Communicated 613,000 messages)



STRATEGIC INITIATIVES – ECONOMY



- » (EC1) Continue to implement catalytic public infrastructure projects through Blueprint and the County's five-year CIP that provide connectivity and leverage public and private investments. (2022-1)
- » (EC2) Implement the Economic Development Strategic Plan as adopted and revised by the Intergovernmental Agency. (2022-2)
- » (EC2) Implement the recommendations from the joint County/City disparity study to be completed in FY 2022. (2022-3)
- » (EC3) Continue to support the Magnetic Technologies Task Force in growing the cluster of research and businesses in the magnetic technologies industry. (2022-4)
- » (EC4) Implement the Division of Tourism's Strategic Plan. (2022-5)
- » (EC4) Continue to build upon the reputation of Apalachee Regional Park as a destination venue for cross country athletes by securing state, regional and national competitions. (2022-6)
- » (EC4) To further promote Leon County as a biking community, pursue the State's "Trail Town" designation and continue to coordinate with the City, Blueprint, State, and U.S. Forest Service to leverage capital improvements in pursuit of the International Mountain Biking Association (IMBA) designation. (2022-7)
- » (EC1) Maximize the leveraging of the \$1.0 trillion federal infrastructure bill to fund County projects. (2022-8)
- » (EC2, EC3) Collaborate with regional workforce and talent partners to connect companies and education institutions with training programs to inform, support, and recruit entry-level technology talent. (2022-9)
- » (EC1, EC4) Support the completion of the Fairgrounds Master Plan by Blueprint and, upon completion, effectuate the next steps for the redevelopment of the North Florida Fairgrounds. (2022-10)
- » (EC4) To celebrate Leon County/Tallahassee bicentennial in 2024, the County will implement the Leon County Bicentennial organizational management plan and facilitate the Bicentennial Steering Committee to lead the community planning efforts with government agencies, businesses, organizations, and citizens. (2023-1)
- » (EC1, EC4) Open and activate the newly renovated Amtrak facility as the visitor center and destination hub for Leon County. (2023-2)
- » (EC2) Partner with the City of Tallahassee, Capital City Chamber of Commerce, and local stakeholders to spur economic growth and financial security in the neighborhoods that have historically experienced poverty and racial inequity through initiatives including Bank On Tallahassee. (2023-3)
- » (EC1) Engage local, regional, state, and federal partners to encourage the restoration of passenger rail service along the Gulf Coast by leveraging federal dollars under the Infrastructure Investment and Jobs Act. (2023-4)
- » (EC1) Through the Blueprint Intergovernmental Agency, evaluate opportunities to advance the construction of the Tharpe Street project. (2023-5)
- » (EC2, EC3) Collaborate with regional partners in the building and technical trades to increase entry-level apprenticeship opportunities. Target specifically training on-the-job upon hiring positions. (2023-6)
- » (EC2) Continue efforts to promote opportunities for youth training and development with the County. (2023-7)

STRATEGIC INITIATIVES – ENVIRONMENT



- » (EN1) Continue to work with the state to seek matching grants to convert septic to sewer systems and support septic system upgrades. (2022-11, rev. 2023)
- » (EN2) Evaluate requiring advanced wastewater treatment (AWT) for new construction. (2022-12)
- » (EN3) Complete a comprehensive review and revision to the Land Use Element of the Comprehensive Plan. (2022-13)
- » (EN3) Complete an evaluation of transportation fee alternatives to replace the existing concurrency management system of mobility fees. (2022-14)
- » (EN4) Enact the County's Integrated Sustainability Action Plan to further reduce the County Government's carbon footprint. (2022-15)
- » (EN1) Ensure County's water quality and stormwater regulations, programs and projects are evaluated and implemented holistically to advance the County's adopted strategic priority: to protect the quality and supply of our water. (2022-16)
- » (EN1) Initiate Basin Management Plan updates for the unincorporated area once the state adopts new stormwater standards. (2022-17)
- » (EN3) Partner with the Apalachee Regional Planning Council (ARPC) to address long term regional resiliency through a Florida Department of Environmental Protection (FDEP) grant. (2022-18)
- » (EN2) Evaluate enhancing existing roadside litter debris removal through the creation of a County staffed program and further engage neighborhoods, businesses and civic organizations in expanding the County's adopt-a-road program. (2022-19)
- » (EN1) Implement the comprehensive Action Plan for Lake Munson to support the long-term water quality of the lake and surrounding water bodies (2023-8)

STRATEGIC INITIATIVES – QUALITY OF LIFE



- » (Q1) Implement the Tallahassee-Leon County Greenways Master Plan. (2022-20)
- » (Q2) Implement the Leon County Essential Libraries Initiative. (2022-21)
- » (Q3) Continue to evaluate emergency medical response strategies to improve medical outcomes and survival rates. (2022-22)
- » (Q3) Identify and evaluate pretrial alternatives to incarceration for low level and non-violent offenders and support reentry through regional partnerships and state and national efforts. (2022-23)
- » (Q4) Continue County support of primary healthcare through participation in Carenet in order to increase access to affordable healthcare for those in need. (2022-24)
- » (Q4) In coordination with the Leon County Health Department, work to identify an operator for a local Syringe Exchange Program. (2022-25)
- » (Q5) Continue to work with the Florida Department of Transportation for safety improvements on State and County roadways to include accessibility enhancements, street lighting installations, sidewalk additions, safety audits, and intersection improvements. (2022-26)
- » (Q7) Continue coordination of local COVID-19 response and recovery including leveraging State and federal funds to support individual and business assistance as well as vaccination and testing efforts. (2022-27)
- » (Q3) Support the Sheriff in the implementation of the Council on Men and Boys to address the issues brought forth in the Sheriff's Anatomy of a Homicide Project report. (2022-28)
- » (Q3, Q4) Partner with the Children's Services Council of Leon County on opportunities to collaborate and coordinate on the funding, program delivery, program evaluation, and outcome measures for children and family services. (2022-29)
- » (Q5) Implement the recommendations of the Citizen's North Monroe Street Task Force to reduce crime and improve conditions along the North Monroe Corridor. (2022-30)
- » (Q4) Coordinate with America's Second Harvest of the Big Bend and the City of Tallahassee to conduct community meetings in the neighborhood block groups with greatest food insecurity to identify and address their specific barriers to food security. (2022-31)
- » (Q3) Partner with the Leon County Sheriff's Office in raising community awareness on issues such as child abuse and prevention programs, human trafficking, sexual abuse and exploitation and domestic violence. (2022-32)
- » (Q2, Q5) Work with the City of Tallahassee on the development and implementation of the Neighborhood First Program to engage residents and develop plans to address poverty and inequity in targeted neighborhoods including 32304. (2022-33)
- » (Q3) Support law enforcement and community partners' programs and initiatives to address the causes and impacts of drug related crimes in our community. (2022-34)
- » (Q4) Continue to explore policies such as inclusionary housing and mixed housing developments to increase the



stock of affordable housing throughout Leon County. (2023-9)

- » (Q5) Building on the Citizens North Monroe Task Force Final Report, host an intensive, multi-day design charrette to work with the community to identify and evaluate a variety of land use/planning strategies and other proposals for the continued improvement of the North Monroe Corridor area. (2023-10)
- » (Q4) Work with the City of Tallahassee, Big Bend Continuum of Care, Kearney Center, and other local stakeholders to enhance engagement and awareness of resources available for individuals and families experiencing homelessness in order to support safe, stable, and inclusive neighborhoods. (2023-11)
- » (Q4) Evaluate the reimbursement structure of the Leon County Health Care Program to better reflect the cost for diagnostic and ancillary costs such as laboratory and X-ray services and ensure continued access to affordable health care for low-income individuals and families. (2023-12)
- » (Q4) Enhance the partnership with Capital Area Healthy Start Coalition, Inc. to implement its Service Delivery Plan to improve women and children's health and health care access in Leon County. (2023-13)
- » (Q5) Develop an interactive community web-based tool that documents planned improvements, tracks investments, and identifies enhancement strategies for the North Monroe Corridor area. (2023-14)
- » (Q4) Partner with the Children's Services Council to address Black maternal and children's health through the



coordination of data sharing, collaboration with partners on available community resources, and opportunities to maximize investment in outreach and awareness to improve health outcomes. (2023-15)

- » (Q1) Design and construct the new Northeast Park. (2023-16)
- » (Q4, Q5) Work with the City of Tallahassee, Big Bend Continuum of Care, and street outreach teams to develop corridor plans for North Monroe, Downtown, and Pensacola Street for outreach to unsheltered homeless individuals and to engage residents and businesses to address community aesthetics and neighborhood safety along the corridors. (2023-17)
- » (Q4) Continue to leverage County funding in partnership with local stakeholders to secure state and federal funding to build affordable rental housing for very low- and low-income families. (2023-18)
- » (Q4) Leverage federal funding and relationships with local service providers to increase the number of temporary/ transitional housing beds available to those experiencing homelessness. (2023-19)
- » (Q4) Continue to identify opportunities to increase the number of mental health beds in the community by working with mental health treatment providers and academic institutions in the community. (2023-20)
- » (Q4) Work with the City of Tallahassee, FSU Askew School, and human service agencies to utilize and refine the Community Human Services Partnership (CHSP) Outcome Measures to ensure that the CHSP continues to address the highest human service needs in the community. (2023-21)

STRATEGIC INITIATIVES – GOVERNANCE



- » (G1) Alongside The Village Square, the Knight Creative Communities Institute (KCCI), and other community partners, continue to engage citizens of diverse backgrounds with innovative programs like Created Equal, the Citizen Engagement Series, Build Your Bucket, and so much more. (2022-35)
- » (G2) Continue to set the benchmark for local governments everywhere by earning national, state and local awards for County programs, hosting Florida Association of Counties events like Innovation Day, and sharing best practices with peers, all while remaining committed to learning and improving as an organization. (2022-36)
- » (G3) Launch the internationally recognized Zencity communications platform to address social media misinformation, proactively address citizen concerns, and increase transparency and accountability. (2022-37)
- » (G4) Continue to invest in the professional development of County staff including participation in Certified Public Manager training and enhancements to the County's Management Training. (2022-38)
- » (G5) Continue to pursue cost savings through the County's Innovator & Inspirator (I²) Program. (2022-39)
- » (G3) Further enhance the use of social media neighborhood apps to notify citizens of development projects occurring in their neighborhoods. (2022-40)
- » (G5) Continue to support updates to the Comprehensive Plan that encourage annexation of southside properties within the Urban Services Area. (2022-41)
- » (G5) Pursue Federal funding to provide broadband to underserved rural communities. (2022-42)
- » (G5) Pursue working with Leon County Schools to acquire the Ft. Braden Community Center. (2022-43)
- » (G5) Engage an industry expert to identify jail population management strategies to proactively mitigate the need for additional infrastructure at the Leon County Detention Center and evaluate long term space needs of the facility. (2023-22)
- » (G3) Develop a touch-screen kiosk at the County Courthouse showcasing "200 Years of Representation and Progress" highlighting current and past County officials, significant County achievements/projects by decade, and a historical overview of Leon County. (2023-23)
- » (G4) Support the Sheriff in implementing a step pay plan for sworn officers to achieve and maintain recruitment and retention efforts. (2023-24)

BOLD GOALS & TARGETS

PRIORITY AREAS	BOLD GOAL	PROGRESS TO DATE	5-YEAR TARGETS	% ATTAINED
ECONOMY	Grow the Five-Year Tourism Economy to \$5 Billion	23% (\$1.15 billion)	» Attract 100 State, Regional or National Championships Across All Sports » Grow the Job Market by 10,000 New Jobs and Co-Create 500 Entrepreneur Ventures » Connect 7,000 Students to Skilled Job Opportunities through Leon Works and Other Talent Development Initiatives » Increase the Number of Certified MWSBEs by 30%	16% (16 Championships) 208 new entrepreneurial ventures co-created 54% (Connected 3,700 students) 18% (Certified 35 new MWSBEs)
ENVIRONMENT	Upgrade or Eliminate 500 Septic Tanks in the Primary Springs Protection Zone	39% 195 septic upgrades and/or conversions completed or in progress to date	» Reduce Greenhouse Gas Emissions Stemming from County Operations by 25% » Double Solar Power Generation at County Facilities » Divert 3 Million Pounds of Household Hazardous Waste from Landfill » Increase the Number of Fully Electric Vehicles in the County's Fleet by 500%	8% (Reduced GHG emissions by 2%) 37% (Increased generation by 50 kW) 27% (Diverted 795,000 pounds of waste) 275% (Anticipated increase through FY 2023)
QUALITY OF LIFE	Support Community Partners to Place 100 Residents Experiencing Chronic Homelessness in Permanent Supportive Housing	23% (23 placements)	» Secure More Than \$150 Million in Federal, State and Local Benefits for Leon County Veterans and Their Families » Support 900 Community Events, Sporting Competitions, Festivals, Performances and Cultural Programming That Will Attract Visitors and Residents » Construct 90 Miles of Sidewalks, Greenways, Trails and Bike Lanes » Host 100,000 Residents and Visitors through County-Supported Performances at the Amphitheater	17% (Secured \$25 million) 15% (Supported 135 community events) 10% (Constructed nearly 10 miles) 25% (Supported 11 performances)
GOVERNANCE	Implement 600 Citizen Ideas, Improvements, Solutions and Opportunities for Co-Creation	23% (138 Citizen Ideas)	» Connect 50,000 Volunteers with Service Opportunities Communitywide » Reach 100,000 More Citizens Across All County Platforms and Programming » Offer 100% Online Permitting for Licensed Contractors, Engineers and Architects » Communicate More Than 1.5 Million Disaster Preparedness Messages to Create Resilient Households, Businesses and Nonprofits	15% (Connected 7,400 volunteers) 18% (Reached 18,000 more citizens) 100% (on track to complete this target by FY 2023) 41% (Communicated 613,000 messages)



Leon County needs your help
in shaping our future together.



To volunteer at the County or in a local nonprofit, call (850) 606-1970 or visit
VolunteerLEON.org

To serve on a Citizen Committee, call (850) 606-5300 or visit
LeonCountyFL.gov/Committees

To provide feedback or make a service request, call (850) 606-5300 or visit
LeonCountyFL.gov/CitizensConnect



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2020 - 2025

Strategic Plan

Orange County Community and Family Services Department
Community Action Division



Helping People. Changing Lives.



Authorization

CSBG Eligible Entity: Orange County Community Action

Executive Director: Lonnie C. Bell, Jr.

Title: Department Director

Primary Agency Contact Information:

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Orange County Community Action's Strategic Plan has been approved by the Community Action Board, the governing body of this organization.

Approval Date: 11/11/2020

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I. Executive Summary

Community Action Agencies (CAA) are required to complete a community needs assessment to gather information for a community action plan as a condition to receipt of Community Services Block Grant (CSBG) funding.



In this 2020-2025 Strategic Plan (hereafter referred to as The Plan), Orange County Community Action Agency (OCCAA) outlines critical community characteristics and needs based on a Community Needs Assessment which guides the development and innovation of the agency's anti-poverty programming over the next three to five years. The overall purpose of this strategic plan is to identify resources which will improve the quality of lives for the citizens in Orange County served by the Community Action Agency. The goals, objectives and strategies presented in the plan focus on improving the agency's overall effectiveness and efficiency toward serving Orange County and its low-income individuals and families.

The OCCAA strategic planning process included; community needs assessment review, committee/management team meetings; board member/client surveys, and staff input. In addition, community stakeholders were engaged for their perspective on the agency's strategic approach, implementation, and community impact results in light of its stated mission. The process was intentional about gathering information from a variety of sources to help provide insight into outlining Orange County Community Action's future direction.

From this input emerged a strategy to move Orange County Community Action Agency toward having a greater family and community impact and the ability to sustain high performance in an ever-changing economic and social climate.

Lavon B. Williams, Esq., AICP
Manager, Orange County Community Action Division

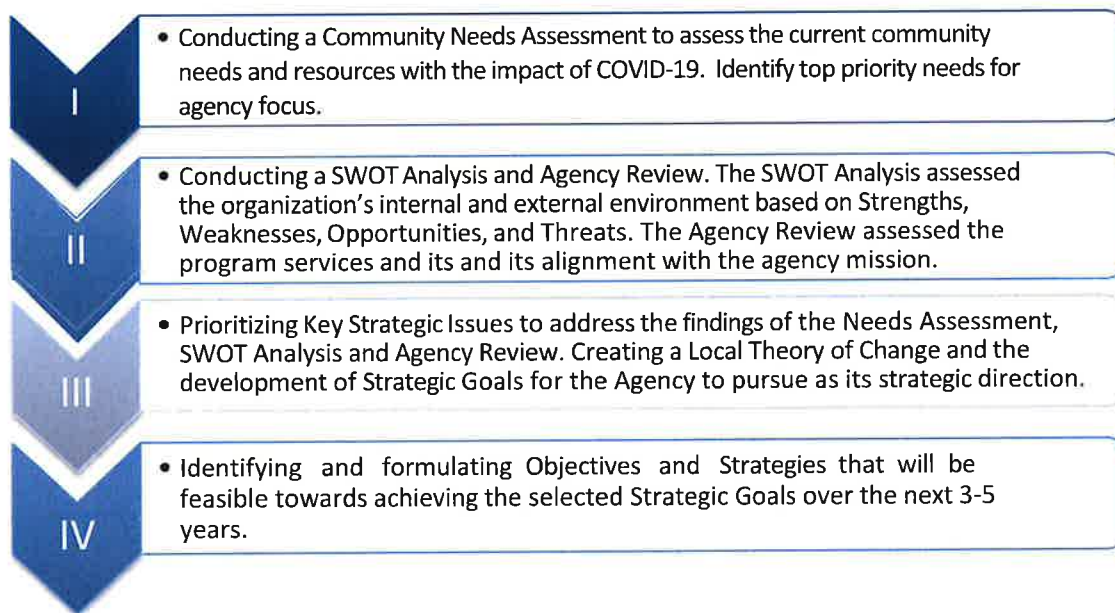
II. Strategic Planning Process

The essential tasks of coordination, facilitation, research, analysis and developing the Plan were completed amongst the staff with active participation of the board members. The Strategic Plan's needs assessment analysis provided qualitative and quantitative data. Survey responses received from the survey tools were analyzed and several other reports and documents were utilized.

The primary instruments included:

- 2020-2023 Community Needs Assessment
- 2020-2022 CARES Act Funding Needs Assessment Plan
- SWOT Analysis Survey
- Agency Review Survey
- Local Theory of Change Brainstorm Exercise
- Board Assessment

The process in the development of the Plan for implementation included four phases:



Phase I initiated the assessment phase by identifying our service area and poverty population; assessing customer and community needs, and analyzing both quantitative and qualitative data to determine priority needs that should drive the agency work.

Phase II continued the assessment phase by identifying the agency's internal strengths and weaknesses and external opportunities and threats, while the Board reviewed the Mission and explored a Local Theory of Change exercise for an in-depth agency review. The management staff conducted discussions of the SWOT Analysis responses to brainstorm on strategic issues and actions for the agency. Board members, agency staff and stakeholders were surveyed during this phase.

Phase III involved identifying critical issues facing the agency after review of the findings from the Needs Assessment Report, SWOT Analysis, Agency Review and Local Theory of Change Brainstorm Exercise. Representation from the Community Action Board, staff and stakeholders framed strategic issues to address what potentially may affect the Agency’s community impact in effective delivery of its programs and services.

Phase IV involved the Management Team drafting the Strategies and Objectives based on all feedback as the final component of the Strategic Plan and presented the recommendations to the Board for approval to complete the planning process.

III. Organizational Mandates and Accountability

This Strategic Plan recognizes and utilizes the elements from Results Oriented Management and Accountability (ROMA) to preserve the anti-poverty focus of Community Action Agencies. Strategic Planning is the second phase of ROMA and each phase of the ROMA cycle will be explored at various times during its lifecycle.

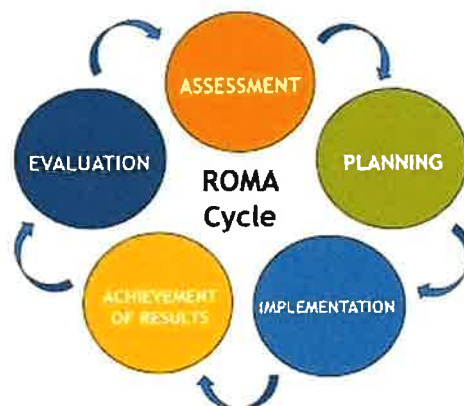
Performance Based Management System:

In 1998, the Community Services Block Grant Act was amended and Community Action was mandated to implement a comprehensive performance-based management system, across the entire community action network identified as “Results-Oriented Management and Accountability,” or ROMA.

Organizational Standards:

The Department of Health and Human Services Administration for Children and Families Office of Community Services released Information Memorandum (IM) 138 which established Organizational Standards for CSBG eligible entities. Under Section 678B of the CSBG Act, State Lead Agencies are to establish “performance goals, administrative standards, financial management requirements and other requirements” that ensure an appropriate level of accountability and quality among the State’s eligible entities.

The Continuous Cycle



National Performance Indicators: Community Action agencies are required to utilize National Performance Indicators to evaluate attainment of National Goals across three key areas: Family, Community, and Agency.

IV. Assessment Summary

A. Community Profile

Orange County has a population of 1.38 million people with a median age 35.3 and a median household income of \$58,588. Between 2018 and 2020 the population grew from 1,321,194 to 1,380,645, a 4.3% increase.

Total Population

Report Area	Total Population	Total Land Area	Population Density per sq. mile	Total Households in Poverty
Orange County	1,380,645	902	1,268	458,613
Florida	21,299,325	53,638	350	7,621,760
United States	327,167,343	3,532,068	87	119,730,128

Orange County consists of 49.08% male and 50.92% female. Non-Hispanic Whites make up 40.82% of the population; Hispanic or Latino make up 30.91%; African American's make up 19.91% and mixed races make up 8.36%. Orange County is slightly more racially and ethnically diverse than the State of Florida and the United States.

Population Demographics

Population by Age Groups)	Total	Percent %
Age 0 to 17	297,074	22.49 %
Age 18 to 64	873,856	66.14 %
Age 65 and Up	150,264	11.37 %
Population by Gender	Total	Percent %
Male	648,446	49.08 %
Female	672,748	50.92 %
Population by Race/Ethnicity	Total	Percent %
Non-Hispanic White	539,349	40.82 %
Black or African American	262,987	19.91 %
Asian	66,884	5.06 %
Native American / Alaska Native	1,471	0.11 %
Native Hawaiian / Pacific Islander	696	0.05 %
Some Other Race	10,823	0.82 %
Multiple Race	30,660	2.32%
Hispanic or Latino	408,324	30.91 %

Data Source: Community Action Partnership Report, US Census Bureau, American Community Survey. 2014-18.

Poverty

The vulnerable population footprint reflects there are a total of 484,192 people 37.6% of the total population are below 200% of the FPL and 11.51% or 101,305 individuals have not attained a high school diploma. Of the households in poverty, female headed households represent 50.3% of all households in poverty, compared to 39.1% and 10.7% of households headed by males and married couples, respectively.

Poverty Demographics

Below 200% of Poverty Level			Educational Attainment		
	Total	Percent %		Total	Percent %
Total Population in Poverty	484,192	37.6 %	Population With No High School Diploma	101,305	11.51%
Total Children in Poverty 0-17	140,260	47.9 %			

B. Community Needs Assessment of Poverty Needs and Conditions

Community Assessment Response

Priority Needs Based on Community Needs Survey Responses - The survey responses align with the statistical data in supporting the priority of need for employment in Orange County. Due to the high unemployment rate, loss of jobs and wages, families are struggling to meet their basic needs. The low-income community and those households living in poverty are experiencing the hardest impact. Those daily challenges to sustain their household supports the need to also prioritize Housing and Utilities as an identified need among families. The coronavirus pandemic raises health concerns all across the country. Health and Safety is a community priority need to slow down the spread of the virus.

Considering the overwhelming number of job losses in Orange County (200,000 plus jobs) and the 208,224 re-employment/unemployment claims filed, there is an emergent need to get individuals employed and/or re-employed in an industry that can withstand COVID-19. The need will require retraining in target high demand industries along with job placement.

Top Community Needs Identified:

- Employment - affordable wages in COVID-19 sustainable industries
- Housing – ability to meet basic housing needs
- Job Training/Retraining – high demand industry certifications
- Health Services – access to health services due to pandemic
- Food Insecurities – ability to meet basic household needs

Review of complete Community Action Needs Assessment – See Appendices

C. Agency Review - Vision and Mission Statement

The Board adopted its revised vision statement and mission statement in October 2018 that guides the agency's work. During the strategic planning process, an Agency Review was conducted to re-examine the mission and vision to assess the alignment and performance of agency programs and services. This process helped the agency determine that its overall anti-poverty approach is on track and the program and services align with the current mission.

Why Do We Exist?

“We exist to empower economically disadvantaged individuals and families to meet their basic needs while providing opportunities to become self-sufficient.”

VISION

Helping individuals and families achieve economic self-sufficiency by leveraging partnerships that produce a range of culturally-competent, accessible, high-quality services to meet the needs of a diverse community.

MISSION

Enhancing quality of life, promoting self-sufficiency, and eliminating the causes and consequences of poverty by mobilizing and directing socioeconomic resources, collaboration and partnership, and by providing high quality, easily accessible programs and services.

D. Organizational and Environmental Scan

The strategic planning process includes a key component which is designed to give recognition to the organization's strengths and weaknesses and its opportunities and threats. The **SWOT Analysis** (*Strengths, Weaknesses, Opportunities, and Threats*) assessed the environment of the organization for its health, vitality and sustainability. The data was synthesized into key themes needing to be addressed in the development of the goals and objectives. The key themes included; Community Awareness about Community Action services, Service Delivery, Building Organizational Capacity, Leveraging Partnerships and Funding Capability.

SWOT Analysis Summary

Strengths	Weaknesses
Strong program and Community Action Network	Maintaining service center facilities
Ability to meet Performance Management Mandates	Balance staff and community need
Sufficiency impact on low-income families/community	Consistent messaging across all staff levels
Provides services that support low and very low income families	Maintaining staff morale
Community Centers - one stop service centers for families across the county	Reflecting community diversity among staff
Senior resources and assistance	Technology lag
Youth programs	Making citizens aware of programs and services
Tripartite Community Action Board	Collecting customer service satisfaction survey responses
Quality Community Partnerships	Tripartite Board maximum feasible participation
	Partnership reporting
Opportunities	Threats
Staff Development Training	Policy changes at all levels of government
Build Staff Culture and Morale	Entrenched organizational behaviors
Additional centers/budget increases	Aging facilities & technology
Incorporate "Whole Family Approach" in Service Delivery	Congressional funding for services is not guaranteed
Increase services under Senior Climate Efficiency Program (SCEP) for seniors	Increased demand for services with limited funding
Improve community outreach & awareness	Maintain public health while delivering individuals services
Explore program innovation & technology enhancements	Policy changes at all levels of government
Strengthen Collaboration w/ Family Services Partners	Entrenched organizational behaviors
Leverage funding & services with Career Source	Aging facilities & technology
Increase intentional partnerships specific to plan	Duplication of services
Increased Funding Opportunities	

V. Strategic Issues & Priorities

The community assessment findings, agency review, and organizational and environmental scans through stakeholder surveys were analyzed to determine the Strategic Issues the agency is facing. The agency-wide SWOT Analysis revealed key strengths and the external environmental changes impacting the agency's ability to sustain high performance and measurable community impact. As a result, the **Strategic Priorities** that the agency will address over the next five years are outlined below:

Top 5 Strategic Priorities
1. Program Initiatives to meet Basic Needs and Promote Self-Sufficiency
2. Community Awareness and Engagement
3. Partnerships and Collaborations to Leverage Resources
4. Funding Opportunities
5. Organizational Capacity to Achieve Results

*"There is no power for change greater than
A community discovering what it cares about."*

– Margaret J. Wheatley

VI. Strategic Goals, Objectives, Strategies and Indicators

The Strategic Goals outlined in the Plan are consistent with the Community Services Block Grant (CSBG) Act and the six national ROMA goals and align with the ROMA Next Generation (ROMA NG) three broad anti-poverty goals developed by the Community Action Network.

The ROMA goals provide a framework for continuous growth and improvement for community action agencies across the nation, touching on all levels of need: **Family, Agency and Community.**

1. Low income people become self-sufficient. **(Family)**
2. The conditions in which low-income people live are improved. **(Community)**
3. Low-income people own a stake in their community. **(Community)**
4. Partnerships among supporters and providers of services to low-income are achieved. **(Agency)**
5. Agencies increase their capacity to achieve results. **(Agency)**
6. Low-income people, especially vulnerable populations, achieve their potential by strengthening family and other supportive systems. **(Family)**

The ROMA Next Generation goals is a system for continuous quality improvement to enable the network to measure, analyze and communicate the three National Community Action Goals:

Community Action Goals		
Goal 1: Individuals and families with low incomes are stable and achieve economic security.	Goal 2: Communities where people with low incomes live are healthy and offer economic opportunity.	Goal 3: People with low incomes are engaged and active in building opportunities in communities.

Three **Strategic Goals** were developed to strategically move the agency towards achieving its vision and mission. Provided below are the three Strategic Goals with Objectives and Strategies that align with the Strategic Priorities and the related ROMA Goal(s):

2020-2025 STRATEGIC GOALS

GOAL 1: Position agency as a high performing agency lifting people from poverty and empowering self-sufficiency through targeted program initiatives.

GOAL 2: Strengthen Community Awareness and Engagement.

GOAL 3: Enhance Organizational Capacity to Achieve Results.

STRATEGIC GOAL 1:

Position agency as a high performing agency lifting people from poverty and empowering self-sufficiency through targeted program initiatives.

STRATEGIC PRIORITY #1

Implement Program Initiatives to Meet Basic Needs and Promote Self-Sufficiency

NATIONAL GOAL (ROMA NEXT GENERATION)

GOAL 1: Individuals and families with low incomes are stable and achieve economic security.

ROMA GOAL 1,6

Objectives	Strategies
1. Provide holistic and intentional services to low-income families that provide stability and promote self-sufficiency based on a "Whole Family Approach." <i>A whole family approach to human services is one that focuses on the needs of parents and other adult family members and the needs of children together, and considers the challenges and resources of family members outside of the assistance unit, all out of recognition that children do better when their parents are healthy and stable, and that parents do better when their children are healthy and stable.</i>	• Strategically align service delivery to Whole Family best practices to maximize agency effectiveness in serving low-income families. • Provide opportunities to obtain earned income or increase employment income through job training programs. • Provide opportunities to expand educational aptitude and cognitive development. • Provide services to vulnerable households that reduce barriers to stability and meet basic needs. • Document bundled services

Indicators:

Employment

- Obtain employment to gain skills or income.
- Obtain employment up to a living wage.
- Obtain and maintain employment for at least 90 days.
- Increase income and/or benefits.

Education and Cognitive Development

- Improve positive approaches towards learning.
- Demonstrate improved basic education.
- Obtain high school diploma and/or GED.
- Obtain recognized credential, certificate or degree relating to educational/vocational skills.

Income and Asset Building

- Increase ability to meet basic needs.
- Improve financial well-being.

Housing

- Avoid evictions for households.
- Improve energy efficiency and/or energy burden reduction in homes.

Health and Social Development

- Maintain independent living.

Outcomes Across Multiple Domains

- Achieve one or more outcomes in various domains.

STRATEGIC GOAL 2:	
Strengthen Community Awareness and Engagement	
STRATEGIC PRIORITY #2	
Community Awareness and Engagement	
<i>NATIONAL GOAL (ROMA NEXT GENERATION)</i>	
<i>GOAL 3: People with low incomes are engaged and active in building opportunities in community.</i>	
ROMA GOALS 5, 6	
Objectives	Strategies
1. Build, communicate, and promote an agency Brand that is vibrant and inspires hope.	• Explore the possibility of leveraging resources for marketing strategist. • Design a social media and internet media strategy that will target individuals. • Create a PSA video to showcase programs and services. • Design and develop marketing tools and collateral (brochures, posters) for distribution/media kits. • Implement communications plan.
2. Raise and improve community awareness of community needs and agency services that promote community involvement.	• Increase visibility/marketing of agency to a broader population and outreach events. • Communicate externally through marketing outreach campaigns with "Impact Stories" and Annual Report to illustrate services and results. • Continue presence in low-income communities through direct services in service centers throughout the County. • Provide opportunities for families to voice their needs to advise agency planning, increase involvement and knowledge to improve their community.
Indicators: • Communicate activities and results to the community. • Board member hours in capacity building activities. • Volunteer hours donated to the agency. • Participants increased skills and knowledge to work with agency to improve conditions in the community.	

STRATEGIC GOAL 3:**Expand Organizational Capacity to Achieve Results****STRATEGIC PRIORITY #3,4,5****Partnerships and Collaborations to Leverage Resources****Funding Opportunities****Organizational Capacity****NATIONAL GOAL (ROMA NEXT GENERATION)****GOAL 2: Communities where people with low incomes live are healthy and offer economic opportunity.****ROMA GOALS 2,3,4,5,6**

Objectives	Strategies
1. Build and leverage a network of targeted partners that align with the mission to address the needs of low-income families and promote self-sufficiency.	• Assess current programming to determine new or expanded program opportunities or partnerships with a “Whole Family” focus. • Leverage funding resources with Career Source Workforce Development to increase employment opportunities. • Address unmet or underserved needs in the community through committed resources and strategic partnerships (<i>e.g. housing, employment, finance, food, transportation, health, education, and childcare</i>). • Strengthen existing partnerships to maximize the continuum of services and illustrate impact on families.
2. Secure additional revenue from non-government funding sources to expand service delivery opportunities to support families.	• Apply for and secure non-government grants and create a funding mix that increases revenue to meet unmet needs by agency. • Solicit support for resources from businesses, municipalities, government agencies, organizations and individuals to achieve CAA mission.

3. Develop organizational culture and build agency capacity with a central focus on achieving results for families.	• Retain, attract, and develop a highly involved Board. • Build in regular/on-going Board training opportunities on board governance, strategic leadership, and ROMA during board meetings. • Develop interactive staff development training guide and activities. • Develop an internal communication plan that promotes organizational culture and engages all staff levels in daily operations of serving families and achieving results. • Explore technology tools to help better track all agency activities.
Indicators: • Expand resources and opportunities in order to achieve family outcomes. • Local and private-sector resources allocated. • Hours of Agency Capacity (Board and Staff) • Provide board training on duties and responsibilities. • Conduct staff development/training on an ongoing basis.	

***Our goals can only be reached
through the vehicle of a plan.
There is no other route to success.***

-Pablo Picasso

VII. Strategic Plan Implementation

The Strategic Plan will be a roadmap for the agency's operations to deliver high quality services and advocate for families in vulnerable populations. Agency staff and partner stakeholders will be responsible for implementing the activities of the plan. The implementation stage lasts throughout the cycle of the Strategic Plan. Upon Board approval of the Plan, an implementation plan will be created to focus on three main deliverables: action plans, a monitoring plan and a reporting plan.

The CAA's annual Board Training will be the designated time to reflect and assess the agency's Strategic Plan and core strategies. At this time, The Board and staff will meet and discuss if any external and/or internal contributing factors have contributed to the need for a shift or change in priorities, long-term goal(s), objective(s) and/or core strategies. The annual Board Training will also serve as the time to discuss the operational action plan items and provide the Board with progress status updates with particular attention to outcome and output measures. During the strategic cycle, the agency will promote board strategic leadership during monthly meetings while evaluating monthly progress of agency programs.

The Strategic Plan is a working document intended to reflect current needs and conditions of the Agency and community. Revisions to the plan will be made as needed to reflect environmental changes and incorporated directly into the Plan. The Agency will evaluate, update and record progress made toward implementation of the Plan for relevancy as follows:

Quarterly: Agency Outcome Report –*Management Team/Staff*

Bi-annually: Operational Action Plan Reviews & Progress Reports – *Board and Management Staff*

Annually: Strategic Plan Evaluation - *Board and Management Staff*

Year 1: October 1, 2020 – September 30, 2021

Quarter 2 – April – Bi-Annual Plan Review

Quarter 4 – October - Annual Plan Evaluation

Year 2: October 1, 2021 – September 30, 2022

Quarter 2 – April – Bi-Annual Plan Review

Quarter 4 – October - Annual Plan Review

Year 3: October 1, 2022 – September 30, 2023

Quarter 2 – April – Bi-Annual Plan Review

Quarter 4 – October - Annual Plan Evaluation

Year 4: October 1, 2023 – September 30, 2024

Evaluation & Needs Assessment

Strategic Planning Process Kick-off

VIII. Acknowledgements

Completion of the Orange County Community Action 2020-2025 *Strategic Plan* would not have been possible without the input of our board members, key stakeholders, participants/clients, partners, and dedicated staff. Staff members were integrally involved in the plan development and participating in strategic planning sessions that developed the plan’s objectives and strategies.

Community Action Board Members

The Orange County Community Action Board, which includes one-third representation from the low-income community, one-third representation from the private sector, and one-third representation from the public sector.

Low-Income

Hezekiah Bradford
(Monique Morris)
Abigail Crocket
(Julie Yetter)
Sabrina Persaud
(N/A)
Evangeline Richardson
(N/A)
Barbara Hoosier
(N/A)

Private Sector

Vivian Tindal
(N/A)
Debi Meli
(N/A)
Clifford Marvin
(Karl Allen)
Jerika Mobley
Maritza Vasquez
(Leah Ackerman)
Dexter Nelson
Yesenia Baron
(N/A)
Sylvester Robinson
(N/A)

Public Sector

Commissioner Victoria P. Siplin
(Rose-Nancy Joseph)
Commissioner Mayra Uribe
(Cortez Whatley)
Commissioner Maribel Gomez Cordero
(Mariely Velez)
School Board Member Melissa Byrd
Councilman Elias Chotas
(Mayor John Dowless)
Commissioner Susanne Nielsen
State Representative Bruce Antone
(Hudie Stone)
Councilman Tarus C. Mack
(Diali Coll-Marcado)

* Membership Unit: Member (Alternate)

The Promise of Community Action

Community Action changes people’s lives, embodies the spirit of hope, improves communities and makes America a better place to live. We care about the entire county and we are dedicated to helping people help themselves and each other.

IX. APPENDICES

Community Action Organizational Structure

Logic Model

2020-2023 Community Needs Assessment

2020-2022 Cares Needs Assessment

Community Needs Customer Responses

SWOT Analysis Survey Responses

Agency Review Survey Responses



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024014

DATE: 04/01/2024

CEER #2024014 was received by the County from Kristin Lortie on December 15, 2023.

Citizen Statement:

This recommendation is submitted as a related Recommendation to #2024003 regarding the current lack of county-initiated publicity for the Speak Up Brevard event.

Currently Speak Up Brevard is not publicizing the event nor publishing annual metrics for the event. While each recommendation and general outcome can in general be viewed under the search, there are no roll-up metrics currently provided by the county. Additionally, while residents may be notified of the meeting where the commissioners will vote, they may not be directed or provided with the department staff recommendations, as evidenced by one comment received already this year on not knowing what happened to their prior suggestion.

For example, regarding publicity the only Facebook press release findable in an online search was in 2019-20, when the county received 72 distinct recommendations as denoted by the line items for that year. In 2020-21, 2021-22 and 2022-23 the county received only 10 for all (3) cycles combined. These results indicates a direct correlation between the lack of publicity and diminished public participation. Lack of participation defeats the purpose of the program.

This year a citizen stepped in to initiate several actions to promote the program, and which has already resulted in a significant increase in participation for the 2023-24 cycle.

Citizen Recommendation:

I suggest that Speak Up Brevard publish an annual metrics statement on the Speak Up Brevard website that includes the following:

- Specific actions the county took to publish the event (press release, county website update, email alerts, announcing at county meetings, etc.)
- Total number of recommendations received for the year

Phone (321) 305-9194 • Fax (321) 617-7214

Website: BrevardFL.gov/Communications

- Total number of recommendations that were approved
- Total number of recommendations that were approved in part
- Total number of recommendations that were rejected
- Track these metrics year over year, so that residents can quickly monitor the year's participation and activity
- Post these metrics on the Speak Up Brevard website
- Post the annual compiled inter-office memo to the county manager, and that includes the individual department staff recommendations on the Speak Up Brevard website, so that residents can easily locate and view the staff responses, analysis, and final recommendation regarding our suggestions.

The above are easy to document metrics that could help residents understand the efforts the county has taken, the number of suggestions received, and what happened to those suggestions in aggregate. The posting of these metrics along with the department analysis and recommendations would make the programs efforts and outcomes more easily visible to residents. Attached are (2) prior year's inter office memos, and that I suggest be posted directly to the website annually for resident's ease of access.

Staff Analysis:

The public can access all items submitted through the annual Speak Up Brevard program on the County website at this link -- <https://sites.brevardcounty.us/SpeakUpBrevard/Search> -- by keying in specific dates by day, month and year. This website provides a listing for all CEERS, and total number of recommendations are available. Staff recommendations and Board direction on individual Speak Up Brevard items are available online as part of the recorded minutes and posted Agenda items.

Staff Recommended Action:

It is recommended that CEER #20024014 be rejected by the Board because this information is already available, as noted above.

Recommendation #2024014

Recommendation Details

Contact Information

Full Name:	Kristin Lortie	Email Address:	kristin.lortie@gmail.com
Mailing Address:	5524 Brilliance Circle Cocoa fl 32926	Alt Email Address:	kristin.lortie@gmail.com
		Phone Number	720-935-8780

Group/Organization

N/A

Recommendation Information

Recommendation Title:

Post Annual Activity and Outcome Metrics on the Speak Up Brevard Website

Areas Affected:

County Planning

Department:

COUNTY MANAGERS OFFICE

This recommendation is submitted as a related Recommendation to #2024003 regarding the current lack of county-initiated publicity for the Speak Up Brevard event.

Problem Description:

Currently Speak Up Brevard is not publicizing the event nor publishing annual metrics for the event. While each recommendation and general outcome can in general be viewed under the search, there are no roll-up metrics currently provided by the county. Additionally, while residents may be notified of the the meeting where the commissioners will vote, they may not be directed or provided with the department staff recommendations, as evidenced by one comment received already this year on not knowing what happened to their prior suggestion.

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I suggest that Speak Up Brevard publish an annual metrics statement on the Speak Up Brevard website that includes the following:

**Recommendation
Description**

- Specific actions the county took to publish the event (press release, county website update, email alerts, announcing at county meetings, etc.)
- Total number of recommendations received for the year
- Total number of recommendations that were approved
- Total number of recommendations that were approved in part
- Total number of recommendations that were rejected
- Track these metrics year over year, so that residents can quickly monitor the year's participation and activity
- Post these metrics on the Speak Up Brevard website
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Attachments

No. Type Name

- | | | |
|---|---|--|
| 1 |  | 2020.03.24 CEERS 4 rev - Narrative with Staff Recommendations - 72.pdf |
| 2 |  | 2021 CEER Memos - Narrative with Staff Recommendations - 9.pdf |

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 15, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Utility Services Department

2725 Judge Fran Jamieson Way
Building A, Room 213
Viera, Florida 32940

Inter-Office Memo

TO: Brevard County Board of County Commissioners
THRU: Frank Abbate, County Manager
THRU: John Denninghoff, Assistant County Manager
FROM: Edward Fontanin, PE, Utility Services Director *EGF*
DATE: January 21, 2021
SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2021001

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a problem concerning *"Our water supplies are finite. The demands on our aquifer increase every year. Every effort to conserve should be promoted especially on public lands"*

CEER #2021001 goes on to recommend, as a potential solution, *"It should be mandatory all sprinkler systems on public land should have rain sensors. It is a terrible waste how much water, reclaimed or otherwise, is lost over the course of a year watering during rain storms. Also, possibly offer some incentive to residents to do the same, maybe a one time \$10 credit on their reclaimed water bill or some such thing?"*

Staff offers the following:

- It appears that this CEER is seeking an ordinance for it to be mandatory for all public lands in Brevard County to install rain sensors on their irrigation systems

The Brevard County Utility Services Department constantly reviews ways of efficiency, in particular with the environment. Rain sensors have been assessed in a manner as described in the recommendation. However, we have found that rain sensors do not have the reliability we would require. Issues such as not turning on during no rainfall events, being damaged / tampered due to the above ground exposure, and maintenance costs are some of the reasons of not utilizing this on public land. We have considered utilizing meters where reclaim water is used for irrigation on private property. This method would bill each person monthly based on their usage. This method makes each individual accountable of their usage. In order to implement such, this will require funds to purchase and install meters along with staff to download usage data. This option is being considered and based on State grants for environmental conservation, could be implemented in the future.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification, CEER #2021001. Modifications would not include mandatory rain sensors but rather implementation of metering reclaimed water of properties on County-Owned sewer systems subject to funding which is being sought, but is without a time frame for available funding at this time.

Phone (321) 633-2091 • Fax (321) 633-2095

Website: BrevardCounty.us/utilityservices



BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

THRU: Marc Bernath, Public Works Director Bernath, Marc

FROM: Corrina Gumm, ^{cg}Traffic Operations Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2021002
Bike Lanes – Pinehurst Avenue

DATE: January 21, 2021

Question:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Ms. Erica Schwarz as follows:

"Side lanes for cyclists to ride safely are conspicuously absent from this country in general, and Suntree in particular. Even the now "finished" Viera Blvd has a bike lane on only 1 side and then even that goes away closer to Route 1. We have a huge cycling community and their safety should have been taken into account in road planning, but it wasn't and that should be remedied. Putting bike lanes (both ways) on North and South Pinehurst all the way to Rockledge Drive would be a start as this is an extremely popular route."

Analysis:

In Florida the bicycle is legally defined as a vehicle and the bicyclist as a driver. As such, bicyclists have the same rights to the roadways and must obey the same traffic laws as the drivers of other vehicles, such as riding with the flow of traffic and yielding the right-of-way when entering a roadway. The dilemma faced by both the bicyclists and motorists is the disparity between their speeds. Even on a road with a 25-mph posted speed limit, the majority of the most enthusiastic cyclists are unable to safely maintain a higher speed and may be at risk for an incident with a motorist. While the cyclist can consider using alternative paths, such as an adjacent multi-use path or sidewalk, the ultimate solution is to create a wider pavement to improve safety of bicyclists using the road. Transportation funds are currently not budgeted for this purpose; however, we recognize the increased safety that bike lanes can provide for cyclists.

At the time most of the roads in Brevard County were constructed, planning for preferential or exclusive space for bicycle travel along a street was not considered in the design process. In fact, it was not until 2009 that the Florida Department of Transportation (F.D.O.T.) developed the first engineering standards for bicycle lane markings where a designated bike lane may be desirable. Brevard County strictly adheres to the F.D.O.T. standards for engineering design and construction of roadway improvements. While dedicated bicycle lanes are not required, Brevard County has been including paved shoulders and multi-use sidewalks on all new road construction projects to allow for use by bicyclists.

In review of the suggestion to provide bike lanes on North and South Pinehurst Avenue, it was revealed that 1.1 out of the 2.9 miles of Pinehurst Avenue already has a paved shoulder that may be used by cyclists. The remaining 1.8 miles of Pinehurst Avenue does not have a paved shoulder, but is improved with a 6-foot to 8-foot wide sidewalk on one or both sides of the road. The north and south segments of Pinehurst Avenue are described in more detail below.

North Pinehurst Avenue extends north from Wickham Road to Holiday Springs Road and is approximately 1.8 miles in length. The posted speed limit is 30 mph. A third (0.6 miles) of N. Pinehurst Avenue is a divided 2-lane road with a wide (10'-12') paved shoulder on each side of the road that may be used by bicyclists. North of Spyglass Hill Road, North Pinehurst Avenue transitions to an undivided 2-lane road without a paved shoulder, but with a 6-foot wide sidewalk on one side. The road was built more than 25 years ago and the sidewalk was added several years later.

South Pinehurst Avenue extends south from Wickham Road to St. Andrews Boulevard and is approximately 1.1 miles in length. The posted speed limit is 25 mph. About half (0.5 mile) of South Pinehurst Avenue includes a paved shoulder on each side of the road, which was installed to accommodate users of the Suntree Golf Course and may be used by bicyclists as well. The remaining half (0.6 miles) of S. Pinehurst Avenue has a 6-foot or 8-foot sidewalk on one or both sides of the road.

The cost of installing a bike lane can range from approximately \$5,000 to \$50,000 per mile for a simple rural roadway cross section that does not have other roadway features in conflict. The costs can grow exponentially depending on right of way acquisition costs, the condition of the pavement, whether the pavement needs to be widened, the type of drainage system that exists, the extent of removing and repainting lane lines, and other factors.

In the case of North and South Pinehurst Avenue, it is estimated that the installation of bicycle lanes where a paved shoulder does not currently exist may cost \$250,000. An additional \$150,000 is estimated to extend these bicycle lanes from N. Pinehurst Avenue, along Holiday Springs Boulevard, and then along Viera Boulevard, to US Highway 1 where bicyclists can then travel on the existing bike lanes to get to Rockledge Drive. It is estimated that the cost to place dedicated bike lanes throughout the entire route would be around \$400,000.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification, CEER #2021002. It is desirable to provide a preferential lane for bicyclists to travel; however, it may or may not be feasible and we currently do not have designated funds for bikeway improvement projects. It is suggested that transportation funds be allocated to investigate the feasibility and cost for this improvement, as this route is heavily used by the cycling community.



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager 
Digitally signed by John P. Denninghoff, DN: cn=John P. Denninghoff, o=Brevard County, ou=Public Works Department, email=jdenninghoff@brevardfl.gov, c=US

THRU: Marc Bernath, Public Works Director 
Digitally signed by Marc Bernath, DN: cn=Marc Bernath, o=Brevard County, ou=Public Works Department, email=mbernath@brevardfl.gov, c=US

FROM: Susan Jackson, Assistant Public Works Director/Road and Bridge Program Manager 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2021003
Repairing Hammock Rd, MIMS

DATE: January 29, 2021

Question:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Ms. Rebecca Roberts as follows:

- a. "Brevard County does not crown the roads. They are washboard[ed] and filled with mud holes most of the time. This encourages four wheeling of ATVs and 4x4 vehicles causing property owner damage...."
- b. "...Now there are vehicles driving on grass around signs and bypassing roads. Latest solution to cut on two foot drain points from road to ditch. All are bandaids."
- c. "Consider actually repairing the road and enforcing speed and laws on Hammock to reduce further damage of road. Or pave road."

This office has been tasked with providing input as to the comments and recommendations received regarding the condition of Hammock Rd as identified by items a, b and c above.

Analysis:**Item a. Crowning of Roads**

Proper dirt road maintenance consists of three elements: a crowned or elevated driving surface, a shoulder area that slopes directly away from the edge of the driving surface, and a ditch. The primary goal is to keep the water drained away from the roadway. Standing water on the roadway is one of the major reasons for distress and failure of the road.

Washboarding and potholes are problematic characteristics of a dirt road, and are common complaints. There are four primary causes of washboarding: driving habits of people (speeding and aggressive braking), lack of moisture, poor quality of road material, and lack of crown or elevated road surface. The first cause is the major reason for the washboard conditions. Driving a dirt road at high speeds (above 20mph) can destroy a smooth road surface and turn it into a washboard mess, sometimes in a very short amount of time. The cause of washboard comes down to basic physics and natural movement of materials. Wheels rolling over the dirt/shell road surface shifts the aggregate and it begins to settle in a pattern of ripples; the faster the vehicle speeds, the more movement occurs.

Brevard County Public Works (Road & Bridge) maintains approximately 85 miles of dirt roads; 80% are located in District 1. County dirt roads are typically crowned in the centerline or elevated with a 2% slope that allows water to run off the road and into a roadside drainage system, generally a swale or ditch. The motor grader operators must constantly focus on maintaining the proper crown or elevated surface of the roadway, not allowing the shoulders to build up and prevent the flow of road runoff. The Road & Bridge maintenance team completes a grading cycle about every 4-6 weeks depending on weather conditions, road conditions, staffing, and equipment failures.

Hammock Road is approximately 5.5 miles long, located in District 1 (Mims), and constructed with a crown or elevated side along different sections of the roadway. Based on a 2019 evaluation, most of this dirt road needs rehabilitation. The road base needs to be remixed with the proper ratio of materials, the crown restored and the high shoulders regraded to allow proper drainage. The cost to rehabilitate the entire road is estimated at \$1.1 Million and the cost to pave is \$4.4 Million. Due to funding constraints, Hammock Road was placed on a 7-year rehabilitation schedule; approximately 1/2 mile to 1 mile of roadway will be rehabilitated each year. This schedule started in 2020. The completion date may vary based on available funding or unforeseen circumstances.

Item b. Two-foot Drains Cut into Side of Road

These two-foot drains were selectively cut into the shoulder of Hammock Rd in low areas as a temporary solution. As noted by the citizen, this is to drain water off the road as the shoulders are indeed too high. The shoulders need to be cut and regraded to allow road runoff to flow into the drainage ditches. This will be addressed during the road rehabilitation process.

Item c. Consider Repairing Road, Enforcing Speed or Pave Road

While there is not a recurring funding source to pave dirt roads, Public Works continues to look for viable solutions to improve dirt road conditions through maintenance activities. Case in point, the section of Hammock Road from Lionel Road to Irwin Avenue (0.5 miles) was recently rehabilitated by Road & Bridge Construction. As previously stated, paving all of Hammock Road is estimated to cost \$4.4 Million. The planned cost includes surveying, engineering, permitting, acquisition of drainage easements and rights of ways, utility relocation, and construction.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification CEER #2021003.



To: Frank Abbate, County Manager

Through: Jim Liesenfelt

From: Peter Cranis, Tourism Director *PC*

Date: January 27, 2021

Subject: CEER Recommendation #2021004 Sebastian Beach Coastal Watch Station

Problem Description:

The Sebastian Beach Inn shut down several years ago. The inn has some interesting history as it is housed in Brevard County's last remaining coastal watch station that served dating back to World War II. The watchtower itself blew down in a hurricane in 2004. A movie producer named Bert Green took over the site in the 1950's and invited many of his Hollywood friends to come and party overlooking the turquoise ocean.

I think the county should purchase the property and rebuild the tower. They could keep the existing restaurant and add a museum celebrating the history.

Recommendation Description:

The museum and restaurant would make a great tourist attraction - particular with the expected large influx of UK tourists coming in 2022 (thanks to the deal with TUI Group). This is expected to add an additional 126,000 beach tourists each year. The county would own the property but could lease out the restaurant. This would likely cover operating expenses. So the county would get a great tourist attraction and preserve a historic landmark. Otherwise the FLU is single family. If it is sold it will likely be leveled.

Staff Analysis:

Unfortunately, the County, nor the Tourism Office, have the funds to purchase a property like this. Further, the Tourism Office does not create attractions, museums, etc. Its role is to market the destination and provide information about activities to do and places that people can go. The Space Coast Office of Tourism will continue to support private businesses that create great experiences for visitors. Should a private business want to create a museum or something similar to the one described, we would promote that through our website and on our social media platforms. It is possible we would include them in our publicity efforts and possibly our advertising if it made sense. It is also possible that a venue like this would be eligible for a capital facilities grant, but they would have to go through the application process and get the Tourism Development Council Capital Facilities Committee to vote to support it before it would be brought to the Brevard County Board of County Commissioners for their consideration. Also, the Tourism Office would only provide a percentage of the total project cost, as grants are contingent on matching funds.

SPACE COAST OFFICE OF TOURISM

430 Brevard Avenue • Suite #150 • Cocoa Village, Florida 32922
(321) 433.4470 ext. #52981 • Fax: (321) 433.4476

COCOA BEACH • MELBOURNE BEACHES • PALM BAY • TITUSVILLE



Staff Recommendation:

The Space Coast Office of Tourism recommends that the Board of County Commissioners accept this recommendation with noted modifications.

SPACE COAST OFFICE OF TOURISM

430 Brevard Avenue • Suite #150 • Cocoa Village, Florida 32922
(321) 433.4470 ext. #52981 • Fax: (321) 433.4476

COCOA BEACH • MELBOURNE BEACHES • PALM BAY • TITUSVILLE



Inter-Office Memo

BOARD OF COUNTY COMMISSIONERS

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager
Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager
Community Services Group

FROM: Ian Golden, Director
Housing and Human Services Department

DATE: January 22, 2021

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2021005

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a problem regarding:

"Affordable housing for low-income citizen who are trying to live into places they can not afford and having to work 2-3 jobs to make it (minimum wages). Citizen need to be able to work one job like middle class citizen so they can be home with family and less stress. Low-income house for senior so family members will not have to give them money to live monthly due they are taking most of their benefits to live. Thank you"

CEER #2021005 does not contain any recommendations as a potential solution.

Staff offers the following:

- It appears that this CEER is seeking to address a lack of affordable housing for low-income residents of Brevard County.

The Florida Legislature, per Florida Statute 420.6015, determined that "decent, safe, and sanitary housing for persons of very low income, low income, and moderate income are a critical need in the state" and "new and rehabilitated housing must be provided at a cost affordable to such persons in order to alleviate this critical need". In order to facilitate this legislative finding, the State Housing Initiatives Partnership Program (SHIP) was created (Florida Statute 420.9072). SHIP provides sustainable homeownership and rental housing for Florida's workforce, helps prevent homelessness, and provides emergency repairs and disaster recovery for Florida's most vulnerable residents, including the frail elderly, persons with disabilities, and veterans.

SHIP distributes trust funds to counties and eligible municipalities. In Brevard the five recipients of that funding are Brevard County Government (administered through the Housing and Human Services Department) and the municipalities of Palm Bay,

Page 1

Melbourne, Cocoa, and Titusville. This funding has been significantly reduced by the state over the last several years and was eliminated entirely for State Fiscal Year 2020-21.

The County and these municipalities also receive allocations through the United States Department of Housing and Urban Development's (HUD) HOME Investment Partnership Program. These funds also are limited and while more reliable than SHIP, are still subject to Congressional and Presidential approval.

The lack of affordable housing is a substantial issue across the Country, not just in Brevard County. Compounding it is the rebounding housing market and increasing cost of labor and materials, which restrict the purchasing power of the limited funds that are received.

- It appears that this CEER also seeks to address affordable housing as it relates to income, specifically the minimum wage.

The setting of the minimum wage is beyond the purview of the Brevard County Board of County Commissioners. However, during the last election an Amendment to raise Florida's minimum wage was approved by residents. This amendment will result in the statewide minimum wage being raised to \$15 per hour by 2026.

Staff recommendation:

It is recommended that the Board of County Commissioners accept the portion of the Citizen Efficiency and Effectiveness Recommendation (CEER) 2021005 regarding the creation of additional affordable housing and direct Department staff to work with our State and Federal lobbyists to advocate for more funding.



Inter-Office Memo

BOARD OF COUNTY COMMISSIONERS

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager
Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager
Community Services Group

FROM: Ian Golden, Director
Housing and Human Services Department

DATE: January 22, 2021

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2021006

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a problem regarding:

"Centers for programs and transportation in the area for seniors"

CEER #2021006 does not contain any recommendations as a potential solution.

Staff offers the following:

- Since the recommended title (from the citizen) for this CEER is "Affordable Housing for Seniors (HUD)" it appears that this CEER is seeking to address a lack of congregate living with amenities for seniors in Brevard County.

Brevard County and the four main municipalities (Titusville, Cocoa, Melbourne, and Palm Bay) receive both State and Federal funds to support the creation and maintenance of affordable housing. However, the State funding has been significantly reduced over the last several years and was eliminated entirely for State Fiscal Year 2020-21 and while the Federal funds are more reliable than State Housing Initiatives Partnership (SHIP), they are still subject to Congressional and Presidential approval.

The lack of affordable housing is a substantial issue across the Country, not just in Brevard County. Compounding it is the rebounding housing market and increasing cost of labor and materials, which restrict the purchasing power of the limited funds that are received. Additionally, even pooled together, all the funds received in Brevard County (including the municipalities) would not be sufficient to acquire or create the type of congregate housing referred to in this CEER.

However, the Florida Housing Finance Corporation offers a Low Income Housing Tax Credit Program, which can be used for these types of facilities. It utilizes funds from the

Federal level which are generated through a dollar-for-dollar reduction in federal tax liability that for-profit and nonprofit organizations can utilize to provide equity financing for the rehabilitation (with or without acquisition), or new construction of low and very low-income rental housing units. Qualifying buildings include garden, high-rise, townhouses, duplexes/quads, or mid-rise with an elevator. Ineligible development types include hospitals, sanitariums, nursing homes, retirement homes, trailer parks, and life care facilities. These funds require an investment from local government for a developer's application to be accepted. Brevard County and the municipalities have supported this program and local development for many years. All five local governments have processes in place to review, vet, and approve the expenditure of our limited affordable housing funds for the large-scale creation of housing through this Tax Credit Program.

Staff recommendation:

It is recommended that the Board of County Commissioners reject the Citizen Efficiency and Effectiveness Recommendation (CEER) 2021006, as there is already an avenue to address this suggestion.



To: Frank Abbate, County Manager

Through: Jim Liesenfelt

From: Peter Cranis, Tourism Director *PC*

Date: January 22, 2021

Subject: CEER Recommendation #2021007 Social Life

Problem Description:

More entertainment for middle age to seniors to enjoy for all cultures. Jazz/ R&B places/clubs/outdoors or open concretes, culture events, somewhere to go enjoy music and entertainment. Life group for age group 40 - 60 is boring in Cocoa.

Recommendation Description:

Better entertainment, culture event will bring the economy up for local area, business especially (small business) and interest in Brevard area.

Staff Analysis:

The Tourism Office is not a creator of venues or activities. This would fall more to the private sector and the County's Parks and Recreation Department. The Tourism Office's role is to market the destination and provide information about activities to do and places that people can go. The Space Coast Office of Tourism will continue to support private businesses that create great experiences for visitors. Should a private business want to create a venue or something similar to the one described, we would promote that through our website and on our social media platforms. It is possible we would include them in our publicity efforts and possibly our advertising if it made sense. It is also possible that a venue like this would be eligible for a capital facilities grant, but they would have to go through the application process and get the Tourism Development Council Capital Facilities Committee to vote to support it before it would be brought to the Brevard County Board of County Commissioners for their consideration. Also, the Tourism Office would only provide a percentage of the total project cost, as grants are contingent on matching funds.

Brevard County Parks and Recreation Department will continue to enhance the quality of life by providing many types and levels of service, including recreational opportunities to the community at its parks and community, nature and education centers. Programs offered are both active and passive in nature. Examples of programs in the Cocoa/Rockledge area targeting the 40- to 60-year-old age group include Over 50 softball, Big Kid Adventures and Pickleball.

SPACE COAST OFFICE OF TOURISM
430 Brevard Avenue • Suite #150 • Cocoa Village, Florida 32922
(321) 433.4470 ext. #52981 • Fax: (321) 433.4476

COCOA BEACH • MELBOURNE BEACHES • PALM BAY • TITUSVILLE



Other activities include volleyball, birding tours and Movies in the Park that cater to all age groups.

The Martin Andersen Senior Center, located in Rockledge, offers a wide range of activities geared for seniors ages 50 and older. Programs include dance lessons, art classes, quilting group, aerobics/exercise, various card groups and bingo. The center is operated on behalf of Brevard County by Martin Andersen Senior Center, Inc.

Further information on senior-oriented programs can be found at www.brevardfl.gov

Staff Recommendations:

The Space Coast Office of Tourism recommends that the Board of County Commissioners accept this recommendation with noted modifications

SPACE COAST OFFICE OF TOURISM

430 Brevard Avenue • Suite #150 • Cocoa Village, Florida 32922
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BOARD OF COUNTY COMMISSIONERS

Solid Waste Management Department

2725 Judge Fran Jamieson Way
Building A, Room 118
Viera, Florida 32940

Inter-Office Memo

December 21, 2020

TO: Board of County Commissioners

THROUGH: Frank Abbate, County Manager
Board of County Commissioners

THROUGH: John Denninghoff, Assistant County Manager
Development & Environmental Service Group

FROM: Euripides Rodriguez, CIA, Director
Solid Waste Management Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2021008

In the CEER #2021008 Less Trash Collection, the citizen states the following:

Current Problem

Having trash collection twice a week means higher cost to consumers.

Recommendation

Reduce trash collection to once a week. Reduce the amount of money charged for trash collection.

Staff offers the following:

The Board recently solicited a Request for Proposals in which the option of once a week garbage pickup was included. These options with the associated cost were presented to the Board on November 12, 2019. Based on these results the Board directed staff to negotiate with Waste Management on the twice a week pickup.

Staff Recommendation:

It is recommended that the Board of County Commissioners reject Citizen Efficiency and Effectiveness Recommendation #2021008.



To: Frank Abbate, County Manager

Through: Jim Liesenfelt

From: Peter Cranis, Tourism Director *PC*

Date: January 27, 2021

Subject: CEER Recommendation #2021009 Broker Associate

Problem Description:

Why are we allowing the TV to out- advertise St. Petersburg as the closest beach...only 90 minutes away! Are we not spending money on advertising?? We have so much more to offer! Beaches, Space Coast launched, laid back small town atmospheres....come on, guys, you don't need me to write for you! Thank you, at least, for listening.

Recommendation Description:

Promote tourism and help us sell the county to northerners.

Staff Analysis:

The Tourism Office targets drive markets within the state of Florida such as Orlando, Tampa, Miami, Palm Beach, Jacksonville, as well as the Southeastern United States including markets like Atlanta and Charlotte. The majority of visitation to the Space Coast comes from 300 miles away and less. Other markets outside of 300 miles that our origin markets for visitors are New York, Chicago, Philadelphia, Washington, DC, and Detroit.

The Space Coast Office of Tourism is responsible for marketing the destination and does promote that we are "Orlando's Closest Beach", among other things. Advertising runs mostly in Orlando and Tampa, as well as other Florida markets so residents would not always see them. We are spending approximately \$4.5 million on advertising this fiscal year. We will continue and expand this initiative as additional dedicated funding becomes available.

Staff Recommendations:

The Space Coast Office of Tourism recommends that the Board of County Commissioners accept this recommendation with the noted modifications.



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Corrina Gumm, Interim Public Works Director, Traffic Operations Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020001
Road Work – Babcock Street

DATE: February 14, 2020

RECEIVED

FEB 18 2020

Citizen Recommendation:

County Manager's
Office

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. Ron Rincones that described the following Problem and Recommendation.

Problem:

- a. "(Babcock Street) From Palm Bay Road, to Malabar Road, each afternoon is a traffic jam. From Malabar Road, each afternoon is a traffic jam on a 2-lane road, outdated for more than 10 years. Please do what you can to increase the priority and timeline for correcting the problem."
- b. "I-95 Malabar Road, southbound exit. Each evening traffic backs up for more than a mile trying to exit onto Malabar Road. This creates a very dangerous situation for drivers who are stopped in the travel lane on the right. This must be addressed by the agency responsible now!"

Recommendation: "Commissioners must enhance the priority of scheduled projects. I know Commissioners are all aware of these problems, I am just trying to inject some urgency."

Staff Analysis:

Item a. Traffic congestion on Babcock Street between Palm Bay Road and Malabar Road

Babcock Street between Palm Bay Road and Malabar Road is also known as State Road 507 and, as such, the road is under the jurisdiction of the state, specifically the Florida Department of Transportation (FDOT), District Five. This segment of Babcock Street is not under Brevard County jurisdiction.

Phone (321) 617-7202 • Fax (321) 617-7208

Website: brevardfl.gov

FDOT completed a Project Development & Environmental (PD&E) Study which resulted in the recommendation to widen the roadway from the existing four lanes to a six-lane, divided roadway, based on the traffic demands. The proposed improvements include updated traffic signals, bridge replacement and bridge widening over the Melbourne-Tillman Canal, and also multimodal enhancements consisting of bicycle accommodation and the addition of sidewalks. FDOT's engineering consultant then completed preliminary design plans. FDOT has advised that this project is not currently funded for the right of way acquisition that is needed or construction, which they previously estimated at \$45 Million and \$25 Million, respectively.

Item b. Traffic congestion on the I-95 Southbound Exit at Malabar Road

Interstate 95 (I-95) along with its interchange ramps at connector roads is under the jurisdiction of the state, or FDOT specifically. Brevard County is aware that FDOT has previously evaluated this interchange for operational improvements, along with all interchanges in Brevard County, as part of an I-95 Systems Operational Analysis. However, we have not been informed of the specific findings or recommendations that resulted from this analysis.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification, the identified items (a) and (b) of CEER #2020001. While these road segments are not under the jurisdiction of Brevard County, staff will continue to provide input through the Space Coast Transportation Planning Organization (TPO) and to the FDOT regarding the possibility of raising the priority of both of these items, compared to other needed transportation projects.



BOARD OF COUNTY COMMISSIONERS

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

Inter-Office Memo

TO: Frank Abbate, County Manager

THROUGH: John Denninghoff, Assistant County Manager

FROM: Virginia Barker, Director, Natural Resources Management 

DATE: January 16, 2020

SUBJECT: Citizen Efficiency & Effectiveness Review (CEER) #202002
Indian River Lagoon Problem

RECOMMENDATION: Accept CEER 202002 items a., b., and c. with modifications that acknowledgment and confirm that similar actions are underway as approved and directed by the County Commission, and reject item d. due to lack of local authority.

Question:

The following suggestions were received from Ron Rincones:

Problem Description.

The Indian River is polluted in several areas. Studies have been going on for years and for some reasons, continue on, when the problem and solutions are well known, have been over studied!

Recommendation Description

I believe the solutions to cleaning up the Lagoon are:

- a. Septic tank leaching instead of spending millions on muck removal and other worthy efforts. Spend some on the millions on helping citizens to connect to sewers. Make this the number one priority.
- b. You cannot allow sewer systems, to discharge untreated effluents into the Lagoon every time there is a heavy rainfall. Put some of the millions into enhancing the sewer system's ability to treat effluents before any reached the Lagoon. Or better, terminate any discharge of effluents into the Lagoon.
- c. Run off is still a problem and must be addressed with either holding ponds, and some way of removing any organics or nitrogen from reaching the Lagoon.

- d. Sea Cows discharge tons of dung each winter day into the Lagoon. Commissioners, stop the politically correct nonsense, and figure out how to wean them from the warm water discharge into the Lagoon, each winter. Do not allow

Analysis:

The intent of the proposed solutions are already planned or underway.

- a. The first recommendation was “HELPING CITIZENS TO CONNECT TO SEWERS” to address “SEPTIC TANK LEACHING. MAKE THIS THE NUMBER ONE PRIORITY.” The 2019 Save Our Indian River Lagoon Plan has \$113.8 million dedicated to the highest priority septic system projects. The Citizen Oversight Committee recommended increasing this allocation by \$55.1 million in the 2020 Plan Update, making this the number 1 priority in terms of funding allocation. The allocation includes funds to pay for citizens to hook up to sewer. If you visit the Maps section of the Save Our Lagoon website at <https://www.brevardfl.gov/SaveOurLagoon/maps> and click on “View the Project Story Map,” and click layer “5 Sewer Quick Connects” shows the locations of lots near an existing sewer line who are able to take part in this program immediately. Layer “4 Septic to Sewer Conversions” shows all the areas where sewer lines are being extended and hookup costs will be covered to provide sewer service to additional high priority neighborhoods currently dependent on septic systems. Layer “6 Septic System Upgrades” is currently under construction, but will show the lots where sewer service is not available and not feasible, therefore septic upgrade grants are available to reduce septic leaching.

The amount of funding allocated to muck related projects was reduced by \$100 million in 2019 with wastewater projects receiving an increase of \$30 million and stormwater receiving an increase of \$27 million. As noted above, new septic and sewage related projects that were submitted for funding in 2020 will receive most of the remaining decrease in muck funding, if approved by the Board of County Commissioners in February. Muck removal will remain in the lagoon plan since it is the single largest source of excess nutrients that feed algae blooms and turbidity that blocks light from reaching the seagrass beds.

- b. The second recommendation was “PUT SOME OF THE MILLIONS INTO ENHANCING THE SEWER SYSTEM'S ABILITY TO TREAT EFFLUENTS BEFORE ANY REACHES THE LAGOON. OR BETTER YET, TERMINATE ANY DISCHARGE OF EFFLUENTS INTO THE LAGOON.” There is currently \$27.6 million aimed at sewage effluent treatment projects, with the Citizen’s Oversight Committee recommending an additional \$7.3 million in the 2020 Plan Update. This is to reduce the pollutant load in effluent that is reclaimed and used for irrigation. Wastewater Treatment Plants have not been allowed to discharge directly to the lagoon on a daily basis since implementation of the Indian River Lagoon Act in the 1990s. Direct discharges currently occur in response to discrete events such as breaks, power failures, and overflows. To reduce the likelihood of these occurrences, the current plan allocates \$1 million to smoke testing and the repair of private line breaks while the Citizen’s Oversight Committee recommending an additional \$0.5 million in the 2020 Plan Update. This is in addition to \$134 million funded by Brevard County Utilities to reduce the risk of sewage discharges and millions more being spent by city utilities to improve public infrastructure.

- c. The next recommendation was “RUN OFF IS STILL A PROBLEM AND MUST BE ADDRESSED WITH EITHER HOLDING PONDS, AND SOME WAY OF REMOVING ANY ORGANICS OR NITROGEN FROM REACHING THE LAGOON.” There is currently \$40 million aimed at stormwater treatment projects, with the Citizen’s Oversight Committee recommending an additional \$0.6 million in the 2020 Plan Update. This is in addition to about \$3.5 million funded annually through the Brevard County Stormwater Utility to retrofit stormwater infrastructure plus millions more being spent by city stormwater programs. Due to flood control projects creating over 1500 outfalls to the lagoon in Brevard, the plan includes hundreds of small projects distributed county-wide to treat discharges from the worst outfalls.
- d. Unfortunately, the County does not have authority to “WEAN THEM FROM THE WARM WATER DISCHARGES” because manatees are protected by state and federal laws. While manatees do convert the nutrients from seagrass into more bioavailable forms that can feed blooms, this is recycling of nutrients that are already in the lagoon, not addition of excess nutrients from sources outside the lagoon, such as septic, sewage and stormwater contributions. Nonetheless, the County has conveyed its concerns to the federal and state agencies on multiple occasions regarding the lagoon’s carrying capacity for manatees and the unintended consequences of artificial warm water outflows.

Recommendation:

Accept CEER 202002 items a. b. and c. with modifications that acknowledgment and confirm that similar actions are underway as approved and directed by the County Commission, and reject item d. due to lack of local authority.



BOARD OF COUNTY COMMISSIONERS

Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *FAB*
Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager *JL*
Community Services Group

FROM: Mary Ellen Donner, Director *med*
Parks and Recreation

DATE: January 21, 2020

SUBJECT: Citizens Efficiency and Effectiveness Recommendation # 2020003
Build An Outdoor Public Gun Range

Recommendation: Reject

A Citizen Efficiency and Effectiveness Recommendation (CEER) #2020003 was submitted by Mr. Kris Hiatt and identified the following problem: "No public outdoor shooting ranges. I have been traveling to Indian River County to their public range to hone my rifle and shotgun marksmanship skills. I know there are two private outdoor ranges here, but you have to meet certain criteria and join a yearly service."

CEER #2020003 goes on to recommend, as a potential solution, "Build a pay-as-you go outdoor public range. Try to have it centrally located in the county. This might curtail people from just going out into the back areas of Brevard County and shoot randomly. Would stop the littering of these back areas. Research Indian River County for how they started it, paid for it, built it, and continue to support and fund this enterprise. Shooting matches could be held there bringing in tourist money."

Staff offers the following:

The Indian River County Public Shooting Range is a 318-acre facility and is constructed on State-owned land. It was developed through funds made available from the U.S. Fish and Wildlife Service. It opened in 2001 and is operated under a concession lease with the Florida Wildlife Conservation Commission. It operates as an independent County department and staff report to the Assistant County Administrator. There are daily rates available for the public to utilize the facility and range rents space to various community organizations for training and education.

Phone (321) 633-2046 • Fax (321) 633-2198

Website: www.brevardparks.com



BOARD OF COUNTY COMMISSIONERS

Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

The Brevard County Parks and Recreation Department owned a public access gun range in Titusville. The range was operated under contract to the Titusville Rifle and Pistol Club since 1980 at a lease cost of \$1 per year. On July 25, 2017, the Board of County Commissioners approved Resolution 2017-129, authorizing the sale the property to the Titusville Rifle and Pistol Club, Inc. The deed associated with the sale of the properties stipulates that the public access gun range be open to public use at least one day per week. According the Titusville Rifle and Pistol Club's website, three shooting ranges are available to the public six days a week (Tuesday through Sunday) – 100-yard rifle range, a seven-yard pistol range, and a 50-yard shotgun/pistol/pistol caliber carbine (PCC) range. The cost to the public is \$15 per day.

The Parks and Recreation Department has not been acquiring lands to develop additional parks and/or facilities. The Department focus has been the maintenance of facilities and transferring of facilities to municipalities where appropriate.

The current zoning code requires a conditional use permit for the establishment of a privately-owned range open to the public pursuant to Section 62-1921 Brevard County Code, Commercial entertainment and amusement enterprises.

Staff Recommendation:

It is recommended that the Board of County Commissioners reject Citizen Efficiency and Effectiveness (CEER) # 2020003 as the Parks and Recreation Department remains focused on maintaining existing properties and is not positioned to acquire additional land for a gun range that would compete with the private sector.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department
2725 Judge Fran Jamieson Way
Building A
Viera, Florida 32940

Inter-Office Memo

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *[Signature]*
John Denninghoff, P.E., Assistant County Manager *[Signature]*

FROM: Tad Calkins, Director – Planning & Development *[Signature]*

DATE: January 15, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020004

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified several problems and recommendations. This Department was tasked with analyzing and responding to CEER #2020004 regarding Nuisance Houses.

The problem description is as follows:

Enforcing the current statutes in Brevard County and the State of Florida would help reduce costs in the following ways:

- Reduce the number of EMS and Fire Rescue calls to drug houses for overdose and Narcan calls.
- Reduce the number of investigations from the Sheriff's Department for overdose, suspicious activity, theft, vandalism, and safety.
- Reduce the need for repeated citations issued by Brevard County Code Enforcement and Barefoot Bay Code Enforcement for health and safety issues as well as appearance.
- Return the Nuisance House to a safe and secure, tax paying status and to protect property values and homeowner rights.

CEER #2020004 goes on to recommend, as a potential solution, the following:

- Fewer calls for EMS service for those drug houses with overdose issues.
- Fewer calls for Sheriff service in unincorporated Brevard County for drug use and other investigations related to those living in the houses.
- Nuisance houses frequently also fall into Code Enforcement concerns with health and wellness issues as well as houses not being maintained.
- Legal action for owners who do not live in the area that something can and will be done to individuals living there and creating the nuisance.

As a result of legal action to declare nuisance houses, the property owners living in the area will see action that will protect their property, their rights and their safety. It will also serve to

reduce activity from other drug users who frequent the property. For verification of above concerns, please search records for 915 Wren in Barefoot Bay for Sheriff calls, EMS calls and Code Enforcement actions. It took many years of complaints and investigations from all those concerned to finally rid the neighborhood of this Nuisance House.

Staff offers the following:

CEER Recommendation #2020004, submitted by Ms. Crouse, suggests that the County take "legal action to declare nuisance houses". Chapter 74, Article IV of the Brevard County Code addresses "Nuisance Abatement". The existing Code provisions in Chapter 74 establish what activities constitute a public nuisance, the process for handling such conditions, and the authority for taking corrective action. Administrative fines and other noncriminal penalties can be utilized by the County to ensure nuisances associated with certain criminal activities are handled expeditiously and effectively. The Ordinance provides that a Special Master be appointed to conduct hearings and make final determinations, which can include "closure" of the place or premises as well as assessment of fines, recorded as a lien against the property. The Brevard County Sheriff's Office has the authority to present these cases before the Special Master.

With that being said, in certain situations, the Board has authorized the County Attorney's Office to exceed the typical code enforcement process and seek an injunction against ongoing Code violations. There have been two complaints made regarding 915 Wren Circle. The first complaint was submitted in 2016 regarding alleged recycling of aluminum; this complaint was unfounded. The second complaint was made this past year and regarded failure to maintain the home as required, performing additional work on the property without required permit, junk, debris, and lack of water service at the home. This second complaint was submitted to a Special Magistrate Hearing and the Magistrate Ordered Compliance was achieved. The complaint was received on 07/11/2019 and resolved (violations corrected) on 11/01/2019 (less than 120 days). Fortunately, as a result, it was not necessary to seek an injunction in this specific case for the code enforcement issues.

House Bill 625 has been filed with the Florida State Legislature that would extend notice requirements, clarify the process, and broaden the activities considered to be a nuisance. The process clarification and the additional nuisance activities should provide a more efficient and effective abatement of nuisance properties, should it pass in the Legislature.

Since Chapter 74, Article IV of the Brevard County Code addresses "Nuisance Abatement", and the Board has previously authorized the County Attorney's Office to seek both legal and equitable remedies for ongoing code violations, the Board may wish to consider accepting the recommendation as fulfilled.

Staff recommendation: Staff recommends accepting the recommendation as fulfilled.



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

TO: Frank Abbate, County Manager
THRU:  Eden Bentley, County Attorney
FROM:  Shannon L. Wilson, County Attorneys' Office
SUBJECT: CEER #2020005 - Increase bond costs for frequent offenders
DATE: January 14, 2020

RECOMMENDATION: Reject. The decision-making authority for deciding the appropriate bail in criminal cases resides with the judicial branch.

ISSUE:

This Citizen Efficiency and Effectiveness Recommendation was received by the County from Ms. Louise E. Crouse identified as being affiliated with the Barefoot Bay Neighborhood Watch. Her suggestion is as follows:

Frequent offenders, especially in the drug violations and related charges have lower bond rates which allow the charged individual to bond out in a short amount of time. Within hours of his arrest, the offender can be back on the streets doing whatever he needs to do to continue drug use, selling, distributing and associated crimes to support himself.

If bonds were set as graduated charges it might be more difficult for a frequent offender to be released. The county would recover more money to support the court system and provide protection for law abiding citizens.

The 'areas' affected were identified as the Sheriff of Brevard County and the State Attorney. The program affected was identified as Court Programs.

This office has been tasked with providing a response as to the recommendation.

ANALYSIS:

The County, other than funding certain needs of the Court system of the 18th Judicial Circuit and the State Attorneys' Office (office space, etc.) and the budget of the Sheriff, as required by statute, has no role in directing or supervising the court system, the Sheriff or the State

Subject: CEER #2020005, Increase bond costs for frequent offenders

Date: 1/14/20

Attorneys' Office or role in determining bail. The Circuit and County Court Judges, the Sheriff and the State Attorney are separately elected officials. Additionally, neither the Sheriff or the State Attorney decides the issue of bail. The decision regarding bail is made by the judiciary as provided for by Florida state statute and Florida Rules of Criminal Procedure (as referenced to below).

Bail is typically set based upon a bail bond schedule issued by the Chief Judge of each Circuit, by local administrative order. This bail schedule is used by law enforcement when 'booking' a defendant into the County jail. A defendant is seen by a judge within 24 hours of being admitted into the jail to review probable cause for the arrest and to review bail for any increase or decrease deemed appropriate by the judge. The State Attorneys' Office prosecutes criminal case – not the County. Both defense counsel and the State Attorneys' Office have the option to file motions to review bail during the pendency of the criminal charges to present their viewpoint on what a reasonable bail amount would be and any restrictions which should be imposed regarding a defendant's release. The judge, in the judge's discretion, can increase, take no action or reduce the bond based upon factors set forth in statute and Criminal Rules of Procedure.

The focus of the statutes and the rules is that whether the defendant would appear for any court appearances if released and whether he/she would pose a risk of physical harm the community.

Article 1, Section XIV of the Florida Constitution provides as follows:

SECTION 14. Pretrial release and detention. Unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, every person charged with a crime or violation of municipal or county ordinance shall be entitled to pretrial release on reasonable conditions. If no conditions of release can reasonably protect the community from risk of physical harm to persons, assure the presence of the accused at trial, or assure the integrity of the judicial process, the accused may be detained.

Per Florida Statute 903.011 "Bail" and "bond" include all forms of pre-trial release including nonmonetary bond/release.

Per Florida Statute 903.03 "..., the court having jurisdiction to try the defendant shall, before indictment, affidavit, or information is filed, have jurisdiction to hear and decide all preliminary motions regarding bail...."

Florida Statute 903.046 sets forth the factors a court is to consider when deciding whether to release a defendant on bail or other conditions, and what that bail or those conditions may be.

Subject: *CEER #2020005, Increase bond costs for frequent offenders*

Date: 1/14/20

Florida Rules of Criminal Procedure are adopted by the Florida Supreme Court (as authorized by Florida Statute 25.032). These rules govern the procedure in all criminal proceedings in state courts (Fla. R. Crim P. 3.010).

Further Florida Rule of Criminal Procedure 1.131 sets forth the process the court must follow in determining a defendant's release pending trial:

The judicial officer shall impose the first of the following conditions of release that will reasonably protect the community from risk of physical harm to persons, assure the presence of the accused at trial, or assure the integrity of the judicial process; or, if no single condition gives that assurance, shall impose any combination of the following conditions:

(A) personal recognizance of the defendant;

(B) execution of an unsecured appearance bond in an amount specified by the judge;

(C) placement of restrictions on the travel, association, or place of abode of the defendant during the period of release;

(D) placement of the defendant in the custody of a designated person or organization agreeing to supervise the defendant;

(E) execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; provided, however, that any criminal defendant who is required to meet monetary bail or bail with any monetary component may satisfy the bail by providing an appearance bond; or

(F) any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

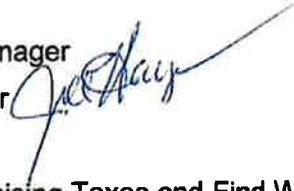
SUMMARY: The statutes and Criminal Rules of Procedure referenced above make it clear that that the authority to set bail resides with the judiciary.



Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director 
DATE: January 21, 2020
SUBJECT: CEER #2020006, Stop Raising Taxes and Find Ways to Cut Waste
RECOMMENDATION: Accept

CEER #2020006 was received by the County from Jesus Martinez.

Problem Description:

"It seems like every year and on many occasions during the years, someone comes up with an idea that will cost the taxpayers more in property taxes. Those of us who own property in Brevard County pays the majority of the funds required to operate public schools. We also pay for services including emergency services, recreation, and maintenance of our rivers and lagoons, etc. The cities also tax us, like for example Melbourne, who is now building a new police station with taxes we will have to pay for the next 30 years.

So please, the next time a newly elected commissioners comes up with a nice to do or have project that is going to cost a tax increase for those of us who are on fixed incomes, say no. There are roads that are falling apart, bridges that need repair or replacement, sewers and storm water pipes that need replacement, and these are way more important than spending approximately \$5 million to rebuild a dock that not all Brevardians use or need.

The seniors of Brevard have many needs and they are costing us more and more each day fueled by the demand for higher wages and pay increases. Money does not grow on trees but it certainly grown in the property of those who own a home in our county.

A suggestion for all those wealthy commissioners who have no problem with paying higher taxes for luxury items or nice to have services and things, is to add an additional 25% homestead deduction for seniors over the age of 65, who only source of income is social security and military retirement, State or municipal retirement. Cost of living in Brevard County since the space industry has moved in is becoming unattainable for the senior population who are on fixed incomes. It is very unfair to balance the county and

school budget on the back of property owners. Everyone needs to contribute equally. I worked at BPS and know well just how much waste there is, and how sports keep getting larger and larger. We want our kids to be educated, but nowhere did we agree to pay for exorbitant sports activities that raise the school budget extensively.

Please look for way to reduce unnecessary spending. When I was a kid, if I played school baseball, my parent paid for everything including umpires, field maintenance, equipment and uniforms. If you have a boat and want to enjoy the waters, then maybe you should be paying a marina to launch your boat. Since when do poor seniors on a fixed income, who can't even afford to eat out and are glad to own a modest home mortgage were forced to pay so younger people can play in the water in their expensive boats?

Please be fiscally responsible; it does not take much; all you have to do is say No. Please have gotten used to having government pay for all their pleasures, mishaps as a results of irresponsibility, etc.

Thank you."

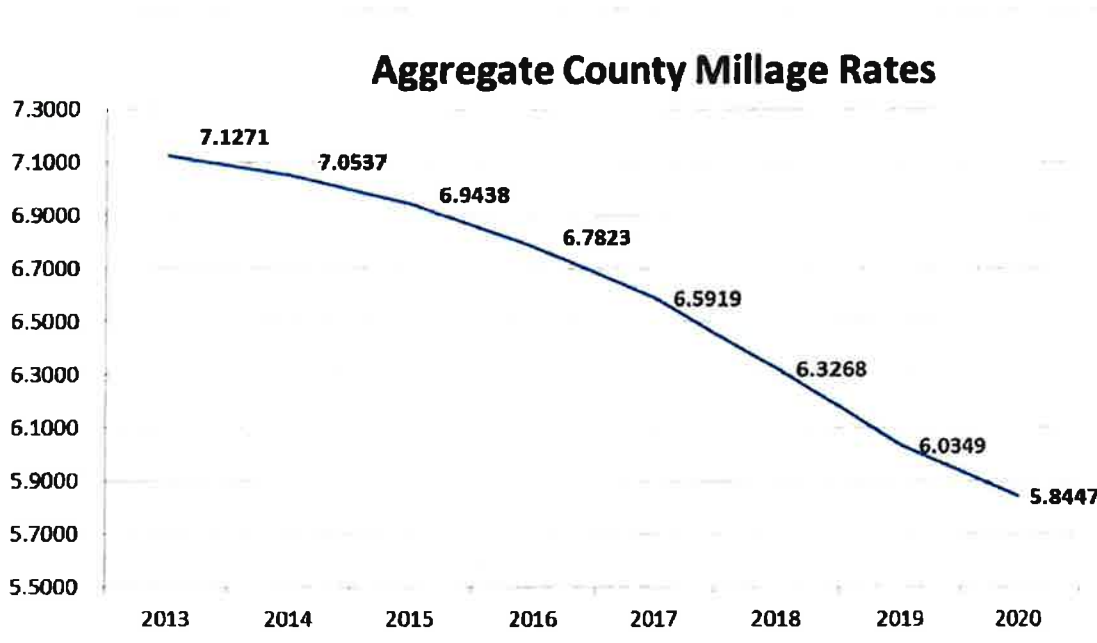
Recommendation Description: "Be responsible with our money and treat it as if it were yours. Come up with a better formula to not tax the old as you tax the young who may have multiple kids in school and use beautiful country club like county facilities that the average senior cannot afford to use because they are too old, ailing or don't have the money to buy the gear. Please treat seniors with dignity as they are the reason we have this place called the United States of America and Brevard County, Florida."

Staff Analysis:

Chapter 200, F.S., and Chapter 12D-17, Florida Administrative Code (F.A.C.), state the specific requirements for establishing property taxes. Florida state laws provide for public input and for governing bodies of taxing authorities to state specific reasons for proposed changes in taxes and the budget. Brevard County Board of County Commissioners (BOCC) must adopt a budget and millage rates in accordance with these laws. <https://floridarevenue.com/property/Documents/trimregwb.pdf>

Property taxes are based on the value of property and are geographically dependent. In his problem description statement, Mr. Martinez discussed funding for schools as well as taxes levied by cities. Neither the Brevard County Public Schools nor the municipalities such as the City of Melbourne fall under the authority of the BOCC. These entities are individual taxing authorities with separately elected officials, and the BOCC has no jurisdiction over the schools or cities.

The following chart displays Brevard County's aggregate millage rate, which has decreased by approximately 18% since Fiscal Year 2012-2013.



Staff Recommendation: Accept. Mr. Martinez suggested adding an additional homestead exemption for seniors. As allowed by Florida Statute 196.075, Brevard County currently provides the Limited-Income Seniors Exemption, which provides an additional exemption for residents age 65-years and older who do not exceed state-mandated maximum income. Citizens may apply for this exemption through the Brevard County Property Appraiser's Office. <https://www.bcpao.us/exemptions.aspx?t=2.7.1>. Additionally, staff is commented to continue focusing available resources on established Board priorities in a fiscally responsible way.



Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director 
DATE: January 21, 2020
SUBJECT: CEER #2020007, Fees Paid for Cash Alternative Payments
RECOMMENDATION: Accept with Modifications

CEER #2020007 was received by the County from Aamir Khan, MD, Platinum Transaction Merchant Services.

Problem Description:

"One area that can, and should be evaluated annual is the fees paid to accept cash alternative payments. If these fees are not being reviewed then rates and fees may be increasing. These fees and merchant program must be reviewed by a 22 year experienced like myself and the detailed findings discussed openly."

Recommendation Description:

"I recommend having your merchant statements reviewed by my office and lower price points discussed and contemplated."

Staff Analysis:

Merchant fees and statements are reviewed periodically by County departments and County Finance. These statements are accessible to the public, therefore independent vendors can evaluate and provide feedback to the County at any time.

Switching merchant providers would require a competitive procurement process, to include either issuing a Request for Proposal (RFP) or piggy-backing another government entity's existing contract. There are many variables that would need to be considered prior to switching merchant providers:

- Payment Card Industry (PCI) Compliance - These standards require merchants and other businesses to handle credit card information in a secure manner that helps reduce the likelihood that cardholders would have sensitive financial data stolen.

- **Transition Costs** – Potential costs associated with switching merchant services may include purchasing new equipment. Some locations have entered into operating leases for equipment, which must also be considered.
- **Software Compatibility** – Vendors must have the capability to integrate with various software programs that are utilized for County operations.

Brevard County's current general banking services contract expires on September 30, 2022.

Staff recommendation: Accept with modifications. When the County goes out for competitive procurement on our general banking services in two years, we will include merchant services in the proposal.

Wall, Katherine

From: Abbate, Frank B
Sent: Friday, January 24, 2020 3:02 PM
To: Wall, Katherine
Cc: Walker, Don; Roth, Joy
Subject: FW: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government

Kathy:

FYI

Frank

From: Shannon Lewis <Shannon.Lewis@mlbfl.org>
Sent: Friday, January 24, 2020 1:03 PM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: RE: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government

Good afternoon, Frank. Please see below in response to the comment/recommendation you received:

The citizen recommendation is to renovate the plaza containing Carabba's Restaurant, generally located at the northwest corner of Palm Bay Road and Babcock Street within the City of Melbourne. While the City does not have authority over the property owner to direct a specific redevelopment of this privately-owned site, the property is zoned C-1 with a General Commercial Future Land Use that would allow restaurant uses. A conditional use approval could allow the use of the property as a bar. Based upon the zoning and future land use, the property owner could pursue a redevelopment of the property in the manner the citizen recommended.

The City of Melbourne works with various businesses that come to the City with a proposal for a specific property, but the business/developer would negotiate the acquisition of the property, not the City. The City offers an Ad Valorem Tax Exemption program for large projects that will bring a large number of jobs with above average Brevard County wages, along with a substantial capital investment. The development of restaurants and bars, however, does not fit into this type of a program. The City works with smaller projects/businesses to assist them with potential economic development incentives available from other sources. The City of Melbourne would be available to talk further with the property owner about any potential redevelopment of the site.

If this isn't what you are looking for or if you have any questions, please let me know.

Regards, Shannon

Shannon M. Lewis
City Manager
City of Melbourne
(321) 608-7200
shannon.lewis@mlbfl.org

From: Abbate, Frank B [mailto:Frank.Abbate@brevardfl.gov]

Sent: Tuesday, January 14, 2020 9:24 AM

To: Shannon Lewis <Shannon.Lewis@mlbfl.org>

Subject: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Shannon,

Under Section 2.9.10 of the County Charter, the Board of County Commissioners annually receives Citizen recommendations for the enhancement of the effectiveness and efficiency of County government. The Charter provides that these written recommendations will be reviewed by the County Commission and following that review the County Commission shall vote to either accept the recommendation, accept the recommendation with revisions, or reject the recommendation.

The attached recommendation addresses unused stores on Palm Bay Road. Understanding this an area under your jurisdiction and purview of the City of Melbourne and respecting your insight and authority on such matters, I am forwarding this recommendation for your review and input. If you and/or your staff have any feedback to offer, please provide it within the next thirty days. That will provide me the opportunity to incorporate that feedback in the staff response we share with the Board of County Commissioners. We are planning to complete staff input on all citizen recommendations by mid-February. I recognize you may not have any feedback you wish to offer. If you decide not to provide any feedback, it is our intention to recommend that the Board of County Commissioners reject the recommendation as it is not within the Board's jurisdiction to address. We will inform the Board we have passed the recommendation on to your office. Thank you for giving this matter your consideration and attention.

Respectfully,

Frank

Frank Abbate
County Manager
2725 Judge Fran Jamieson Way, Bldg. C
Viera, FL 32940
PH: (321) 633-2001
FAX: (321) 633-2115



BOARD OF COUNTY COMMISSIONERS

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BOARD OF COUNTY COMMISSIONERS

Office of Human Resources
2725 Judge Fran Jamieson Way
Building B, Room 209
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jerry Visco, Human Resources Director 
SUBJ: Citizen Efficiency and Effectiveness Review
DATE: February 27, 2020

CITIZEN RECCOMENDATION:

Name Alan M Harte Address: 826 HUNTINGTON ST NE, PALM BAY FL 32907 1409

Phone (321) 220-0366 Email anhgemini@yahoo.com

Recommendation ID 2020009

Recommendation Title Cost cutting

Current problem Cost cutting in Brevard county.

Recommendation Eliminate redundant positions to reduce costs. All county employees to work 10 hrs./day Mon. thru Thursday with Friday's off with the exception of law enforcement & fire dept. & any other employees deemed essential by the county. Close county buildings on Friday's to save electricity & money. State & federal employees would not be affected & anyone else not on the county payroll. Pay county employees every other week to save payroll costs. Eliminate all unnecessary overtime. I understand that all county students receive free breakfast & lunch regardless of family income. Only those students whose family income is below a preset figure should receive free breakfast & lunch. All other students who want breakfast & lunch from the school cafeteria should be charged a reasonable amount. These suggestions may sound harsh but it is difficult to cut costs without offending a sector of the population.

STAFF COMMENTS:

With regard to the elimination of redundant positions, staff is directed to review and evaluate their departments staffing needs during budget preparation annually. Particular attention is given to those positions remaining vacant for extended periods of time. Department justification to retain those positions is reviewed by County senior leadership during the upcoming budget process before funding for those positions are authorized.

The concept of scheduling County employees on 4/10 hour days has been evaluated and implemented on a trial bases in the past. While the opportunity for implementing this type of work schedule is available for individual departments /offices and employees if operational requirements can still be met, implementation County wide was found to not produce the savings/efficiencies anticipated as there are a number of County functions unable to limit their hours of operation.

Phone (321) 633-2031 • Fax (321) 633-2036

Website: www.brevardcounty.us

The impact on customer service and the public's ability to access County offices was also a concern if all government offices were able to be closed one additional day per week. Rotating staff on a 4/10 schedule while still allowing for offices to be open 5 days a week would not allow for any energy related savings. Presently, unoccupied County Offices have reduced lighting and HVAC from Friday afternoons through Monday mornings, an additional day shutting down County Offices would not allow for significant additional energy savings as HVAC system would need to continue to operate at some level.

Currently, County employees are paid every other week with direct deposit, electronic fund transfers, being the required mechanism for payroll distribution as another means of reducing payroll costs. Overtime is closely managed by Department Directors and senior managers. No overtime is authorized without prior management approval.

School lunch programs are not within the purview of the Board of County Commissioners. This is a program managed by the Brevard County School Board and the Superintendent of Schools. County Human Resources has reached out to the School Board and obtained the following information related to that program:

All students are in fact eligible under a U.S. Department of Agriculture (USDA) program for free breakfast. This program has been in place for over 20 years and allows for the schools to obtain USDA subsidies in accordance with reduced pay or no pay criteria to offset the cost of that program. There is no school system wide free lunch program. Free or reduced pay lunches are only available in 5 schools under a Community Eligibility Provisions Program administered by the USDA or to individual students that meet household income eligibility requirements established by the USDA qualifying them for free or reduced cost lunches.

Staff recommendation: It is recommended that the Board of County Commissioners accept with modification CEER 2020009.

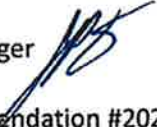


BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

FROM: John P. Denninghoff, Assistant County Manager 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020011
Tolls from Orlando

DATE: February 26, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. David W. White that described the following Problem and Recommendation:

Problem: I think Merritt Island suffers economically from the high cost to reach the large job centers of Orlando. Eliminating the tolls for Brevard residents would make the area more affordable and attractive to people who work in Orlando. As it is, the tolls operate as an economic disincentive to live here thereby decreasing economic activity in the area.

Recommendation: Eliminate the tolls for people with verified Brevard addresses.

Staff Analysis:

The roads referred to in the Citizen Efficiency and Effectiveness Recommendation #2020011 are a system of 120 miles of expressway roads in the Central Florida area. The expressway roads are managed by the Central Florida Expressway Authority (Authority). The Authority is an agency of the State of Florida and according to Section 348.753(c), Florida Statutes, the Authority is required to collect toll revenues and apply such revenues to the repayment of debt. Toll revenues are a pledge revenue to secure the repayment of outstanding bonds as well as maintenance and operation of the expressway road system. There are no toll roads on Brevard County road systems. However, when a state of emergency is declared, the Governor may suspend tolls on the expressway roads for the period of the emergency.

Staff Recommendation:

Staff recommends that the Board of County Commissioners reject CEER #2020011, because the County has no jurisdiction over the tolls levied by the Central Florida Expressway Authority.



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager 

THRU: Corrina Gumm, Interim Public Works Director  Traffic Operations Program Manager

FROM: Susan Jackson, Assistant Public Works Director/Road and Bridge Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020012
Cleanup before mowing

DATE: March 2, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. Paul A. Kamus that described the following Problem and Recommendation.

Problem: "All litter should be picked up before mowing. Litter is easier to collect in one big piece as opposed to smaller multiple pieces."

Recommendation: "Ask organizations to volunteer to cleanup areas of upcoming mowing locations in an effort to reduce the amount of litter in our environment. Suggest the cleanups could be part of a team building endeavor."

Staff Analysis:

There are litter reduction efforts that are already captured in programs such as the Keep Brevard Beautiful (KBB) initiative. This includes the Adopt-An-Area program that asks organizations to volunteer to remove litter within an area, including all county roads. The sponsor coordinates cleanups with KBB in advance, and that they adhere to specific litter control activities that do not conflict with the County's mowing operations.

In response to similar requests, we have previously evaluated options for sending a crew ahead of mowers to pick up litter, including using inhouse labor resources or using Sheriff's inmates. We found that both of these options would require that we create new positions as our current labor

resources are being used to mow, clean ditches, repair sidewalks and roads, and prepare roads for resurfacing.

Utilizing inmates requires that they be picked up and dropped off daily by one of our employees. Each inmate has to be supervised and would need to be provided with the appropriate equipment for litter pickup. Each supervisor will need a pick-up truck with a utility trailer for trash removal equipment. It was estimated that the initial probable cost would be \$1.2 Million in the first year to start a countywide program utilizing inmates. There would also be a cost associated with the collection and disposal of the litter, and ongoing staffing and equipment maintenance costs.

The cost would be similar if we were to hire employees specifically for picking up trash ahead of mowers as both options require a new employee, a truck w/ trailer, and equipment. If the Board of County Commissioners gave consideration for additional funds for this purpose, staff would request that we provide additional mowing before we add litter pickup. We do receive complaints about our mowing cycles, which varies between 4-8 cycles per year, depending on position vacancies, mechanical issues, weather, and other maintenance projects. With the current staff on hand, if litter were picked up before mowing, mowing cycles would drop to approximately two per year, resulting in vegetative overgrowth in the right-of-way and along road sides.

While the County takes litter control seriously for a number of reasons, at present these aforementioned options are not currently feasible due to financial constraints for the Road & Bridge Maintenance Program. The suggestion to ask organizations to volunteer as part of a team building endeavor to clean up areas is already in place within Keep Brevard Beautiful.

Staff Recommendation:

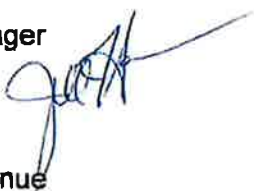
It is recommended that the Board of County Commissioners accept with modification. CEER #2020012, KBB and Adopt-An-Area initiatives will strive to coordinate litter pick-up activities with County mowing operators.



BOARD OF COUNTY COMMISSIONERS

Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director 
DATE: January 21, 2020
SUBJECT: CEER #2020013, Tax Revenue
RECOMMENDATION: Reject

CEER #2020013 was received by the County from Andrew Dreisbach.

Problem Description:

"Revenue for Schools, Roads, Fire Rescue, Law Enforcement... all Brevard County infrastructure."

Recommendation Description:

"Utilize revenue from Port Canaveral which has a reported estimate of over \$100 million and mandate funds to be distributed to county infrastructure and services that the port use and take advantage of. Keep funds in the County..."

Staff Analysis:

The County's authority to impose taxes is limited by the Florida constitution and state law. In other words, counties do not have inherent power to impose taxes. Authorization to impose taxes must come from the Florida constitution or state law Art. VII, §§ 1(a), 9(a), Fla. Const. Leasehold improvements at Port Canaveral are being taxed in accordance with Florida law. Brevard County Board of County Commissioners does not have jurisdiction to mandate the allocations of funds from Port Canaveral.

Staff recommendation: Accept with modification as leasehold improvements at Port Canaveral are being taxed by Brevard County in accordance with Florida Statutes.



Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director
DATE: January 21, 2020
SUBJECT: CEER #2020014, Tax Revenue

RECOMMENDATION: Reject

CEER #2020014 was received by the County from Andrew Dreisbach.

Problem Description:

Increase revenue for County Infrastructure

Recommendation Description:

Utilize a portion of the \$100 million Port Canaveral is reporting to have earned and fund County infrastructure. Schools, roads, fire rescue, and law enforcement.

Staff Analysis:

The County's authority to impose taxes is limited by the Florida constitution and state law. In other words, counties do not have inherent power to impose taxes. Authorization to impose taxes must come from the Florida constitution or state law Art. VII, §§ 1(a), 9(a), Fla. Const. Leasehold improvements at Port Canaveral are being taxed in accordance with Florida law. Brevard County Board of County Commissioners does not have jurisdiction to mandate the allocations of funds from Port Canaveral.

Staff Recommendation: Accept with modification as leasehold improvements at Port Canaveral are being taxed by Brevard County in accordance with Florida Statutes.



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU:  Eden Bentley, County Attorney
Virginia Barker, Director, Natural Resources Management 

FROM: Christine Valliere,  Assistant County Attorney

DATE: January 10, 2020

SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 15 –
Derelict Vessels

RECOMMENDATION: Reject

Question:

The following suggestion was received from Patrick Waters:

Problem Description:

The cost of removal of derelict marine vessels in Brevard Co. waterways. Currently the County pays to have the vessels removed at great cost to the taxpayer and no cost to the responsible party. The vessels also threaten additional pollution to the lagoons with the leakage of fluids and other toxic substances, as well as a danger to other boaters posing obstructions on the beaches and waterways

Recommendation Description

Pay a bounty to a Brevard Co. pre-approved, what I would call Vessel Bounty Recovery person that identifies the owner of the derelict vessels thru record and title research and allows the County to access the vessel owner the cost of removal or mandate the resident remove the vessel. Boats that have serial numbers and licenses removed can be researched by make/year of vessel. All titles have make, model and year and other details that will allow us to identify the owner. The cost of the Bounty could be set at 25% of removal cost. So the

Frank Abbate, County Manager
January 10, 2020

County would only be accountable for 25% of the removal cost vs. the current 100%

Analysis:

Efforts to recover the cost of derelict vessel removal from the owners currently occur. The removal of derelict vessels from public waters is strictly controlled by Florida Statutes. Ch. 327. Vessel Safety, Ch. 376. Pollution Discharge Prevention and Control Act and Section 823.11. Removal of Derelict Vessels.

The state Fish and Wildlife Conservation Commission (FWC) and local law enforcement are authorized to remove vessels that are determined through a state-mandated process to be derelict. Section 376.15(a), Fla. Stat. Local governments can partner with FWC through a grant program to manage removal of derelict vessels and Brevard County has participated in the program for several years. Section 376.15(3)(d), Fla. Stat. This grant program is funded through the Florida Coastal Protection Trust Fund. Additional funding for derelict vessel removal is provided through grants from the Florida Inland Navigation District and the Tourism Development Council. County Natural Resources Management staff provides local management of these grant programs along with the support of FWC and the Sheriff's Office.

The state grant program requires FWC or local law enforcement approval for the removal of each derelict vessel. The removal process involves a vessel registration and title records search to determine the vessel owner. FWC or local law enforcement conducts this search because access to these records is not available to the public or county staff. The qualifications of the removal contractors are established by state law. Section 823.11 (3)(c), Fla. Stat.

FWC and law enforcement are authorized to recover the cost of removal of derelict vessels from the owners. Section 376.15(3)(a), Fla. Stat. Any owner who refuses to pay for the cost of removal is prohibited from subsequently obtaining a registration for the removed vessel or any other vessel or motor vehicle until the costs are repaid. Section 823.11 (3)(b), Fla. Stat. This provision does not apply to the costs incurred by non-law enforcement local government staff.

Abandoning derelict vessels in public water ways is a first-degree misdemeanor punishable by up to one year in jail and a \$1,000 fine. Sections 823.11(5), 775.082, 775.083, Fla. Stat. All repayment of removal costs can be mandated through the court

Frank Abbate, County Manager
January 10, 2020

system as a judgment and associated fine/penalty. All court-mandated repayments are presently added to the County's derelict vessel removal funding account.

In addition to criminal penalties, the Florida Department of Environmental Protection has independent authority to impose civil penalties of up to \$50,000 per violation, per day for the abandonment of derelict vessels in public water ways. Section 376.16, Fla. Stat.

The derelict vessels the County removes are often owned by persons who may be considered indigent and/or homeless and in many cases are deceased, which makes cost recovery very improbable or impossible.

In conformance with the funding mechanisms for derelict vessel removal, the County maintains a competitively bid procurement contract with a derelict vessel removal contractor, a licensed marine contractor meeting statutory and grant program requirements. State grant funding, in combination with locally derived boating registration fees, usually covers the majority of contractor costs. Historically, excluding hurricane response, Brevard County has spent roughly \$40,000 per year to remove about 10 derelict vessels annually with about 75% reimbursement from State grants.

With recent changes in state law that facilitated a local ordinance change, a portion of Tourist Development Tax is now allowed to be spent on lagoon restoration, therefore through a funding partnership approved by the County Commission, a local fund of \$500,000 was established last year to increase the budget for derelict vessel removals. With these funds, the removal rate has increased to about one vessel per week, which is keeping pace with the rate that law enforcement clears boats for removal by the County.

Recommendation:

The County currently funds about 25% of the removal cost of derelict vessels, with about 75% funded through reimbursement grants. County staff work with law enforcement to recover costs, whenever possible, and to leverage local funds with grants from multiple agencies. While state law allows the County or state to issue fines and file court documents to try to recover removal costs, a private bounty hunter would not have access to this process, nor would they be able to apply for grants directly.



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

TO: Frank Abbate, County Manager

THRU: ~~Eden~~ Bentley, County Attorney

SUBJECT: Robert's Rules question CEER # 2020016

DATE: January 10, 2020

RECOMMENDATION: Reject, with the proviso the BCC could alter some procedures if it chooses to do so.

Question :

The citizen request received by the County from Jim L. Ridenour is as follows:

"The Board of County Commissioners consistently violates Robert's Rules by allowing agenda items to be discussed without a "second" on same. I was in attendance at one meeting where there were four motions on the floor at the same time without a second and all four were being discussed. When I brought this to a County Attorney's Associates's attention after the meeting, the reply was "we have modified rules we go by". That is totally unacceptable unless we begin each meeting with a Motion to suspend the Rules and if done, then we would be in violation with the County Charter which very clearly states that all meetings will be conducted in accordance with Robert's Rules of Order."

The recommendation from Mr. Ridenour is that the Board of County Commissioner only discuss an item after a motion and second. He further recommends that each commissioner call "Point of Order and/or move for "suspension of the rules" before allowing an item to be discussed before a motion and a second.

This office has been tasked with providing input.

Analysis:

The Board of County Commissioners adopted "Board Meeting Rules and Procedures " in BCC-97 on September 5, 2019. That policy provides in Section III (A):

III. Rules and Procedures

A. Robert's Rules of Order and Quorum Requirements

1. The Board of County Commissioners hereby adopts The Scott, Foresman Robert's Rules of Order, Newly Revised, 1990 Edition and any future editions of the same, as a guideline for conducting its meetings.

2. No action taken by the Board of County Commissioners shall be deemed invalid or otherwise unlawful for failure to strictly comply with Robert's Rules of Order.

3. To the extent of any conflict between rules or policies adopted by the Board of County Commissioners and Robert's Rules of Order, the adopted rules or policies of the Board of County Commissioners shall govern.

In addition, in Section III (K) the Rules of Procedures provides:

K. Suspension of Rules

1. Any provision of these rules, including the provisions of Robert's Rules of Order as incorporated by these rules, may be suspended by majority vote of the Board of County Commissioners to the extent that such a suspension would not be inconsistent with applicable law.

The chair is given the authority to conduct the meetings in accordance with Robert's Rules of Order and BCC-97 in Section III(C) of the policy entitled Board Rules and Procedures.

Many items on the agenda are public hearings and special rules apply to public hearings; for example, in quasi-judicial matters, it would be highly improper to make a motion prior to accepting public comment.

Conclusion:

In summary, while the Board of County Commissioners could in some instances follow the approach suggested by Mr. Ridenour, rigid adherence to the Robert's Rules is not required and the Board may alter procedures as it deems appropriate, so long as due process is provided as necessary.

TO: Frank Abbate, County Manager

FROM: Steven A. Darling, Jr., Central Services Director 

SUBJECT: Gold Retrieval CEER #17

DATE: January 14, 2020

Recommendation: Reject

Question:

All the time old computers and electronics are just being tossed! Piles and piles of old electronics have thin layers of gold inside them. Gold is a conductor of electricity. The gold can be extracted by using basic science. If the city was to make an electronic scrapping department, which I'd like to lead because it's my idea, the gold that would be collected could generate major revenue. We could sell this gold to jewelers so they can make gold jewelry.

The benefits of extracting gold out of electronics that are being tossed in the trash: Major revenue for the county, new gold scrapping industry, more jobs here in Brevard.

Analysis:

Current gold market values show gold value of \$1,561.65 per ounce. Computers are estimated to contain 0.008 ounces of gold on their mother board. Given these estimates, each computer is estimated to contain \$12.74 worth of gold.

During Fiscal Year 2019 the County sold 603 surplus computers. Had the County removed the gold from each computer prior to selling, that would have netted \$7,682.22. The County received \$17,210.73 from the surplus sale of the 603 surplus computers averaging \$28.54 per computer.

The process of removing the gold from computer is tedious and time consuming. It can take several hours along with using hazardous chemicals to remove the gold from one computer. Given this information, the County would need to employ specific individuals trained in the removal of gold and use of hazardous chemicals in order to implement this recommendation. The County would also need to dedicate a clean room where working with the chemicals required is not a safety hazard. All of this would far exceed the value of recycling the gold from the computers the county sells as surplus each year.



BOARD OF COUNTY COMMISSIONERS

Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *YAB*
Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager *JR*
Community Services Group

FROM: Mary Ellen Donner, Director *MED*
Parks and Recreation

DATE: January 15, 2020

SUBJECT: Citizens Efficiency and Effectiveness Recommendation # 2020018
Signage for Dogs on Beach

Recommendation: Accept With Modifications

A Citizen Efficiency and Effectiveness Recommendation (CEER) document # 2020018 was submitted by Ms. Brenda Petzke, 55 N 4th Street, Cocoa Beach, FL. Ms. Petzke recommends that signs be posted where and when it is allowed to have and not to have dogs on the beach.

Staff offers the following:

Canova Beach Park is home to Brevard County's only dog-friendly beach. The park is located at 3299 Highway A1A, Indian Harbour Beach, FL. The dog beach is open from dawn to dusk. The Park has posted signs indicating the boundaries of the dog beach.

On January 14, 2020 staff spoke with Ms. Petzke. Ms. Petzke informed staff that the CEER she submitted, CEER #2020018, is referring to the dog beach located in the City of Cocoa Beach between 4th Street South and the north side of Murkshe Park. The Citizen Efficiency and Effectiveness Recommendation was sent to the City of Cocoa Beach for their consideration.

Staff recommendation:

It is recommended that the Board of County Commissioners accept with modifications Citizen Efficiency and Effectiveness (CEER) #2020018.



Purchasing Services
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

TO: Frank Abbate, County Manager

FROM: Steven A. Darling, Jr., Central Services Director 

SUBJECT: Managed Print / IT Assessment CEER #19

DATE: January 14, 2020

Recommendation: Reject

Question:

I am a local rep and work for a global company that can do an assessment to streamline virtually any wasteful process. We supply toner on a flat rate for unlimited printing as well. Government may purchase on GPO at vastly discounted pricing. You need to at least let the consultants in and perform an assessment. These are done at no charge, but the cost is time. The assessment belongs to the County and they may shop it to other vendors. If we find nothing wrong, we will tell you as well.

Analysis:

Our current contract for Multifunction Copier/Print/Fax Device Rental provides Brevard County with an all-inclusive service that covers toner, service (maintenance and repairs), and the multifunction copier unit itself. This contract is current through March 5, 2023, and it locked in pricing for five years, which provides value against price increases in the future. We are provided this service, equipment, and toner at a per page print cost of \$0.0399 for color copies, and \$0.01368 for black and white copies. Since this is a rental contract, we are not incurring the depreciation and maintenance costs that would be required to operate a toner-only service, where we had to purchase and service our own multifunction units. If Brevard County were to implement a toner-only service, we would lose out on the repair service included, and we would have to purchase our own multifunction copier units. Implementing a toner-only service would create a greater cost and burden to the County. The value that we receive by having an all-inclusive contract greatly outweighs the potential savings on toner alone. This would also create an administrative burden by causing the County to dissolve its current contract and solicit individual services and goods to replace what we would miss out on. Furthermore, this is a vendor solicitation that would go through the competitive solicitation and this vendor who recommended would be added to the supplemental vendor list to be notified that the solicitation is advertised for bid.



BOARD OF COUNTY COMMISSIONERS

Solid Waste Management Department

2725 Judge Fran Jamieson Way
Building A, Room 118
Viera, Florida 32940

Inter-Office Memo

February 6, 2020

TO: Board of County Commissioners

THROUGH: Frank Abbate, County Manager 
Board of County Commissioners

THROUGH: John Denninghoff, Assistant County Manager 
Development & Environmental Service Group

FROM: Euripides Rodriguez, CIA, Director 
Solid Waste Management Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020020

In the CEER #2020020 Weekly Trash Pickup, the citizen states the following:

Current Problem

Is it really necessary to have trash picked up twice a week? I've lived in a lot of places and they're all able to get by with weekly trash pickup and monthly recycle pickup.

Recommendation

Trash pickup weekly Recycle pickup monthly Brush pickup monthly This reduces the total number of pickups in a typical month from 16 to 6, resulting in significant cost reduction.

Staff offers the following:

The Board recently solicited a Request for Proposals in which the option of once a week garbage pickup was included. These options with the associated cost were presented to the Board on November 12, 2019. Based on these results, the Board directed staff to negotiate with Waste Management on the twice a week pickup option. Brevard county residents generate a large amount of recycling materials that would not be feasible to pickup once a month. The amount of recyclables varies from resident to resident, but once a month would lead to citizens not recycling once their cart becomes full. Yard waste greatly varies depending on the size of lots and the plants that the residents have. While some do not produce much yard waste there are others that have materials that are put out for collection every week. Having yard waste collection once a month would result in a greater amount of illegal dumping.

Staff Recommendation:

It is recommended that the Board of County Commissioners reject Citizen Efficiency and Effectiveness Recommendation #2020020.



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: *Eden Bentley*, County Attorney
Virginia Barker, Director, Natural Resources Management
Jill Hayes, Director, Budget Office *JH*

FROM: Christine Valliere, Assistant County Attorney

DATE: January 9, 2020

SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 21 – Plastic Bag Ban

Recommendation: Reject due to lack of local authority and the County will monitor the progress of SB 182 and HB 6043

Question:

The following suggestions were received from Christopher A. Janda:

Problem Description.

- A. Ban plastic bags.
- B. Still offer plastic bag use for up to 6 months after ban but charge a county tax. Then eventually require companies to phase them out.

Recommendation Description

Reduce environment footprint and provide temporary revenue increase.

Analysis:

- A. Ban plastic bags.

Brevard is currently preempted from passing an ordinance banning plastic bags. In 2008, the Florida Legislature enacted a ban on the local regulation of plastic bags.

Frank Abbate, County Manager
January 9, 2020

Section 403.7033, Florida Statutes. The state statute specifically prohibits local governments from enacting any regulation "regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags."

The statute also directed the Florida Department of Environmental Protection to issue a report and recommendations on the regulation of plastic bags. The report was submitted in 2010, but the Legislature has not taken any further action. A copy of the FDEP report can be viewed here:

https://www.khlaw.com/Files/26980_Florida_Retail-Bag-Report_01Feb10.pdf

There are currently two bills pending before the Florida Legislature to repeal the ban on local regulation of plastic bags, auxiliary items and polystyrene containers: SB 182 and an identical bill HB 6043. The 2020 Legislative session convenes on January 14th and lasts for 60 days.

B. Impose a tax on plastic bags for a six-month grace period.

The County's authority to impose taxes is limited by the Florida constitution and state law. In other words, counties do not have inherent power to impose taxes. Authorization to impose taxes must come from the Florida constitution or state law. Art. VII, §§ 1(a), 9(a), Fla. Const. At present, there is no legal authority for local governments to impose a tax on the use of plastic bags. Even if the preemption on local government regulation in Section 403.7033 is repealed, specific statutory authority would need to be enacted to allow local taxation of plastic bags.

(Click hyperlinks to open referenced documents.)



BOARD OF COUNTY COMMISSIONERS

Solid Waste Management Department

2725 Judge Fran Jamieson Way
Building A, Room 118
Viera, Florida 32940

Inter-Office Memo

January 15, 2020

TO: Board of County Commissioners

THROUGH: Frank Abbate, County Manager
Board of County Commissioners

THROUGH: John Denninghoff, Assistant County Manager
Development & Environmental Service Group

FROM: Euripides Rodriguez, CIA, Director
Solid Waste Management Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020022

In the CEER #2020022 Garbage Mail Combination, the citizen states the following:

Current Problem

Combine garbage and USPS mail routes to remove duplicate travel.

Recommendation

Reduce environmental footprint and transportation costs.

Staff offers the following:

Collection services for garbage within Brevard County is regulated contractually by the County and various municipalities, while mail routes are operated through the United States Postal Service, a federal agency. The responsibilities of mail carriers are incompatible with those of garbage collectors.

Staff Recommendation:

It is recommended that the Board of County Commissioners reject Citizen Efficiency and Effectiveness Recommendation #2020022.



BOARD OF COUNTY COMMISSIONERS

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

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager
Virginia Barker, Director, Natural Resources Management

FROM: Mike McGarry, Program Manager

DATE: January 17, 2020

SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 023 – Beach Nourishment

RECOMMENDATION: Reject CEER #23 due to acknowledgment that investment in beach renourishment is an investment in the quality of life of County residents and provides a positive return on investment for our local economy. Also, due to previous Board consideration and action.

Question: The citizen's request received by the County from Maria Shepard of Melbourne includes the following:

Problem Description: We are throwing money away, taxpayer money, every time you renourish our beaches. Not only does this waste money, but also time, and eventually this "sand" washes back out to sea and we are back to square one again. Leave our beaches alone.

Recommendation Description: Don't renourish our beaches. We will save manpower, money, and save our natural reefs in the process.

Analysis:

Brevard County has chosen to use beach nourishment as a management tool to protect upland infrastructure, tax base, and our tourism-based economy. Maintaining public beaches is vitally important to both locals and visiting tourists. Starting in 2000, the County Commission entered into 50-year partnership agreements with the US Army Corps of Engineers for federal shore protection (aka beach nourishment) projects that now encompass roughly 21 miles of the Brevard County shoreline. In order to get Congressional authorization for these federal projects, extensive economic analysis was completed to assure the benefit to cost ratio was positive and that projects provide a net benefit not just to Brevard County but to the nation.

The benefit to cost (B:C) ratio for the remaining life of these projects varies but is consistently over 2:1, thus demonstrating the projects are economically responsible.

In addition to federal cost-share, Brevard County gets significant cost share for our beach projects from the Florida Department of Environmental Protection (FDEP). To evaluate the economic return on investment of the FDEP program, an independent (from FDEP) study was completed by the Florida Office of Economic and Demographic Research in 2015. The study determined that maintenance of beaches through beach nourishment was extremely important to the State, both from a storm protection and recovery perspective, as well as from a tourism branding perspective. The final result of the study showed the state's investment in beach nourishment provided a positive return on investment (ROI) of \$5.40 for every \$1 of state investment. This ROI provides another example that beach restoration projects in the state of Florida provide a significant positive economic return.

Here in Brevard County our beaches are enjoyed by locals and visitors alike. The B:C ratio calculated by the Army Corps of Engineers for Brevard County projects as described above is typically over 2:1. It is important to note that due to federal policy these benefits considered are primarily storm damage reduction benefits rather than recreational or tourism benefits. Brevard County funds its cost share for beach restoration with a portion of the tourism tax, a portion of this tax is collected specifically for and dedicated to beach maintenance. Brevard County receives significant economic benefits from tourist who enjoy the beaches we maintain. In 2017 tourists spent \$2.1 billion in Brevard County, which represents 9% of the County's GDP. Studies show beaches are far and away the most common activity enjoyed by tourists, so the County's investment in beaches is important to maintaining this important part of Brevard's economy.

In addition to being economically responsible, the projects are also environmentally responsible. The image below shows that ten years after nourishment the projects provide healthy dune habitat where nesting numbers for green turtles continue to set records. The newest Mid Reach project was particularly designed to minimize impact to the nearshore reef and was approved by federal and state environmental agencies.



Breakers Condominium Melbourne Beach, Before and After Beach Nourishment

Staff Recommendation:

Reject CEER #23 due to acknowledgment that investment in beach renourishment is an investment in the quality of life of County residents and provides a positive return on investment for our local economy. Also, due to previous Board consideration and action.



BOARD OF COUNTY COMMISSIONERS

Natural Resources Management Department

2725 Judge Fran Jamleson Way
Building A, Room 219
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager *JD*

FROM: Virginia Barker, Director, Natural Resources Management *VB*

DATE: January 17, 2020

SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 24 –
Revenue through Reclamation

RECOMMENDATION: Accept with modification CEER #24. The County uses a competitive procurement process that provide the least cost solution for muck removal rather than awarding work through a non-competitive, sole-source contract.

Question: The citizen's request received by the County from Mary Allbright of Melbourne, owner of NMES Global, includes the following:

Problem Description: Environmental restoration is costly

Recommendation Description: Sell the muck

Analysis:

Muck covers approximately 6,700 acres of lagoon bottom in Brevard County. Muck increases turbidity, inhibits seagrass growth, promotes oxygen depletion in sediments and the water above, stores and releases nutrients, smothers the natural bottom, and destroys healthy communities of benthic organisms including vitally important seagrass beds that otherwise support abundant fisheries. When lagoon muck is resuspended by turbulence caused by wind, waves or boats, these suspended particles block sunlight and suppress seagrass growth.

Muck deposits are not just harmful to the bottom they occupy but also harm the surrounding area through nutrient flux that feeds larger algae blooms and by resuspension of fine sediments that are transported to adjacent seagrass beds. Muck mapping and flux rates for nitrogen and phosphorus have been estimated through extensive data collection at over 200 sites in the IRL in Brevard. The annual release of nutrients from decaying muck has increased over time and is currently almost equal to the pollutant load delivered annually by stormwater.

in Brevard. The annual release of nutrients from decaying muck has increased over time and is currently almost equal to the pollutant load delivered annually by stormwater.

To stop the harmful impacts of muck and jumpstart ecosystem recovery in Brevard's portion of the lagoon, muck is being removed from the system by dredging. When muck is dredged, it is dewatered and then used as a soil amendment on agricultural lands. Lagoon muck in Brevard is about 90% water and 10% solids. The solids are typically 70% silt and clay, 10% sand and 10% to 30% organic material. On land, as the organic fraction of muck decomposes, it releases nutrients that feed crops instead of feeding algae blooms. Lagoon muck also contains very small amounts of trace minerals that are helpful to crops.

NMES Global is a company that specializes in the extraction of precious metals from mining spoils and contaminated soils. They have proposed that by extracting and selling marketable minerals from our dredged muck, the County could recover some of the dredging, dewatering and disposal costs. This would be more likely for highly contaminated industrial spoils and discharge areas rather than Brevard which has seen very little industrial pollution of our waters. Local testing continues to demonstrate low to undetectable concentrations of valuable metals.

Staff has encouraged NMES Global to reach out to dredging contractors bidding on our projects. If NMES Global has the best way to reduce project costs, then by partnering with a dredging contractor, their collective bid should be lowest and win the work. To date, we have not seen a bid include them as a sub-contractor. While we can't be certain, this indicates that the winning low bid contractors have, for one reason or another, worked out a lower cost solution than what NMES Global has to offer.

Staff Recommendation:

Accept with modification CEER #24. The County uses a competitive procurement process that continues to provide the least cost solution for muck removal rather than awarding work through a non-competitive, sole-source contract. The County will continue to encourage companies that mine spoils and contaminated soils to partner with dredging contractors bidding on our project.



Housing and Human Services
2725 Judge Fran Jamieson Way
Building B, Suite 106
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *FBA*
Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager *JL*
Community Services Group

FROM: Ian Golden, Director *IG*
Housing and Human Services Department

DATE: January 21, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020025

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a problem concerning "The current situation regarding the housing crisis. People are dying on the streets of Brevard County and nothing is being done to address the situation."

CEER #2020025 goes on to recommend, as a potential solution, "Increase the current finding that all the churches, the homeless coalition, and other entities the [sic] only provide food and receive massive tax break for doing so and put that money towards building transitional housing and provide better services that are currently offered by county programs."

Staff offers the following:

- It appears that this CEER is seeking to change the Federal and State tax structures to eliminate religious and not-for-profit exemptions and redirect the subsequent revenues to transitional housing and other services for the homeless.

Determination of tax exemptions are approved at the federal level by the Internal Revenue Service or at the state level by the Florida Department of Revenue. This action is beyond the purview of the Brevard County Board of County Commissioners.

Determination of the uses of tax revenue that would be generated by eliminating tax exemptions would be conducted by the United States Congress at the federal level and the Florida Legislature at the state level. This action is beyond the purview of the Brevard County Board of County Commissioners.

- It also appears that the CEER seeks to increase the availability of transitional housing and other services for the homeless in Brevard County. The most recent direction, taken by the

federal, state, and local agencies tasked with providing services to this population, has been to move away from transitional housing to permanent supportive housing. Changing these agencies current policy is beyond the purview of the Brevard County Board of County Commissioners.

The Brevard Homeless Coalition (Coalition) is the United States Department of Housing and Urban Development (HUD) designated Continuum of Care Lead Agency for homeless and homeless prevention services for Brevard County, is the recipient of funding to support this population, and partners with more than 70 agencies to provide services within the County.

The HUD has adopted a "Housing First" approach which shifts away from transitional housing to permanent supportive housing. This change has resulted in the Coalition also adopting this model and moving local funding and services to support it. Per the HUD (n.d.):

Housing First is an approach to quickly and successfully connect individuals and families experiencing homelessness to permanent housing without preconditions and barriers to entry, such as sobriety, treatment, or service participation requirements. Supportive services are offered to maximize housing stability and prevent returns to homelessness as opposed to addressing predetermined treatment goals prior to permanent housing entry.

Housing First emerged as an alternative to the linear approach in which people experiencing homelessness were required to first participate in and graduate from short-term residential and treatment programs before obtaining permanent housing. In the linear approach, permanent housing was offered only after a person experiencing homelessness could demonstrate that they were "ready" for housing. By contrast, Housing First is premised on the following principles:

- Homelessness is first and foremost a housing crisis and can be addressed through the provision of safe and affordable housing.
- All people experiencing homelessness, regardless of their housing history and duration of homelessness, can achieve housing stability in permanent housing. Some may need very little support for a brief period of time, while others may need more intensive and long-term supports.
- Everyone is "housing ready." Sobriety, compliance in treatment, or even criminal histories are not necessary to succeed in housing. Rather, homelessness programs and housing providers must be "consumer ready."

- Many people experience improvements in quality of life, in the areas of health, mental health, substance use, and employment, as a result of achieving housing.
- People experiencing homelessness have the right to self-determination and should be treated with dignity and respect.
- The exact configuration of housing and services depends upon the needs and preferences of the population.¹

Even though HUD has moved funding away from transitional housing, a search of 211 Brevard's online resource database (www.211brevard.org) for Transitional Housing/Shelter shows 16 agencies still providing those services in Brevard County.

Staff recommendation:

It is recommended that the Board of County Commissioners reject Citizen Efficiency and Effectiveness Recommendation (CEER) 2020025.

¹ United States Department of Housing and Urban Development. (n.d.). *Housing First in Permanent Supportive Housing Brief*. (PDF). Retrieved from <https://www.hudexchange.info/resource/3892/housing-first-in-permanent-supportive-housing-brief/>.



Matthew V. Wallace, Director
Brevard County Public Safety Office
1040 South Florida Avenue
Rockledge, Florida 32940

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, Brevard County Manager *[Signature]*

THRU: Matthew Wallace, Brevard County Public Safety Director *[Signature]*

FROM: Mark Schollmeyer, Brevard County Fire Chief *[Signature]*

DATE: January 15, 2020

SUBJECT: CEER Recommendation/Response #2020026

CITIZEN IDENTIFIED PROBLEM:

As written by the submitter:

"With all due respect to our Fireman heros...it may be time to ask the questions:

1 Do we need a fire truck dispatched just about each time you call 911

2 Do we need so many fireman /Paramedic spilling out of the ambulance? I called the ambulance for my baby who d just gotten an immunization ...There were TEN fireman that came in and filled my living room. Blatant misuse of tax money. It felt intimidating and intrusive. While one person examined my son, there were all these others just standing there..walking in and out. Its an insult to thinking citizens.

3. Do we have so many fires that we still need to pay for firemen to live in dorms/ fire houses??

It seems like people in parts if govt know full well the gig us up ...there isnt enough for them to do...so they show up unnecessarily in high numbers to do very little."

Phone (321) 637-5390 • Option 7, Extension 55545

Website: www.brevardfl.gov

CITIZEN RECOMMENDATIONS:

As written by the submitter:

- "1. Lay some of them off"*
- "2. Stop paying for them to sleep and eat in the fire houses"*
- "3. Stop dispatching the trucks when there is no fire"*
- "4. Stop flooding peoples homes with them crowded in the ambulances":*

ORGANIZATION RESPONSE:

- A. The emergency response location referenced in the CEER falls within City of Melbourne's jurisdiction, and service area as first responders, who would be tasked to respond; additionally, BCFR does not show an ambulance response to that address. We are not in a position to answer for the City of Melbourne Fire Department response policy or protocols; however, we can address from a County EMS perspective. BCFR's ambulances are staffed with two persons; one paramedic and one emergency medical technician. There are occasions where one of these ambulances may have a student or observer on board which would bring the total to three. In addition, a fire engine has personnel cross trained in EMS and the same medical equipment that the ambulance carries. When the ambulances are busy and have extended response times, the fire engine personnel can oftentimes get on scene first and begin rendering aid immediately.

On the scene of an emergency, each crewmember has an assigned task. Every emergency is unique and may or may not require all of the personnel that responded. A cardiac arrest call requires more personnel than a call for abdominal pain and a simple call for service such as a lift assist may only require a few personnel.

- B. BCFR utilizes Pro Q/A dispatch software that has the ability to triage emergency calls and align the proper resources with the call type. Depending on the 911 caller's cooperation and the information provided a fire engine and ambulance may respond, or a fire engine only, or sometimes just an ambulance. This software can also make recommendations as to mode of response required; lights and siren versus no lights and siren response. BCFR's communications center is the only fire service in the county that utilizes this software for the last 4 years. We will renew our past efforts to encourage other Fire Departments in Brevard to consider utilizing Pro Q/A or similar software to enhance their operational efficiencies.
- C. Firefighters work 24 hour shifts which is common in Brevard County and across the country. These twenty-four-hour shifts require the crews to eat their meals while on duty and get rest in between emergency calls. There is no formal meal or break period for shift workers in emergency services and these firehouses are their "homes" for twenty-four hours. In order to maintain acceptable response times as close to industry standards and best practices as possible, staffing firehouses twenty-four hours a day is required. In 2019, BCFR responded to over 90,000 calls for service. This included over 900 fire related calls (structure fires, brush fires, vehicle fires) and 3,600 vehicle collisions (some requiring extrication), and over 600 hazardous materials incidents. Fires, vehicle collisions, technical rescues and hazardous

materials incidents all require the response of a fire engine. The unpredictability of these types of emergencies make it impossible to forecast when and where they will come in; another reason we choose to staff around the clock.

RECOMMENDED ACTION:

Accept with modifications. Fire Rescue has already implemented software in our communications center to address unnecessary responses. BCFR's ambulance staffing and response models limit the number of responders sent to an emergency to an efficient number depending on the situation. The County will continue to renew our efforts to encourage Pro Q/A or similar software with municipalities. BCFR's shift schedule requires the firefighters to eat meals at their assigned stations.



BOARD OF COUNTY COMMISSIONERS

Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director *Jill Hayes*
DATE: January 20, 2020
SUBJECT: CEER #2020027, Tax Revenue
RECOMMENDATION: Accept with Modification

Citizen Efficiency and Effectiveness Recommendation #2020027 was received by the County from James W. Henderson.

Problem Description:

This blue origin site at the cape will only cause renters to suffer as property owner raise rents sky high as the people outside the area move here with high paying blue origin jobs and they will be the only ones who can afford it (not like anyone can afford rent as it is now).

Recommendation Description:

Tax the crap out of Jeff Bezos space project at the cape (blue origin) it won't create local jobs they will hire outside the area he has plenty of money tax and tax him more he can't do anything about it

it will give us a way bigger budget and as I recall I think the county is doing what most counties do and giving him a 10-year tax free break so they can employ non locals like Amazon always does

Staff Analysis:

The County's authority to impose taxes is limited by the Florida constitution and state law. In other words, counties do not have inherent power to impose taxes. Authorization to impose taxes must come from the Florida constitution or state law Art. VII, §§ 1(a), 9(a), Fla. Const.

Blue Origin is taxed on tangible personal property in accordance with Florida law. In 2019, Blue Origin was assessed a value of \$19,283,670 in personal property, which generated \$265,849 in ad valorem taxes to taxing districts including Brevard County Board of County Commissioners and the Brevard County School Board.

CEER #2020027, Tax Revenue
January 21, 2020

Brevard County citizens have voted to provide economic incentives to new and expanding businesses within the County. The Board of County Commissioners entered into an economic incentive grant agreement with Blue Origin in 2016, pursuant to Section 125.045 Florida Statutes. This agreement is based on the company accomplishing certain milestones including capital investments and job creation. Staff monitors the performance of this agreement and the company has met all of its milestones.

Staff recommendation:

Accept with modification, tangible personal property taxes in the amount of \$265,849 are being levied by Brevard County in accordance with Florida Statutes.

Abbate, Frank B

From: Abbate, Frank B
Sent: Tuesday, January 14, 2020 3:14 PM
To: Ivey, Wayne
Subject: RE: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government #2020028

Thank you Sheriff for the very prompt response.

Warm Regards,

Frank

From: Ivey, Wayne <wayne.ivey@bcso.us>
Sent: Tuesday, January 14, 2020 2:40 PM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: Fwd: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government #2020028

Good Afternoon,
Let me know if this response is sufficient for what you need and if you need it in any other format.

Thank you!!

Sheriff Wayne Ivey

From: "Hellebrand, Joseph" <joseph.hellebrand@bcso.us>
Date: January 14, 2020 at 14:23:23 EST
To: "Ivey, Wayne" <wayne.ivey@bcso.us>
Cc: "DeMorat, Michael" <michael.demorat@bcso.us>, "Rodriguez, Samantha" <samantha.rodriguez@bcso.us>
Subject: RE: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government #2020028

Good afternoon Sheriff,

It is unfortunate that the call mentioned by Mr. DeWitt was not referred to us by the Titusville Police Department as we consider loose aggressive dogs a priority complaint. We did attempt to research the call, however, after researching both New World and Chameleon data bases, we could only locate 2 contacts with Mr. DeWitt, an Andrew DeWitt, or Mr. Dewitt's address on Delespine or Polaris and they were in 2002 and 2011. I can understand Mr. Dewitt's frustration at the time, however, his statement that we do not maintain a 24/7 switchboard for residents is inaccurate.

As you are aware, our Animal Control Officers work 7 days a week, from 6:00 am to 9:45 pm. After hours we have two Animal Control Officers on call and available to respond to calls for service. To request an Officer after hours the citizen merely dials our published phone number at 321-633-2024 where they will get an automated phone tree. The first option of the phone tree states, "If you have an animal

related incident that requires an immediate response press #1". The call is then automatically routed to our 24/7 Communications Center in Titusville. The Communications Center then notifies one of the Animal Control Officers that are on call.

A Supervisor will be following up with Mr. DeWitt today regarding his complaint of a dog running at large in his neighborhood.

Joe Hellebrand
Brevard County Sheriffs Office
Director, Animal Services and Enforcement
1515 Sarno Rd
Melbourne, FL 32934
321-633-2024

From: Ivey, Wayne
Sent: Tuesday, January 14, 2020 9:25 AM
To: Hellebrand, Joseph <joseph.hellebrand@bcso.us>
Subject: Fwd: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government

Sheriff Wayne Ivey

Wayne Ivey
Sheriff, Brevard County, Florida
(321) 427-7231
wayne.ivey@bcso.us

Begin forwarded message:

From: "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>
Date: January 13, 2020 at 11:30:49 EST
To: "Ivey, Wayne" <wayne.ivey@bcso.us>
Subject: Citizen Recommendations for the Enhancement of the Effectiveness and Efficiency of County Government

Sheriff Ivey,

As you're well aware, under Section 2.9.10 of the County Charter, the Board of County Commissioners annually receives Citizen recommendations for the enhancement of the effectiveness and efficiency of County government. The Charter provides that these written recommendations will be reviewed by the County Commission and following that review the County Commission shall vote to either accept the recommendation, accept the recommendation with revisions, or reject the recommendation.

The attached recommendation addresses Animal Control reporting. As this relates to an area under your purview and respecting your insight and expertise

on such matters, I am forwarding this recommendation for you or your staff's review and input. I would appreciate receiving any feedback you have to offer within the next thirty days. That will provide me the opportunity to incorporate that feedback in the staff response we share with the Board of County Commissioners. I look forward to reviewing input from the Sheriff's Office and incorporating it into a response I can share with the Board of County Commissioners. Thank you for giving this matter your consideration and attention.

Respectfully,

Frank

Frank Abbate
County Manager
2725 Judge Fran Jamieson Way, Bldg. C
Viera, FL 32940
PH: (321) 633-2001
FAX: (321) 633-2115





BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Corrina Gumm, Interim Public Works Director/Traffic Operations Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020029(a)
Pedestrian Crosswalk Ticketing Cameras

DATE: March 3, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. Glen Tischner that described the following Problem and Recommendation.

Problem: "Drivers ignore flashing pedestrian crossing signals almost every time crosswalk button is activated. These are drivers that have in excess of a block to stop."

Recommendation: "Crosswalk ticketing cameras and signage indicating ticketing and amounts. See France Introduces Crosswalk Ticketing Cameras
<https://www.thenewspaper.com/news/63/6381.asp>".

Staff Analysis:

Crosswalk Ticketing Cameras is a relatively new and innovative idea that has potential to address the well-known traffic safety problem of drivers failing to yield to pedestrians in crosswalks. These cameras target drivers who roll through the pavement marking line where they are required to stop for a pedestrian who has activated a signalized crossing, such as the pedestrian actuated rectangular rapid flashing beacons (RRFB's) recently installed in many locations on Highway A1A. As A1A is a state road, it is under the jurisdiction of the Florida Department of Transportation (FDOT). However, local municipalities have the option of utilizing and maintaining red-light running cameras at intersections along A1A.

Prior to being introduced in France, stop sign cameras were installed in Washington, D.C., for the purpose of citing drivers who don't come to a complete stop at stop signs. They currently maintain

them at nine (9) locations but they are not able to monitor and cite drivers who fail to yield to a pedestrian. It is unknown if actual crosswalk ticketing cameras currently exist in the United States.

A stop line camera needs to take a photo or video of the vehicle in the crosswalk during the time that the beacon is flashing AND a pedestrian is in or entering the crosswalk. While the violation can lead to automated ticketing, where the cameras would mail tickets to the registered vehicle owner of the vehicle photographed passing pedestrians in a crosswalk, the resulting photo or video is subject to being challenged and analyzed to determine if the ticket should have been issued. And similar to red-light running camera violations, there is evidence lacking in who the offender was vs. the registered owner. Any evidence must be stored in accordance with public records laws.

The camera and automated ticketing system require a controller and software, and requires knowledgeable staff to maintain and repair the system. It is questionable whether a camera and software can make the subtle distinctions and communications that occur between a driver and a pedestrian. As an example, a pedestrian with good intentions may choose to wave a vehicle through if they don't feel they are ready to enter the crosswalk, even after pressing the signal button. The driver may understand this communication and proceed, and then get a ticket.

Supporters of the cameras suggest that they reduce serious types of crashes, such as front-into-side (T-bone) type collisions. They also say that the payments for the tickets contribute to revenue. There will be some who will consider this a revenue program and not a safety improvement program.

Opponents of automated enforcement cameras suggest that the cameras contribute to rear-end collisions caused by sudden braking and that the enforcement is not transparent. In a study conducted for Suffolk County, NY, it was revealed that the number of rear-end crashes rose at red-light camera intersections by as much as 21 percent after the camera installation.

There are data storage needs, public records requests, ticket protests, and increased staffing to support the program, which all needs to be considered. This is typically managed by a private entity. Research is needed to determine if photo enforcement of a stop sign (line) violation is legally allowed in the State of Florida. There are states that only allow red light and speed cameras. Many states that have previously allowed red light cameras have now reversed the decision to prohibit the cameras. Since 2012, more red-light cameras have been discontinued than added, according to the Insurance Institute for Highway Safety.

At this time, not enough data has been collected on crosswalk ticketing cameras for it to be a viable option for use at signalized pedestrian crosswalks.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification CEER #2020029(a), and continue researching viability of this option for use at signalized pedestrian crosswalks.



BOARD OF COUNTY COMMISSIONERS

County Manager's Office
2725 Judge Fran Jamieson Way
Building C, Room 301, MS# 88
Viera, Florida 32940

Inter-Office Memo

TO: Board of County Commissioners
FROM: Frank Abbate, County Manager
SUBJECT: Pedestrian Crosswalks CEER #29(b)
DATE: Jan. 15, 2020

A Citizen Efficiency and Effectiveness Recommendation (CEER) document #29 was submitted by Glen Tischner to address concerns about motorists ignoring crossing signals, putting county pedestrian lives at risk.

CEER #29 goes on to recommend crosswalk ticketing cameras and signage indicating ticketing and amounts.

Staff offers the following:

- On January 7, the Board voted unanimously to approve two measures directed at getting the State of Florida to remove Rectangular Rapid Flashing Beacon crossing signal systems that create confusion for motorists. The Board authorized a letter to Florida Governor Ron DeSantis to direct state officials to prioritize this effort and to push for a reduced speed limit along State Road A1A in the Satellite Beach/Indialantic/Indian Harbour Beach area. The Board also authorized a letter to the County's state lobbyist requesting Florida Department of Transportation's removal of the yellow flashing light systems along roads in Brevard County. The letter recommends replacement of the flashing light systems with the HAWK system, which includes a red light that would prompt motorists to stop. That letter was shared by Commission Chair Bryan Lober with Brevard County's legislative delegation, Florida Department of Transportation Secretary Kevin Thibault, and the mayors of Satellite Beach, Indialantic, Indian Harbor Beach and Melbourne Beach.
- On Monday, January 13, and on the eve of the State Legislative Session, State Representative Randy Fine filed a "Turn the Flashing Yellow Crosswalks Red" bill, which would require all flashing-yellow Crosswalks that are not located at a road intersection to be equipped with pedestrian-activated red lights by 2024.
- Letters formally submitted by Commission Chairman Bryan Lober to state Lobbyist Ronald Book and Governor DeSantis are included here.

Staff recommendation:

Accept with noted modifications CEER #29(b).

Phone (321) 633-2003 • Fax (321) 633-2115
Website: www.BrevardCounty.us/CountyManager



BOARD OF COUNTY COMMISSIONERS

January 13, 2020

The Honorable Ron DeSantis
Governor of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

RE: Request for HAWK (red light) Pedestrian Crossings in Brevard County

Dear Governor DeSantis:

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve year old girl, who was struck and killed by a motor vehicle while attempting to cross State Road A1A in Satellite Beach using the newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB) crosswalk. The flashing yellow lights which are part of RRFB crosswalks are supposed to indicate to drivers that they should stop when someone is planning to cross the street. Unfortunately, the motor vehicle did not stop when Sophia used the flashing yellow light system and she was struck and killed. Prior to the accident that claimed Sophia's life, a young boy, also 12 years old, was killed on a Post Road in the Melbourne area while using the same type of flashing yellow lights at a pedestrian crossing. Brevard County residents have presented testimony and videos to the County Commissioners that indicate motor vehicles frequently ignore the flashing yellow lights and continue through the crosswalk area despite the presence of pedestrians.

The RRFB crosswalks provide a false sense of security to our County's pedestrians and do not clearly indicate to motor vehicle operators that they must to stop. In fact, the flashing yellow lights only seem to cause confusion. On the motion of Brevard County Commissioner Curt Smith, District 4, and a unanimous vote of the Brevard County Commission, the Board requests that all the RRFB crosswalks in Brevard County be removed and replaced with High Intensity Activated (HAWK) Crosswalks which provide a red light to stop vehicular traffic when activated by pedestrians seeking to cross the street. This change is needed immediately along State Road A1A in Satellite Beach, Cocoa Beach, Indian Harbor Beach, Indialantic, and Melbourne Beach. In addition, the Board of County Commissioners urges you to direct the State of Florida Department of Transportation to consider lowering speed limits on A1A from 45 to 35 mph to improve safety and to take any other actions which might improve pedestrian safety in Brevard County.

Respectfully,

Bryan Andrew Lober
Bryan Lober
Chair



BOARD OF COUNTY COMMISSIONERS

January 13, 2020

Ronald L. Book, Esquire
Ronald L. Book, P.A.,
18851 N.E. 29th Ave.,
Aventura, FL 33180,

RE: State Road A1A Pedestrian Crossings
Brevard County – Request to State of Florida for HAWK (red light) crosswalks.

Dear Mr. Book:

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve year old girl, who was struck and killed by a motor vehicle while attempting to cross State Road A1A in Satellite Beach using the newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB) crosswalk. The flashing yellow lights which are part of RRFB crosswalks are supposed to indicate to drivers that they should stop when someone is planning to cross the street. Unfortunately, the motor vehicles did not stop when Sophia used the flashing yellow light system and she was struck and killed. Prior to the accident that claimed Sophia's life, a young boy, also 12 years old and in 6th grade, was killed on Post Road in the Melbourne area while using the same type of flashing yellow lights at a pedestrian crossing. Brevard County residents have presented testimony and videos to the County Commissioners that indicate that motor vehicles frequently ignore the flashing yellow lights and continue through the crosswalk area despite the presence of pedestrians.

The RRFB crosswalks provide a false sense of security to our County's pedestrians and do not clearly indicate to motor vehicle operators that they must stop. In fact, the flashing yellow lights only seem to cause confusion. On the motion of Brevard County Commissioner Curt Smith, District 4, and a unanimous vote of the Brevard County Commission, authorized me to contact you to ask that communicate the county's concerns to the governor and other state officials. Specifically, the Board asks that you seek to have all the RRFB crosswalks in Brevard County be removed and replaced with High Intensity Activated (HAWK) Crosswalks which provide a red light to stop vehicular traffic when activated by pedestrians seeking to cross the street. This change is needed immediately along State Road A1A in Satellite Beach, Cocoa Beach, Indian Harbor Beach, Indialantic, and Melbourne Beach. In addition, the Board of County Commissioners urges you take steps to have the State of Florida Department of Transportation consider lowering speed limits on A1A from 45 to 35 mph to improve safety and to take any other actions which might improve pedestrian safety in Brevard County.

Respectfully,

Bryan Andrew Lober

Bryan Lober
Chair



BOARD OF COUNTY COMMISSIONERS

January 15, 2020

Secretary Kevin J. Thibault
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399-0450

Dear Secretary Thibault,

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve-year old girl who was struck and killed by a motor vehicle while attempting to cross Highway A1A at Ellwood Avenue on a newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB).

Sadly, this senseless death has proven out the fears many residents have had regarding these yellow flashing lights. These RRFBs give a false sense of security to the pedestrian and do not indicate to motor vehicle operators to stop.

The Brevard County Board of County Commissioners requests that the Florida Department of Transportation immediately remove any recently installed RRFBs and halt any current or proposed construction of additional RRFBs along the A1A corridor.

Additionally, the Board requests that your department consider installing High-Intensity Activated Crosswalk (HAWK) traffic lights on S.R. A1A at Ellwood Avenue in Satellite Beach.

Respectfully,

Bryan Andrew Lober

Bryan Lober
Chair, Brevard County Board of County Commissioners

cc: Mayor Frank Catino, City of Satellite Beach
Mayor Dave Berkman, Town of Indialantic
Mayor Scott Nickle, City of Indian Harbour Beach
Mayor Jim Simmons, Town of Melbourne Beach
Brevard County Legislative Delegation



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager 

FROM: Corrina Gumma, Interim Public Works Director/Traffic Operations Program Manager 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020030(a)
Pedestrian Crosswalk Ticketing Cameras

DATE: March 3, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mrs. Grace Tischner that described the following Problem and Recommendation.

Problem: "Drivers are not stopping at flashing crosswalks. A 12-year-old lost her life because of this."

Recommendation: "Ticketing cameras will make drivers stop."

Staff Analysis:

Crosswalk Ticketing Cameras is a relatively new and innovative idea that has potential to address the well-known traffic safety problem of drivers failing to yield to pedestrians in crosswalks. These cameras target drivers who roll through the pavement marking line where they are required to stop for a pedestrian who has activated a signalized crossing, such as the pedestrian actuated rectangular rapid flashing beacons (RRFB's) recently installed in many locations on Highway A1A. As A1A is a state road, it is under the jurisdiction of the Florida Department of Transportation (FDOT). However, local municipalities have the option of utilizing and maintaining red-light running cameras at intersections along A1A.

Prior to being introduced in France, stop sign cameras were installed in Washington, D.C., for the purpose of citing drivers who don't come to a complete stop at stop signs. They currently maintain them at nine (9) locations but they are not able to monitor and cite drivers who fail to yield to a pedestrian. It is unknown if actual crosswalk ticketing cameras currently exist in the United States.

A stop line camera needs to take a photo or video of the vehicle in the crosswalk during the time that the beacon is flashing AND a pedestrian is in or entering the crosswalk. While the violation can lead to automated ticketing, where the cameras would mail tickets to the registered vehicle owner of the vehicle photographed passing pedestrians in a crosswalk, the resulting photo or video is subject to being challenged and analyzed to determine if the ticket should have been issued. And similar to red-light running camera violations, there is evidence lacking in who the offender was vs. the registered owner. Any evidence must be stored in accordance with public records laws.

The camera and automated ticketing system require a controller and software, and requires knowledgeable staff to maintain and repair the system. It is questionable whether a camera and software can make the subtle distinctions and communications that occur between a driver and a pedestrian. As an example, a pedestrian with good intentions may choose to wave a vehicle through if they don't feel they are ready to enter the crosswalk, even after pressing the signal button. The driver may understand this communication and proceed, and then get a ticket.

Supporters of the cameras suggest that they reduce serious types of crashes, such as front-into-side (T-bone) type collisions. They also say that the payments for the tickets contribute to revenue. There will be some who will consider this a revenue program and not a safety improvement program.

Opponents of automated enforcement cameras suggest that the cameras contribute to rear-end collisions caused by sudden braking and that the enforcement is not transparent. In a study conducted for Suffolk County, NY, it was revealed that the number of rear-end crashes rose at red-light camera intersections by as much as 21 percent after the camera installation.

There are data storage needs, public records requests, ticket protests, and increased staffing to support the program, which all needs to be considered. This is typically managed by a private entity. Research is needed to determine if photo enforcement of a stop sign (line) violation is legally allowed in the State of Florida. There are states that only allow red light and speed cameras. Many states that have previously allowed red light cameras have now reversed the decision to prohibit the cameras. Since 2012, more red-light cameras have been discontinued than added, according to the Insurance Institute for Highway Safety.

At this time, not enough data has been collected on crosswalk ticketing cameras for it to be a viable option for use at signalized pedestrian crosswalks.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification CEER #2020029(a), and continue researching viability of this option for use at signalized pedestrian crosswalks.



BOARD OF COUNTY COMMISSIONERS

County Manager's Office
2725 Judge Fran Jamieson Way
Building C, Room 301, MS# 88
Viera, Florida 32940

Inter-Office Memo

TO: The Board of County Commissioners
FROM: Frank Abbate, County Manager
SUBJECT: Pedestrian Crosswalks CEER #30(b)
DATE: Jan. 15, 2020

A Citizen Efficiency and Effectiveness Recommendation (CEER) document #30 was submitted by Grace Tischner to address concerns about motorists not stopping at traffic signals, putting county pedestrian lives at risk.

CEER #30 goes on to recommend crosswalk ticketing cameras to make drivers stop.

Staff offers the following:

- On January 7, the Board voted unanimously to approve two measures directed at getting the State of Florida to remove Rectangular Rapid Flashing Beacon crossing signal systems that create confusion for motorists. The Board authorized a letter to Florida Governor Ron DeSantis to direct state officials to prioritize this effort and to push for a reduced speed limit along State Road A1A in the Satellite Beach/Indialantic/Indian Harbour Beach area. The Board also authorized a letter to the County's state lobbyist requesting Florida Department of Transportation's removal of the yellow flashing light systems along roads in Brevard County. The letter recommends replacement of the flashing light systems with the HAWK system, which includes a red light that would prompt motorists to stop. That letter was shared by Commission Chair Bryan Lober with Brevard County's legislative delegation, Florida Department of Transportation Secretary Kevin Thibault, and the mayors of Satellite Beach, Indialantic, Indian Harbor Beach and Melbourne Beach.
- On Monday, January 13, and on the eve of the State Legislative Session, State Representative Randy Fine filed a "Turn the Flashing Yellow Crosswalks Red" bill, which would require all flashing-yellow Crosswalks that are not located at a road intersection to be equipped with pedestrian-activated red lights by 2024.
- Letters formally submitted by Commission Chairman Bryan Lober to state Lobbyist Ronald Book and Governor DeSantis are included here.

Staff recommendation:

Accept with noted modifications CEER #30(b).



BOARD OF COUNTY COMMISSIONERS

January 13, 2020

The Honorable Ron DeSantis
Governor of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

RE: Request for HAWK (red light) Pedestrian Crossings in Brevard County

Dear Governor DeSantis:

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve year old girl, who was struck and killed by a motor vehicle while attempting to cross State Road A1A in Satellite Beach using the newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB) crosswalk. The flashing yellow lights which are part of RRFB crosswalks are supposed to indicate to drivers that they should stop when someone is planning to cross the street. Unfortunately, the motor vehicle did not stop when Sophia used the flashing yellow light system and she was struck and killed. Prior to the accident that claimed Sophia's life, a young boy, also 12 years old, was killed on a Post Road in the Melbourne area while using the same type of flashing yellow lights at a pedestrian crossing. Brevard County residents have presented testimony and videos to the County Commissioners that indicate motor vehicles frequently ignore the flashing yellow lights and continue through the crosswalk area despite the presence of pedestrians.

The RRFB crosswalks provide a false sense of security to our County's pedestrians and do not clearly indicate to motor vehicle operators that they must to stop. In fact, the flashing yellow lights only seem to cause confusion. On the motion of Brevard County Commissioner Curt Smith, District 4, and a unanimous vote of the Brevard County Commission, the Board requests that all the RRFB crosswalks in Brevard County be removed and replaced with High Intensity Activated (HAWK) Crosswalks which provide a red light to stop vehicular traffic when activated by pedestrians seeking to cross the street. This change is needed immediately along State Road A1A in Satellite Beach, Cocoa Beach, Indian Harbor Beach, Indialantic, and Melbourne Beach. In addition, the Board of County Commissioners urges you to direct the State of Florida Department of Transportation to consider lowering speed limits on A1A from 45 to 35 mph to improve safety and to take any other actions which might improve pedestrian safety in Brevard County.

Respectfully,

Bryan Andrew Lober
Bryan Lober
Chair



BOARD OF COUNTY COMMISSIONERS

January 13, 2020

Ronald L. Book, Esquire
Ronald L. Book, P.A.,
18851 N.E. 29th Ave.,
Aventura, FL 33180,

RE: State Road A1A Pedestrian Crossings
Brevard County – Request to State of Florida for HAWK (red light) crosswalks.

Dear Mr. Book:

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve year old girl, who was struck and killed by a motor vehicle while attempting to cross State Road A1A in Satellite Beach using the newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB) crosswalk. The flashing yellow lights which are part of RRFB crosswalks are supposed to indicate to drivers that they should stop when someone is planning to cross the street. Unfortunately, the motor vehicles did not stop when Sophia used the flashing yellow light system and she was struck and killed. Prior to the accident that claimed Sophia's life, a young boy, also 12 years old and in 6th grade, was killed on Post Road in the Melbourne area while using the same type of flashing yellow lights at a pedestrian crossing. Brevard County residents have presented testimony and videos to the County Commissioners that indicate that motor vehicles frequently ignore the flashing yellow lights and continue through the crosswalk area despite the presence of pedestrians.

The RRFB crosswalks provide a false sense of security to our County's pedestrians and do not clearly indicate to motor vehicle operators that they must stop. In fact, the flashing yellow lights only seem to cause confusion. On the motion of Brevard County Commissioner Curt Smith, District 4, and a unanimous vote of the Brevard County Commission, authorized me to contact you to ask that communicate the county's concerns to the governor and other state officials. Specifically, the Board asks that you seek to have all the RRFB crosswalks in Brevard County be removed and replaced with High Intensity Activated (HAWK) Crosswalks which provide a red light to stop vehicular traffic when activated by pedestrians seeking to cross the street. This change is needed immediately along State Road A1A in Satellite Beach, Cocoa Beach, Indian Harbor Beach, Indialantic, and Melbourne Beach. In addition, the Board of County Commissioners urges you take steps to have the State of Florida Department of Transportation consider lowering speed limits on A1A from 45 to 35 mph to improve safety and to take any other actions which might improve pedestrian safety in Brevard County.

Respectfully,

Bryan Lober

Chair



BOARD OF COUNTY COMMISSIONERS

January 15, 2020

Secretary Kevin J. Thibault
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399-0450

Dear Secretary Thibault,

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve-year old girl who was struck and killed by a motor vehicle while attempting to cross Highway A1A at Ellwood Avenue on a newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB).

Sadly, this senseless death has proven out the fears many residents have had regarding these yellow flashing lights. These RRFBs give a false sense of security to the pedestrian and do not indicate to motor vehicle operators to stop.

The Brevard County Board of County Commissioners requests that the Florida Department of Transportation immediately remove any recently installed RRFBs and halt any current or proposed construction of additional RRFBs along the A1A corridor.

Additionally, the Board requests that your department consider installing High-Intensity Activated Crosswalk (HAWK) traffic lights on S.R. A1A at Ellwood Avenue in Satellite Beach.

Respectfully,

Bryan Lober
Chair, Brevard County Board of County Commissioners

cc: Mayor Frank Catino, City of Satellite Beach
Mayor Dave Berkman, Town of Indian River
Mayor Scott Nickle, City of Indian Harbour Beach
Mayor Jim Simmons, Town of Melbourne Beach
Brevard County Legislative Delegation



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Corrina Gumm, Interim Public Works Director / Traffic Operations Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020031
Mims Traffic Congestion

DATE: March 2, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. William F. Pinnix that described the following Problem and Recommendation.

Problem: "Traffic congestion at the intersection of US 1 and SR 46 in Mims has increased significantly. Lines are backed up in all directions during the morning and afternoon rush hours. Vehicles in turn lanes and/or waiting to get into a turn lane block the flow of traffic on US 1. The absence of turn lanes on SR 46 creates a similar problem in that those needing to turn cannot and must wait through an additional light cycle."

Recommendation: "Widen the entire intersection, lengthen the existing turn lanes and create other turn lanes. This will improve traffic flow, reduce congestion and lessen the probability of accidents by careless and impatient drivers."

Staff Analysis:

US Highway 1 and State Road 46 in Mims are both under the jurisdiction of the state, specifically the Florida Department of Transportation (FDOT), District Five. These roads are not under Brevard County jurisdiction.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification CEER #2020031. While these road segments are not under the jurisdiction of Brevard County, staff will continue to provide input through the Space Coast Transportation Planning Organization (TPO) and to the FDOT regarding the need for these transportation improvement projects.



BOARD OF COUNTY COMMISSIONERS

Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager
Virginia Barker, Director, Natural Resources Management 

FROM: Mike McGarry, Program Manager

DATE: January 17, 2020

SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 2020032(a) –
Beach Nourishment

RECOMMENDATION: Reject CEER #200032(a) due to acknowledgment that investment in beach renourishment is an investment in the County's quality of life and provides a positive return on investment for our local economy. Also, due to previous Board consideration and direction.

Question:

The citizen's request received by the County from Alan Brech of Palm Bay includes the following:

Problem Description:

Budget shortfalls and inability to fund necessary infrastructure maintenance projects

Recommendation Description:

- a. Stop wasting money renourishing beaches.

Analysis:

Item a. Beach Renourishment

Brevard County has chosen to use beach nourishment as a management tool to protect upland infrastructure, tax base, and our tourism-based economy. Maintaining public beaches is vitally

important to both locals and visiting tourists. Starting in 2000, the County Commission entered into 50 year partnership agreements with the US Army Corps of Engineers for federal shore protection (aka beach nourishment) projects that now encompass roughly 21 miles of the Brevard County shoreline. In order to get Congressional authorization for these federal projects, extensive economic analysis was completed to assure the benefit to cost ratio was positive and that projects provide a net benefit not just to Brevard County but to the nation. The benefit to cost (B:C) ratio for the remaining life of these projects varies but is consistently over 2:1, thus demonstrating the projects are not a waste of money.

In addition to federal cost-share, Brevard County gets significant cost share for our beach projects from the Florida Department of Environmental Protection (FDEP). To evaluate the economic return on investment of the FDEP program, an independent (from FDEP) study was completed by the Florida Office of Economic and Demographic Research in 2015. The study determined that maintenance of beaches through beach nourishment was extremely important to the State, both from a storm protection and recovery perspective, as well as from a tourism branding perspective. The final result of the study showed the state's investment in beach nourishment provided a positive return on investment (ROI) of \$5.40 for every \$1 of state investment. This ROI provides another example that beach restoration projects in the state of Florida provide a significant positive economic return.

Here in Brevard County our beaches are enjoyed by locals and visitors alike. The B:C ratio calculated by the Army Corps of Engineers for Brevard County projects as described above is typically over 2:1. It is important to note that due to federal policy these benefits considered are primarily storm damage reduction benefits rather than recreational or tourism benefits. Brevard County funds its cost share for beach restoration with a portion of the tourism bed tax, a portion of this tax is collected specifically for and dedicated to beach maintenance. Brevard County receives significant economic benefits from tourist who enjoy the beaches we maintain. In 2017 tourists spent \$2.1 billion in Brevard County, which represents 9% of the County's GDP. Studies show beaches are far and away the most common activity enjoyed by tourists, so the County's investment in beaches is important to maintaining this important part of Brevard's economy.

Staff Recommendation:

Reject CEER #32(a) due to acknowledgment that investment in beach renourishment is an investment in the County's quality of life and provides a positive return on investment for our local economy. Also, due to previous Board consideration and direction.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department
2725 Judge Fran Jamieson Way
Building A
Viera, Florida 32940

Inter-Office Memo

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager
John Denninghoff, P.E., Assistant County Manager

FROM: Tad Calkins, Director – Planning & Development *TAC*

DATE: January 14, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020032(b)

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified several problems. This Department was tasked with analyzing and responding to the second recommendation 2020032(b). The problems identified were 1) budget shortfalls, and 2) inability to fund necessary infrastructure maintenance and improvements.

CEER #2020032(b) goes on to recommend, as a potential solution, "Factor in long term effects and public costs of development projects and make developers pay those public costs up front (i.e. impact fees)."

Staff offers the following:

Brevard County has enacted impact fee programs for Correctional Facilities, Emergency Medical Services Facilities, Fire/Rescue Facilities, Library Facilities, Public Educational Facilities, Solid Waste Disposal Facilities and Transportation Facilities. However, the rate schedule for each of these impact fee programs as currently adopted is based on 1999 cost data and appears to undervalue the true economic costs of new development. Impact Fees must be paid prior to issuance of a Certificate of Occupancy for a development so they are in fact paid "upfront". Florida Statute prohibit local governments from collecting impact fees prior to the issuance of a building permit.

Staff Recommendations:

As Impact Fees are currently collected but cost data is potentially outdated, the Board may wish to accept with modifications CEER #2020032(b) to include researching and perhaps modifying cost data.



BOARD OF COUNTY COMMISSIONERS

Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director 
DATE: January 21, 2020
SUBJECT: CEER #2020032(c), Increase Taxes on Harris Corporation
RECOMMENDATION: Reject

CEER Description:

The citizen problem and recommendation description received by the County from Alan E Brech is related to budget shortfalls and the inability to fund necessary infrastructure maintenance and improvements. The Budget Office was tasked with preparing a response for the following.

Recommendation #3 Description: "Increase taxes on Harris Corporation."

Staff Analysis:

The County's authority to impose taxes is limited by the Florida constitution and state law. In other words, counties do not have inherent power to impose taxes. Authorization to impose taxes must come from the Florida constitution or state law Art. VII, §§ 1(a), 9(a), Fla. Const. Harris Corporation is currently being taxed to the fullest extent allowed by these laws. However, Brevard County citizens have voted to provide economic incentives to new and expanding businesses within the County, and the Board of County Commissioners adopted ordinances in 2011 (2011-42) and in 2015 (2015-23) to grant economic development ad valorem exemptions to Harris Corporation based on the company accomplishing certain milestones including capital investments and job creation. These ad valorem tax exemptions have been granted in accordance with Florida Statute 196.012 and Chapter 102 of the Code of Ordinances of Brevard County.

Staff Recommendation: It is recommended that the Board of County Commissioners accept with modification CEER 2020032(c) because, even with the economic incentives, on the 2019 tax bill, Harris Corporation had \$3.7 million in taxes levied by Brevard County.



BOARD OF COUNTY COMMISSIONERS

Solid Waste Management Department
2725 Judge Fran Jamieson Way
Building A, Room 118
Viera, Florida 32940

Inter-Office Memo

February 6, 2020

TO: Board of County Commissioners

THROUGH: Frank Abbate, County Manager 
Board of County Commissioners

THROUGH: John Denninghoff, Assistant County Manager
Development & Environmental Service Group 

FROM: Euripides Rodriguez, CIA, Director
Solid Waste Management Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020033

In the CEER #2020033 Modified Trash pickup schedule, the citizen states the following:

Current Problem

I think there is some potential savings to be had regarding trash pickup. Currently my neighborhood picks up trash twice a week and while this is nice I notice that most people don't need their trash picked up 2 times a week most of the year. In my particular neighborhood the pickup days are Tuesday and Thursday so between Tuesday night and Thursday morning its pretty hard to generate a whole additional can of trash.

Recommendation

I would recommend keeping the twice a week holiday time trash pickup but for the majority of the year I would move it down to a once a week pickup. This should allow the town to reduce their bill to Waste Management for the refuse pickup.

Staff offers the following:

The Board recently solicited a Request for Proposals in which the option of once a week garbage pickup was included. These options with the associated cost were presented to the Board on November 12, 2019. Based on these results the Board directed staff to negotiate with Waste Management on the twice a week pickup.

Staff Recommendation:

It is recommended that the Board of County Commissioners reject Citizen Efficiency and Effectiveness Recommendation #2020033.



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

TO: Frank Abbate, County Manager
THRU:  Eden Bentley, County Attorney
FROM:  Justin Caron, Assistant County Attorney
SUBJECT: Motor Vehicle Inspections CEER #34
DATE: January 13, 2020

RECOMMENDATION: Reject. This area is preempted by the State of Florida.

Question :

The citizen request received by the County from Ms. Cara M. Wilson is as follows:

- a. "We need to initiate a vehicle inspection program. Start with vehicles over 10 years old. Then continue with vehicles over 5 years then all every two years. In the beginning focus on brakes, tire treadwear and emissions. Then add lights, turn signals and wipers, etc. The fee would cover the expense and our roads will be much safer."

This office has been tasked with providing input as to the legality of mandating vehicle inspections at the county level.

Analysis:

The State of Florida previously required yearly comprehensive vehicle inspections until 1981. In 1991, a more limited inspection program focused on vehicle emissions began. This ended in 2000 through the passage of Ch. 2000-266, Laws of Florida.

Motor vehicles in the State of Florida are regulated by Title XXIII of the Florida Statutes.

Under Title XXIII, Florida Statutes, the Legislature created Chapter 316, known as the *State Uniform Traffic Control Law*. Section 316.007 F.S., titled *Provisions Uniform Throughout the State* states,

"The provisions of this chapter shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein, and no local authority shall enact or enforce any ordinance on a matter covered by this chapter unless expressly authorized. However, this section shall not prevent any local authority from enacting an ordinance when such enactment is necessary to vest jurisdiction of violation of this chapter in the local court."

Subject: Term Limits and Alternative Energy Incentives CEER

Date: 1/13/20

Section 316.007 F.S. expressly preempts a local government from further regulating motor vehicles contrary to the provisions found under the State Uniform Traffic Control Law. Imposing additional requirements on motor vehicles not found under Chapter 316 F.S. may subject the county to liability, including attorneys' fees, if challenged. However, law enforcement officers may still perform inspections on motor vehicles to ensure the safety and welfare of the public pursuant to the State Uniform Traffic Control Law.

316.610 F.S. *Safety of Vehicle; Inspection*, currently prohibits a person from operating a motor vehicle that it is in an unsafe condition. A police officer upon reasonable cause that a vehicle may be unsafe or lacks certain required safety equipment may both stop the car and provide written notice to the owner to require repair within 48 hours.

Recommendation: Reject

The County is preempted by the State from imposing additional requirements on motor vehicles, including required vehicle inspections, that are not in the Uniform Traffic Control Law. If a law enforcement officer suspects that a vehicle is unsafe, he or she may still require the owner of the vehicle to comply with State law and obtain proper working safety equipment.

Therefore, the recommendation is for Brevard County to not require drivers to obtain motor vehicle inspections prior to registration and to reject the request. The appropriate venue for a change in law to require motor vehicle inspections would be for the citizen to request a change from their local legislator.



BOARD OF COUNTY COMMISSIONERS

Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager
Virginia Barker, Director, Natural Resources Management

FROM: Mike McGarry, Program Manager

DATE: January 17, 2020

SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 35 –
Beach Nourishment

RECOMMENDATION: Reject CEER #35 due to acknowledgment that investment in beach renourishment is an investment in the quality of life of County residents and provides a positive return on investment for our local economy. Also, due to previous Board consideration and direction.

Question: The citizen's request received by the County from Judi Fidler of Melbourne includes the following:

Problem Description: Stop burying the reef in Satellite Beach with dirt.

Recommendation Description: It would save money and keep the beach cleaner.

Analysis:

Brevard County has chosen to use beach nourishment as a management tool to protect upland infrastructure and tax base. Maintaining public beaches is vitally important to both locals and visiting tourists. In 2016, the County Commission entered into a 50 year partnership agreement with the US Army Corps of Engineers for the Mid Reach federal shore protection (aka beach nourishment) project that is now being constructed along Satellite Beach. In order to get Congressional authorization for these federal projects, extensive economic analysis was completed to assure the benefit to cost (B:C) ratio was positive and the project provides a net benefit not just to Brevard County but to the nation. The current B:C ratio for the Mid Reach is almost 3:1, thus demonstrating the project is economically responsible and in the long run saves money.

In addition to being economically responsible the projects are also environmentally responsible. The Mid Reach project is currently being constructed with beach quality sand, dredged from the ocean floor off Cape Canaveral, which meets regulatory standards. The sand is being placed in limited volume with a specific plan to minimize impact to the nearshore reefs. The

Main Line (321) 633-2016 • Stormwater/Illicit Discharge Hotline (321) 633-2014
Mosquito Control North Operations (321) 264-5032 • Mosquito Control South Operations (321) 952-4523
Fax (321) 633-2029 • Website: BrevardCounty.us/NaturalResources

nourishment plan and sand quality standards have been approved by federal and state environmental agencies. Brevard County nourishment projects encourage healthy and “clean” beaches, as witnessed in our other previously nourished reaches which repeatedly set all time green turtle nesting records. The image below shows that ten years after nourishment the projects provide beautiful beach and dune habitat that most people, and wildlife, would prefer to undermined structures or armor that would result if beaches are not maintained.

In addition to federal cost-share, Brevard County gets significant cost share for our beach projects from the Florida Department of Environmental Protection (FDEP). To evaluate the economic return on investment of the FDEP program, an independent (from FDEP) study was completed by the Florida Office of Economic and Demographic Research in 2015. The study determined that maintenance of beaches through beach nourishment was extremely important to the State, both from a storm protection and recovery perspective, as well as from a tourism branding perspective. The final result of the study showed the state’s investment in beach nourishment provided a positive return on investment (ROI) of \$5.40 for every \$1 of state investment. This ROI provides another example that beach restoration projects in the state of Florida provide a significant positive economic return.



Breakers Condominium Melbourne Beach, Before and After Beach Nourishment

Staff Recommendation:

Reject CEER #35 due to acknowledgment that investment in beach renourishment is an investment in the quality of life of County residents and provides a positive return on investment for our local economy. Also, due to previous Board consideration and direction.



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Corrina Gumm, Interim Public Works Director/Traffic Operations Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020036(a)
Build median on A1A in Cocoa Beach and Cape Canaveral

DATE: March 2, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. Andre Yoshida that described the following Problem and Recommendation.

Problem: "A1A is currently 5 lanes with the center lane reserved for turning onto and off of A1A. Cars can be turning from/to any of the many businesses lining the road. Pedestrians try to walk across this as well. The current arrangement results in many accidents involving cars, bikes, and pedestrians. Often resulting in fatalities."

Recommendation: "I humbly request that the county put medians in the middle lane to prevent arbitrary entry of cars. Cars would always have to take a right turn and then a u-turn at the next light if they want to go in the opposite direction. The median can be lined with palm trees or decorative shrubs to greatly improve the appearance."

Staff Analysis:

Highway A1A is under the jurisdiction of the state, specifically the Florida Department of Transportation (FDOT), District Five. This road is not under Brevard County jurisdiction and therefore we cannot modify the median along A1A.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification CEER #2020036. While this road segment is not under the jurisdiction of Brevard County, staff will continue to provide input through the Space Coast Transportation Planning Organization (TPO) and to the FDOT regarding the need for these transportation improvement projects.



BOARD OF COUNTY COMMISSIONERS

County Manager's Office
2725 Judge Fran Jamieson Way
Building C, Room 301, MS# 88
Viera, Florida 32940

Inter-Office Memo

TO: The Board of County Commissioners
FROM: Frank Abbate, County Manager
SUBJECT: Pedestrian Crosswalks CEER #36(b)
DATE: Jan. 15, 2020

A Citizen Efficiency and Effectiveness Recommendation (CEER) document #36(b) was submitted by Andre Yoshida to address concerns about medians on A1A and the dangers imposed for pedestrians attempting to cross the street and potential fatalities.

CEER #36 goes on to recommend medians on A1A and this recommendation has been submitted to the Transportation Planning Organization.

To specifically address pedestrian crossing issue, staff offers the following:

- On January 7, the Board voted unanimously to approve two measures directed at getting the State of Florida to remove Rectangular Rapid Flashing Beacon crossing signal systems that create confusion for motorists. The Board authorized a letter to Florida Governor Ron DeSantis to direct state officials to prioritize this effort and to push for a reduced speed limit along State Road A1A in the Satellite Beach/Indialantic/Indian Harbour Beach area. The Board also authorized a letter to the County's state lobbyist requesting Florida Department of Transportation's removal of the yellow flashing light systems along roads in Brevard County. The letter recommends replacement of the flashing light systems with the HAWK system, which includes a red light that would prompt motorists to stop. That letter was shared by Commission Chair Bryan Lober with Brevard County's legislative delegation, Florida Department of Transportation Secretary Kevin Thibault, and the mayors of Satellite Beach, Indialantic, Indian Harbor Beach and Melbourne Beach.
- On Monday, January 13, and on the eve of the State Legislative Session, State Representative Randy Fine filed a "Turn the Flashing Yellow Crosswalks Red" bill, which would require all flashing-yellow Crosswalks that are not located at a road intersection to be equipped with pedestrian-activated red lights by 2024.
- Letters formally submitted by Commission Chairman Bryan Lober to state Lobbyist Ronald Book and Governor DeSantis are included here.

Staff Recommendation:

Accept with noted modifications.



BOARD OF COUNTY COMMISSIONERS

January 13, 2020

The Honorable Ron DeSantis
Governor of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

RE: Request for HAWK (red light) Pedestrian Crossings in Brevard County

Dear Governor DeSantis:

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve year old girl, who was struck and killed by a motor vehicle while attempting to cross State Road A1A in Satellite Beach using the newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB) crosswalk. The flashing yellow lights which are part of RRFB crosswalks are supposed to indicate to drivers that they should stop when someone is planning to cross the street. Unfortunately, the motor vehicle did not stop when Sophia used the flashing yellow light system and she was struck and killed. Prior to the accident that claimed Sophia's life, a young boy, also 12 years old, was killed on a Post Road in the Melbourne area while using the same type of flashing yellow lights at a pedestrian crossing. Brevard County residents have presented testimony and videos to the County Commissioners that indicate motor vehicles frequently ignore the flashing yellow lights and continue through the crosswalk area despite the presence of pedestrians.

The RRFB crosswalks provide a false sense of security to our County's pedestrians and do not clearly indicate to motor vehicle operators that they must to stop. In fact, the flashing yellow lights only seem to cause confusion. On the motion of Brevard County Commissioner Curt Smith, District 4, and a unanimous vote of the Brevard County Commission, the Board requests that all the RRFB crosswalks in Brevard County be removed and replaced with High Intensity Activated (HAWK) Crosswalks which provide a red light to stop vehicular traffic when activated by pedestrians seeking to cross the street. This change is needed immediately along State Road A1A in Satellite Beach, Cocoa Beach, Indian Harbor Beach, Indialantic, and Melbourne Beach. In addition, the Board of County Commissioners urges you to direct the State of Florida Department of Transportation to consider lowering speed limits on A1A from 45 to 35 mph to improve safety and to take any other actions which might improve pedestrian safety in Brevard County.

Respectfully,

Bryan Andrew Lober
Bryan Lober
Chair



BOARD OF COUNTY COMMISSIONERS

January 13, 2020

Ronald L. Book, Esquire
Ronald L. Book, P.A.,
18851 N.E. 29th Ave.,
Aventura, FL 33180,

RE: State Road A1A Pedestrian Crossings
Brevard County – Request to State of Florida for HAWK (red light) crosswalks.

Dear Mr. Book:

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve year old girl, who was struck and killed by a motor vehicle while attempting to cross State Road A1A in Satellite Beach using the newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB) crosswalk. The flashing yellow lights which are part of RRFB crosswalks are supposed to indicate to drivers that they should stop when someone is planning to cross the street. Unfortunately, the motor vehicles did not stop when Sophia used the flashing yellow light system and she was struck and killed. Prior to the accident that claimed Sophia's life, a young boy, also 12 years old and in 6th grade, was killed on Post Road in the Melbourne area while using the same type of flashing yellow lights at a pedestrian crossing. Brevard County residents have presented testimony and videos to the County Commissioners that indicate that motor vehicles frequently ignore the flashing yellow lights and continue through the crosswalk area despite the presence of pedestrians.

The RRFB crosswalks provide a false sense of security to our County's pedestrians and do not clearly indicate to motor vehicle operators that they must stop. In fact, the flashing yellow lights only seem to cause confusion. On the motion of Brevard County Commissioner Curt Smith, District 4, and a unanimous vote of the Brevard County Commission, authorized me to contact you to ask that communicate the county's concerns to the governor and other state officials. Specifically, the Board asks that you seek to have all the RRFB crosswalks in Brevard County be removed and replaced with High Intensity Activated (HAWK) Crosswalks which provide a red light to stop vehicular traffic when activated by pedestrians seeking to cross the street. This change is needed immediately along State Road A1A in Satellite Beach, Cocoa Beach, Indian Harbor Beach, Indialantic, and Melbourne Beach. In addition, the Board of County Commissioners urges you take steps to have the State of Florida Department of Transportation consider lowering speed limits on A1A from 45 to 35 mph to improve safety and to take any other actions which might improve pedestrian safety in Brevard County.

Respectfully,

Bryan Andrew Lober

Bryan Lober
Chair



BOARD OF COUNTY COMMISSIONERS

January 15, 2020

Secretary Kevin J. Thibault
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399-0450

Dear Secretary Thibault,

Brevard County is mourning the recent tragic death of Sophia Nelson, a twelve-year old girl who was struck and killed by a motor vehicle while attempting to cross Highway A1A at Ellwood Avenue on a newly installed FDOT Rectangular Rapid Flashing Beacon (RRFB).

Sadly, this senseless death has proven out the fears many residents have had regarding these yellow flashing lights. These RRFBs give a false sense of security to the pedestrian and do not indicate to motor vehicle operators to stop.

The Brevard County Board of County Commissioners requests that the Florida Department of Transportation immediately remove any recently installed RRFBs and halt any current or proposed construction of additional RRFBs along the A1A corridor.

Additionally, the Board requests that your department consider installing High-Intensity Activated Crosswalk (HAWK) traffic lights on S.R. A1A at Ellwood Avenue in Satellite Beach.

Respectfully,

Bryan Andrew Lober

Bryan Lober
Chair, Brevard County Board of County Commissioners

cc: Mayor Frank Catino, City of Satellite Beach
Mayor Dave Berkman, Town of Indian River
Mayor Scott Nickle, City of Indian Harbour Beach
Mayor Jim Simmons, Town of Melbourne Beach
Brevard County Legislative Delegation



BOARD OF COUNTY COMMISSIONERS

Solid Waste Management Department

2725 Judge Fran Jamieson Way
Building A, Room 118
Viera, Florida 32940

Inter-Office Memo

January 14, 2020

TO: Board of County Commissioners

THROUGH: Frank Abbate, County Manager 
Board of County Commissioners

THROUGH: John Denninghoff, Assistant County Manager
Development & Environmental Service Group 

FROM: Euripides Rodriguez, CIA, Director
Solid Waste Management Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020037

In the CEER #2020037 End Recycling, the citizen states the following:

Current Problem

Recycling is costly for both the environment and the county not including the time and effort of everyone who puts in recycling. Plastic waste is never really recycled and the few countries that do pick it up do so poorly with rivers and streams taking plastic into the sea. Recycling paper is almost as useless as only a few paper products are recyclable and trees are a renewable resource that get regrown like wheat or potato.

Recommendation

End the Brevard recycling program or cutting it down to just aluminum and/or scrap metal only. Unlike other recyclables aluminum has an actual cash value making the program cost neutral or even profitable. The savings would be in less time and effort along with the fuel used to transport and sort plastics and papers that will end up in a landfill anyway. This saves the County money and the environment from excess waste that rather than being immediately buried transported it to a far off land to get buried and polluting the water and land as before it finally does.

Staff offers the following:

The Florida Legislature, through the Energy, Climate Change and Economic Security Act of 2008, established a statewide weight-based recycling goal of 75% by 2020. The Act instituted the 75% recycling goal, directed the Florida Department of Environmental Protection to establish a reporting protocol and directed counties to report annually. The Legislature also established interim recycling goals: 40% by 2012, 50% by 2014, 60% by 2016 and 70% by 2018. This is what, in recent times drives the recycling collection program as one of the components used to meet the goal of 75% recycling. Brevard County was not able to meet the

last goal of 70% for 2018 having recycled 57%. Recycling as much as we can find markets for greatly helps us try to meet the recycling goal required by the State of Florida.

The collection trucks used for recycling are already making routes through the residential neighborhoods thereby it makes sense to collect as much of the different types of materials that can be recycled as possible.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification Citizen Efficiency and Effectiveness Recommendation #2020037. The County sells recycled material collected that generates revenues to off-set the County's collection costs. For example, our facilities sell metals, white goods (appliances), and cardboard which in Fiscal Year 2019 derived revenues of \$156,633.



Matthew V. Wallace, Director
Brevard County Public Safety Office
1040 South Florida Avenue
Rockledge, Florida 32940

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, Brevard County Manager *FBA*

THRU: Matthew Wallace, Brevard County Public Safety Director *MW*

From: Mark Schollmeyer, Brevard County Fire Chief *MS*

Date: January 15, 2020

Subject: CEER Recommendation/Response #2020038

SUBJECT: CEER Recommendation/Response #2020038

CITIZEN IDENTIFIED PROBLEM:

As written by the submitter:

(Fire Rescue is a ...) "Waste of money"

CITIZEN RECOMMENDATION:

As written by the submitter:

"Cut back on the ambulance like 911. I think it's a waste of time and money since they don't do much, but like going to a grocery store, complaining about doing their job. They are good for motor vehicle accidents, but that's about all. Also, everyone getting raise and then you want the regular people to pay more. You all want more money and doesn't do anything extra to earn it."

ORGANIZATION RESPONSE:

In 2019, Brevard County Fire Rescue (BCFR) units responded to approximately 90,000 total calls for service including 3,600 motor vehicle collisions. In addition, BCFR's thirty advanced life support ambulances transported over 52,000 patients to area hospitals. The nature of the schedule and the work load on these resources means these ambulance crews must eat when they can. When these units go to the grocery store in their assigned district, they are still in service and available to respond to emergencies. In emergency services, there is not a designated meal period or break for these men and women during their twenty-four hour shift so they must buy and eat meals on-the-go or as they are returning from emergency calls. Under the circumstances, having the rescue unit be mobile many times allows for a shorter response as the unit is already deployed.

Brevard County Fire Rescue is one of the most cost-efficient EMS transport providers in the State with the majority of those costs being salary and benefits. As demand for trained firefighters and paramedics increases throughout the state, we must maintain the ability to attract and retain qualified applicants with a reasonable salary and benefit package. We hope this response addresses the concerns you brought to our attention.

RECOMMENDED ACTION:

Accept with modifications. Brevard County Fire Rescue's call volume and population growth does not support cutting back on the service. We will continue to use efficient ways to dispatch and deploy resources including Pro Q/A which manages the resources for various to triage EMS calls and align the proper resources.



BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager 

FROM: Corrina Gumm,  Interim Public Works Director / Traffic Operations Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020039
Safety

DATE: February 14, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Ms. Kathryn A. Koines that described the following Problem and Recommendation.

Problem: "Not sure why safety has not been included, but I think it is so important in our county with so many visitors. Something has to be done about the bike riders in our County. They are not following the rules of the road and so many times I have seen close calls where they should have stopped at a stop sign or even worse passing during a red light. Can you pass this on to someone because it is so important for the safety of the bikers as well as the people driving the cars that encounter this situation."

Recommendation: "I honestly don't know what can be done, but the benefits would be saving lives."

Staff Analysis:

In Florida the bicycle is legally defined as a vehicle and the bicyclist is a driver. Bicyclists have the same rights to the roadways, and must obey the same traffic laws as the drivers of other vehicles. These laws include stopping for stop signs and red lights, riding with the flow of traffic, using lights at night, yielding the right-of-way when entering a roadway and yielding to pedestrians in crosswalks.

The Space Coast Transportation Planning Organization (SCTPO) facilitates bicycle education with the primary goal of improving safety and reducing transportation-related injuries and deaths by

educating bicyclists, pedestrians, and motorists on state traffic laws and the safe use of transportation infrastructure.

The SCTPO has a variety of educational programs available to interested groups. For example, in a Bicycle Rodeo event, students are taught that bicycles are vehicles and must follow the rules of the road. Students learn to look for cars and navigate through a series of obstacles. They also offer a bicycle helmet programs in partnership with the Florida Pedestrian and Bicycling Safety Resource Center, funded by the Florida Department of Transportation (FDOT) to promote safe pedestrian and bicycling activities for citizens and visitors, young and old, by providing educational materials and information to all interested Florida residents.

In addition, Florida's 2016 Strategic Highway Safety Plan (SHSP) identified areas which reflect ongoing and emerging safety issues, including the following strategies for the pedestrian and bicycle safety emphasis area:

- Increase awareness and understanding of safety issues and compliance with traffic laws and regulations related to pedestrians and bicyclists.
- Develop and use a systemic approach to identify locations and behaviors prone to pedestrian and bicycle crashes and implement multidisciplinary countermeasures.
- Create urban and rural built environments to support and encourage safe bicycling and walking.
- Support national, state, and local legislative initiatives and policies that promote bicycle and pedestrian safety.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept CEER #2020039.

Brevard County is a partner with safety advocates of the state and the SCTPO, along with leaders at the national and state level representing Engineering, Education, Enforcement, and Emergency Services.

The Public Works Department will continue to support this initiative by representing the Engineering behind transportation planning and development processes to ensure that safety and accessibility is a priority through the design, construction, and maintenance stages of all state and local transportation projects.



BOARD OF COUNTY COMMISSIONERS

Transit Services
401 S. Varr Ave
Cocoa, FL 32922

Inter-Office Memo

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *YB*

THRU: Jim Liesenfelt, Assistant County Manager *RL*

FROM: Scott Nelson, Transit Services Director *SN*

DATE: January 22, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2020040

Recommendation Title: Brevard County Leads the Way Through Innovation!!

Description: The current forms of public transportation (buses and trains) are wholly inadequate. I would like Brevard County to offer more Public Transportation. The needs are far reaching: those that do not have access to an automobile for a variety of reasons (health, finances, handicaps, etc) The forms may be more Buses and in particular, Virgin Trains, making a stop in Brevard County. Currently, the train plans to ride up the coast, thru Brevard County and once it reaches near State Road 528, it would turn west and travel to the Orlando airport. I have brought this stop in Brevard County up numerous times to a variety of individuals and the reasons for the reasons for growth, expansion, increased efficiency, reduced pollution, commuters, access to the port cruise lines, etc Currently, there remains no plans. This is a mistake and VERY short sighted. I would like this project to receive priority treatment and deserves to be considered.

Analysis:

We recognize that there are citizens in Brevard County who cannot provide their own transportation for a variety of reasons. Space Coast Area Transit currently offers a number of transportation options including 20 fixed bus routes, paratransit door-to-door bus service by advanced reservation, vanpools and Volunteers in Motion. Space Coast Area Transit also provides emergency transportation to Special Needs shelters when a hurricane is imminent.

Space Coast Area Transit provided over 2,300,000 rides last year on its various services. Citizens depend on the services to go to work, college, kidney dialysis, shopping, doctor's appointments, and all other life activities. The Brevard County Board of County

Commissioners continue to show support for expanded public transportation by authorizing the addition of two paratransit bus routes for the transportation disadvantaged in October of 2019.

We agree that Virgin Trains will bring new opportunities to our community. Virgin Trains is not technically Public Transportation. It is privately owned and funded. Should there be a Virgin Trains station in Brevard County, the location of this station will be determined by Virgin Trains. The Space Coast Transportation Planning Organization supports the efforts to bring a Virgin Trains stop to Brevard County. A resolution in 2016 was passed requesting and supporting a Virgin Trains stop in Brevard County. Should Virgin Trains determine a station in Brevard County, Space Coast Area Transit will provide a bus route to that station. and participate in a multi-modal station with Virgin Trains.

The citizens can learn more about the current public transportation system and future plans by contacting Space Coast Area Transit at 321-635-7815 and the Space Coast TPO at 321-690-6890.

Space Coast Area Transit is ready to support expansion of public transportation, where funding is available, and supports the location of a Virgin Trains station in Brevard County.

Staff Recommendation:

We recommend the Brevard County Board of County Commissioners accept this recommendation with modification.



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

TO: Frank Abbate, County Manager
THRU: Eden Bentley, County Attorney
FROM: Justin Caron, Assistant County Attorney
Euripides Rodriguez, Solid Waste Management Department Director
SUBJECT: Term Limits and Alternative Energy Incentives CEER #41
DATE: January 8, 2020

Recommendation: Accept as to item (a) as provisions are already in place, reject item (b), and accept item (c) with modifications.

Question:

The citizen request received by the County from Ms. Jackie Buscemi is as follows:

- a. "I would like the current positions to have some form of term limits (two or possibly three). A[n] individual holding a government position should not seek out the position as a life-long position. As times change, people need to change."
- b. "Ask residents how often they want pick ups (For ex. Once a week, twice a week) and recycled (once a week, once every two weeks) The prices for this service should reflect times trucks need to pick up (taking into account the number of trucks, fuel, pollution, maintenance, etc. the labor and required)."
- c. "Offer builders additional discounts or incentives to encourage and implement other forms of power (solar?) instead of using fossil fuel."

This office has been tasked with providing input as to the questions of term limits and alternative energy incentives identified as items a and c above. Item b is addressed by the Solid Waste Management Director.

Analysis:

Item a. Term limits of elected officials

The Brevard County Charter currently imposes term limits on county commissioners.

Subject: Term Limits and Alternative Energy Incentives CEER

Date: 1/8/20

Sections 2.4 and 2.5 of the Brevard County Charter state:

Section 2.4

Each Commissioner shall be elected and serve for four (4) years, beginning on the second Tuesday after election, and continuing after such term until a successor is elected and qualified. The terms shall be staggered as presently provided by general law. No county commissioner shall serve more than two (2) consecutive terms.

Section 2.5

Commissioners shall qualify for election at the same time and in the same manner provided by general law for county commissioners in non-charter counties. No person may qualify as a candidate or appear on the ballot for re-election to the office of county commissioner if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) as a county commissioner for two consecutive terms.

Both Section 2.4 and Section 2.5 of the Brevard County Charter impose a term limit and expressly prohibit a county commissioner from serving more than two consecutive terms. Article VIII(1)(d) of the Florida Constitution and Section 2.4 of the Brevard County Charter establish a four-year term for county commissioners.

Under the current laws, a county commissioner cannot serve for more than two consecutive terms or remain in office for more than eight consecutive years.

Item b. Asking Citizens for Preference on Frequency of Garbage Pickups

The Board recently solicited a Request for Proposals in which the option of once a week garbage pickup was included. These options with the associated cost were presented to the Board on November 12, 2019. Based on these results the Board directed staff to negotiate with Waste Management on a twice a week garbage pickup.

Item c. Incentives to Encourage Alternative Energy Sources

The County currently has several initiatives to incentivize the use of alternative green energy sources. For the past two consecutive years, the Board of County Commissioners have adopted resolutions exempting permit fees for solar photovoltaic installations. This was done most recently in Resolution 19-027. These exemptions incentivize the installation of solar panels by waiving the permit fee for homeowners and contractors. In fiscal year 2018, this incentive saved homeowners more than \$90,000.

The County has also taken several steps to coordinate working and planning groups to address clean energy sources and their implementation. For more information on these steps, please refer to the response prepared by Planning and Development Director Tad Calkins.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department
2725 Judge Fran Jamieson Way
Building A
Viera, Florida 32940

Inter-Office Memo

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager
John Denninghoff, P.E., Assistant County Manager

FROM: Tad Calkins, Director – Planning & Development *TJC*

DATE: January 14, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020041(c)

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified several problems. This Department was tasked with analyzing and responding to the third item 2020041(c): Solar power represents a very small amount of the energy required to operate homes and businesses.

CEER #2020041(c) goes on to recommend, as a potential solution, "Offer builders additional discounts or incentives to encourage and implement other forms of power (solar?) instead of using fossil fuel."

Staff offers the following:

In recent years, the Board of County Commissioners (BOCC) has approved many initiatives and partnerships that involve the promotion of clean energy sources, including solar installations. These initiatives represent Brevard County's multi-tiered commitment to alternative energy sources, sustainability and more broadly, regional resiliency. Three such programs are detailed below. Combined, they have immediate and long-term impact with regards to advanced energy technology.

1. On March 20, 2018, the BOCC adopted a resolution exempting permitting fees for solar photovoltaic (PV) installations. On February 26, 2019, the exemption was renewed, saving homeowners and contractors an average \$189 per permit. Since the program's inception, more than 480 applicants have received the exemption as part of the permitting process with program savings to the citizens being more than \$90,000. Lastly, PV permits increased 4% year-over-year in 2019.
2. On November 19, 2019, the BOCC revised a resolution regarding the implementation of the Workgroup for Innovative Solar Energy Resources (WISER). It is anticipated that WISER will meet February – July 2020 and provide recommendations to the BOCC in August 2020 and have three main objectives pursuant to resolution 19-238:

- Develop a cost-benefit analysis and plan for County government to transition to clean-energy sources.
 - Make recommendations on improving public access to economically beneficial clean-energy technology.
 - Identify policies and practices that serve as barriers to the adoption of advanced energy technology within the County, and make recommendations on policy revisions.
3. On October 23, 2019, Brevard County representatives attended the signing ceremony for the East Central Florida Regional Planning Council's (ECFRPC) Regional Resilience Collaborative Memorandum of Understanding (MOU). The MOU, adopted by the BOCC on September 5, 2019, recognizes that the success of a regional resilience collaborative depends on participation and commitment from cooperative networks and partnerships with local governments, federal, state and regional agencies, educational institutions, non-government organizations, businesses, and other stakeholders. The Collaborative represents more than two dozen such stakeholders focused on advancing the three pillars identified under the resilience umbrella; (people) Health + Equity, (places) Build Infrastructure + Natural Environment, and (prosperity) economic resilience. Woven throughout those pillars will be a reduction of the carbon footprint, risks and vulnerabilities utilizing emergency management, and increasing efforts toward sustainability, region wide. We are hopeful that as the Collaborative's work progresses, implementable solutions will be identified for Brevard County and other stakeholders that address encouraging solar installations and reducing barriers to similar technology.

As WISER and the ECFRPC Regional Resiliency Collaborative return recommendations and implementable solutions, it is anticipated, given the Board's previous approval of other alternative energy initiatives, that citizens will continue to realize Brevard County Government's commitment to clean energy, sustainability and resiliency.

Staff Recommendations:

Since the solar PV installation fee exemption is currently in place, the Board may wish to accept with modifications CEER #2020041(c) to include WISER and ECFRPC MOU initiatives.



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager *JPD*

THRU: Corrina Gumm, Interim Public Works Director/Traffic Operations Program Manager *CG*

FROM: Scott Barrett, Facilities Building & Operations Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020042
Lighting and Energy Efficiency

DATE: March 4, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. Ehren Ullein that described the following Problem and Recommendation.

Problem: "Old and antiquated lighting applications (interior & exterior) that provide a poor quality of light, while consuming a high volume of wattage. On-going maintenance of said applications is wasting money, compared to quality LED lighting that saves the end-user money and pays for itself. We live in the lightning capitol of the world.....are our facilities, and the equipment therein, protected against direct & indirect strikes?"

Recommendation: "I have attached a PowerPoint presentation that expands on these points/products. We provide our clients with a free energy audit that identifies 10-yr ROI & net savings, green house gases saved, and we have LED lighting applications (interior & exterior applications, retrofit and replacement options) that have up to a 10-yr non-prorated warranty in our name. We are not an ESCO, so you keep 100% of the savings!! This information can be used to show Brevard residents current energy costs vs post-conversion energy usage (savings), as well as tout greenhouse gas savings, as this information comes directly from epa.gov. You might be able to create a savings ticker, similar to the federal debt ticker, that shows/tracks savings across all Brevard County buildings and properties. We also work with a local company that specializes in smart-city technology and our technologies are compatible and currently active in Brevard County. We have a piggy-backable contract with the School Board of St. Johns County, FL. The POM PowerGuard protects buildings/facilities from in-direct & direct lightning strikes, as well as

harmonizing power spikes and power surges. This product works incredibly well with VFD issues related with chillers and water treatment stations (letter from the City of Fort Lauderdale contained within the PP). This application also pays for itself, as it also saves energy, while protecting the facility, and its equipment, from lightning. All of our applications & partnerships revolve around and are geared toward energy savings/conservation. We are in the business of saving our clients money, by means of energy efficiency. That being said...what you do with the monies saved is up to you. Tie up pension plans, use as bonuses, off-set rising healthcare plans, etc.. that might also be something you ask residents of Brevard as well. Thank you for the opportunity and forum to share this idea. You have numerous local businesses here to help achieve and work with you regarding your fiduciary responsibility to this beautiful county."

Staff Analysis:

Brevard County presently utilizes quality, energy-saving lighting for a variety of interior and exterior applications in an effort to reduce cost and energy usage and minimize maintenance efforts. We completed a \$15 Million Energy Savings Performance Contract in 2015. Energy audits were performed on facilities throughout Brevard County covering every department in the County which represented over 3.5 million square feet of occupied space. Inventories of interior and exterior lighting fixtures, plumbing fixtures and HVAC equipment were compiled. Data was collected on temperature, humidity and occupied times.

Over 1,000 electric, water and gas utility accounts were analyzed for each facility and bills were collected for at least a full year of consumption on accounts. Energy modeling software was then used to create utility bill calibrated energy models that forecasted energy savings. Lighting was replaced or enhanced with a combination of 25wT8 bulbs & low energy ballasts, induction lighting, dual technology occupancy sensors and LED lighting. The Facilities Program within the Public Works Department has also completed several LED parking lot projects including Harry T & Harriett V Moore Justice Center, BCGC Viera, Space Coast Area Transit, Library Services and numerous other Brevard County locations.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept CEER #2020042, the County implemented an energy saving project 2015.



Inter-Office Memo

BOARD OF COUNTY COMMISSIONERS

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *[Signature]*
Brevard County Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager *[Signature]*
Community Services Group

FROM: Ian Golden, Director *[Signature]*
Housing and Human Services Department

DATE: January 21, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020043

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a problem regarding "... the lack of resources and facilities that are suitable for children with special needs." and that "... it is essential that these realm [sic] of services are extended throughout the county."

Staff offers the following:

- It appears that this CEER, based upon its title and the narrative that was submitted, is recommending the creation of a Special Needs Daycare (Pediatric) in the northern portion of Brevard County.

Daycare Facilities of all types, including special needs, are typically owned and operated by individuals, private businesses, or not-for-profit organizations and are licensed by the Florida Department of Children and Families (providers with a religious affiliation are exempt from licensing). These facilities are not under the purview of Brevard County. No action is required on the part of the Board of County Commissioners.

Additional Resources:

- The Department of Health in Florida facilitates a statewide program, using local providers, called Early Steps (<http://www.floridahealth.gov/programs-and-services/childrens-health/early-steps/index.html>). Early Steps provides services to eligible infants and toddlers who have or are risk for developmental delays. In Brevard County, the Early Steps provider is Catch of Brevard, Inc. (2565 Judge Fran Jamieson Way, Viera, Florida 32940; 321-634-3688).

- The Florida Department of Children and Families maintains a Provider Search website (<https://cares.myflfamilies.com/PublicSearch>) which can be utilized to locate licensed child care facilities including their capacity and services offered.
- Children's Medical Services also has a website which provides links to multiple resources (http://www.cms-kids.com/families/early_steps_directory/index.html).
- A search of another website (<https://fun4spacecoastkids.com/Education-Childcare/Special-Needs-Schools/>) located several facilities, which provide services for children with special needs:
 - Able Academics (321-888-3020) – a K-12 school for children on the autism spectrum.
 - Alpha Learning, Inc. (321-453-7077) – offers educational services for children aged 2 (potty trained) through 6th grade.
 - Behavior Education Center (321-639-9800) – offers services to children, aged 3-18, with an autism diagnosis as well as to children who have a behavioral barrier that limits their education progress and/or options.
 - Brevard Christian Early Intervention Center (321-506-7999) – a school for children starting at age 3.

For anyone interested in becoming a provider of early intervention services, for infants and toddlers ages birth to thirty-six months, with disabilities, developmental, delays, and at-risk conditions, they may contact the Early Steps Provider Relations Liaison at (321) 634-3688.

Staff recommendation:

It is recommended that the Board of County Commissioners reject Citizen Efficiency and Effectiveness Recommendation (CEER) 2020043.



BOARD OF COUNTY COMMISSIONERS

Office of Human Resources

2725 Judge Fran Jamieson Way
Building B, Room 209
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jerry Visco, Human Resources Director
SUBJ: Citizen Efficiency and Effectiveness Review
DATE: February 26, 2020

CITIZEN RECOMMENDATION:

Address: 945 Kenilworth Ct, Titusville FL 32780 3278 Phone (321) 591-3118

Email SHIREKA.BRANTLEY@GMAIL.COM Recommendation ID 2020044

Recommendation Title Felons Rehire Programs

Current problem: Brevard has a large number of felons that have completed their sentence and or currently under parole or probation that have immense difficulty finding and retaining employment which causes of domino effect on their lives. They are unable to find housing either due to their lack of income or background, unable to provide for their children and a plethora of other things. And also resulting back to their previous habits that landed them in jail or prison to begin with. Which forces allot of our natives to search for employment out of the county as well out of the state.

Recommendation: The morale and welfare improving within the community, increase in employment, decrease in criminal activity, decreased poverished households, decline in suicides just to name a few.

STAFF COMMENTS:

Brevard County does not have a policy against hiring felons that have completed their sentences or those currently on parole or probation. The County currently advertises its open positions in various venues that are accessible as well as utilizing a job service that specifically targets minority and underserved populations looking for employment, including those organizations that would target individuals released from incarceration. Brevard County Administrative Order 5 (AO-5), attached hereto, outlines the parameters utilized to evaluate a job applicant's eligibility for hire when he/she has been convicted of a crime.

Consistent with F.S. 112.011, no job applicant is disqualified from employment by the County solely because of a prior conviction for a crime. However, a person may be denied employment by the County by reason of the prior conviction for a crime if the crime was a felony or first-degree misdemeanor and directly related to the position

Phone (321) 633-2031 • Fax (321) 633-2036

Website: www.brevardcounty.us

of employment sought when that employment brings the employee in contact with "at-risk" populations served by the County.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification CEER 2020044.



BOARD OF COUNTY COMMISSIONERS

ADMINISTRATIVE ORDER

NUMBER: AO-05
CANCELS: 04/24/15
APPROVED: 06/12/18
ORIGINATOR: Human Resources
REVIEW: 06/12/21

Title: Background Investigation Checks

I. PURPOSE AND SCOPE

To establish a consistent, county-wide procedure for conducting background investigation checks.

II. DEFINITIONS AND REFERENCES

Applicant – An external applicant or volunteer being considered for a position or a current employee being considered for a position with a higher security level as the result of a promotion, transfer or demotion.

B. At-Risk Population- Children, elderly, disabled, and those whom cannot defend themselves. Example of settings in which individuals come into contact with at-risk populations include, but are not limited to:

- **Daycare:** senior citizen centers and community day programs for children.
- **Group Home:** placements for children under the care of the State as a result of abuse or neglect or as a consequence of delinquency.
- **Program activities** involving children on school property.
- **Shelters:** homeless, domestic violence or special needs emergency shelters.
- **Youth development programs.**
- **Volunteer programs** for the elderly or individuals with disabilities; such as, Meals on Wheels or other community/volunteer programs.
- **Library areas/programs** designated for children.
- **Park areas/programs** designated for children.

C. Background Investigation Handbook – a handbook with detailed information about how to complete and interpret the background checks.

D. Background Checklist – a form used to track the results of the background checks performed by the Department/Office.

- E. Conviction – defined as a law violation where there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld.

NOTE: A "yes" answer to the question of law violation on the application will not automatically bar the applicant from employment. The nature, job-relatedness, severity and date of the offense in relation to the position for which they are applying will be considered.

- F. Recertification – Frequency which each Department/Office reinvestigates each employee's or volunteer's criminal history.

G. **SECURITY LEVELS:**

High Level (Level I) – Applies to an employee or volunteer who has unsupervised access and/or contact with individuals identified as being in the at-risk population.

Moderate Level (Level II) – Applies to an employee or volunteer who has supervised access and/or contact with individuals identified as being in the at-risk population.

Low Level (Level III) – All other employees or volunteers who do not fit into the High or Moderate security levels.

- H. VECHS – an acronym for the Volunteer & Employee Criminal History System at the Florida Department of Law Enforcement (FDLE). The VECHS program agreement allows Brevard County to submit state and national checks for employees and volunteers, as needed.
- I. F.S. 112.011 – Felon; removal of disqualifications for employment, exceptions.
- J. F.S. 943.04351 – Search of registration information regarding sexual predators and sexual offenders required prior to appointment or employment.

III. RESPONSIBILITIES

- A. Each Department/Office Director shall establish a background investigation check procedure which ensures that the guidelines in this Administrative Order are met.
- B. Each Department/Office will utilize the guidelines in this Administrative Order or will adhere to statutory/contractual requirements, whichever is more stringent.
- C. Each Department/Office shall be responsible for verifying that each applicant

meets the requirements for the job, including educational and/or licensing verification, driver's license check.

- D. Each Department/Office shall be responsible for checking and documenting a total of three (3) of the applicant's employment and/or personal references. Document if the applicant has insufficient work history (i.e.; a student with no experience or someone returning to the workforce after a long absence) or is a volunteer. Due diligence must be used in obtaining these references, but if no response is received, documentation should be made of what efforts were made. Reference checks are not mandatory for those temporary employees hired on a seasonal basis.

The Background Investigation Handbook has detailed instructions and reference forms to be used in checking these references.

- E. Each Department/Office shall perform the required minimum criminal background investigation checks at the appropriate security level for applicants under final consideration and document the results on the Background Checklist, which shall be provided to the Office of Human Resources with the background documents.

1. High-Level Security Check (Level I):

- Fingerprints – submit fingerprints to FDLE under the VECHS agreement using digital fingerprint machine or using the fingerprint card provided for FDLE and National FBI criminal investigation check.
- Brevard County Clerk E-Facts: www.brevardclerk.us

2. Moderate-Level Security Check (Level II):

- FDLE: <https://web.fdle.state.fl.us/search/app/default>
- Brevard County Clerk E-Facts: www.brevardclerk.us
- National Sex Offender Public Website: www.nsopw.gov
- Out-of-State criminal checks based on past seven (7) years address history (on-line checks may be done, if available), or alternatively a national background check.

3. Low-Level Security Check (Level III):

- Brevard County Clerk E-Facts: www.brevardclerk.us
- National Sex Offender Public Website: www.nsopw.gov
- Florida Department of Corrections: www.dc.state.fl.us
- Out-of-Area criminal checks based on past two (2) years address history (on-line checks may be done, if available).

- F. Applicants under final consideration for positions classified as high security level shall be subject to the following guidelines for criminal background checks.

Consistent with F.S. 112.011, a person shall not be disqualified from employment by the County solely because of a prior conviction for a crime. However, a person may be denied employment by the County by reason of the prior conviction for a crime if the crime was a felony or first degree misdemeanor and directly related to the position of employment sought.

1. A prior conviction of any of the following criminal offenses, if a felony or first degree misdemeanor, is considered to be directly related to any high level security position, irregardless of when it occurred, and will disqualify an applicant from further consideration:

- Child Abuse, Neglect or Abandonment
- Extortion
- Extreme Violence (Aggravated Assault/Aggravated Battery, Murder, Attempted Murder, Vehicular Homicide)
- False Imprisonment
- Hate Crime
- Indecent Exposure if Sexual in Nature
- Kidnapping
- Manslaughter
- Child Pornography
- Illegal Possession of Guns or Weapons
- Robbery
- Sale of Controlled Substance
- Sexual Offense (Lewd and Lascivious - Sexual Battery)
- Any Offense of similar nature and severity to those listed above (contact the County Attorney's Office if there is a question)

2. A prior conviction of any of the following criminal offenses, if a felony or first degree misdemeanor, is considered to be directly related to any high level security position if it occurred within five (5) years of the date of the background check, and will disqualify an applicant from further consideration:

- Battery/Assault
- Domestic Violence
- Misdemeanor Drug and/or Paraphernalia
- Resisting Arrest with Violence
- Sale of Alcohol or Tobacco to a Minor
- Contributing to the Delinquency of a Minor
- Any Offense of similar nature and severity to those listed above (contact the County Attorney's Office if there is a question)

A prior conviction of one of the above criminal offenses, if a felony or first degree misdemeanor, that occurred beyond five (5) years of the date of the background check, shall be carefully reviewed by the appointing authority on a case-by-case basis to determine if it is directly related to a high security level position and the applicant is disqualified from further consideration.

- 3. A prior conviction for any of the following criminal offenses, if a felony or a first degree misdemeanor, shall be carefully reviewed by the appointing authority on a case-by-case basis to determine if it is directly related to a high security level position and if the applicant is disqualified from further consideration:**

- **Disorderly Conduct/Trespassing**
- **Driving While Under the Influence (DUI), one incident only (more than one must show proof of rehabilitation)**
- **Petty Theft**
- **Worthless Checks**
- **Other Crimes**
- **Any Offense of similar nature and severity to those listed above (contact the County Attorney's Office if there is a question)**

- G. When determining whether a prior criminal conviction for any of the criminal offenses listed in Section F above are directly related to a high, moderate or low level security position, an appointing authority shall take the following factors into consideration:**

- **The classification of the crime as a felony or first degree misdemeanor**
- **The relationship between the incident and the type of employment or service that the applicant will provide.**
- **The nature, severity, number, and consequences of the incidents disclosed.**
- **The amount of time elapsed since the incident(s) occurred.**
- **The applicant's efforts and success at rehabilitation.**
- **The age of the applicant at the time of the incident.**

If there is any question about whether the criminal offense is directly related to the position, contact the County Attorney's Office.

- H. After the background investigation checks are satisfactorily completed, the Department/Office can initiate the request for the applicant to be hired to a paid position or coordinate a start date for a volunteer placement.**

IV. RESERVATION OF AUTHORITY

The authority to issue and/or revise this Administrative Order is reserved for the County Manager.

 6/12/18

Frank Abbate, County Manager / Date



BOARD OF COUNTY COMMISSIONERS

Solid Waste Management Department
2725 Judge Fran Jamieson Way
Building A, Room 118
Viera, Florida 32940

Inter-Office Memo

February 6, 2020

TO: Board of County Commissioners

THROUGH: Frank Abbate, County Manager *FBA*
Board of County Commissioners

THROUGH: John Denninghoff, Assistant County Manager
Development & Environmental Service Group *JDS*

FROM: Euripides Rodriguez, CIA, Director
Solid Waste Management Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020045

In the CEER #2020045 Plastic Waste and Possible Reuse:

Current Problem

The problem is Plastic waste and possible reuse as so much of it is being collected but not recycled.

Recommendation

I think Brevard County should really consider putting in place a manufacturing facility to recycle plastics with the ideas at this time as to making plastic lumber. I believe that all outside use of plant based lumber should be replaced with the plastic product. Brevard County could possibly petition the State of Florida to purchase these products for outdoor uses in all County Federal and State Facilities, think of the savings as far as pollution is concerned.

Staff offers the following:

Brevard County does not have a manufacturing facility for plastic lumber, but there are facilities in other parts of the country. Brevard County has used this type of lumber in benches for the Government Complex in Viera as well as other locations including Solid Waste Central Disposal Facility and other county sites. It has also been used in signage for the Cocoa Landfill. There is also a Capital Improvement Project for a Multi-Use Educational Facility in the Central Disposal Facility in which this type of lumber is planned to be used.



Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modifications, as currently being used, the Citizen Efficiency and Effectiveness Recommendation #2020045.



BOARD OF COUNTY COMMISSIONERS

County Manager's Office
2725 Judge Fran Jamieson Way
Building C, Room 301, MS# 88
Viera, Florida 32940

Inter-Office Memo

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *FA*
John Denninghoff, P.E., Assistant County Manager *JD*
Jim Liesenfelt, Assistant County Manager *JL*

FROM: Tad Calkins, Director – Planning & Development *TC*
Mary Ellen Donner, Director – Parks and Recreation *ME*
Edward Fontanin, Director – Utility Services *EF*
Elizabeth Shephard, Director – UF/Brevard Extension Service *ES*

DATE: February 18, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020046

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that addressed several areas of concern. The departments of Planning & Development, Parks & Recreation, Utility Services and UF/Brevard Extension Service were tasked with analyzing and responding to the items as follows:

- 2020046(A):** Solar/wind harnessing equipment provided by the County that may raise revenue for the County.
- 2020046(B):** Lack of bike trails or lanes and water activities are not promoted.
- 2020046(C):** Better sewerage systems and restricted sewage dumping.
- 202046(D):** Lack of green space.
- 2020046(E):** The need for eco-friendly landscaping.
- 2020046(F):** Litter fines and derelict boats.

Staff offers the following:

- (A) The County does not provide energy services, however, in recent years the Board of County Commissioners (BOCC) has approved many initiatives and partnerships that involve the promotion of clean energy sources, including solar installations. These initiatives represent Brevard County's multi-tiered commitment to alternative energy sources, sustainability and more broadly, regional resiliency. Three such programs are detailed below. Combined, they have immediate and long-term impact with regards to advanced energy technology.

1. On March 20, 2018, the BOCC adopted a resolution exempting permitting fees for solar photovoltaic (PV) installations. On February 26, 2019, the exemption was renewed, saving homeowners and contractors an average \$189 per permit. Since the program's inception, more than 480 applicants have received the exemption as part of the permitting process with program savings to the citizens being more than \$90,000. Lastly, PV permits increased 4% year-over-year in 2019.
2. On November 19, 2019, the BOCC revised a resolution regarding the implementation of the Workgroup for Innovative Solar Energy Resources (WISER). It is anticipated that WISER will meet February – July 2020 and provide recommendations to the BOCC in August 2020 and have three main objectives pursuant to Resolution 19-238:
 - Develop a cost-benefit analysis and plan for County government to transition to clean-energy sources.
 - Make recommendations on improving public access to economically beneficial clean-energy technology.
 - Identify policies and practices that serve as barriers to the adoption of advanced energy technology within the County, and make recommendations on policy revisions.
3. On October 23, 2019, Brevard County representatives attended the signing ceremony for the East Central Florida Regional Planning Council's (ECFRPC) Regional Resilience Collaborative Memorandum of Understanding (MOU). The MOU, adopted by the BOCC on September 5, 2019, recognizes that the success of a regional resilience collaborative depends on participation and commitment from cooperative networks and partnerships with local governments, federal, state and regional agencies, educational institutions, non-government organizations, businesses, and other stakeholders. The Collaborative represents more than two dozen such stakeholders focused on advancing the three pillars identified under the resilience umbrella; (people) Health + Equity, (places) Build Infrastructure + Natural Environment, and (prosperity) economic resilience. Woven throughout those pillars will be a reduction of the carbon footprint, risks and vulnerabilities utilizing emergency management, and increasing efforts toward sustainability, region wide. We are hopeful that as the Collaborative's work progresses, implementable solutions will be identified for Brevard County and other stakeholders that address encouraging solar installations and reducing barriers to similar technology.

As WISER and the ECFRPC Regional Resiliency Collaborative return recommendations and implementable solutions, it is anticipated, given the Board's previous approval of other alternative energy initiatives, that citizens will continue to realize Brevard County Government's commitment to clean energy, sustainability and resiliency.

- (B) There are 33.5 miles of bike trails built and 363 miles of "existing" bicycle facilities such as on-street marked bike lanes, marked sharrows, buffered bike lanes, cycle tracks and shoulders with a width of 5' or greater" in Brevard County. These mileages include the entirety of Brevard County not just unincorporated. Parks and Recreation contracts out and issues permits for water activities in certain parks. These contractors provide water activities such as non-motorized boat tours, motorized boat tours and air boat tours. We also have an agreement with Island Watercraft which rents beach /water equipment at Lori Wilson and the County has a Recreation Partner Agreement with a model sailing club.

- (C) The Brevard County Utility Services Department constantly monitors the collection system along with assessing its integrity in order to address areas of concern by either repair or replacement. In addition to our efforts of maintaining the existing system we are constantly moving forward in connecting homes currently on septic to a sewer system. This effort has been proven to improve the environment.
- (D) Through voter initiatives, the County has acquired over 2,200 acres of beach and riverfront property that is currently in the Parks & Recreation land inventory. Some of the properties were developed with amenities (parks) and some of the properties remain undeveloped. The Environmentally Endangered Lands EEL Program was established in 1990 to protect the natural habitats of Brevard County by acquiring environmentally sensitive lands for conservation, passive recreation and environmental education. This initiative was so important to the voters in Brevard County they voted to tax themselves for the acquisition and maintenance of Brevard's natural areas. The EEL currently programs - owns and/or manages over 17,000 acres of property throughout Brevard County. In 1984, the voters of Brevard County overwhelmingly approved a referendum which called for a ½ mil increase in ad valorem taxes to finance a bond issue for acquisition and subsequent development of beach and riverfront property in the County. Six categories of river access property to be purchased were identified – scenic preservation, boating access, community river park, urban district river park, river trails and conservation areas. Five categories for oceanfront land to be purchased were identified – neighborhood beach walkway, neighborhood beach park, community beach park, regional beach park, and a barrier island park.
- (E) The UF/IFAS Extension Service's Urban Horticulture Agent's programing focuses on Eco Friendly landscaping by promoting soil health to produce healthier plants, nutritious food and to protect water quality. Information on how to improve soil health, along with Florida-Friendly Landscaping (this is UF's trademarked program which teaches Eco Friendly practices) practices are disseminated and taught in multiple ways, including the following:
- 1) A Florida-Friendly Landscaping class series (8 weeks) and the Be Healthy: Grow Your Own Food class series (4 weeks) are held every year.
 - 2) My Brevard Yard site visits are conducted at residents' homes. The site visit includes a soil test, irrigation water test if the source is a well and an irrigation zone is calibrated and all their questions are answered. When the soil test is received a fertilizer recommendation is created, based on the soil test, and additional information is provided, along with the soil test results and the fertilizer recommendation, on practices to improve and maintain soil health. The agent works with others within the county as well as the cities of Melbourne, Satellite Beach, Palm Bay and Kathy Hill of the Indian River Lagoon National Estuary Program to plan and implement a free, annual event called the Florida-Friendly Landscaping Seminar. This year's event was held on Saturday, February 8th, at the Eau Gallie High School Auditorium. Both Kathy Hill and the Urban Horticulture Agent presented at this annual event.
 - 3) Soil health information, to support Eco Friendly Landscaping, is also disseminated through weekly articles in the Sunday, Florida Today paper, email questions and phone calls from residents.
 - 4) The Urban Horticulture Agent also runs the Master Gardener program. In this program area, interested residents are trained, once a year, as Master

Gardeners by attending a 10-week series of classes. Master Gardeners volunteer their time to assist residents with gardening and pest questions. A group of Master Gardeners also helps the agent by conducting My Brevard Yard site visits. The Master Gardeners also staff our Cocoa office and answer phone calls and walk-ins who have gardening/pest questions. In addition, they also staff 14 Master Gardener clinics, which are held at locations throughout the county.

- (F) Pertaining to litter enforcement, the description provided relates to roadways and waterways, with litter escaping moving vehicles and boats. Law enforcement such as the Brevard County Sheriff's Office, and all municipal and state agencies including Florida Highway Patrol and Marine Patrol, are authorized to enforce state statute 403.413, the "Florida Litter Law", and would be the appropriate authority for the described concerns. Additionally, the Brevard County Natural Resources Management Department (NRMD) has a Derelict Vessel Program in place whereby the owner or lienholder is billed for storage and removal costs. More information can be found at <https://www.brevardfl.gov/NaturalResources/BoatingWaterways/DerelictVessels>.

Staff Recommendations:

Accept with noted modifications.



BOARD OF COUNTY COMMISSIONERS

Parks and Recreation Administration

2725 Judge Fran Jamieson Way

Building B, Room 203

Viera, Florida 32940

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *FA*
Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager *JL*
Community Services Group

FROM: Mary Ellen Donner, Director *MED*
Parks and Recreation

DATE: January 15, 2020

SUBJECT: Citizens Efficiency and Effectiveness Recommendation # 2020047
Kiwanis Island Tennis Courts

Recommendation: Accept

Citizen Efficiency and Effectiveness Recommendation (CEER) document # 2020047 was submitted by Mr. Tommy Blair. Mr. Blair recommends "repair and paint" the Kiwanis Island Park tennis courts.

Staff offers the following:

Regular maintenance, such as blowing off the courts, trash removal and weed control, is performed weekly at the Kiwanis Island tennis courts. The most recent upgrade to the eight tennis courts was in June 2019. Thirty-two new LED lights, including new brackets, were installed.

Prior to the December 2019 holidays, staff and the Kiwanis Island Park contracted tennis instructor walked the tennis courts noting needed maintenance. The net stanchion poles were identified for repair. Temporary repairs were made to the net stanchion poles on January 11, 2020. On January 15, 2020 staff met with NIDY Sports – Tennis Court Construction to discuss a stanchion product that will withstand the corrosive salt environment that exists on Merritt Island. We will be replacing the poles in 2020.

Staff recognizes the need to resurface the eight tennis courts and will add the resurfacing of all eight tennis courts in the budget for Fiscal Year 2020/2021. The NIDY Sports' representative did not recommend painting the lines as he felt that the lines could not be re-painted over the



BOARD OF COUNTY COMMISSIONERS

Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

existing lines without distracting variation (they could not paint them exactly over the current lines) and recommended that the new lines be incorporated into the re-surfacing project.

Staff Recommendation:

The Department recommends the Board of County Commissioners accept Citizen Efficiency and Effectiveness (CEER) 2020047 and the budget will amended to include the resurfacing of all tennis courts at Kiwanis Island Park.



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Corrina Gumm, Interim Public Works Director/Traffic Operations Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020048
Adopt a Crosswalk

DATE: March 20, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Mr. Douglas Rowlett that described the following Problem and Recommendation.

Problem: "Reducing deaths that occur when pedestrians cross roads using established crosswalks."

Recommendation: "My thought would be to create an Adopt a Crosswalk Program that might be administered similar to the Adopt a Road Program. This would help create local community or neighborhood ownership in many-most crosswalks in Brevard County as well as cities-if cities did the same. Sponsors would get signs put up with their names on them- placed by each crosswalk they sponsor. Sponsors could be local businesses or non-profits, community groups, school groups etc. They might be able to raise funds locally to provide special items for their crosswalk such as the crossing flags. Maybe they would be able to raise funds to help put up the electric flashing light crossing or new reflective signs, or funds to help ensure that the sponsored crosswalk is painted often enough to be kept looking new and bright and visible day and night to drivers in vehicles. Sponsors could be sought at the same time new crosswalks are proposed which would help to enhance local support/involvement and may provide additional funds to enhance the features planned for each specific crosswalk proposed. Program could be administered by Public Safety Department or maybe even a Public Safety Group. Seems like this could save the county money in the long run by having locals keeping a watchful eye out for their crosswalks, maybe raise funds that the county would not need to to raise- to maintain or upgrade each crosswalk. It would also create local pride and likely could result in lives saved-which would be the biggest reward for sure."

Staff Analysis:

Brevard County Traffic Operations has received a few requests for pedestrian flags at existing marked midblock (uncontrolled) crosswalks on county roads as well as on Highway A1A, a state road. We currently maintain pedestrian flag installations at two marked midblock (uncontrolled) crosswalks along Riverside Drive in the unincorporated area north of Indialantic. They have generated positive feedback; however, there is concern that the future maintenance responsibility will cause a burden on staff as the program expands countywide. For that reason, we need to develop guidelines for future installations. For the two locations on Riverside Drive, it is a convenient location for us to monitor the status regularly and we have replaced the occasional missing flags. Staff is concerned about the future ongoing maintenance as the idea expands to crosswalks throughout the county and while we continue to struggle with inadequate staffing levels.

The initial installation on Riverside Drive was in August 2018 and cost approximately \$200.00 per location. The cost included orange flags on wooden dowels which we modified to add high intensity reflective material, containers with drain holes to hold the flags, and crosswalk flag instructional signage. Below is an image of one of these locations.



In the case of Highway A1A, the Florida Department of Transportation (FDOT) has advised that they will allow the County to install the flags and holders within the state road right-of-way at an existing marked crosswalk as long as there is a plan to maintain the items. There is language in Florida statutes that requires the local government to submit this type of request to FDOT and agree to accept maintenance responsibility. For example, there are locations on Highway A1A within the Town of Melbourne Beach where the town has obtained FDOT approval and agreed to maintain the flag systems.

Alternative pedestrian safety improvements could be the installation of flashing beacons; however, that solution is often determined to be cost prohibitive and the actual improvement to safety is uncertain. Brevard County Traffic Operations has previously denied the installation of flashing beacons at uncontrolled crosswalks on county roads for various reasons, including the primary concern that they give a false sense of security to the pedestrian.

Brevard County Traffic Operations has considered developing a pedestrian flag pilot program where we partner with a sponsor, similar to an Adopt a Crosswalk Program, with the understanding that they would be responsible for monitoring the flags and purchasing replacements as needed. We would provide the initial installation and would also continue to maintain the signage and pavement markings. We've received positive feedback on this idea and it is our desire to develop this idea as soon as time allows.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept with modification CEER #2020048.



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Corrina Gumm, Interim Public Works Director/Traffic Operations Program Manager

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2020049
Citizen input on saving

DATE: February 14, 2020

Citizen Recommendation:

A Citizen Efficiency and Effectiveness Recommendation (CEER) was submitted to Brevard County from Ms. Lea Williamson that described the following Problem and Recommendation.

Problem: Start by listening to your citizens when we say the crosswalks on A1A don't work, maybe save a life. Then stop dumping money on the beach to be washed into the ocean. Stop hiring the good old boys and hire people who actually work instead of the 50-year-old white boys leaning on their county trucks chatting it up everywhere. Just open your eyes, or does Brevard have "eyes that do not see and ears that do not hear?" (words from Jesus-you probably didn't know) Grew up in Brevard and nothing has changed in 50 years except prices and traffic. Still run by privileged white men. No diversity no brains no brawn.

Recommendation: Maybe kids wouldn't die on A1A. Oh but wait, there's no profit in that for the county. So you'll just keep killing us to pad your buddy's businesses.

Staff Analysis:

The Public Works Department has been asked to provide input on the following item:

Item a. The crosswalks on A1A don't work

Highway A1A is under the jurisdiction of the state, specifically the Florida Department of Transportation (FDOT), District Five. On January 7, the Board voted unanimously to approve two measures directed at getting the State of Florida to remove Rectangular Rapid Flashing Beacon

crossing signal systems that create confusion for motorists. The Board authorized a letter to Florida Governor Ron DeSantis to direct state officials to prioritize this effort and to push for a reduced speed limit along State Road A1A in the Satellite Beach/Indialantic/Indian Harbour Beach area. The Board also authorized a letter to the County's state lobbyist requesting Florida Department of Transportation's removal of the yellow flashing light systems along roads in Brevard County. The letter recommends replacement of the flashing light systems with the HAWK system, which includes a red light that would prompt motorists to stop. That letter was shared by Commission Chair Bryan Lober with Brevard County's legislative delegation, Florida Department of Transportation Secretary Kevin Thibault, and the mayors of Satellite Beach, Indialantic, Indian Harbor Beach and Melbourne Beach.

On Monday, January, 13, and on the eve of the State Legislative Session, State Representative Randy Fine filed a "Turn the Flashing Yellow Crosswalks Red" bill, which would require all flashing-yellow Crosswalks that are not located at a road intersection to be equipped with pedestrian-activated red lights by 2024.

Letters formally submitted by Commission Chairman Bryan Lober to state Lobbyist Ronald Book and Governor DeSantis are included here.

Staff Recommendation:

Staff recommends that the Board of County Commissioners accept with modification CEER 2020049 Item "a."



BOARD OF COUNTY COMMISSIONERS

Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

Inter-Office Memo

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager
Virginia Barker, Director, Natural Resources Management 

FROM: Mike McGarry, Program Manager

DATE: January 17, 2020

SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 49b –
Beach Nourishment

RECOMMENDATION: Reject CEER #49 due to acknowledgment that investment in beach renourishment is an investment in the quality of life of County residents and provides a positive return on investment for our local economy. Also, due to previous Board consideration and action.

Question: The citizen's request received by the County from Lea Williamson of Melbourne includes the following:

Problem Description: Stop dumping money on the beach to be washed into the ocean.

Recommendation Description: N/A

Analysis:

Brevard County has chosen to use beach nourishment as a management tool to protect upland infrastructure, tax base, and our tourism-based economy. Maintaining public beaches is vitally important to both locals and visiting tourists. Starting in 2000, the County Commission entered into 50-year partnership agreements with the US Army Corps of Engineers for federal shore protection (aka beach nourishment) projects that now encompass roughly 21 miles of the Brevard County shoreline. In order to get Congressional authorization for these federal projects, extensive economic analysis was completed to assure the benefit to cost ratio was positive and that projects provide a net benefit not just to Brevard County but to the nation. The benefit to cost (B:C) ratio for the remaining life of these projects varies but is consistently over 2:1, thus demonstrating the projects are economically responsible.

In addition to federal cost-share, Brevard County gets significant cost share for our beach projects from the Florida Department of Environmental Protection (FDEP). To evaluate the economic return on investment of the FDEP program, an independent (from FDEP) study was completed by the Florida Office of Economic and Demographic Research in 2015. The study determined that maintenance of beaches through beach nourishment was extremely important to the State, both from a storm protection and recovery perspective, as well as from a tourism branding perspective. The final result of the study showed the state's investment in beach nourishment provided a positive return on investment (ROI) of \$5.40 for every \$1 of state investment. This ROI provides another example that beach restoration projects in the state of Florida provide a significant positive economic return.

Here in Brevard County our beaches are enjoyed by locals and visitors alike. The B:C ratio calculated by the Army Corps of Engineers for Brevard County projects as described above is typically over 2:1. It is important to note that due to federal policy these benefits considered are primarily storm damage reduction benefits rather than recreational or tourism benefits. Brevard County funds its cost share for beach restoration with a portion of the tourism bed tax, a portion of this tax is collected specifically for and dedicated to beach maintenance. Brevard County receives significant economic benefits from tourists who enjoy the beaches we maintain. In 2017 tourists spent \$2.1 billion in Brevard County, which represents 9% of the County's GDP. Studies show beaches are far and away the most common activity enjoyed by tourists, so the County's investment in beaches is important to maintaining this important part of Brevard's economy.

In addition to being economically responsible, the projects are also environmentally responsible. The image below shows that ten years after nourishment the projects provide healthy dune habitat where nesting numbers for green turtles continue to set records. The newest Mid Reach project was particularly designed to minimize impact to the nearshore reef and was approved by federal and state environmental agencies.



Breakers Condominium Melbourne Beach, Before and After Beach Nourishment

Staff Recommendation:

Reject CEER #49 due to acknowledgment that investment in beach renourishment is an investment in the quality of life of County residents and provides a positive return on investment for our local economy. Also, due to previous Board consideration and action.



BOARD OF COUNTY COMMISSIONERS

Information Technology Department

2725 Judge Fran Jamieson Way
Building C, Suite 203
Viera, Florida 32940

Inter-Office Memo

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager Board of County Commissioners

FROM: Jeff McKnight, Director 
Lois Boisseau, Assistant Director
Information Technology Department

DATE: January 13, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020050

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified an issue with the Property Appraiser's Office Homestead Exemption on-line process. The Problem Description noted the lack of ability to check the status of the submitted exemption request.

CEER #2020050 goes on to recommend, as a potential solution, the following:

"Recommendation is for the web-site/sites for all county applications are redesigned, to be full purpose from start of the application process to the decision. With all applications in one area it would be quicker and easier for residents to file and have the ability to upload documents. It would also streamline paperwork for the resident and the county reducing the amount of printed materials. Ultimately this would make all residents of the county have peace of mind that all the information they could or should need is available at their fingertips now and for generations to come."

Information Technology Department staff, under the Board of County Commissioners, reviewed the recommendation extensively and concluded:

The recommendation has been deferred to the Property Appraiser's Office Information Technology Department. Although, this appears to be a process-oriented matter rather than a technical issue and thus our department can be of limited benefit to the situation. We are happy to extend any assistance to the Office of the Property Appraiser in any way possible.

Constitutional Offices, such as the Property Appraiser, operate independently of the County Board of County Commissioners. As such, their websites and applications are also independent although all offices provide cross-linking of their resources where prudent and convenient for the residents of Brevard County.

Brevard County Board of County Commissioners has recently updated the County website in order to promote transparency and convenience for County residents. Extensive Improvements to allow easier access to resources for disabled persons has been a priority for the past couple of years and we are approaching our goal of being fully compliant with Web Content Accessibility Guidelines (WCAG) 508. With ever changing technologies, websites and applications require continuous maintenance and upgrades to maintain compatibility with all the different types of devices that require access and the County is routinely applying these upgrades and testing new devices for proper operation.

The County also monitors external activity and provides quick links to most popular applications. For applications that are used less frequently, a search tool is available that will assist the user in finding the resources necessary.

It is recommended that the Board of County Commissioners accept Citizen Efficiency and Effectiveness Recommendation (CEER) 2020050. The County website is a dynamic application in that it is continuously changing and improved based upon user activity and feedback.



Inter-Office Memo

BOARD OF COUNTY COMMISSIONERS

TO: Brevard County Board of County Commissioners

THRU: Frank Abbate, County Manager *YBA*
Board of County Commissioners

THRU: Jim Liesenfelt, Assistant County Manager *JL*
Community Services Group

FROM: Ian Golden, Director *IG*
Housing and Human Services Department

DATE: January 21, 2020

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2020051

A Citizen Efficiency and Effectiveness Recommendation (CEER) document was submitted that identified a problem regarding "The lack of affordable housing..." and that it is "...causing many seniors to live in substandard housing...". The CEER also describes the State Legislature's sweep of Florida's dedicated affordable housing trust fund over the past decade.

CEER #2020051 contains two recommendations as a potential solution. The first is included in the Current Problem section and recommends "...that the priority for distributing these funds be determined by percentage of seniors within each county in Florida or by country [sic] population." The second recommends "...action from local elected Commissioners to work with County elected House of Representatives and State of Florida Senators to develop legislation that would require the use of the Sadowski Fund [sic] which was developed to build affordable housing to be used for the purpose intended..."

Staff offers the following:

- It appears that this CEER is seeking to address how the state calculates allocations from the housing trust fund by utilizing senior or total county population.

The current funding methodology is a part of Florida Statute 420.9073 and already utilizes population as a factor. No action is required on the part of the Board of County Commissioners.

The Florida Legislature, per Florida Statute 420.6015, determined that "decent, safe, and sanitary housing for persons of very low income, low income, and moderate income are a critical need in the state" and "new and rehabilitated housing must be provided at a cost affordable to such persons in order to alleviate this critical need". In order to facilitate this legislative finding, the State Housing Initiatives Partnership Program (SHIP) was created (Florida Statute 420.9072). SHIP provides sustainable homeownership and rental housing for Florida's

workforce, helps prevent homelessness, and provides emergency repairs and disaster recovery for Florida's most vulnerable residents, including the frail elderly, persons with disabilities, and veterans.

SHIP distributes trust funds to counties and eligible municipalities. In Brevard the five recipients of that funding are Brevard County Government (administered through the Housing and Human Services Department) and the municipalities of Palm Bay, Melbourne, Cocoa, and Titusville.

- It appears that this CEER is seeking to address collaboration between the Board of County Commissioners and State Legislators on legislation to reduce or eliminate the reallocation (or sweep) of housing trust funds to non-housing purposes.

Data for the last seven years regarding funding distributions to Brevard County (including the municipalities) indicates that only 34.9% of the available funding was allocated (see attached) and resulted in a sweep of more than \$25 million over that time period.

The Board of County Commissioners has included support for full SHIP funding in its priority list to our Legislative Delegation for most of the last decade, including the package for the 2020 legislative session. Additionally, Senator Debbie Mayfield has introduced Senate Bill 306 and Representatives David Silvers and Sam Killebrew have introduced House Bill 381, which would prohibit the State Housing Trust Fund and the Local Government Housing Trust Fund from a provision authorizing the Legislature to transfer unappropriated cash balances from specified trust funds to the Budget Stabilization Fund and the General Revenue Fund.

The Sadowski Housing Coalition (Coalition) is a nonpartisan collection of over thirty statewide organizations whose membership includes business and industry groups, advocates, government and planning organizations, and faith-based organizations. The Coalition publishes Local Economic Impact Reports on an annual basis for each legislator in the state. These reports identify the projected full funding for each county as well as the economic impact, number of homes, people housed, and jobs created. The Coalition's 2020/21 State fiscal year impact report for Brevard County indicates that full funding (including the county and municipalities) is estimated at \$6,983,692. The report estimates that these funds would result in a \$92,688,475 positive economic impact, 305 homes being built, sold, renovated, or retrofitted, 763 people being housed, and the creation of 648 jobs.

Staff Recommendation:

It is recommended that the Board of County Commissioners accept Citizen Efficiency and Effectiveness Recommendation (CEER) 2020051. Staff will continue its efforts with the County's state lobbyist to support Senate Bill 306 and House Bill 381.

State Housing Initiatives Partnership Program
Available Funding versus Actual Allocation
State Fiscal Years 2014 through 2020

	2013/14		2014/15		2015/16		2016/17	
	Available	Allocated	Available	Allocated	Available	Allocated	Available	Allocated
Brevard	\$2,271,732	\$475,584	\$2,571,405	\$1,405,268	\$2,819,348	\$1,478,356	\$3,541,781	\$1,966,748
Cocoa	\$128,812	\$26,966	\$146,937	\$80,391	\$162,469	\$85,193	\$204,100	\$115,796
Melbourne	\$575,984	\$120,581	\$651,977	\$356,304	\$717,911	\$376,444	\$901,869	\$503,320
Palm Bay	\$774,501	\$162,140	\$882,087	\$482,058	\$972,277	\$509,824	\$1,221,414	\$679,500
Titusville	\$325,290	\$68,099	\$368,268	\$201,257	\$405,158	\$212,449	\$508,975	\$286,647
Totals	\$4,076,319	\$853,370	\$4,620,674	\$2,525,278	\$5,077,163	\$2,662,266	\$6,378,139	\$3,552,011

	2017/18		2018/19		2019/20		2014 – 2020 (cumulative)	
	Available	Allocated	Available	Allocated	Available	Allocated	Available	Allocated
Brevard	\$3,295,492	\$1,349,513	\$3,486,984	\$468,029	\$3,874,075	\$485,884	\$21,860,817	\$7,629,382
Cocoa	\$194,027	\$80,819	\$208,009	\$27,919	\$231,602	\$29,047	\$1,073,401	\$446,131
Melbourne	\$843,365	\$345,243	\$887,504	\$119,122	\$986,766	\$123,759	\$5,565,376	\$1,944,773
Palm Bay	\$1,138,572	\$468,557	\$1,212,124	\$162,693	\$1,355,224	\$169,971	\$7,556,199	\$2,634,743
Titusville	\$480,307	\$197,531	\$508,676	\$68,275	\$570,584	\$71,562	\$3,167,258	\$1,105,820
Totals	\$5,951,763	\$2,441,663	\$6,303,297	\$846,038	\$7,018,251	\$880,223	\$39,425,606	\$13,760,849

Note: Data compiled from Florida Housing Finance Corporation documents on Actual distributions and the Sadowski Housing Coalition projected distribution estimates.



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

FROM: Eden Bentley, County Attorney
Shannon L. Wilson, County Attorneys' Office
Drew Brewer, Asst. County Attorney

SUBJECT: CEER #2020052 – Purchase of Florida East Coast Railway

DATE: February 14, 2020

RECOMMENDATION: Reject. The purchase of the Florida East Coast Railway is cost prohibitive. It is doubtful there is a legal way for the County to raise the funds to participate in such a purchase.

ISSUE:

This Citizen Efficiency and Effectiveness Recommendation was received by the County from Mr. James Walton. His suggestion is as follows:

"The railroad" (referring to Florida East Coast Railway) "running thru Brevard County does little for the residents here but for decades it has blighted what should be some of (the) best neighbor hoods and business areas for fifty miles along US 1. It has often been a danger and a nuisance that has lead (sp) to dozens of fatalities. I know its outside the box but could the counties from St. Augustine to Palm Beach work together to purchase controlling interest in Florida East Coast Railroad and shut it down? Sell off its assets and land, offering to purchase first refusal to owners of adjoining land and selling the rails for scrap. Perhaps some of the land could be used for bike paths of trolleys of some sort that benefit the area...."

This office has been tasked with providing a response as to the recommendation.

ANALYSIS:

The suggestion made is understandable in light of issues regarding noise and safety relating to the operation of the Florida East Coast Railway over the years. However, there are several practical issues - whether the County could compel a sale if Florida East Coast Railway was not willing to sell voluntarily, the cost, and assuming those first 2 issues were addressed, the source of the needed funds.

Subject: CEER #2020052, Purchase of Florida East Coast Railway
Date: 2/14/20

Voluntary Sale/Eminent Domain

It is doubtful that the Florida East Coast Railway would be willing to sell the railway. Brevard has recently been involved in very contentious negotiations with the Florida East Coast Railway over the railway crossing at the Pineda Causeway and the purchase of County land at Pine Street (Canaveral Groves area at State Road 528). Florida Department of Transportation has spent approximately \$23M on the Pineda Causeway flyover bridge over the Railway.

At the time Grupo Mexico's Intended purchase of Florida East Coast Railway was announced, Alfredo Casar, President and Chief Executive Officer of GMXT (the transportation business unit of Grupo), commented:

"The acquisition of [Florida East Coast Railway] FEC is an important strategic addition to our North American transportation service offering. Our acquisition of the [Florida East Coast Railway] FEC will significantly enhance the scope, scale and diversification of our service."¹

According to the International Railway Journal, Grupo Mexico completed its acquisition of the Florida East Coast Railway in 2017 for \$2.1B². The cited article stated the acquisition positions Grupo as a "relevant player in the North American transport market, together with its current operations in Mexico and the state of Texas." It is unlikely that Grupo Mexico would have incurred that purchase price with any desire to turn around and sell.

The Brightline/Virgin USA passenger train system, owned by Fortress Investment Group and minority investor Virgin Group, also has dual ownership of the corridor and the right to operate passenger service on the tracks from Miami to Cocoa. The company is investing \$1.5 billion in track upgrades between Miami and Cocoa. The company is also currently extending the railway from Cocoa to Orlando.

Assuming Grupo/Brightline are not interested in selling, the question is raised as to whether the County could force the purchase/sale, i.e. condemnation pursuant to the various counties power of eminent domain.

The County may have the power of eminent domain over railroads³. However, the real issue is public purpose. Florida Statute Section 73.014 specifically prohibits any entity with the power of eminent domain from taking private property for the elimination of nuisances or blight. Accordingly, the purpose put forth by the citizen inquiry will not be a viable basis to exercise the power of eminent domain. Meanwhile, there is a competing public purpose, namely a functioning railway that serves the east coast of Florida with freight service and future

¹ <https://fecrwy.com/uncategorized/blog-holdings-corporation/>

² <https://www.railjournal.com/regions/north-america/grupo-mexico-completes-florida-east-coast-acquisition/>

³ Florida Statute Section 127.01. Fla. Stat. §337.27, Section 2.3.B, *Florida Eminent Domain Practice and Procedure*, 10th Ed.

Subject: CEER #2020052, Purchase of Florida East Coast Railway
Date: 2/14/20

passenger transportation service. In addition, Brevard already has a functioning trail system installed by Florida Department of Transportation as part of the coast to coast trail that encompasses some areas of previous Florida East Coast Railway right-of-way.

Under either scenario of a voluntary sale or condemnation, Brevard would also have the issue of coordinating and negotiating with 7 other counties (Palm Beach, Martin, Saint Lucie, Indian River, Volusia, Flagler and Saint Johns) – and likely Miami-Dade and Duval given the Florida East Coast Railway runs to those counties as well. Such negotiations would ultimately be open to the public and also available to the Florida East Coast Railway/Brightline. The Florida East Coast Railway/Brightline would have access to all negotiation strategy and would likely be able to maximize the price even assuming there was a way to ‘compel’ a sale.

Cost

As mentioned above, Grupo purchased the Florida East Coast Railway for \$2.1B. Given its continuing investment, the cost to buy/condemn the property in question would be greater. Given the intent is to purchase to shut the Florida East Coast Railway down, Grupo/Brightline would certainly negotiate for their cost in diverting rail traffic to other routes. Grupo/Brightline would certainly claim business damages. Presumably Florida East Coast Railway has existing contracts with various entities to handle the transport of their goods which would add to damages claims. Attorneys’ fees, appraisers, expert costs, etc., will all add to the cost on both sides. There is a question as to whether other railways could handle increased rail traffic – well beyond the scope of this memo - but if other railroads could not handle it, that would certainly drive up Grupo/Brightline’s business damages claim in terms of the need to find/build other routes.

There is additionally the difficulty of dividing up the cost among 8 to 10 counties. It is unlikely all counties would feel that the cost should be divided equally, which would create another challenge. Again, all such negotiations between the counties would be ‘in the Sunshine’ such that Grupo/Brightline would have access to any strategy discussions.

Source of Funds

This list is not exhaustive, but rather focuses on the common sources which raise the most revenue or are used to fund large projects.

Property/ad valorem taxes

Brevard County has several charter provisions (see for the below) which govern the imposition of ad valorem revenue. Currently, Brevard has a “charter cap” that makes ad valorem revenues an unlikely source. The Board of County Commissioners would have to raise the ad valorem rate far beyond its current rate which would take a supermajority vote.

2.9.3.1. Limitations on growth in ad valorem tax revenues.

(a) Unless otherwise allowed by this subsection 2.9.3.1, the Board of County Commissioners shall not impose any ad valorem tax for county purposes at a millage rate which causes the budgeted revenue there from to the County to increase over the budgeted ad valorem revenue for the previous fiscal year by more than the lesser of: (1) three percent, or (2) the percentage change in the Consumer Price Index from the preceding calendar year, as measured in accordance with Section 193.155(1)(b), Florida Statutes (as that Section exists in 2008 or may thereafter be amended or transferred).

(b) Unless otherwise allowed by this subsection 2.9.3.1, the Board of County Commissioners shall not impose any ad valorem tax for municipal purposes within any municipal services taxing unit, or for district purposes of any district for which the Board has the power to fix or approve the millage rate, at a rate which, for such unit or district, causes the budgeted revenue of the unit or district from ad valorem taxes to increase over the budgeted ad valorem revenue for the previous fiscal year by more than the lesser of (1) three percent, or (2) the percentage change in the Consumer Price Index from the preceding calendar year, as measured in accordance with Section 193.155(1)(b), Florida Statutes (as that Section exists in 2008 or may thereafter be amended or transferred).

(c) Notwithstanding paragraphs (a) and (b) of this subsection, the Board of County Commissioners may impose an ad valorem tax for county, municipal or district purposes at a rate which exceeds the limitations in paragraphs (a) and (b), if a supermajority of the Board concurs in a finding that such an excess is necessary because of emergency or critical need. The finding shall set forth the ultimate facts upon which it is based, and shall be valid for a single budget year.

(d) In calculating the allowable increase in ad valorem revenues over the ad valorem revenues budgeted for the previous year under paragraphs (a) and (b) of this subsection, the Board of County Commissioners shall exclude from the anticipated revenues all revenue changes from the following kinds of property not appearing on the previous year's roll: (1) new construction; (2) additions to or demolitions in whole or in part of existing construction; (3) changes in the value of improvements that have undergone renovation to an extent of not less than 100% increase in assessed value (as measured from the last year of assessment prior to commencement of renovation); and (4) in the case of municipal service taxing units or districts, any properties added since the previous year's roll by reason of boundary changes.

(e) Nothing in this subsection shall authorize imposition of a millage rate which exceeds the rate prohibited by the constitution or general laws of Florida, or

Subject: CEER #2020052, Purchase of Florida East Coast Railway
Date: 2/14/20

prohibit imposition of a millage rate which is required by the constitution or general laws of Florida or by any final order of a court of competent jurisdiction. Nothing in this subsection shall apply to any millage necessary to the payment of general obligation bonds in accordance with all bond covenants, or to any other millage approved by referendum of the electors, whether before or after the effective date of this subsection. (Amd. 11-4-08)

Likewise, there are provisions in the Florida Constitution and state statutes that regulate/limit how property taxes are calculated/imposed.

Likewise, the vast majority of ad valorem taxes (also referred to as the General Fund in the County's budget), is used to fund the Charter offices, i.e. Sheriff, Property Appraiser, Supervisor of Elections, etc...⁴

Based upon the limitations on the collection of ad valorem taxes and the current expenditure of these dollars, sufficient ad valorem taxes would not be available for this project.

Bonds

Brevard County, in addition to all state laws and federal regulations relating to the issuance of bonds, has the following charter provision regarding issuing bonds to finance

5.3.1. Bonds.

In addition to the limitations on general obligation debt imposed by the State Constitution, the issuance by the County of notes, bonds or other Instruments of indebtedness evidencing borrowing to be paid back in part or in full by non-ad valorem tax revenues received by the County, in an amount which, individually or in combination with other issues for the same project authorized within the preceding two (2) years, exceeds \$15,000,000.00 [On 2/15/07, the Board of County Commissioners adopted Resolution No. 07-037 amending the County's debt ceiling as provided by County Charter and Ordinance No. 02- 65 to \$20,220,435.] (including administrative costs of the issue), shall be authorized only after approval by a majority vote of the electors at a special election called for that purpose or in conjunction with any regular election. No proceeds of instruments of indebtedness shall be issued to finance current operations of County Government, except that part of current expenses directly allocable to capital projects. Nothing in this section prohibits issuance of tax anticipation notes payable in one year or less.

⁴ <https://www.brevardfl.gov/docs/default-source/budget-documents/budgetmessageadoptedfy2019-2020.pdf?sfvrsn=6>.

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5.3.3.Exceptions.

The limitations in the foregoing subsections do not apply to projects mandated by judicial decree, self-liquidating projects, utility or other enterprise funds, road projects funded by gasoline taxes, or to the refinancing of any existing instruments of indebtedness or certificates of participation to reduce the cost of debt service.

Given Brevard County's 'share' to buy the Florida East Coast Railway would most certainly exceed \$15M, there would be an election requirement. Even assuming there was a successful vote at election, the County would have to identify a source of funds to pay off the bonds.

Special Assessment

Florida Law does allow for special assessments purpose of providing public facilities to benefit property owners in such designated special assessment districts. And the funds from these special assessments can be used to pay off bonds.

The special assessment must peculiarly and specially benefit the property upon which the special assessments are imposed, not exceed a proportionate share of the benefits received by the property upon which the special assessments are imposed, and shall be calculated and apportioned by using any equitable means of assessment and apportionment which the governing body of a local government may prescribe including, but not limited to, square footage, front-footage, increased value, number of dwelling units, distance from the public facility, traffic generation or other impact generation factors, or any combination thereof. However, Brevard has a charter provision related to special assessments, below, which limits the Board of County Commissioners' authority to impose assessments.

5.4.1 Levy of new non-ad valorem special assessments.

Brevard County shall not levy new non-ad valorem special assessments (excluding Municipal Service Benefit Units) without the approval of a majority of the electors residing within the boundaries of the district or other area of the County where the special assessments are proposed to be levied, voting thereon at a general election or special election called for purposes of such approval. (Amd. 11-3-98)

Infrastructure Sales Surtax

Florida Statute Section 212.055(2) provides for a County to levy a .5 percent or 1 percent levy of a sales tax if approved by a majority of electors in the County for construction of infrastructure. The maximum duration 15 years. However, unless there is an interlocal agreement with the municipalities for all the revenue raised by the sales tax, the municipalities are entitled to a share based upon a statutory formula.

The sales tax funds can be used "finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to

Subject: CEER #2020052, Purchase of Florida East Coast Railway

Date: 2/14/20

prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property....” “Infrastructure” is further defined as “Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service.” Purchasing a railway to simply abandon it would not qualify as a public facility. Common public facilities the sales tax could be used for are includes those facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity; fire department vehicle, an emergency medical service vehicle, a sheriff’s office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

The Infrastructure sales surtax discussed here can be used to fund bonds for financing purposes, but cannot be used for operational costs if the railway facility could be purchased.



January 13, 2020

TO: Frank Abbate, County Manager

THROUGH: Jim Liesenfelt, Assistant County Manager *RL*

FROM: Peter Cranis, Director, Tourism Development Office *PC*

SUBJECT: CEER Recommendation 2020053, Hop On, Hop Off Space Coast

Recommendation: Accept with modification

Question:

The citizen request received by the County from Manuel P Gonzalez is as follows:

“Partnering with a company like bigbustours.com, residents and visitors, could experience the area at their own pace, while the county a) benefits from a moving population (who will consume/spend on each stop) and b) earns revenue to be used for our projects (education/infra, etc.). A Green route (stopping in selected beaches, manatees tour locations, alligators tour locations, bioluminescent kayak tour location, Zoo, USSSA, Golf resorts, etc.) could go first, while a Space route could be in the works with the help of aerospace companies (inviting them to create their own showrooms to showcase their history and latest innovations).”

Analysis:

The concept of having bus tours in Brevard County is not new. Several private companies already offer a number of tour options. The Space Coast Office of Tourism support private businesses that create great experiences for visitors. Our role is to market the destination and provide information about activities to do and places that people can go. Should a private business want to create specific tours as recommended, we would promote those through our website and on our social media platforms. If they were unique enough, it is possible we would include them in our publicity efforts.

The Space Coast Office of Tourism stands ready to support such an initiative, we recommend the Board of County Commissioners accept this recommendation with the modifications noted.

SPACE COAST OFFICE OF TOURISM
430 Brevard Avenue • Suite #150 • Cocoa Village, Florida 32922
(321) 433.4470 ext. #52981 • Fax: (321) 433.4476

COCOA BEACH • MELBOURNE BEACHES • PALM BAY • TITUSVILLE



January 13, 2020

TO: Frank Abbate, County Manager

THROUGH: Jim Liesenfelt, Assistant County Manager *RL*

FROM: Peter Cranis, Director, Tourism Development Office *PC*

SUBJECT: CEER Recommendation #2020054, Space Science Center

Recommendation: Accept with modification

Question:

The citizen request received by the County from Manuel P Gonzalez is as follows:

With all the aerospace and defense companies moving into the area, the county could get sponsoring to create a center to introduce (kids and grown-ups) to the potential of the STEM subjects in the exploration of the universe. This is another revenue generating idea (and a possible stop for the "Space Route" mentioned above) and here are couple of successful examples: https://en.wikipedia.org/wiki/Da_Vinci_Science_Center; https://en.wikipedia.org/wiki/California_Academy_of_Sciences embracing our uniqueness (Space, Beach, Defense, Cruises, etc.), and tapping on ideas seen somewhere else

Staff Analysis:

The concept of having a space science center in Brevard County is not new. In fact there are already several private museums and business that specialize in this such as the American Space Museum and Walk of Fame and the Kennedy Space Center Visitor Complex. The Space Coast Office of Tourism will continue to support private businesses that create great experiences for visitors. Our role is to market the destination and provide information about activities to do and places that people can go. Should a private business want to create a museum or center similar to the one described, we would promote that through our website and on our social media platforms. It is possible we would include them in our publicity efforts and possibly our advertising if it made sense. It is also possible that a venue like this would be eligible for a capital facilities grant, but they would have to go through the application process and get the Tourism Development Council Capital Facilities Committee to vote to support it before it would be brought to the Brevard County Board of County Commissioners for their consideration.

SPACE COAST OFFICE OF TOURISM
430 Brevard Avenue • Suite #150 • Cocoa Village, Florida 32922
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Staff Recommendation:

The Space Coast Office of Tourism recommend the Board of County Commissioners accept this recommendation with the noted modifications.

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430 Brevard Avenue • Suite #150 • Cocoa Village, Florida 32922
(321) 433.4470 ext. #52981 • Fax: (321) 433.4476

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County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank Abbate, County Manager
THRU: Eden Bentley, County Attorney
FROM: Christine Valliere, Assistant County Attorney
DATE: January 9, 2020
SUBJ: 2020 Citizen Efficiency & Effectiveness Review (CEER) # 55 –
Tax on Plastic Bags

Recommendation: Reject

Question:

The following suggestions were received from Manuel P. Gonzalez:

Problem Description.

This should be the easiest to implement. It will help to cut on the plastic consumption (and therefore pollution), and will be a source of revenue to keep our shore clean. <https://www.google.com/search?q=how+many+plastic+bags+are+in+the+ocean>.

Recommendation Description

Embracing our uniqueness (space, Beach, Defense, Cruises, etc.), and tapping on ideas seen somewhere else.

Staff Analysis:

The County's authority to impose taxes is limited by the Florida constitution and state law. In other words, counties do not have inherent power to impose taxes. Authorization to impose taxes must come from the Florida constitution or state law. Art. VII, §§ 1(a), 9(a), Fla. Const.
Brevard is currently preempted from passing an ordinance regulating plastic bags. Section 403.7033, Florida Statutes. The state statute specifically prohibits local

Frank Abbate, County Manager
January 9, 2020

governments from enacting any regulation "regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags."

There are currently two bills pending before the Florida Legislature to repeal the ban on local regulation of plastic bags, auxiliary items and polystyrene containers: SB 182 and an identical bill HB 6043. Even if the preemption on local government regulation in Section 403.7033 is repealed, specific statutory authority would need to be enacted to allow local taxation of plastic bags.



Brevard County Fire Rescue



Timothy J. Mills Fire Rescue Center
1040 S. Florida Avenue
Rockledge, Florida 32955

Phone – (321) 633-2056
Fax – (321) 633-2057

TO: Frank B. Abbate, County Manager

THRU: Matthew Wallace, Public Safety Director

FROM: Patrick Voltaire, Fire Chief

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024015

DATE: 04/01/2024

CEER #2024015 was received by the County from Mr. Richard Webb.

Citizen Statement:

Retired Hialeah Fire Chief Paul DeYoung reduced Rescue response time and reduced cost. More than 10 years ago he put one more person on the rescue truck (this preserved their insurance A rating) and quit rolling a fire truck to every rescue call. I had multiple calls for rescue accompanied by a gang of un-needed fire fighters. The 911 call center can discover the rare cases where a full complement of personnel is needed.

Citizen Recommendation:

Save wear & tear on equipment. Save fuel. Reduce personnel. Stop featherbedding (mission creep).

Staff Analysis:

A firetruck doesn't always accompany an ambulance in every emergency within Brevard County Fire Rescue.

Emergency response protocols may vary depending on the nature of the incident and the specific needs of the situation. In September of 2002, BCFR implemented Pro-QA. Pro-QA is a process that guides our emergency vehicle dispatchers through an algorithm while collecting vital information from the caller. Pro-QA obtains the patient's condition, from that information an appropriate level shall be dispatched. If needed, Pro-QA instructs the caller with industry approved protocols, such as bystander cardio-pulmonary resuscitation (CPR), safe positioning, etc., while the appropriate response is enroute. This process will take less than 30 seconds typically, a pre-alert will be sent to have crews moving toward their respective apparatus.

Call levels are listed as the following:

Alpha: Ambulance only

Bravo: Ambulance with lights and sirens, and Engine driving with normal traffic

Charlie: Ambulance and Engine both lights and sirens.

Over the last two years Brevard County has doubled our survivability rates of cardiac arrest patients. This is accomplished by having a minimum of 5 people on the scene (ambulance and fire truck) to manage a patient's airway, perform chest compressions, administer drugs, analyze the heart rhythm utilizing an ECG, and one person for information gathering and transport preparation.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation as BCFR has already implemented Pro-QA.

Fire Rescue will continue to utilize the PRO-QA system to prioritize emergency calls and ensure that the proper number of responders arrive on scene to aid the citizens and visitors of Brevard County.

Recommendation #2024015

Recommendation Details

Contact Information

Full Name:	Richard Webb	Email Address:	webb4brevard@gmail.com
Mailing Address:	3184 Lago Vista Dr Melbourne fl 32940	Alt Email Address:	webb4brevard@gmail.com
		Phone Number	321-480-5514

Group/Organization Election Integrity Coalition

Recommendation Information

Recommendation Title: Stop Sending Ladder Trucks To Heart Palpitations

Areas Affected: Rescue

Department: FIRE RESCUE DEPARTMENT

Retired Hialeah Fire Chief Paul DeYoung reduced Rescue response time and reduced cost. More than 10 years ago he put one more person on the rescue truck (this preserved their insurance A rating) and quit rolling a fire truck to every rescue call. I had multiple calls for rescue accompanied by a gang of un-needed fire fighters. The 911 call center can discover the rare cases where a full compliment of personnel is needed.

Problem Description:

Save wear & tear on equipment.
Save fuel.
Reduce personnel.
Stop featherbedding (mission creep).

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 16, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	FIRE RESCUE DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson
Way
Building C, Room 308
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Morris Richardson, County Attorney

FROM: Becky Behl-Hill, Assistant County Attorney

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024016

DATE: 04/01/2024

CEER #2024016 was received by the County from Robert Klimkowski.

Citizen Statement:

ARTICLE XVII. – REGULATION OF ILLEGAL ARCADE GAMING. Crosswinds immediate funding, Human Trafficking Safe Houses,

Citizen Recommendation:

Please see attached draft and disclaimer [citizen's proposed ordinance and resolution attached].

Staff Analysis:

Presently, the Florida Legislature has laws in place that address games/machines played at adult arcades. Specifically, Chapter 849, Florida Statutes, deals with gambling and slot machines, while section 546.10, Florida Statutes, focuses on skill-based amusement games or machines. Together, these provisions prohibit casino-style games typically played at adult arcades.

Gambling is prohibited by Chapter 849, Florida Statutes. Section 849.46, Florida Statutes, provides: "Whoever plays or engages in any game at cards, keno, roulette, faro or other game of chance, at any place, by any device whatever, for money or other thing of value, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083." This prohibition applies to all games of chance, which are common games at adult arcades.

The Legislature has specifically called out slot machines, making it unlawful to "manufacture, own, store, keep, possess, . . . or permit the operation of, or for any person to permit to be placed, maintained, or used or kept in any room, space, or building owned, leased or occupied by the person

Phone (321) 633-2090 • Fax (321) 633-2096

Website: www.BrevardCounty.us

or under the person's management or control, any slot machine or device or any part thereof." Section 849.15(1)(a), Florida Statutes.

A slot machine is defined as:

any machine or device . . . that is adapted for use in such a way that, upon activation . . . such device or system is directly or indirectly caused to operate or may be operated and if the user, whether by application of skill or by reason of any element of chance or any other outcome unpredictable by the user, may . . . [r]eceive or become entitled to receive any piece of money, credit, allowance, or thing of value, or any check, slug, token, or memorandum, whether of value or otherwise, which may be exchanged for any money, credit, allowance, or thing of value or which may be given in trade.

Section 849.16(1)(a), Florida Statutes.

Additionally, although Florida law provides certain exemptions for amusement games or machines, the Legislature has removed "casino style games in which the outcome is determined by factors unpredictable by the player or games in which the player may not control the outcome of the game through skill" from these statutory provisions, and specifically excludes the following from the definition of allowable amusement games or machines:

1. Any game or machine that uses mechanical slot reels, video depictions of slot machine reels or symbols, or video simulations or video representation of any other casino game, including, but not limited to, any banked or banking card game, poker, bingo, pull-tab, lotto, roulette, or craps.
2. A game in which the player does not control the outcome of the game through skill or a game where the outcome is determined by factors not visible, known, or predictable to the players.
3. A video poker game or any other game or machine that may be construed as a gambling device under the laws of this [S]tate.
4. Any game or device defined as a gambling device in 15 U.S.C. [§] 1171, unless excluded under 15 U.S.C. [§] 1178.

Section 546.10, Florida Statutes.

Further, the activity this recommendation targets is regulated by the Florida Gaming Control Commission. See Sec. 16.712, Florida Statutes (providing that the Commission is to "[e]xercise all of the regulatory and executive powers of the state with respect to gambling, including, without limitation thereto, pari-mutuel wagering, cardrooms, slot machine facilities, oversight of gaming compacts executed by the state pursuant to the Federal Indian Gaming Regulatory Act, and any other forms of gambling authorized by the State Constitution or law, excluding games authorized by s. 15, Art. X of the State Constitution.").

Finally, the fines included in the recommendation would exceed the fines permitted under Florida Statutes Chapter 162 for enforcement of code violations. Chapter 162 states, "fine[s] imposed pursuant to this section shall not exceed \$250 per day for a first violation and shall not exceed \$500 per day for a repeat violation . . . [if] the violation [is found] to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation." Section 162.09(2)(a), Florida Statutes.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024016 as the area of illegal arcade gaming is regulated by state law.

Recommendation #2024016

Recommendation Details

Contact Information

Full Name:	Robert Klimkowski	Email Address:	Rklimjr92@gmail.com
Mailing Address:	329 rheine rd Palm Bay fl 32907	Alt Email Address:	Rklimjr92@gmail.com
		Phone Number	321-468-7128

Group/Organization Launchpad Solutions LLC

Recommendation Information

Recommendation Title: ARTICLE XVII. - REGULATION OF ILLEGAL ARCADE GAMING
Areas Affected: Youth Services, Human Trafficking

Department: BOARD OF COUNTY COMMISSIONERS

Crosswinds immediate funding , Human Trafficking Safe Houses,

Please see attached draft and disclaimer

Problem Description:

Recommendation Description

Attachments

No. Type Name

1		ARTICLE XVII. - REGULATION OF ILLEGAL ARCADE GAMING (1).pdf
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Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 16, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director

ARTICLE XVII. - REGULATION OF ILLEGAL ARCADE GAMING

Sec. 62-4902. - Short title.

This article may be known and cited as the Regulation of Illegal Arcade Gaming Ordinance.

Sec. 62-4903. - Prohibition of Illegal Arcade Gaming.

Prohibition Statement: The operation, ownership, or use of illegal arcade gaming machines within Brevard County is strictly prohibited.
Definitions:

a. Illegal Arcade Gaming: Any gaming machines offering simulated gambling or chance-based gaming activities.

Sec. 62-4904. - Penalties and Fines for Violations.

Fine Structure:

a. First Violation: A fine of \$10,000.

b. Subsequent Violations: Graduated fines, escalating by \$5,000 for each subsequent offense, with a maximum fine of \$1,000,000 for 10 or more violations.

Revenue Allocation:

Fines collected from violations shall be directed towards:

a. Human Trafficking Awareness and Prevention Programs.

b. Immediate Recovery Support for Vulnerable Youth.

c. Support Services for Victims of Exploitation, managed by Life Recaptured.

d. Operational and Enforcement Resources for Combating Illegal Gaming, allocated to Brevard County Sheriff's Office (BCSO).

Sec. 62-4905. - Business Impact Estimate.

Economic Impact:

- a. Assessment of annual revenue generated from illegal arcade gaming.
- b. Estimation of economic downturn following revenue redirection due to regulatory fines.

Social and Legal Impact:

- a. Forecasting the impact on human trafficking awareness and vulnerable youth assistance.
- b. Assessment of legal implications and regulatory compliance.

Community Engagement:

- a. Stakeholder engagement analysis and public perception regarding the proposed regulations and fund allocation.

Sec. 62-4906. - Effective Date and Compliance.

Effective Date: This ordinance shall take effect within 60 days of its passing.

Compliance Period: Provide a grace period of 90 days for businesses to comply with the prohibition.

Sec. 62-4907. - Reporting and Recommendations.

Summary of Findings: Compilation of key findings from the impact assessment.

Recommendations: Actionable suggestions to maximize positive impacts and alleviate potential negative consequences of the regulatory changes.

Sec. 62-4908. - Incorporation of Impact Estimate.

The impact estimate, comprising economic, social, and legal impacts, shall be considered an integral part of this ordinance.

Sec. 62-4909. - Severability.

Invalidation of any part of this ordinance does not affect the validity of the remainder.

Sec. 62-4910. - Compliance Monitoring and Review.

Establish a framework for ongoing monitoring and periodic reviews to assess the effectiveness of the ordinance and propose amendments if necessary.

Resolution R-202X-XX: Regulation of Illegal Arcade Gaming

Whereas, the County Commissioners of Brevard County recognize the proliferation of illegal arcade gaming machines offering simulated gambling or chance-based gaming activities within the county; and

Whereas, the operation, ownership, or use of such illegal arcade gaming poses significant threats to the health, safety, morals, and general welfare of the community; and

Whereas, it is imperative to implement stringent measures to prohibit and penalize the presence and utilization of illegal arcade gaming machines to safeguard the interests of the residents and uphold lawful gaming practices; and

Whereas, redirecting fines collected from violations towards crucial programs and resources dedicated to combatting human trafficking, supporting vulnerable youth, aiding victims of exploitation, and enhancing law enforcement efforts will contribute to the greater welfare of the community;

Be it Resolved by the County Commissioners of Brevard County:

ORDINANCE NO. XX-XXXX

*AN ORDINANCE ESTABLISHING PENALTIES FOR THE OPERATION OF
ILLEGAL ARCADE GAMING MACHINES WITHIN BREVARD COUNTY*

WHEREAS, it is crucial to regulate the operation and use of illegal arcade gaming machines within Brevard County;

*BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA:*

ORDINANCE NO. XX-XXXX

AN ORDINANCE REGULATING ILLEGAL ARCADE GAMING WITHIN
BREVARD COUNTY, FLORIDA

WHEREAS, The Board of County Commissioners of Brevard
County, Florida recognizes the need to regulate illegal
arcade gaming for the welfare of the public;

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA:

Section 1: Prohibition of Illegal Arcade Gaming

1.1. Prohibition Statement: The operation, ownership, or
use of illegal arcade gaming machines within Brevard
County, Florida, is strictly prohibited.

1.2. Definitions:

a. Illegal Arcade Gaming: Any gaming machines offering
simulated gambling or chance-based gaming activities.

Section 2: Penalties and Fines for Violations

2.1. Fine Structure:

a. First Violation: A fine of \$10,000.

b. Subsequent Violations: Graduated fines, increasing by \$5,000 for each subsequent offense, reaching a maximum fine of \$1,000,000 for 10 or more violations.

2.2. Revenue Allocation:

a. Fines collected from violations shall be directed towards:

i. **Human Trafficking Awareness and Prevention Programs.**

ii. **Immediate Recovery Support for Vulnerable Youth.**

iii. **Support Services for Victims of Exploitation, managed by Life Recaptured.**

iv. **Operational and Enforcement Resources for Combating Illegal Gaming, allocated to Brevard County Sheriff's Office (BCSO).**

Section 3: Effective Date and Compliance

3.1. Effective Date: This ordinance shall take effect within 60 days of its passing.

3.2. Compliance Period: Businesses are granted a grace period of 90 days to comply with the prohibition.

Section 4: Reporting and Recommendations

4.1. Summary of Findings: Compilation of key findings from the impact assessment.

4.2. Recommendations: Actionable suggestions to maximize positive impacts and alleviate potential negative consequences of the regulatory changes.

Section 5: Severability

5.1. Severability Clause: Invalidation of any part of this ordinance does not affect the validity of the remainder.

Done and adopted in regular session this [Date] day of [Month], [Year].

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA

/s/ [Signature]

[Name], Clerk

"Disclaimer: Information is provided as a resource and platform for users to access information, tools, and services. Users are advised that the content, advice, or materials obtained through the Launchpad are for informational purposes only. While efforts are made to ensure accuracy and reliability, no warranty, explicit or implied, is given concerning the completeness, accuracy, or reliability of the information. Users agree that the use of the Launchpad is at their own risk and discretion. administrators shall not be liable for any direct, indirect, incidental, consequential, or punitive damages arising from the use or reliance on information available through this platform."

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"Identification and Non-Lobbying Clause: Participants utilizing 'Speak Up Brevard' shall provide accurate identification information upon registration or engagement. However, participation in 'Speak Up Brevard' for the purpose of sharing opinions, feedback, or engaging in discussions shall not be construed as lobbying activities. Users acknowledge that their engagement is for the purpose of civic dialogue, and any viewpoints shared are not intended to influence or promote lobbying efforts. The platform is designed for residents to express opinions and contribute constructively to discussions pertinent to Brevard County without engaging in lobbying activities."



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024017

DATE: 04/01/2024

CEER #2024017 was received by the County from Robert Klimkowski.

Citizen Statement:

Lack of Citizen Involvement with regards to Speak Up Brevard cost saving amendments

Citizen Recommendation:

\$\$.\$ Citizen Involvement with regards to Speak Up Brevard cost saving amendments

Staff Analysis:

The citizen recommendation indicates the County should consider a cash incentive or payment for citizen involvement regarding recommended cost-saving measures. The Board in August 2019 considered a similar proposal to create a mechanism by which individuals or businesses could receive a percentage of savings realized as a result of the County implementing cost-saving ideas. An agenda item seeking Board direction for the County Attorney's Office to draft a resolution or ordinance creating such a program was considered, but the Board declined to implement such a program.

Staff Recommended Action:

Staff recommends CEER #20024017 be rejected in light of the Board's previous decision to take no action on a similar proposal, and since the Board already has formal procedures in place for the submission and consideration of citizen efficiency and cost-saving recommendations in the form of the Citizen Budget Review Committee and the Citizens Efficiency and Effectiveness Recommendation (CEER) program.

Recommendation #2024017

Recommendation Details

Contact Information

Full Name: Robert L Klimkowski Jr
Email Address: Rklimjr92@gmail.com
Mailing Address: 329 RHEINE RD NW
PALM BAY fl 32907
Alt Email Address: Rklimjr92@gmail.com
Phone Number: 321-468-7128

Group/Organization

N/A

Recommendation Information

Recommendation Title:

Ordinance Acknowledging Cost-Saving Contributions

Areas Affected:

Community Involvement & Government Transparency

Department:

BOARD OF COUNTY COMMISSIONERS

Lack of Citizen Involvement with regards to Speak Up Brevard cost saving amendments

\$.\$. Citizen Involvement with regards to Speak Up Brevard cost saving amendments

Problem Description:

Recommendation Description

Attachments

No. Type Name

1  Ordinance Acknowledging Cost-Saving Contributions.pdf

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 17, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director

Ordinance Acknowledging Cost-Saving Contributions

Section 1: Recognition of Exceptional Cost-Saving Contributions

1.1 Recognition Criteria: Any proposed amendment leading to independently verified cost savings surpassing \$1 million for Brevard County shall be acknowledged as a significant cost-saving contribution.

Section 2: Innovation and Cost-Saving Acknowledgment Fund (ICAF)

2.1 Establishment of Fund: The "Innovation and Cost-Saving Acknowledgment Fund (ICAF)" is created to recognize and incentivize outstanding contributions to cost-saving amendments.

Section 3: Allocation and Oversight

3.1 Allocation: Upon confirmation of a qualifying cost-saving amendment, the Board of County Commissioners may allocate 2.5 percent from the ICAF to the individual or entity responsible for the amendment's proposal.

3.2 County Engagement: If required under Brevard County lobbying ordinances, individuals or entities receiving an allocation from the ICAF shall register as lobbyists, complying with all applicable lobbying regulations.

Section 4: Duration and Ethical Compliance

4.1 Duration: Allocations from the ICAF shall extend for a period of five years or until the sunset or termination of the respective cost-saving amendment, whichever occurs first.

4.2 Ethical Oversight: Stringent ethical guidelines and oversight mechanisms shall be established to ensure transparency, adherence to ethical standards, and regular audits of fund disbursement.

Section 5: Reporting, Review, and Sunset Clause

5.1 Reporting and Review: Annual reports detailing fund allocations, the impact of qualifying amendments, and program

effectiveness shall be prepared by the County Auditor or an oversight committee.

5.2 Sunset Clause: Allocation from the ICAF shall cease upon the termination, expiration, or sunset of the qualifying amendment, aligning incentives with the active contribution and impact of the amendment.

Section 6: Implementation and Amendments

6.1 Implementation Guidelines: The Board shall develop comprehensive guidelines for implementation, reviewable periodically for enhancements in fairness, effectiveness, and transparency, complying with Brevard County lobbying ordinances.

Comprehensive Legislation Establishing the Recognition and Incentivization Program for Cost-Saving Amendments in Brevard County

I. Introduction

1.1 Background and Rationale

- Overview of the need for incentivizing cost-saving amendments
- Summary of the proposed program's objectives and structure

II. Resolution

2.1 Purpose and Objectives

- Detailed objectives of the Recognition and Incentivization Program
- Explanation of how it aligns with Brevard County's goals and codes

2.2 Program Components

- Establishment of the Innovation and Cost-Saving Acknowledgment Fund (ICAF)
- Criteria and process for recognizing qualifying cost-saving amendments

- Allocation mechanisms and oversight procedures

2.3 Legal Rationale and Compliance

- Citations of relevant legal precedents, county codes, and state laws
- Compliance measures ensuring adherence to lobbying and county regulatory ordinances

III. Ordinance

3.1 Ordinance Establishing the Recognition Program

- Detailed provisions for the creation and functioning of the ICAF
- Allocation criteria, duration, and termination conditions
- Compliance and oversight mechanisms

IV. Analysis and Rationale

4.1 Dual Nexus Rationale

- Detailed rationale showcasing how the program benefits both revenue generation and community welfare
- Factors considered in determining qualifying cost-saving amendments

4.2 Legal Analysis and Precedent

- In-depth legal analysis supporting the program's establishment
- Reference to relevant case law and county ordinances

V. Impact Studies

5.1 Impact Studies

- Analysis of ten instances where similar recognition programs led to substantial cost savings
- Detailed documentation of their impact on revenue and community welfare

VI. Identification and Severability

6.1 Identification Clause

- Requirements and identification of individuals or entities qualifying for ICAF allocations
- Compliance with identification standards in lobbying ordinances

6.2 Severability Clause

- Assurance that the invalidation of any part of the ordinance doesn't affect the validity of the remainder

Title: Comprehensive Legislation Establishing the Recognition and Incentivization Program for Cost-Saving Amendments in Brevard County

I. Introduction

1.1 Background and Rationale

- Overview: Brevard County aims to encourage and reward initiatives leading to substantial cost savings within county operations.
- Rationale: Recognizing and incentivizing such cost-saving amendments aligns with fiscal responsibility and promotes innovative solutions within the county.

II. Resolution

2.1 Purpose and Objectives

- Objectives: The Recognition and Incentivization Program aim to acknowledge, reward, and stimulate cost-saving initiatives benefiting the county.
- Alignment: The program aligns with Brevard County's commitment to effective governance and fiscal efficiency.

2.2 Program Components

- Innovation and Cost-Saving Acknowledgment Fund (ICAF): Establishment and structuring of the fund to allocate incentives.
- Criteria: Clear criteria delineating qualifying cost-saving amendments for recognition and rewards.
- Oversight: Robust oversight measures ensuring transparency and fairness in the allocation process.

2.3 Legal Rationale and Compliance

- Legal Basis: Citing relevant laws, county codes, and legal precedents supporting the establishment of the program.
- Compliance Measures: Outlining strict adherence to county lobbying regulations and ethical standards in recognizing contributions.

III. Ordinance

3.1 Ordinance Establishing the Recognition Program

- Fund Creation: Specific provisions outlining the structure, funding mechanisms, and administration of the ICAF.
- Allocation Guidelines: Detailed guidelines on how qualifying cost-saving initiatives will be assessed, recognized, and rewarded.
- Oversight Framework: Clear regulations regarding oversight, reporting, and periodic reviews to ensure compliance.

IV. Analysis and Rationale

4.1 Dual Nexus Rationale

- Revenue and Community Impact: Explaining how recognized cost-saving initiatives benefit both the county's revenue and community welfare.
- Qualification Factors: Criteria and factors considered in determining which amendments qualify for incentives.

4.2 Legal Analysis and Precedent

- Legal Justification: Detailed legal analysis supporting the program's establishment, referencing relevant case law and ordinances.

V. Impact Studies

5.1 Impact Studies (Examples)

- **Comparative Studies:** Analyzing instances where similar recognition programs led to substantial cost savings.
- **Impact Assessment:** Demonstrating the direct impact of such programs on revenue streams and community development in various contexts.

VI. Identification and Severability

6.1 Identification Clause

- **Eligibility Requirements:** Defining eligibility criteria and documentation necessary for individuals or entities to qualify for incentives.
- **Compliance Measures:** Incorporating compliance measures aligning with Brevard County's lobbying and identification ordinances.

6.2 Severability Clause

- **Protection of Validity:** Assurance that the invalidation of any section won't affect the overall validity of the legislation.

Draft # 2

Ordinance Establishing the Innovation and Cost-Saving Acknowledgment Fund (ICAF) in Brevard County

- Ordinance No. [Insert Number]
- An Ordinance Adopting and Enacting the "Innovation and Cost-Saving Acknowledgment Fund (ICAF) Ordinance" as a Mechanism to Acknowledge, Incentivize, and Monitor Cost-Saving Contributions in Brevard County; Providing for the Repeal of Inconsistent Provisions; Imposing Penalties for Violations; and Specifying Effective Dates.
- Whereas, Brevard County aims to encourage and reward innovative cost-saving initiatives; and
- Whereas, the establishment of an Innovation and Cost-Saving Acknowledgment Fund (ICAF) is deemed essential for this purpose.

- Now, Therefore, Be It Ordained by the Board of County Commissioners of Brevard County, Florida:
- Section 1. Establishment and Purpose
- The "Innovation and Cost-Saving Acknowledgment Fund (ICAF)" is hereby established to recognize and incentivize outstanding contributions to cost-saving amendments within Brevard County operations.
- Section 2. Fund Components
- 2.1. Criteria: Clear and stringent criteria are set to identify and acknowledge qualifying cost-saving amendments surpassing \$1 million independently verified savings for Brevard County.
- 2.2. Allocation Mechanisms: Upon confirmation of a qualifying cost-saving amendment, the Board of County Commissioners may allocate 2.5 percent from the ICAF to the individual or entity responsible for the proposal.
- 2.3. Oversight and Compliance: Stringent ethical guidelines, oversight mechanisms, and compliance with Brevard County lobbying ordinances shall be established to ensure transparency and adherence to ethical standards in fund disbursement.
- Section 3. Duration and Reporting
- 3.1. Duration: Allocations from the ICAF shall extend for a period of five years or until the sunset or termination of the respective cost-saving amendment, whichever occurs first.
- 3.2. Reporting and Review: Annual reports detailing fund allocations, the impact of qualifying amendments, and program effectiveness shall be prepared by the County Auditor or an oversight committee.
- Section 4. Implementation and Amendments
- 4.1. Implementation Guidelines: The Board shall develop comprehensive guidelines for implementation, reviewable periodically for enhancements in fairness, effectiveness, and transparency, complying with Brevard County lobbying ordinances.
- Section 5. Penalties and Legal Continuity
- 5.1. Violation Penalties: Any violation of the provisions of the ICAF Ordinance shall result in penalties not exceeding \$500 or imprisonment not exceeding 60 days, or both, as determined by law.

- 5.2. Continuity of Legal Provisions: The enactment of the ICAF Ordinance shall not affect the validity or enforceability of any existing ordinances or legal obligations.
- Section 6. Effective Date
- This ordinance shall become effective as provided by law.
- Done and adopted in regular session this [Insert Date] day of [Insert Month], [Insert Year].
- ATTEST:
- BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA
- /s/ [Insert Clerk's Name]
- [Insert Clerk's Name], Clerk

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Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department *TAC*

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024018

DATE: April 1, 2024

CEER #2024018 was received by the County from Eleanor E. Glover.

Citizen Statement:

Identifying properties that are zoned for legal use as a Vacation Rental or Resort dwelling. Registration for Tourist Development Tax

While researching the process which a resident must go through to obtain proper licensing to establish a "Vacation Rental" operation, I was very puzzled by the fact that the Tax Collector does not coordinate with zoning before issuing a license for the business of operating a "Vacation Rental". It would seem, that the application would ask; what is the zoning of your property? If the zoning was researched during the registration process, the zoning classification would eliminate the illegal "Vacation Rentals". The owner would be denied, up front and would not have to wait for a concerned citizen to report the illegal business to Code Enforcement. At this date, Code Enforcement is overwhelmed with the investigations of illegal "Vacation Rentals".

This Application/Registration, to my knowledge, does not have the question; What is your Department of Business and Professional, Division of Hotels and Restaurants license number? State Law requires Business Owners to have a State License.

Citizen Recommendation:

Revise the Brevard County Registration for Tourist Development Tax and link with the Planning and Zoning Department, to confirm proper zoning.

Benefits to the Neighborhood Communities that are having to deal with illegal Vacation Rentals and reduce the workload on the Code Enforcement Department.

Thank you for giving me this opportunity to voice my opinion. I am a retired, senior citizen that is actively working to eliminate illegal Business owners of "Vacation Rentals" in my community.



Planning & Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Staff Analysis:

As part of the Brevard County Tax Collector's process for issuing Business Tax Receipts for the operation of a vacation rental, the Tax Collector requests a review by Brevard County zoning staff. Staff processes approximately 100 such requests relating to vacation rentals annually. However, it has been the experience of staff that most of the vacation rentals for which a complaint has been received lack a Business Tax Receipt.

On August 22, 2023, the Brevard County Board of County Commissioners directed staff to prepare a report on the County's enforcement of unpermitted resort dwellings. It stated that this report should identify opportunities and challenges for more effective enforcement including, but not limited to, proactive enforcement, potential software improvements, fines imposed by the Code Enforcement Special Magistrate, due process challenges, and fiscal impacts. Staff did so, and the Board acknowledged receipt of this report on October 24, 2023. Since that time, the Florida Legislature has taken up consideration of legislation that would address certain concerns previously raised by the Board and members of the public. For instance, as of February 23, 2024, CS/SB 280 includes a requirement that vacation rental listings include a "unique identifier" issued by the State and allows local governments to access information on the properties associated with these identifiers through a newly established "vacation rental information system." Staff continues to monitor the 2024 Legislative Session and will provide the Board with any new opportunities for improvement that may result.

Staff will also continue to explore other technological opportunities to review more vacation rental properties for compliance consistent with Florida Statutes.

Staff Recommended Action:

It is recommended that the Board of County Commissioners accept the recommendation with revisions as detailed in the staff analysis.

Recommendation Details

Contact Information

Full Name:	Eleanor E Glover	Email Address:	glovprop@bellsouth.net
Mailing Address:	6630 Floridana Ave Melbourne Beach fl 32951	Alt Email Address:	
		Phone Number	321-726-0800

Group/Organization

N/A

Recommendation Information

Recommendation Title:

Resort Dwelling Registration Process

Areas Affected:

Entire Brevard County

Department:

TAX COLLECTOR

Identifying properties that are zoned for legal use as a Vacation Rental or Resort dwelling. Registration for Tourist Development Tax

Problem Description:

While researching the process which a resident must go through to obtain proper licensing to establish a "Vacation Rental" operation, I was very puzzled by the fact that the Tax Collector does not coordinate with zoning before issuing a license for the business of operating a "Vacation Rental". It would seem, that the application would ask; what is the zoning of your property? If the zoning was researched during the registration process, the zoning classification would eliminate the illegal "Vacation Rentals". The owner would be denied, up front and would not have to wait for a concerned citizen to report the illegal business to Code Enforcement. At this date, Code Enforcement is overwhelmed with the investigations of illegal "Vacation Rentals".

This Application/Registration, to my knowledge, does not have the question; What is your Department of Business and Professional, Division of Hotels and Restaurants license number? State Law requires Business Owners to have a State License.

Revise the Brevard County Registration for Tourist Development Tax and link with the Planning and Zoning Department, to confirm proper zoning.

Recommendation Description

Benefits to the Neighborhood Communities that are having to deal with illegal Vacation Rentals and reduce the workload on the Code Enforcement Department.

Thank you for giving me this opportunity to voice my opinion. I am a retired, senior citizen that is actively working to eliminate illegal Business owners of "Vacation Rentals" in my community.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 17, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Jim Liesenfelt, Assistant County Manager *RL*

FROM: Mary Ellen Donner, Parks and Recreation Director *ME*

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024019

DATE: 04/01/2024

CEER #2024019 was received by the County from Titusville Tree Team/Kay St. Onge.

Citizen Statement:

Brevard County parks need more trees and better maintenance. Increasing temperatures and lack of shade reduce residents' utilization of parks. Shoreline erosion is occurring in many parks as well as excessive polluted stormwater runoff into the Lagoon.

Citizen Recommendation:

In order to reduce costs, Brevard County Parks and Recreation Department could consider encouraging and promoting residents to volunteer at the many Brevard County Parks. Volunteers in Titusville have worked with N. Brevard Parks and Recreation to plant 140 trees in two parks, Chain of Lakes Park and Sand Point Park, as well as numerous mangroves in parks along the Lagoon. These trees have thrived due to the ongoing care of volunteers. Volunteers could also be utilized to pick up palm fronds, a time consuming endeavor of Parks and Recreation. Native trees planted in parks would provide shade to residents recreating in the parks, encouraging greater participation. Trees planted would reduce erosion along the Indian River Lagoon and reduce polluted stormwater runoff into the Indian River Lagoon. Native trees planted in parks would provide bird habitat. Be sure to plant the right tree at the right place, taking in account infrastructure, and the tree's requirements.

Staff Analysis:

Brevard County Parks and Recreation supports urban forestry, recognizing the economic, psychological, and environmental benefits of enhancing the quality of life for Brevard's residents. Parks Operations budgets annually for the purchase and planting of trees in county parks.

Staff already works regularly with volunteers who approach the County with tree donations and planting considerations. There is also a Memorial and Honorary Tree planting program where constituents may purchase and plant trees in parks and department-managed lands coordinated with County Parks and Recreation personnel.

Standards are necessary for establishment and survival rates when planting trees. Department staff may designate a park and an area within the park where donated trees may be planted. The volunteer/sponsor will contact the Department with a request for a tree planting(s), including the intended park(s), the location of the planting within the park(s), and the date and time of the requested planting. Department staff will evaluate the request and either confirm it or suggest alternatives to the request as required. When the request is approved, the volunteer/sponsor will be responsible for purchasing or acquiring the tree(s), arranging for transporting the tree(s) to the park, and properly planting it. The volunteer/sponsor is also responsible for maintaining, watering, and fertilizing the tree through establishment until it is self-sufficient. Selected trees should be nursery-grown in a container and shall be "Florida No. 1" or better in grading standards. Trees should be a minimum of 15 gallons in size, but a 30-gallon or larger container is preferable. County staff will provide the volunteer with a list of acceptable tree species per park use and environment.

County policy requires all volunteers to coordinate through the Brevardians Responding as Volunteers (BRAVE) program, which assists the County in providing expanded services to the public. To apply, the BRAVE volunteer application can be downloaded https://www.brevardfl.gov/docs/default-source/human-resources-documents/brave-volunteer-application-packet.pdf?sfvrsn=d0209ceb_2 and submitted to the Office of Human Resources.

Staff Recommended Action:

Staff recommends rejecting the recommendation as it has already been implemented.

Recommendation #2024019

Recommendation Details

Contact Information

Full Name:	Kay St. Onge	Email Address:	stongekay@yahoo.com
Mailing Address:	2360 Maryland Ave. Titusville fl 32796	Alt Email Address:	stongekay@yahoo.com
		Phone Number	321-567-4265

Group/Organization

Titusville Tree Team

Recommendation Information

Recommendation Title:

Trees in County Parks

Areas Affected:

Department:

PARKS AND RECREATION DEPARTMENT

Brevard County parks need more trees and better maintenance. Increasing temperatures and lack of shade reduce residents' utilization of parks. Shoreline erosion is occurring in many parks as well as excessive polluted stormwater runoff into the Lagoon.

Problem Description:

In order to reduce costs, Brevard County Parks and Recreation Department could consider encouraging and promoting residents to volunteer at the many Brevard County Parks. Volunteers in Titusville have worked with N. Brevard Parks and Recreation to plant 140 trees in two parks, Chain of Lakes Park and Sand Point Park, as well as numerous mangroves in parks along the Lagoon. These trees have thrived due to the ongoing care of volunteers. Volunteers could also be utilized to pick up palm fronds, a time consuming endeavor of Parks and Recreation. Native trees planted in parks would provide shade to residents recreating in the parks, encouraging greater participation. Trees planted would reduce erosion along the Indian River Lagoon and reduce polluted stormwater runoff into the Indian River Lagoon. Native trees planted in parks would provide bird habitat. Be sure to plant the right tree at the right place, taking in account infrastructure, and the tree's requirements.

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 17, 2023	

User	Status	Date	Remarks
Karen Conde	Department Assigned	Dec 20, 2023	PARKS AND RECREATION DEPARTMENT Assigned

Awaiting action from department director



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: Morris Richardson, County Attorney 

FROM: Greg Hughes, Assistant County Attorney 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024020

DATE: 04/01/2024

CEER #2024020 was submitted to Brevard County by Robert Klimkowski of Launchpad Solutions, LLC.

Citizen Statement:

Cannabis criminalized in Brevard, takes up jail space that should be reserved for violent crimes, cost taxpayers' money to house offenders at county jail @ roughly \$150 /day. BCSO has an internal policy that is similar just would align and codify.

Citizen Recommendation:

Motion 2024-xx – Motion to Endorse Resolution 2024-xx in support of Ordinance 2024-xx, making misdemeanor possession of cannabis or drug paraphernalia a violation of county code, with option for civil fine instead of incarceration. [See Mr. Klimkowski's proposed Cannabis Resolution 2024-XX W_Supp attached].

Staff Analysis:

The applicable state statute pertaining to possession of cannabis is section 893.13(6)(b), Florida Statutes, which provides that "[i]f the offense is the possession of 20 grams or less of cannabis, as defined in this chapter, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083." The statutory penalties include up to one (1) year in prison and/or a fine of up to \$1,000.¹

The applicable state statute pertaining to possession of cannabis paraphernalia is section 893.147(1)(b), Florida Statutes, which provides that "[i]t is unlawful for any person to use, or to possess with intent to use, drug paraphernalia: ... [T]o inject, ingest, inhale, or otherwise

introduce into the human body a controlled substance in violation of this chapter. Any person who violates this subsection is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.” Again, the statutory penalties include up to one (1) year in prison and/or a fine of up to \$1,000.

While local governments are not able to “decriminalize” the possession of cannabis, because possession of cannabis is currently prohibited under state law, there is some existing authority for local governments to pass ordinances that provide for an optional civil citation in lieu of arrest and prosecution for a criminal offense. The relevant case law that considered this issue specifically dealt with Chapter 893, and the court held that “[A] local ordinance does not conflict with a state statute merely because it provides for a less severe penalty.”² The state has not expressly preempted this area of the law concerning penalties for violations involving possession of small quantities of cannabis. Several local jurisdictions in Florida have already enacted ordinances that address possession of cannabis in small quantities or possession of cannabis paraphernalia by making a civil citation an optional penalty for law enforcement.³

Notwithstanding that it is legally possible to pass an ordinance such as that proposed in CEER #2024020, it is understood that there are various political, economic, and other policy considerations that relate to this question. However, such policy considerations are not within the purview of this memorandum.

Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024020 as the possession of cannabis and cannabis paraphernalia is addressed by state law.

¹ See, Fla. Stat. § 775.082(4)(a) [A person who has been convicted of a designated misdemeanor may be sentenced as follows: (a) For a misdemeanor of the first degree, by a definite term of imprisonment not exceeding 1 year;], and

Fla. Stat. § 775.083(1)(d) [Fines for designated crimes and for noncriminal violations shall not exceed: (d) \$1,000, when the conviction is of a misdemeanor of the first degree.].

² *Edwards v. State*, 422 So.2d 84 (Fla. 2d DCA 1982).

³ For example, Alachua County (2016), Broward County (2015), City of Cocoa Beach (2019), City of Key West (2015), City of Miami Beach (2015), Miami-Dade County (2015), City of Orlando (2016), Osceola County (2016), Palm Beach County (2015), City of Port Richey (2016), City of Sarasota (2019), City of Tampa (2016), Volusia County (2016), and the City of West Palm Beach (2015).

Mover-Robert Klimkowski Jr

Motion 2024-xx – Motion to Endorse Resolution 2024-xx in support of Ordinance 2024-xx, making misdemeanor possession of cannabis or drug paraphernalia a violation of county code.

Resolution 2024-xx

Whereas, A community will only allow a crime to rise to the level it will tolerate,

Whereas, A majority of that community no longer sees Cannabis usage as a crime.

Whereas, 7 other counties in Florida and several other cities have passed similar text.

Whereas, allocation of earmarked resources to violent crimes have proven to be a better use of taxpayers funds.

Whereas, based on evidence from our neighboring counties and cities, caging people for a plant does not make people safer.

Whereas, Brevard County should join the growing number of Florida counties and cities that recognize the individual liberties of their constituents, meaning that the constitution is “we the people”, of Brevard’s internal policy on cannabis.

THEREFORE, BE IT RESOLVED that as of____ Brevard County, Florida supports Ordinance 2024-xx, which amends county ordinance making misdemeanor possession of cannabis or drug paraphernalia a violation of county code.

Ordinance 2022-10

AN ORDINANCE OF BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF BREVARD BY AMENDING CHAPTER 74 OFFENSES AND MISCELLANEOUS PROVISIONS BY CREATING SECTION 74-9 TO PROHIBIT POSSESSION OF CANNABIS AND DRUG PARAPHERNALIA IN UNINCORPORATED COUNTY; PROVIDING FOR SEVERABILITY; BY PROVIDING FOR CONFLICTING ORDINANCES; AUTHORIZING INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA AS FOLLOWS:

SECTION I: Chapter 74 of the Code of Ordinances, County of Brevard is amended to read as follows:

Section 74-9. Possession of Cannabis and Drug Paraphernalia.

{a) **Prohibitions.** It shall be unlawful for any person to possess 20 grams or less of cannabis as defined in F.S §893.02(3). or its successor. or drug paraphernalia as defined in F.S.. §893.145, or its successor.

(b) **Jurisdiction.** This section shall be applicable only within the unincorporated areas of the county.

(c) **Penalty.** Violations of this section are punishable ~~as provided in section 1-7~~ as provided solely in Section 1(c) of this ordinance which is penalized as follows; A person convicted of a violation of this Code shall be punished by a fine up to and not to exceed \$50.00.

SECTION II: AUTHORIZING INCLUSION IN CODE - The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the County of Brevard, as additions or amendments thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

SECTION III: SEVERABILITY - Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION IV: CONFLICTING ORDINANCES - All ordinances, or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION V: EFFECTIVE DATE-This Ordinance shall take effect xx __, 2024.

AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY,
FLORIDA, THIS DAY OF __A.D.____, 2024.

*Supplemental information

Please see attached Section 1-7

Sec. 1-7. General penalty; continuing violations.

(a) In this section "violation of this Code" means:

(1) Doing an act that is prohibited or made or declared unlawful, an offense or a misdemeanor by ordinance or by rule or regulation authorized by ordinance.

(2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance.

(3) Failure to perform an act if the failure is declared a misdemeanor or an offense or unlawful by ordinance or by rule or regulation authorized by ordinance.

(b) In this section "violation of this Code" does not include the failure of a county officer or county employee to perform an official duty unless it is provided that failure to perform the duty is to be punished as provided in this section.

(c) Except as otherwise provided by law or ordinance, a person convicted of a violation of this Code shall be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

(d) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise, the imposition of civil fines or other administrative actions, including action pursuant to F.S. ch. 162.

(e) The board of county commissioners is authorized and empowered to institute legal proceedings in the circuit court of the county for the purpose of obtaining injunctive relief and such other relief as may be proper under the law against violators of this Code. The imposition of a penalty does not prevent equitable relief.

State law reference(s)—Penalty for violation of county ordinances, F.S. § 125.69.

Recommendation Details

Contact Information

Full Name:	Robert klimkowski	Email Address:	Rklimjr92@gmail.com
Mailing Address:	329 RHEINE RD NW PALM BAY fl 32907	Alt Email Address:	Rklimjr92@gmail.com
		Phone Number	321-468-7128

Group/Organization

Launchpad Solutions LLC

Recommendation Information

Recommendation Title:

Cannabis Resolution 2024-XX

Areas Affected:

Community Involvement & Government Oversight

Department:

BOARD OF COUNTY COMMISSIONERS

Cannabis criminalized in Brevard, takes up jail space that should be reserved for violent crimes, cost taxpayers money to house offenders at county jail @ roughly \$150 /day. BCSO has an internal policy that is similar just would align and codify.

Problem Description:

Motion 2024-xx – Motion to Endorse Resolution 2024-xx in support of Ordinance 2024-xx, making misdemeanor possession of cannabis or drug paraphernalia a violation of county code, with option for civil fine instead of incarceration.

Recommendation Description

Attachments

No. Type Name

1		Cannabis Resolution 2024-XX W_ Supp.pdf
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Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 17, 2023	
Karen Conde	Department	Dec 20, 2023	COUNTY ATTORNEY Assigned

Mover-Robert Klimkowski Jr

Motion 2024-xx – Motion to Endorse Resolution 2024-xx in support of Ordinance 2024-xx, making misdemeanor possession of cannabis or drug paraphernalia a violation of county code.

Resolution 2024-xx

Whereas, A community will only allow a crime to rise to the level it will tolerate,

Whereas, A majority of that community no longer sees Cannabis usage as a crime.

Whereas, 7 other counties in Florida and several other cities have passed similar text.

Whereas, allocation of earmarked resources to violent crimes have proven to be a better use of taxpayers funds.

Whereas, based on evidence from our neighboring counties and cities, caging people for a plant does not make people safer.

Whereas, Brevard County should join the growing number of Florida counties and cities that recognize the individual liberties of their constituents, meaning that the constitution is “we the people”, of Brevard’s internal policy on cannabis.

THEREFORE, BE IT RESOLVED that as of____ Brevard County, Florida supports Ordinance 2024-xx, which amends county ordinance making misdemeanor possession of cannabis or drug paraphernalia a violation of county code.

Ordinance 2022-10

AN ORDINANCE OF BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF BREVARD BY AMENDING CHAPTER 74 OFFENSES AND MISCELLANEOUS PROVISIONS BY CREATING SECTION 74-9 TO PROHIBIT POSSESSION OF CANNABIS AND DRUG PARAPHERNALIA IN UNINCORPORATED COUNTY; PROVIDING FOR SEVERABILITY; BY PROVIDING FOR CONFLICTING ORDINANCES; AUTHORIZING INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA AS FOLLOWS:

SECTION I: Chapter 74 of the Code of Ordinances, County of Brevard is amended to read as follows:

Section 74-9. Possession of Cannabis and Drug Paraphernalia.

{a) Prohibitions. It shall be unlawful for any person to possess 20 grams or less of cannabis as defined in F.S §893.02(3). or its successor. or drug paraphernalia as defined in F.S.. §893.145, or its successor.

(b) Jurisdiction. This section shall be applicable only within the unincorporated areas of the county.

(c) Penalty. Violations of this section are punishable ~~as provided in section 1-7~~ as provided solely in Section 1(c) of this ordinance which is penalized as follows; A person convicted of a violation of this Code shall be punished by a fine up to and not to exceed \$50.00.

SECTION II: AUTHORIZING INCLUSION IN CODE - The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the County of Brevard, as additions or amendments thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code.

SECTION III: SEVERABILITY - Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION IV: CONFLICTING ORDINANCES - All ordinances, or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION V: EFFECTIVE DATE-This Ordinance shall take effect xx __, 2024.

AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY,
FLORIDA, THIS DAY OF __A.D._____, 2024.

*Supplemental information

Please see attached Section 1-7

Sec. 1-7. General penalty; continuing violations.

(a) In this section "violation of this Code" means:

(1) Doing an act that is prohibited or made or declared unlawful, an offense or a misdemeanor by ordinance or by rule or regulation authorized by ordinance.

(2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance.

(3) Failure to perform an act if the failure is declared a misdemeanor or an offense or unlawful by ordinance or by rule or regulation authorized by ordinance.

(b) In this section "violation of this Code" does not include the failure of a county officer or county employee to perform an official duty unless it is provided that failure to perform the duty is to be punished as provided in this section.

(c) Except as otherwise provided by law or ordinance, a person convicted of a violation of this Code shall be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. With respect to violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

(d) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise, the imposition of civil fines or other administrative actions, including action pursuant to F.S. ch. 162.

(e) The board of county commissioners is authorized and empowered to institute legal proceedings in the circuit court of the county for the purpose of obtaining injunctive relief and such other relief as may be proper under the law against violators of this Code. The imposition of a penalty does not prevent equitable relief.

State law reference(s)—Penalty for violation of county ordinances, F.S. § 125.69.



Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director 
SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2024021
DATE: April 1, 2024

CEER #2024021 was received by the County from Robert Klimkowski

Citizen Statement:

"Speak Up Brevard is an unfunded mandate that puts a time and burden and associated cost on County Manager and staff."

Citizen Recommendation:

"Ordinance and Resolution Addressing Unfunded Mandates, County Manager Recognition, and Essential Funding

Ordinance No. [Insert Number]

An Ordinance and Resolution Addressing Unfunded Mandates, Recognizing County Manager Achievements, and Establishing Essential Funding for Compliance

Whereas, mandates often come without allocated funding, imposing financial challenges for compliance; and

Whereas, recognizing County Manager achievements in implementing mandates is crucial despite the lack of funding; and

Whereas, essential funding plays a pivotal role in supporting these initiatives, especially within Brevard County.

Section 1. Addressing the Unfunded Nature

1.1. Recognizing Challenges: Acknowledges the financial challenges posed by unfunded mandates, particularly within the "Speak Up Brevard" initiative, demanding fiscal responsibility without designated funding.

1.2. Financial Implications: Emphasizes the financial burden imposed by unfunded mandates, hindering the county's ability to effectively implement crucial initiatives and mandates.

Section 2. Recognizing County Manager Achievements

2.1. Managerial Recognition: Acknowledges the accomplishments of County Managers in successfully implementing mandates despite funding limitations, emphasizing their pivotal role in achieving substantial savings or profits.

2.2. Departure Fund: Establishes a departure fund equivalent to one percent (1%) of total revenue from Illegal Arcade Gambling AKA the unamusement regulation forfeitures for the first successful County Manager after one year of implementing the ordinances, ensuring administrative continuity which will equate no less than the 120% of the County Manager's salary or 1% of revenue from above regulation, whichever is more, to be sunset no more than five years after departure and effective date of fund dispersal.

Section 3. Essential Funding for Compliance

3.1. Allocation for Compliance: Allocates five percent (5%) of total revenue from fees, liens, and asset forfeiture to address the unfunded nature of the "Speak Up Brevard" mandate, supporting effective implementation.

Section 4. Resolution for Comprehensive Integration of Funding Provisions

Resolution No. [Insert Number]

A Resolution Focusing on the Essential Need for Funding, County Manager Recognition, and Integration into the County Code

4.1. Critical Need for Funding: Highlights the indispensable role funding plays in mitigating the challenges posed by unfunded mandates, ensuring successful compliance without burdening the county's resources.

4.2. Integration and Legal Framework: Directs the County Clerk to comprehensively integrate the funding provisions into the relevant sections of the Brevard County Code, solidifying their role in the county's legal framework.

4.3. Immediate Effectiveness and Compliance: Ensures the immediate effectiveness of these funding provisions upon passing the resolution, emphasizing adherence to legal standards.

Done and adopted in regular session this [Insert Date] day of [Insert Month], [Insert Year].

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA

/s/ [Insert Clerk's Name]

[Insert Clerk's Name], Clerk

Staff Analysis:

The County Manager and Budget Director are committed to funding CEERs recommendations approved by the Board as part of the budget process, without managerial recognition or a departure fund.

Section 932.7055, Florida Statutes, "Disposition of liens and forfeited property" provides that funds related to proceeds from forfeitures shall be used for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes.

Funds related to forfeitures are currently accounted for in a special revenue fund with the Brevard County Sheriff's Office budget and are not eligible to be used for purposes not authorized by Florida Statute.

Staff Recommendation Action:

It is recommended that CEER # 2024021 be rejected by the Board of County Commissioners.

Recommendation Details

Contact Information

Full Name:	Robert Klimkowski	Email Address:	Rklimjr92@gmail.com
Mailing Address:	329 RHEINE RD NW PALM BAY fl 32907	Alt Email Address:	Rklimjr92@gmail.com
		Phone Number	321-468-7128

Group/Organization
Launchpad Solutions LLC

Recommendation Information

Recommendation Title: Ordinance and Resolution Addressing Unfunded Charter Mandate "Speak Up Brevard"

Areas Affected: Unfunded mandate Speak Up Brevard

Department:
COUNTY MANAGERS OFFICE

Speak Up Brevard is an unfunded mandate that puts a time burden and associated cost on County Manager and staff.

Problem Description:

Ordinance and Resolution Addressing Unfunded Mandates, County Manager Recognition, and Essential Funding

Recommendation
Description

Ordinance No. [Insert Number]

An Ordinance and Resolution Addressing Unfunded Mandates, Recognizing County Manager Achievements, and Establishing Essential Funding for Compliance

Whereas, mandates often come without allocated funding, imposing financial challenges for compliance; and

Whereas, recognizing County Manager achievements in implementing mandates is crucial despite the lack of funding; and

Whereas, essential funding plays a pivotal role in supporting these initiatives, especially within Brevard County.

Section 1. Addressing the Unfunded Nature

1.1. Recognizing Challenges: Acknowledges the financial challenges posed by unfunded mandates, particularly within the "Speak Up Brevard" initiative, demanding fiscal responsibility without designated funding.

1.2. Financial Implications: Emphasizes the financial burden imposed by unfunded mandates, hindering the county's ability to effectively implement crucial initiatives and mandates.

Section 2. Recognizing County Manager Achievements

2.1. Managerial Recognition: Acknowledges the accomplishments of County Managers in successfully implementing mandates despite funding limitations, emphasizing their pivotal role in achieving substantial savings or profits.

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3.1. Allocation for Compliance: Allocates five percent (5%) of total revenue from fees, liens, and asset forfeiture to address the unfunded nature of the "Speak Up Brevard" mandate, supporting effective implementation.

Section 4. Resolution for Comprehensive Integration of Funding Provisions

Resolution No. [Insert Number]

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4.2. Integration and Legal Framework: Directs the County Clerk to comprehensively integrate the funding provisions into the relevant sections of the Brevard County Code, solidifying their role in the county's legal framework.

4.3. Immediate Effectiveness and Compliance: Ensures the immediate effectiveness of these funding provisions upon passing the resolution, emphasizing adherence to legal standards.

Done and adopted in regular session this [Insert Date] day of [Insert Month], [Insert Year].

ATTEST:
BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA

/s/ [Insert Clerk's Name]
[Insert Clerk's Name], Clerk

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 17, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	BUDGET OFFICE Assigned

Awaiting action from department director



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2024022

DATE: April 1, 2024

CEER #2024022 was received by the County from Nancy Happel.

Citizen Statement:

There has been a proliferation of vacation rentals in residential neighborhoods. Some are owned by individuals who reside in the area, and work to maintain the property and relations with neighbors. However, many vacation rentals are owned by individuals or entities who do not reside in the area. Little consideration is given to residents in the neighborhood by these out-of-the-area or out of state entities. Problems local residents are subjected to include failure to properly maintain grounds which affects adjacent neighbors, loud noises at inappropriate times, overcrowding, and other failures to comply with local ordinances. In addition, many of these properties are not registered with the local municipality or county as a vacation rental, making it impossible for neighbors to contact the owner if there is a problem that needs addressing. Finally, because the vacation rental isn't registered with the local municipality and county, funds that should be going to the city and county are never received, and are not available for the intended usage of such funds.

Citizen Recommendation:

My suggestion is two-fold. Since the State has made it impossible for local municipalities to regulate vacation rentals, funds from the Tourist Development Tax should be used to provide all local municipalities and unincorporated areas of Brevard with adequate funds to hire at least one code enforcement officer whose only job is to ensure all vacation rentals are registered and community issues are addressed. The funds for this additional code enforcement officer should not be allowed to be used to pay any exiting code enforcement officers. Existing officers would be charged with maintaining general code enforcement not related to vacation rentals. The additional officer would be charged specifically with code enforcement of vacation rentals and maintenance of the residential quality of tax payers' neighborhoods. It would be fiscally beneficial to lobby our State congress people to encourage them to pass a State regulation earmarking a percentage of the State's Sales & Use Tax



BOARD OF COUNTY COMMISSIONERS

for vacation rentals and hotels to assist in funding additional code enforcement officers. Also needed is a way for residents to contact owners directly when there is a problem that needs addressing. Such issues might include overgrown plants encroaching on and damaging privacy fences, late night parties, parking that blocks a neighbor's driveway, etc. To accomplish this, I suggest that all owners (not managers) of vacation rentals in residential areas be required to send a letter to all surrounding property owners identifying themselves and providing a contact number. As with the contact information required by vacation rental owners to provide to their guests, this number should be manned and responsive at all hours in case of emergency. There should also be some sort of regulation to ensure a timely remedy for issues affecting the property of neighbors once the owner has been contacted. This suggestion is of limited effectiveness when there are so many vacation rentals not registered with the cities and county. The use of Tourist Tax Development funds to hire an additional code enforcement officer specifically for the management of code violations around vacation rentals would provide code enforcement the opportunity to identify, fine and register entities who have failed to properly register as a vacation rental.

Staff Analysis:

- 1st citizen recommendation: Funds from Tourist Development Tax (TDT) being used to provide all municipalities and unincorporated areas of Brevard with an additional Code Enforcement Officer dedicated to vacation rental-related enforcement.
 - Staff Response: Speaking to the unincorporated Brevard portion of this recommendation, Brevard County Code Enforcement has sufficient staff to process its current caseload. As the County generally operates on a reactive basis to Code Enforcement complaints, adding a single officer who is focused only on vacation rentals would provide limited benefit.
- 2nd citizen recommendation: Lobby State legislators to encourage them to pass legislation earmarking a percentage of sales tax in order to fund additional officers.
 - Staff Response: Brevard County has sufficient Code Enforcement staff to respond to its current complaint volume. Given this, a Board initiative to lobby the legislative delegation to fund a position through sales tax would be unnecessary.
- 3rd citizen recommendation: Impose a requirement that owners of vacation rentals have publicly listed numbers that is manned and responsive at all hours.
 - Staff Response: The County requires the designation of a local manager for those operating a vacation rental under a conditional use permit or on a property where the use is permitted with conditions. Under County Code, the local manager is required to address complaints within 1 hour. These requirements do not apply to



Planning & Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

those vacation rentals operating on properties for which the “resort dwelling” use is a permitted use.

County staff has not identified imposing this type of expanded local regulations on such operations as having significant benefit, because most properties which are investigated for issues relating to vacation rentals are operating unlawfully per the County's zoning regulations. The County has recently taken steps to more aggressively investigate and fine this activity.

Within the past year, the Board has focused on addressing the issue of vacation rentals. On August 22, 2023, the Brevard County Board of County Commissioners directed staff to prepare a report on the County's enforcement of unpermitted resort dwellings. It stated that this report should identify opportunities and challenges for more effective enforcement including, but not limited to, proactive enforcement, potential software improvements, fines imposed by the Code Enforcement Special Magistrate, due process challenges, and fiscal impacts. Staff did so, and the Board acknowledged receipt of this report on October 24, 2023. Since that time, the Florida Legislature has taken up consideration of legislation that would address certain concerns previously raised by the Board and members of the public, which staff continues to track. For instance, as of Feb. 23, 2024, CS/SB 280 includes a requirement that vacation rental listings include a “unique identifier” issued by the State and allows local governments to access information on the properties associated with these identifiers through a newly established “vacation rental information system.” Staff continues to monitor the 2024 Legislative Session and will provide the Board with any new opportunities for improvement that may result.

Staff Recommended Action:

It is recommended that the Board of County Commissioner reject the recommendation.

Recommendation Details

Contact Information

Full Name:	Nancy Happel	Email Address:	forbuyingthings@theeducatedbody.cc
Mailing Address:	422 Watts Way Cocoa Beach fl 32931	Alt Email Address:	
		Phone Number	321-505-1183
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Vacation Rental Control in Residential Neighborhoods/Tax Collection

Areas Affected: Entire county

Department:

There has been a proliferation of vacation rentals in residential neighborhoods. Some are owned by individuals who reside in the area, and work to maintain the property and relations with neighbors. However, many vacation rentals are owned by individuals or entities who do not reside in the area. Little consideration is given to residents in the neighborhood by these out-of-the-area or out of state entities. Problems local residents are subjected to include failure to properly maintain grounds which affects adjacent neighbors, loud noises at inappropriate times, overcrowding, and other failures to comply with local ordinances. In addition, many of these properties are not registered with the local municipality or county as a vacation rental, making it impossible for neighbors to contact the owner if there is a problem that needs addressing.

Finally, because the vacation rental isn't registered with the local municipality and county, funds that should be going to the city and county are never received, and are not available for the intended usage of such funds.

Problem Description:

My suggestion is two-fold. Since the State has made it impossible for local municipalities to regulate vacation rentals, funds from the Tourist Development Tax should be used to provide all local municipalities and unincorporated areas of Brevard with adequate funds to hire at least one code enforcement officer whose only job is to ensure all vacation rentals are registered and community issues are addressed. The funds for this additional code enforcement officer should not be allowed to be used to pay any exiting code enforcement officers. Existing officers would be charged with maintaining general code enforcement not related to vacation rentals. The additional officer would be charged specifically with code enforcement of vacation rentals and maintenance of the residential quality of tax payers' neighborhoods.

Recommendation Description

It would be fiscally beneficial to lobby our State congress people to encourage them to pass a State regulation earmarking a percentage of the State's Sales & Use Tax for vacation rentals and hotels to assist in funding additional code enforcement officers.

Also needed is a way for residents to contact owners directly when there is a problem that needs addressing. Such issues might include overgrown plants encroaching on and damaging privacy fences, late night parties, parking that blocks a neighbor's driveway, etc. To accomplish this, I suggest that all owners (not managers) of vacation rentals in residential areas be required to send a letter to all surrounding property owners identifying themselves and providing a contact number. As with the contact information required by vacation rental owners to provide to their guests, this number should be manned and responsive at all hours in case of emergency. There should also be some sort of regulation to ensure a timely remedy for issues affecting the property of neighbors once the owner has been contacted.

This suggestion is of limited effectiveness when there are so many vacation rentals not registered with the cities and county. The use of Tourist Tax Development funds to hire an additional code enforcement officer specifically for the management of code violations around vacation rentals would provide code enforcement the opportunity to identify, fine and register entities who have failed to properly register as a vacation rental.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 18, 2023	
Karen Conde	Department Assigned	Dec 20, 2023	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Information Technology Department

2725 Judge Fran Jamieson Way
Building C, Room 203
Viera, Florida 32940
Phone: 617-7395

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jeff McKnight, Information Technology Director *jm*
DATE: April 1, 2024
RE: Citizen Efficiency and Effectiveness Recommendation #202423

CEER #2024023 was received by the County from Richard Webb.

Citizen Statement:

1. The phone number does not auto-populate correctly.
2. After working on another suggestion for half an hour, the page cleared to blank as though I had hit the Clear Form button.
3. A Clear Form button should ALWAYS be followed by "Are you sure?"

Citizen Recommendation:

Test your work.

Staff Analysis:

1. The current code does not have an auto-populate feature turned on at this time. There are, however, browser based auto-populate features, such as in Chrome, that may be turned on for this purpose. Implementing an auto-populate feature in this application would not allow users the option to turn off the feature if necessary. The Auto-Populate Feature is a handy tool and can be implemented using most browsers.
2. Pages clearing during an application session could be a result of many variables such as network status, application processes, number of users accessing application, cached commands, computer memory status, computer processor status, browser type, number of browser windows open, as well as other potential components that are involved in opening a webpage. Without specific machine diagnosis, it is impossible to determine why the webpage cleared unintentionally.
3. Losing form data online is frustrating and safeguards, such as the recommendation, are beneficial to users. Currently when the Clear form button is selected a pop-up "Are you sure you want to clear the form?" is displayed thereby confirming the user's action to clear prior to losing data.

This appears to be a very specific request by an end user for an application. Although the end user encountered frustration during the use of a County application, it does not appear that changes to the application would enhance this user's experience.

Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation.

Recommendation #2024023

Recommendation Details

Contact Information

Full Name:	Richard Webb	Email Address:	webb4brevard@gmail.com
Mailing Address:	3184 Lago Vista Dr Melbourne fl 32940	Alt Email Address:	webb4brevard@gmail.com
		Phone Number	321-480-5514
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Fix this page
Areas Affected: This site

Department: INFORMATION TECHNOLOGY
DEPARTMENT

1. The phone number does not auto-populate correctly.
2. After working on another suggestion for half an hour, the page cleared to blank as though I had hit the Clear Form button.
3. A Clear Form button should ALWAYS be followed by "Are you sure?"

Problem Description:

Test your work.

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

FROM: Morris Richardson, County Attorney 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024024

DATE: 04/01/2024

CEER #2024024 was received by the County from Richard Webb.

Citizen Statement:

1. Even with hearing aids off, the noise from narcists cars screaming "Look at me" 1,500ft away on Wickham Rd violates our Right of Quiet Enjoyment.
2. Cars with penetrating booming bass amplifiers offend our quiet enjoyment at home and while driving.
3. Noisy cars pose a safety hazzard due to not being able to hear horns, sirens and other traffic sound clues.
4. We are trying to sell a house across from the Sheriff's offices on South Street in Titusville. People are complaining about the extreme noise (and we will get a lower price) because you do not enforce noise statutes.
5. Please don't pick and choose what laws deserve enforcement like Soros-backed prosecutors do. The legislature thought our Right of Private Enjoyment was worth defending, and wrote excellent statutes

Citizen Recommendation:

1. Repeal the unworkable unclear unenforceable Brevard vehicle noise ordinance.
 2. Enforce the noise statute in FS316.293 that is unambiguous, and easily enforceable.
- "(a) No person shall modify the exhaust system of a motor vehicle or any other noise-abatement device of a motor vehicle operated or to be operated upon the

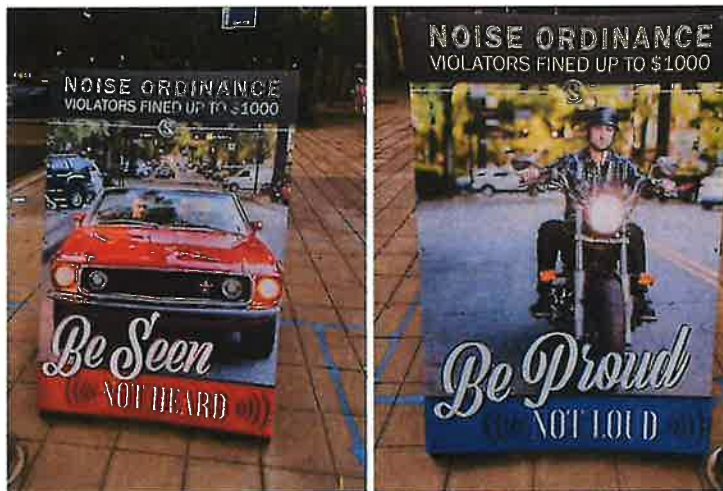
highways of this state in such a manner that the noise emitted by the motor vehicle is above that emitted by the vehicle as originally manufactured.

(b) No person shall operate a motor vehicle upon the highways of the state with an exhaust system or noise-abatement device so modified."

3. Issue citations to vehicle owners when reports with tag numbers are made by Brevardians.

4. Enforce FS316.3045 prohibiting loud amplification. Anyone blasting music from a car that can be heard 25 feet away can be issued \$114 fines, no decibel meter needed.

4. See attached photos of effective warning signs in Greenville, SC.



Staff Analysis:

Chapter 316, Florida Statutes, known as the Florida Uniform Traffic Control Law, was enacted to make uniform traffic laws apply throughout the state and its political subdivisions. No local authority may enact or enforce any ordinance on a matter covered by the Florida Uniform Traffic Control Law unless expressly authorized, nor may any local authority pass or attempt to enforce any ordinance in conflict with its provisions.

As noted in the citizen's recommendation, section 316.293, Florida Statutes, regulates motor vehicle operating noise and noise abatement equipment modifications. Likewise, section 316.3045, Florida Statutes, regulates the operation of radios or other mechanical or electronic soundmaking devices or instruments in motor vehicles. There is no Brevard County ordinance applicable to motor vehicles which conflicts with these statutes.

Law enforcement agencies in Brevard County, including the Brevard County Sheriff's Office are authorized to enforce sections 316.293 and 316.3045, Florida Statutes. Law enforcement

agencies exercise discretion in enforcing the provisions of the Florida Uniform Traffic Control Law, and the Board of County Commissioners has no jurisdiction or authority in this regard.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024024, as there is no Brevard County vehicle noise ordinance in need of repeal, and the Board of County Commissioners is without jurisdiction to enforce the provisions of the Florida Uniform Traffic Control Law.

Recommendation #2024024

Recommendation Details

Contact Information

Full Name: Richard Webb **Email Address:** webb4brevard@gmail.com

Mailing Address: 3184 Lago Vista Dr
Melbourne fl 32940 **Alt Email Address:** webb4brevard@gmail.com

Phone Number 321-480-5514

Group/Organization N/A

Recommendation Information

Recommendation Title: Quiet! !!!

Areas Affected: Law enforcement

Department: SHERIFF'S OFFICE

1. Even with hearing aids off, the noise from narcists cars screaming "Look at me" 1,500ft away on Wickham Rd violates our Right of Quiet Enjoyment.
2. Cars with penetrating booming bass amplifiers offend our quiet enjoyment at home and while driving.
3. Noisy cars pose a safety hazzard due to not being able to hear horns, sirens and other traffic sound clues.
4. We are trying to sell a house across from the Sheriff's offices on South Street in Titusville. People are complaining about the extreme noise (and we will get a lower price) because you do not enforce noise statutes.
5. Please don't pick and choose what laws deserve enforcement like Soros-backed prosecutors do. The legislature thought our Right of Private Enjoyment was worth defending, and wrote excellent statutes

Problem Description:

1. Repeal the unworkable unclear unenforceable Brevard vehicle noise ordinance.
2. Enforce the noise statute in FS316.293 that is unambiguous, and easily enforceable.
"(a) No person shall modify the exhaust system of a motor vehicle or any other noise-abatement device of a motor vehicle operated or to be operated upon the highways of this state in such a manner that the noise emitted by the motor vehicle is above that emitted by the vehicle as originally manufactured.
(b) No person shall operate a motor vehicle upon the highways of the state with an exhaust system or noise-abatement device so modified."
3. Issue citations to vehicle owners when reports with tag numbers are made by Brevardians.
4. Enforce FS316.3045 prohibiting loud amplification. Anyone blasting music from a car that can be heard 25 feet away can be issued \$114 fines, no decibel meter needed.
4. See attached photos of effective warning signs in Greenville, SC.

Recommendation Description

Attachments

No. Type Name

1  IMG_20230807_190804327.jpg

No. Type Name

2  IMG_20230807_190832787.jpg

Administrative Action

Evaluation

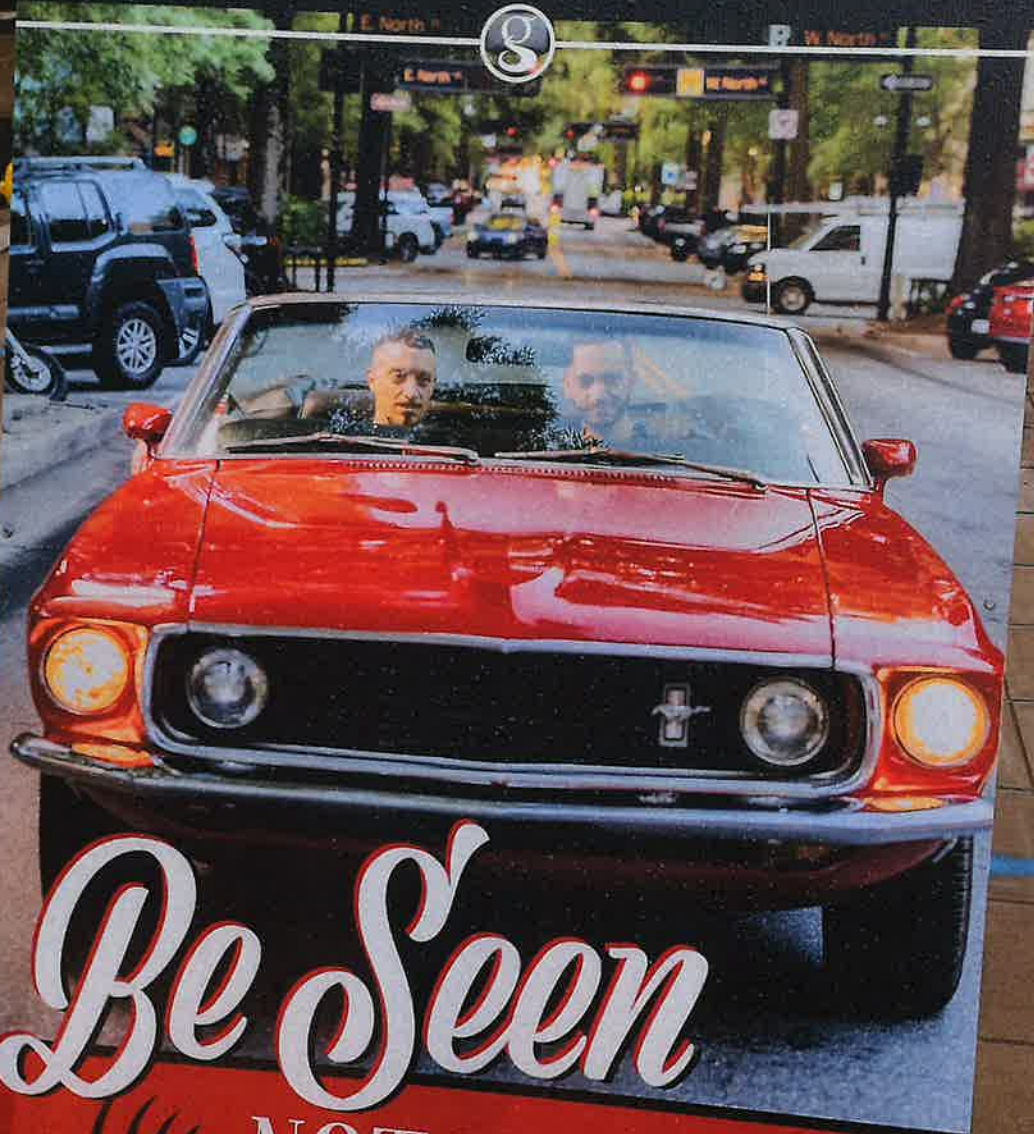
Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 18, 2023	
Karen Conde	Department Assigned	Jan 5, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director

NOISE ORDINANCE

VIOLATORS FINED UP TO \$1000

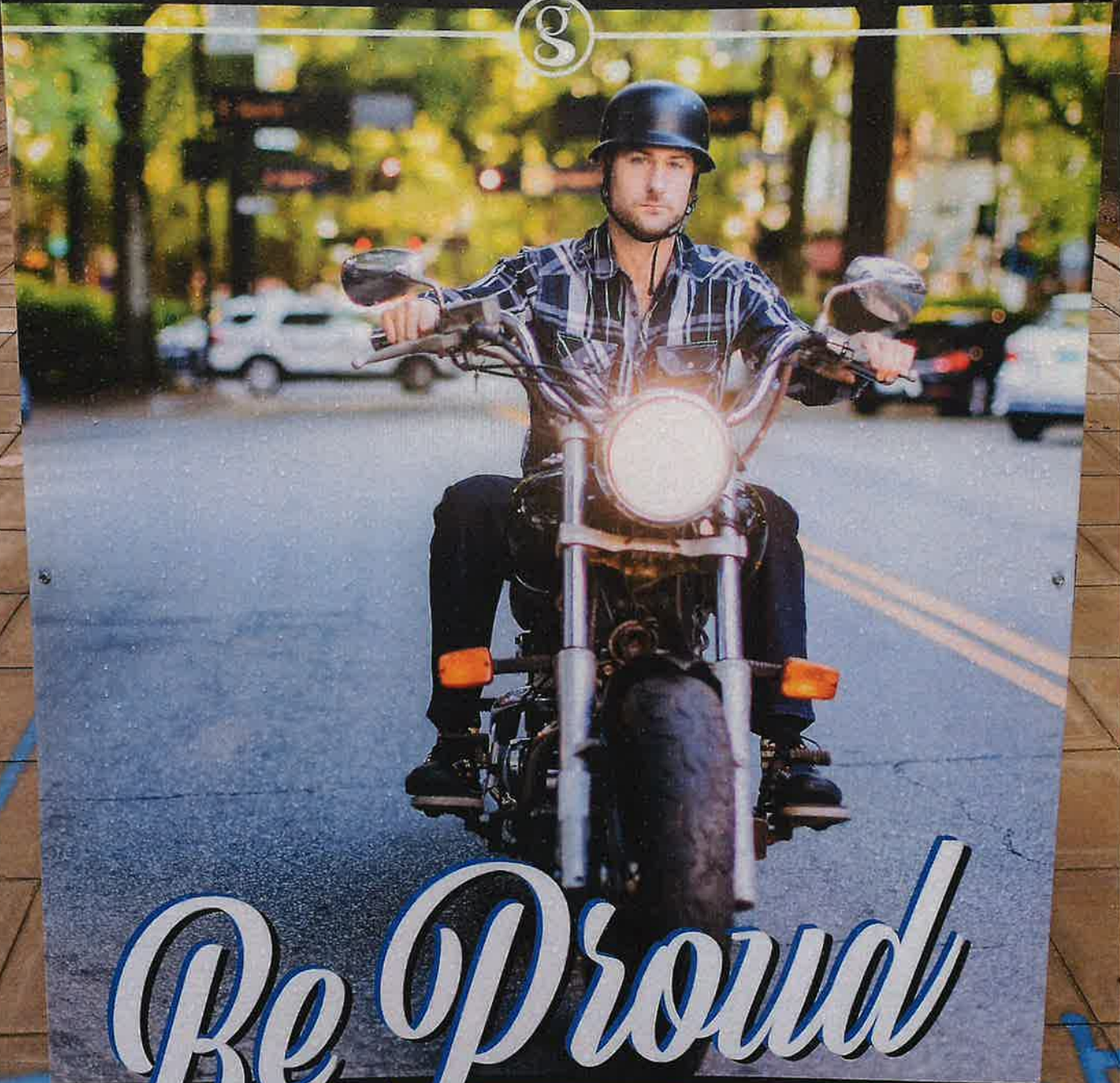


Be Seen

(((NOT HEARD)))

NOISE ORDINANCE

VIOLATORS FINED UP TO \$1000



Be Proud
(((NOT LOUD)))



BOARD OF COUNTY COMMISSIONERS

Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Jim Liesenfelt, Assistant County Manager 

FROM: Mary Ellen Donner, Parks and Recreation Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024025

DATE: 04/01/2024

CEER #2024025 was received by the County from Jennifer White.

Citizen Statement:

Parking lot, invasive plants, dune planting, lighting, showers, trash, rodents and raccoons, homeless, human waste, needles need addressed at beach parks up and down the county. The beach parks need to be maintained better, and if not they should be sold to beachside cities that can maintain them properly and invest the money for improvements.

Citizen Recommendation:

Create a coastal management team. This team can be part natural resources part public works that manages natural resources, maintains infrastructure, and facilitates public engagement.

Staff Analysis:

Brevard County Parks and Recreation operates and maintains twelve beach parks. Each park is assigned a maintenance service level (mode) to ensure safe, functional, and aesthetically appealing parks and facilities. Parks are divided into maintenance modes by park type, its usage, visibility, volume of visitation and the number and complexity of its facilities and amenities. Staff perform daily maintenance and preventative maintenance and repair as required.

When an event(s) occur that require a team approach, Parks and Recreation staff collaborate with staff from the Natural Resources Department, Public Works Facilities Management and other departments and agencies to meet the needs of the parks. The department has established procedures with jurisdictional law enforcement to enforce park rules, maintain public safety and trespass violators. Cooperation between Parks and Recreation and municipalities within Brevard County ensures special events in the beach parks are appropriately permitted.

Currently, a team composed of Parks and Recreation, Public Works Facilities Management and contractors are engaged in a \$1M renovation for beach park bathrooms. In fiscal year 2022 – 2023, a collaboration between departments resulted in an investment of \$1.1M to repair and renovate dune crossover structures. Parks and Recreation assists Natural Resources in beach renourishment projects by providing staging areas and access points.

Staff Recommended Action:

Staff recommends rejecting the recommendation as it is already being implemented.

Recommendation #2024025

Recommendation Details

Contact Information

Full Name:	Jennifer White	Email Address:	Thewhiteshouseinitaly@yahoo.com
Mailing Address:	230 Greenway Ave Satellite Beach fl 32937	Alt Email Address:	
Group/Organization	N/A	Phone Number	352-601-7313

Recommendation Information

Recommendation Title: Beach parks maintenance
Areas Affected: Beaches

Department:
FACILITIES DEPARTMENT

Parking lot, invasive plants, dune planting, lighting, showers, trash, rodents and raccoons, homeless, humna waste, needles need addressed at beach parks up and down the county. The beach parks need to be maintained better, and if not they should be sold to beachside cities that can maintain them properly and invest the money for improvements.

Problem Description:

Create a coastal management team. This team can be part natural resources part public works that manages natural resources, maintains infrastructure, and facilitates public engagement.

Recommendation Description

Attachments
There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 22, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PARKS AND RECREATION DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way

Building A, Room 201

Viera, Florida 32940

321-617-7202

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager

FROM: Marc Bernath, Director of Public Works

A handwritten signature in blue ink, appearing to read 'Marc Bernath', with a stylized flourish at the end.

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024026

DATE: 04/01/2024

CEER #2024026 was received by the County from Lora Losi.

Citizen Statement:

There is excessive money spent on needless and potentially harmful grounds maintenance. There are several cost cutting measures that will save money and help the environment.

Citizen Recommendation:

Eliminate the use of herbicides in and around county ponds. This will prevent possible runoff to the IRL and again save money by not having to revegetate any seagrass effected. The county already owns 3 harvesters for aquatic vegetation removal. One is even small enough to remove unwanted and invasive vegetation in small ponds. Edge vegetation filters, cleans, and slows runoff.

Likewise, drop or lower the use of excessive pesticides, especially on lawns, The treatment of potable water supplies to remove these and other pollutants is EXTREMELY costly.

Reschedule mowing and tree trimming on county properties for MANY fewer repetitions. Longer grass holds water better and therefore reduces runoff. Trees with lower branches and mass are more wind resistant.

Staff Analysis: Public Works - Natural Resource Management - Parks and Recreation – Mosquito Control

Aquatic vegetation management in stormwater ponds and drainage systems throughout the County is conducted by multiple county departments and preventative maintenance is undertaken to address public health & safety, flooding concerns, and improve downstream water quality.

Public Works: The Road and Bridge Program maintains 85 stormwater ponds and employs a variety of mechanical methods as well as limited herbicide treatments. In 2020, our herbicide spray program was outsourced to an approved licensed contractor that sprays two (2) retention ponds on a spray interval of

six (6) times a year at an annual cost of \$1,369.56 (<1% total maintenance budget). A ½ mile No Spray Zone buffer was established around major bodies of water, such as the Indian River Lagoon. The contractor is not allowed to apply herbicide treatments within this No Spray Zone.

Each year the Public Works Department reviews the spray frequency and locations as part of the contract renewal process, making adjustments to ensure the appropriate combination of herbicide and mechanical equipment are being used in consideration of the environment and available resources.

Natural Resource Management (NRM): In 2019, NRM launched an aquatic vegetation harvesting program, which is currently expanding from one team of three employees to two teams, each with a dedicated harvester. Note that the third harvester mentioned in the citizen-recommended action is only suitable for limited use due to its small capacity. It is primarily intended for smaller projects. Several local cities have also initiated similar programs.

Subsequent to launching its aquatic vegetation harvesting program, the use of aquatic herbicides in NRM-maintained ponds has all but been eliminated: staff who are licensed applicators limit aquatic herbicide use only to those locations where mechanical equipment would risk damage to stormwater infrastructure. During 2023, less than one (1) gallon of herbicide was used throughout all NRM-maintained stormwater ponds.

NRM does not broadcast pesticides or fertilizers on any turf areas it maintains. Mowing specifications at NRM-maintained locations call for the maintenance of a three-to-five-foot buffer of higher turf and/or appropriate vegetation immediately upslope of pond shorelines. Mowing at NRM-maintained stormwater pond sites is performed on a monthly cycle. Tree trimming at NRM-maintained sites is performed infrequently, always under the supervision of an International Society of Arboriculture certified arborist and is only conducted when necessary to assure vehicular maintenance access or to address public safety concerns.

Parks and Recreation: Parks Operations coordinates with Mosquito Control for the treatment of cattails only in park ponds. Cattails harbor mosquito larvae as well as contribute to shallowing out ponds where a determined depth is preferred. Moreover, Parks Operation ponds are maintained with vegetative filter strips to intercept undesirable contaminants from runoff before they enter a water body. Steps are taken to protect water bodies by maintaining a minimum ten (10) foot buffer zone for any pesticide applications.

The Environmentally Endangered Lands Program uses a limited amount of aquatic herbicide in wetland environments to control invasive and non-native species.

Parks Operations' maintenance plan includes regular mowing that helps the grass stay healthy and strong. Grass blades are maintained at an ideal height to promote photosynthesis and nutrient absorption and allow early signs of disease or insect infestations to be seen. Additionally, Parks Operations prunes young trees and manages tree architecture. As the tree matures, removal of lower branches is practiced where branches may interfere with pedestrian and vehicle travel, drainage flow, or grounds maintenance equipment.

Mosquito Control: Ponds are often not a source of mosquito breeding due to natural predation of local fish and invertebrates, so limited herbicide applications are needed in ponds. If a pond is found to breed mosquitoes (e.g., newly constructed ponds), Mosquito Control normally first tries to stock native mosquitofish from one of its fish hatcheries to help establish the fish population. However, if significant mosquito or mosquito-borne disease levels are detected in or around a pond and fish are not deemed effective (e.g., when vegetation is too dense for fish to access larvae), the Department may apply herbicides to cut off mosquito breeding quickly and at the source.

Mosquito Control supports the County's harvesting program whenever and wherever harvester applications are practical for aquatic vegetation management. However, the mosquito life cycle is very brief, often less than a week, so harvesting alone cannot keep up with widespread mosquito production to sufficiently protect public health, especially once mosquito larvae or pupae are detected.

Mosquito Control does not control shoreline vegetation unless it is found to harbor significant mosquitoes and/or is determined to be a public health risk due to associated diseases. Local mosquitoes are known to utilize the shelter of aquatic vegetation during their immature (i.e., larval and pupal) life stages, so dense areas are sometimes treated to allow access of predators to mosquitoes. The Department normally considers native shoreline vegetation to be a benefit to water quality and, therefore, supportive of native mosquitofish, invertebrates, and other natural predators of mosquitoes.

Mosquito Control normally doesn't apply pesticides to lawns directly since they are usually not sufficient habitat for mosquitoes. Nevertheless, any pesticides used by the Department are tested and approved by the US Environmental Protection Agency (EPA) to help reduce mosquitoes and associated disease risk. Pesticide spraying is only conducted as needed, when state surveillance thresholds are reached, not on a predetermined schedule. An integrated management approach is employed which also includes various non-pesticide methods such as water level management in salt marsh breeding areas (i.e., mosquito impoundments), native mosquitofish stocking (from the Department's hatcheries), waste tire disposal, and even public education to encourage residents to eliminate water holding containers.

Mosquito Control conducts only the minimum mowing and tree trimming required for access to mosquito management areas (e.g., mosquito impoundments) and office facilities. Office facilities are only maintained to safely store vehicles, equipment, and supplies, and to support operations overall.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation as the County continues to utilize a variety of vegetation control methods and treatments to provide expected service levels to citizens in an environmentally and fiscally responsible manner.

Recommendation #2024026

Recommendation Details

Contact Information

Full Name:	Lora Losi	Email Address:	losi.loral@gmail.com
Mailing Address:	6534 Ridge Ct Titusville fl 32780	Alt Email Address:	losi.loral@gmail.com
		Phone Number	321-313-3121

Group/Organization space coast audubon

Recommendation Information

Recommendation Title: Landscaping savings
Areas Affected:

Department: PUBLIC WORKS DEPARTMENT

There is excessive money spent on needless and potentially harmful grounds maintenance. There are several cost cutting measures that will save money and help the environment.

Eliminate the use of herbicides in and around county ponds. This will prevent possible runoff to the IRL and again save money by not having to revegetate any seagrass effected. The county already owns 3 harvesters for aquatic vegetation removal. One is even small enough to remove unwanted and invasive vegetation in small ponds. Edge vegetation filters, cleans and slows runoff.

Likewise, drop or lower the use of excessive pesticides, especially on lawns. The treatment of potable water supplies to remove these and other pollutants is EXTREMELY costly.

Reschedule mowing and tree trimming on county properties for MANY fewer repetitions. Longer grass holds water better and therefore reduces runoff. Trees with lower branches and mass are more wind resistant.

Problem Description:

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 27, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PUBLIC WORKS DEPARTMENT Assigned

Awaiting action from department director



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

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, P.E., Assistant County Manager

FROM: Amanda Elmore, Deputy Director, Natural Resources Management Dept. *A Elmore*

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024027

DATE: 04/01/2024

CEER #2024027 was received by the County from Lora Losi.

Citizen Statement:

As Brevard County experiences more and more growth, the need for dealing with runoff to the lagoon becomes a HUGE problem. Storms can easily cause overflow of existing retention ponds and sewage facilities. This sends fresh water and pollution into the IRL. Just fresh water can damage the delicate, lifegiving salinity of the IRL. Flooding and damage to properties is also inevitable.

Citizen Recommendation:

In the long run BUYING ADDITIONAL AND MAINTAINING WETLANDS would save taxpayers greatly in IRL restoration and property damage. Instituting the use of Low Impact Development techniques for future development would also help.

Staff Analysis:

In 1990, Brevard's citizens voted to tax themselves for the purchase of environmentally sensitive lands. The Brevard County Environmentally Endangered Lands Program (EEL) has received donations of and/or had mitigation projects on approximately 1,686 acres of land. This total includes 871 acres of wetland mitigation land donations, 161 acres of wetland mitigation projects on EEL-managed lands, and approximately five acres of other land donations of wetlands. In 2022, Brevard County voted to extend the EEL Program for another 20 years. Ballot language read, "...to acquire, improve and maintain wildlife habitat, wetlands, woodlands, and lands that protect Indian River Lagoon and St. Johns River,..."

Additionally, Brevard County Comprehensive Plan, Conservation Element, Objective 5, entitled Wetlands, establishes policies that address land uses in wetlands - prioritizing the protection of wetlands during development design and permitting reviews and requiring "no net loss" of functional wetlands through mitigation.

In February 2022, Coastal Management Element, Objective 14, entitled Coastal Development and Redevelopment, was adopted into the Comprehensive Plan to address "Peril of Flood" in accordance with Section 163.7138(2)(f)1-6, F.S. These 13 new policies include language that creates procedures to allow consideration of the changing dynamics of flooding, sea level rise, and storm surge in growth management decisions through nature-based design standards and/or Low Impact Development.

Lastly, on February 6, 2024, the Board directed that land acquisition for the EEL Program should have a specific and scientific focus on lands that directly benefit the Indian River Lagoon and St. Johns River. EEL's staff is currently working on implementing this direction.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024027, as it is already being implemented.

Recommendation #2024027

Recommendation Details

Contact Information

Full Name: Lora Losi **Email Address:** losi.loral@gmail.com

Mailing Address: 6534 Ridge Ct
Titusville fl 32780 **Alt Email Address:** losi.loral@gmail.com

Phone Number 321-313-3121

Group/Organization
space coast audubon

Recommendation Information

Recommendation Title: Control of water flow

Areas Affected: Land and Development planning

Department: PLANNING AND DEVELOPMENT
DEPARTMENT

As Brevard county experiences more and more growth, the need for dealing with runoff to the lagoon becomes a HUGE problem. Storms can easily cause overflow of existing retention ponds and sewage facilities. This sends fresh water and pollution into the IRL. Just fresh water can damage the delicate, lifegiving salinity of the IRL. Flooding and damage to properties is also inevitable.

Problem Description:

In the long run BUYING ADDITIONAL AND MAINTAINING WETLANDS would save taxpayers greatly in IRL restoration and property damage.

Recommendation Description

Instituting the use of Low Impact Development techniques for future development would also help.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER	Citizen	Dec 27, 2023	
WebUser	Submitted		

User	Status	Date	Remarks
Karen Conde	Department Assigned	Jan 3, 2024	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department *TC*

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024028

DATE: April 1, 2024

[Handwritten signature]

CEER #2024028 was received by the County from Lora Losi.

Citizen Statement:

Landscape contractors are not under any regulation or supervision.
Their lack of knowledge can lead to serious problems with excessive and dangerous use of pesticides, herbicides, fertilizer, irrigation and landscape debris.
This can lead to IRL and aquifer water pollution. Health problems can also occur.

Citizen Recommendation:

Institute a REVENUE GENERATING CERTIFICATION for lawn and landscape contractors, This could be a certification that contractors have to pay for training, annual certification, inspections etc.
It would be especially important for those companies working in the IRL watershed.
The certification would mean that companies would have to test soils for needs, not excessively irrigate, understand how and why and when to fertilize, not let clippings and unneeded chemicals become pollution etc..
KBB has a similar program with 9 companies enrolled.
Brevard groundwater supplies and the IRL do not need any PREVENTABLE pollution .
This program could save taxpayers having to clean drinking water and waterways. (as well as generate some certification monies) .

Why would companies ever go along with this?? Simple, BRAGGING RIGHTS!!!! " "

Staff Analysis:

Brevard County licenses irrigation contractors. See e.g. Sec. 22-529, Brevard County Code of Ordinances, including as a class of competency "irrigation specialty contractor." There are currently 69 active licensees certified by the County, and 5 certified by the State and registered with the County. Broader local licensing requirements are generally preempted under Fla. Stat. Sec. 489.117. For those certified by the County, the



BOARD OF COUNTY COMMISSIONERS

educational materials our test providers draw from include information on pollution and the prevention of runoff.

Contracted landscapers are required by law to receive training and certification from the Florida Department of Agriculture and Consumer Services (FDACS) for the application of pesticides and fertilizers. Each individual seeking certification must satisfactorily pass an examination. Through UF/IFAS Extension Brevard County, we regularly provide the training and continuing education needed to obtain and recertify these required certifications. Examples are listed below.

Pesticide Applicator Trainings and Continuing Education

Chapter 482 (Structural Pest Control) of the Florida Statute states that all general use and restricted use pesticides applied within 10 feet of any building (i.e., "for-hire" contracted landscapers) must be applied by licensed applicators, or in certain instances, supervised by a licensed applicator. Licenses and certifications must be maintained and recertified with continuing education provided by FDACS approved education, such as by UF/IFAS Extension. For landscape professionals, we provide training and continuing education for Commercial Lawn and Ornamental, Limited Commercial Landscape Maintenance, and Special ID Card holders.

Fertilizer Applicator Training and Continuing Education

Florida law states that all commercial fertilizer applicators must have a Limited Urban Fertilizer (LUF) certification from FDACS. To get this certification, each commercial applicator must be trained in the Green Industries Best Management Practices Certification Class (GI-BMPs) and receive a certificate of completion from UF/IFAS and Florida Department of Environmental Protection. We regularly provide this training at UF/IFAS Extension Brevard County.

Florida-Friendly Landscaping™ Certified Professional

The Florida-Friendly Landscaping™ Program offers a Florida-Friendly Landscaping™ Certified Professional (FFLCP) designation to individuals who have completed the required training in FFL principles and are familiar with the latest UF/IFAS recommendations. These trained professionals have demonstrated the ability to recognize and address common landscape issues by using environmentally sustainable landscape management practices that help preserve and protect Florida's water and natural resources. UF/IFAS Extension Brevard County provides the required in-person Field Module training, annually, for landscapers pursuing the FFLCP designation. This is a voluntary program.

Staff Recommended Action:

It is recommended that CEER# 2024028 be rejected by the Board of County Commissioners, as there is already a mechanism in place for lawn and landscape contractors to receive education and licensing for the use of pesticides, herbicides, fertilizer, irrigation, and landscape debris.

Recommendation #2024028

Recommendation Details

Contact Information

Full Name:	Lora Losi	Email Address:	losi.loral@gmail.com
Mailing Address:	6534 Ridge Ct Titusville fl 32780	Alt Email Address:	losi.loral@gmail.com
		Phone Number	321-313-3121

Group/Organization
space coast audubon

Recommendation Information

Recommendation Title: Landscape Contractor Certification
Areas Affected: Business

Department:
NATURAL RESOURCES MANAGEMENT

Landscape contractors are not under any regulation or supervision. Their lack of knowledge can lead to serious problems with excessive and dangerous use of pesticides, herbicides, fertilizer, irrigation and landscape debris. This can lead to IRL and aquifer water pollution. Health problems can also occur.

Problem Description:

Institute a REVENUE GENERATING CERTIFICATION for lawn and landscape contractors, This could be a certification that contractors have to pay for training, annual certification, inspections etc. It would be especially important for those companies working in the IRL watershed. The certification would mean that companies would have to test soils for needs, not excessively irrigate, understand how and why and when to fertilize, not let clippings and unneeded chemicals become pollution etc.. KBB has a similar program with 9 companies enrolled. Brevard groundwater supplies and the IRL do not need any PREVENTABLE pollution. This program could save taxpayers having to clean drinking water and waterways. (as well as generate some certification monies).

Recommendation Description

Why would companies ever go along with this?? Simple, BRAGGING RIGHTS!!!!!! "

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 27, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	NATURAL RESOURCES MANAGEMENT Assigned
Karen Conde	Department Assigned	Jan 10, 2024	UF/BREVARD COUNTY EXTENSION SERVICES OFFICE Assigned

Awaiting action from department dlrector



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department *TC*

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024029

DATE: April 1, 2024

CEER #2024029 was received by the County from Vincent McDermott.

Citizen Statement:

As residents of Brevard County, we are blessed by the natural resource systems that surround us – the beaches and the unique Indian River Lagoon on the east and the St. John's River and its wetlands and flood plains on the west. At the same time, we are fortunate to have a robust and growing economy attributable to the high-tech industry supporting space exploration and our national defense. But with growth and development comes pressure on the quality of our natural resources as evidenced by the poor health of the IRL that can be attributed to urban and agricultural runoff, inadequate sewage treatment, outmoded septic systems, and similar sources of contamination.

By 2026, Brevard County will have spent over \$500,000,000 to initiate the restoration of the Indian River Lagoon. This is in addition to funding from other state and federal programs designed to remediate the degradation of our most precious natural resource that has occurred over decades. The recent financial investments in the IRL are showing promise; hopefully that funding will continue by renewing the sales tax to support the SOIRL program for the next decade.

All of the ongoing IRL restoration efforts will be for naught if we do not learn from our past mistakes and develop a long-term strategy to balance our appetite for continued economic development with the desire to conserve both the IRL and the St. John's River watersheds.

Citizen Recommendation:

As a professional AICP planner with over 50 years of practice, I recommend that the County undertake and adopt a long-term, comprehensive growth management plan that will address our expanding population that will have specific strategies, land use and development policies, and committed sources of funding to implement the plan. This plan should not be the traditional comprehensive plan that has incremental periodic updates and revised at the request of an applicant.



BOARD OF COUNTY COMMISSIONERS

The growth management plan would be prepared through a transparent process that will actively include a broad range of stakeholders eventually adopted by the County Commission. The plan needs to be forward-thinking and sustainable. It needs to address the impacts of climate change including sea level rise; transportation and infrastructure improvements (water supply, wastewater treatment) to support projected growth; land use techniques including acquisition and transfer of development rights to assure real estate equity; low impact development practices and stormwater management; measures to address housing affordability and the needs of the unhoused; and financial policies to assure an income stream to fund the strategies and policies. By having an enforceable growth management plan, we can surely maintain and enhance the quality of life we have come to enjoy in Brevard County for now and for the next generation.

Staff Analysis:

Such issues are addressed through the existing (statutorily mandated) comprehensive plan process, addressing the very transparency concerns noted in the request. Fla. Stat. Sec. 163.3181 mandates public participation in this process. Additionally, the comprehensive plan process promotes objectivity and carries significant weight in related decision-making.

Illustrative of the ability to incorporate such initiatives into the comprehensive plan process, in February 2022, Objective 14 - Coastal Development and Redevelopment, was adopted into the Coastal Management Element to address "Peril of Flood" in accordance with Section 163.7138(2)(f)1-6, F.S. These 13 new policies include language that creates procedures to allow consideration of the changing dynamics of flooding, sea level rise, and storm surge in growth management decisions through nature-based design standards and/or Low Impact Development.

Staff will continue to work to ensure such growth management policies are considered in the several efforts the County is currently undertaking. This would include amendments to the County's Planned Unit Development zoning classification as well as the implementation of an Area of Critical State Concern (ACSC) in the South Beaches, which is overseen by Florida Commerce, and will be a public process with an opportunity for public and stakeholder input.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject this recommendation as the County is required to follow the statutorily mandated process.

Recommendation Details

Contact Information

Full Name:	Vincent McDermott	Email Address:	vcmla@netscape.net
Mailing Address:	491 S River Oaks Dr Indialantic fl 32903	Alt Email Address:	
		Phone Number	203-525-7102

Group/Organization

Individual

Recommendation Information

Recommendation Title:

Long-Term Growth Management Plan for a Sustainable Brevard

Areas Affected:

Entire County

Department:

BOARD OF COUNTY COMMISSIONERS

As residents of Brevard County, we are blessed by the natural resource systems that surround us - the beaches and the unique Indian River Lagoon on the east and the St. John's River and its wetlands and flood plains on the west. At the same time, we are fortunate to have a robust and growing economy attributable to the high-tech industry supporting space exploration and our national defense. But with growth and development comes pressure on the quality of our natural resources as evidenced by the poor health of the IRL that can be attributed to urban and agricultural runoff, inadequate sewage treatment, outmoded septic systems, and similar sources of contamination.

By 2026, Brevard County will have spent over \$500,000,000 to initiate the restoration of the Indian River Lagoon. This is in addition to funding from other state and federal programs designed to remediate the degradation of our most precious natural resource that has occurred over decades. The recent financial investments in the IRL are showing promise; hopefully that funding will continue by renewing the sales tax to support the SOIRL program for the next decade.

All of the ongoing IRL restoration efforts will be for naught if we do not learn from our past mistakes and develop a long-term strategy to balance our appetite for continued economic development with the desire to conserve both the IRL and the St. John's River watersheds.

Problem Description:

As a professional AICP planner with over 50 years of practice, I recommend that the County undertake and adopt a long-term, comprehensive growth management plan that will address our expanding population that will have specific strategies, land use and development policies, and committed sources of funding to implement the plan. This plan should not be the traditional comprehensive plan that has incremental periodic updates and revised at the request of an applicant.

**Recommendation
Description**

The growth management plan would be prepared through a transparent process that will actively include a broad range of stakeholders eventually adopted by the County Commission. The plan needs to be forward-thinking and sustainable. It needs to address the impacts of climate change including sea level rise; transportation and infrastructure improvements (water supply, wastewater treatment) to support projected growth; land use techniques including acquisition and transfer of development rights to assure real estate equity; low impact development practices and stormwater management; measures to address housing affordability and the needs of the unhoused; and financial policies to assure an income stream to fund the strategies and policies. By having an enforceable growth management plan, we can surely maintain and enhance the quality of life we have come to enjoy in Brevard County for now and for the next generation.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 28, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director



Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Jim Liesenfelt, Assistant County Manager *RL*

FROM: Mary Ellen Donner, Parks and Recreation Director *ME*

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024030

DATE: 04/01/2024

CEER #2024030 was received by the County from Kristin Lortie.

Citizen Statement:

In a recent google search of "Brevard County Pickleball" there were no county results returned.

City of Melbourne had a local search result: <https://www.melbourneflorida.org/departments/parks-recreation/pickleball>

City of Cocoa Beach had a local search result: <https://www.cityofcocoa-beach.com/697/Pickleball>

There is no county search result returned for locals to know where we can play at county facilities. See the attached recent Facebook Post on the Space Coast Pickleball page where locals were not sure what times/locations are available.

Citizen Recommendation:

Suggest that Brevard County include pickleball locations and times where it is available at local facilities on the Brevard County website. Results should be easy to find in an internet search, and available for each county park location where it is currently hosted.

Pickleball helps residents with recreation, exercise benefits, developing a sense of community, and is the latest craze throughout the country. Brevard County Parks & Recreation can help local residents get healthier and more connected by making it easy to find local pickleball locations.

Staff Analysis:

Pickleball is a very popular and growing activity in Brevard County. A link called Pickleball Opportunities has been added to the Brevard County Parks and Recreation homepage <https://www.brevardfl.gov/ParksAndRecreation> as a blue navigation box on the right-hand side of the page.

Staff Recommended Action:

It is recommended that the Board of County Commissioners accept the recommendation. Upon receipt and review of this recommendation, staff implemented the suggestion.

Recommendation Details

Contact Information

Full Name:	Kristin Lortie	Email Address:	kristin.lortie@gmail.com
Mailing Address:	5524 Brilliance Circle Cocoa fl 32926	Alt Email Address:	
		Phone Number	720-935-8780
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Help Residents Get Healthy - Post Local Pickleball Opportunities!

Areas Affected: Brevard Parks & Recreation

Department: PARKS AND RECREATION DEPARTMENT

In a recent google search of "Brevard County Pickleball" there were no county results returned.

City of Melbourne had a local search result: <https://www.melbourneflorida.org/departments/parks-recreation/pickleball>
 City of Cocoa Beach had a local search result: <https://www.cityofcocoabeach.com/697/Pickleball>

There is no county search result returned for locals to know where we can play at county facilities. See the attached recent Facebook Post on the Space Coast Pickleball page where locals were not sure what times/locations are available.

Problem Description:

Suggest that Brevard County include pickleball locations and times where it is available at local facilities on the Brevard County website. Results should be easy to find in an internet search, and available for each county park location where it is currently hosted.

Recommendation Description

Pickleball helps residents with recreation, exercise benefits, developing a sense of community, and is the latest craze throughout the country. Brevard County Parks & Recreation can help local residents get healthier and more connected by making it easy to find local pickleball locations.

Attachments

No. Type Name

1		Where is Pickleball in Brevard County-FB Post.jpg
---	---	---

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 29, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PARKS AND RECREATION DEPARTMENT Assigned

Awaiting action from department director

2024030 - Links Contained Within Citizen CEER Submission

<https://www.melbourneflorida.org/departments/parks-recreation/pickleball>

<https://www.cityofcocoabeach.com/697/Pickleball>



Luke Christensen



1d ·

I just recently moved to Port St John and I'm looking for courts in the PSJ, Titusville, or Rockledge area. Where would everyone recommend placea to play? Would also love to find some people to potentially play with!



3

8 comments



Like



Comment



Share



Amber Small

Walter Butler Community Center in Sharpes plays m,w,f mornings 10 am I think. Rockledge Country Club m,w,f 5:30 pm and I have heard of a place in Mims that has open plays I just can't remember the name of the place or times.

Like

Reply



1



Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, P.E., Assistant County Manager

FROM: Amanda Elmore, Deputy Director, Natural Resources Management Dept.

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024031

DATE: 04/01/2024

CEER #2024031 was received by the County from Kristin Lortie.

Citizen Statement:

Currently the SR524 corridor of Cocoa is receiving an influx of new residents due to development, addition to multiple existing neighborhoods that share one small park Junny Rios Martinez Park. This park has a limited walking path around it. One of the newest developments on SR524 is called "Integra Trails", yet the development has no direct access to the 380-acre Cocoa Conservation area behind it. The only current access point for the Cocoa Conservation area is through a mobile home development 5 miles away. The city website states "The City is currently working to expand the overall area and provide additional amenities to the public: <https://www.cocoafl.org/facilities/facility/details/Cocoa-Conservation-Area-19> In 2003, the City of Cocoa received grant money to purchase the initial conservation area, and created a management plan for enhancing this area, including recreational access for passive recreational access for residents. This management plan included 2 addition access points - one on SR524 and one on Cox Road. Neither of these access points have been constructed, so local residents do not have trailhead access along SR524 or Cox Road. Brevard County has recently requested grant funding for drainage improvements following Hurricane Irma. The area is the Mud Lake/West Cocoa area located where the 380-acre Cocoa Conservation area is located.

Citizen Recommendation:

Drainage grant projects occurring in the conservation area footprint have the opportunity to coordinate with the Cocoa Conservation Area management plan for enhancing passive recreation for residents. Access to this area would help the residents gain access to nature spaces for walking and enjoying local wildlife. Grant funding is available from Florida Communities Trust for improving the recreation area <https://floridadep.gov/lands/land-and->

Main Line: (321) 633-2016

Website: [Brevardfl.gov/NaturalResources](https://brevardfl.gov/NaturalResources)

recreation-grants/. The City of Cocoa and the County working together toward the efforts of improving storm runoff while improving the conservation area would provide multiple benefits to residents. Enhancing passive recreation in this area by combining county grant funding with the existing management plan could make the grant funding more efficient while providing health and wellness benefits for Cocoa and Brevard County residents. Please gain efficiencies in county projects by aligning existing grant money with the existing management plan. Adding an SR524 and/or Cox Rd trailhead, raised walkway, and expanding trails and signage are basic steps that would provide numerous benefits to local residents that do not currently have any nearby park walkways outside of the Junny Rios Martinez Park footprint. Back-up Documents:

1. Link to Cocoa's Hidden Treasure Powerpoint presentation about the CCA:

https://drive.google.com/file/d/1eqs7EL8QJ4bsB9_Gn0J0Vw65et166_L6/view?usp=drive_link

2. Link to 2003 Site Plan for Cocoa Conservation Area:

[https://drive.google.com/file/d/1O5N7v0Jyz2Mw_-](https://drive.google.com/file/d/1O5N7v0Jyz2Mw_-BHBFWHnV8JxGxIQTFo/view?usp=drive_link)

BHBFWHnV8JxGxIQTFo/view?usp=drive_link 3. Link to county grant documents:

https://drive.google.com/drive/folders/1386CRcOqjZu37LO2EBTtBX998WCK413c?usp=drive_link

k 4. Here is a link to the 2003 Cocoa Conservation Area Management Plan:

https://drive.google.com/file/d/1KjSJ8Y8Qu51VV99acBAuQ-0R0IsMOWh/view?usp=drive_link

Staff Analysis:

Brevard County is actively pursuing state and federal funds for flood mitigation projects in the Cocoa Conservation Area. Additionally, Brevard County has been, and will continue to, coordinate with the City of Cocoa to leverage funding sources to restore and improve natural drainage and enhance passive recreation for citizens.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation as already being implemented.

Recommendation #2024031

Recommendation Details

Contact Information

Full Name: Kristin Lortie **Email Address:** kristin.lortie@gmail.com

Mailing Address: 5524 Brilliance Circle
Cocoa fl 32926 **Alt Email Address:**

Phone Number 720-935-8780

Group/Organization N/A

Recommendation Information

Recommendation Title: Improve Resident Access to Cocoa Conservation Area with County Grant Projects

Areas Affected: County Engineering

Department: DEVELOPMENTAL & ENVIRONMENTAL
SERVICES

Currently the SR524 corridor of Cocoa is receiving an influx of new residents due to development, addition to multiple existing neighborhoods that share one small park Junny Rios Martinez Park. This park has a limited walking path around it. One of the newest developments on SR524 is called "Integra Trails", yet the development has no direct access to the 380-acre Cocoa Conservation area behind it. The only current access point for the Cocoa Conservation area is through a mobile home development 5 miles away. The city website states "The City is currently working to expand the overall area and provide additional amenities to the public: <https://www.cocoafl.org/facilities/facility/details/Cocoa-Conservation-Area-19>

Problem Description:

In 2003, the City of Cocoa received grant money to purchase the initial conservation area, and created a management plan for enhancing this area, including recreational access for passive recreational access for residents. This management plan included 2 addition access points - one on SR524 and one on Cox Road. Neither of these access points have been constructed, so local residents do not have trailhead access along SR524 or Cox Road.

Brevard County has recently requested grant funding for drainage improvements following Hurricane Irma. The area is the Mud Lake/West Cocoa area located where the 380-acre Cocoa Conservation area is located.

Drainage grant projects occurring in the conservation area footprint have the opportunity to coordinate with the Cocoa Conservation Area management plan for enhancing passive recreation for residents. Access to this area would help the residents gain access to nature spaces for walking and enjoying local wildlife. Grant funding is available from Florida Communities Trust for improving the recreation area <https://floridadep.gov/lands/land-and-recreation-grants/>. The City of Cocoa and the County working together toward the efforts of improving storm runoff while improving the conservation area would provide multiple benefits to residents.

Recommendation Description

Enhancing passive recreation in this area by combining county grant funding with the existing management plan could make the grant funding more efficient while providing health and wellness benefits for Cocoa and Brevard County residents. Please gain efficiencies in county projects by aligning existing grant money with the existing management plan. Adding an SR524 and/or Cox Rd trailhead, raised walkway, and expanding trails and signage are basic steps that would provide numerous benefits to local residents that do not currently have any nearby park walkways outside of the Junny Rios Martinez Park footprint.

Back-up Documents:

1. Link to Cocoa's Hidden Treasure Powerpoint presentation about the CCA: https://drive.google.com/file/d/1eqs7EL8QJ4bsB9_Gn0J0Vw65et166_L6/view?usp=drive_link
2. Link to 2003 Site Plan for Cocoa Conservation Area: https://drive.google.com/file/d/1O5N7v0Jyz2Mw_-BHBFWHnV8JxGxIQTFo/view?usp=drive_link
3. Link to county grant documents: https://drive.google.com/drive/folders/1386CRcOqJzu37LO2EBTtBX998WCK4I3c?usp=drive_link
4. Here Is a link to the 2003 Cocoa Conservation Area Management Plan: https://drive.google.com/file/d/1KJSJ8Y8Qu51VV99acBAIuQ-0R0IsMOWh/view?usp=drive_link

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 29, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director

2024031 - Links Contained Within Citizen CEER Submission

<https://www.cocoafl.org/facilities/facility/details/Cocoa-Conservation-Area-19>

<https://floridadep.gov/lands/land-and-recreation-grants/>

https://drive.google.com/file/d/1eqs7EL8QJ4bsB9_Gn0J0Vw65et166_L6/view?usp=drive_link

https://drive.google.com/file/d/1O5N7v0Jyz2Mw_-BHBFWHnV8JxGxIQTFo/view?usp=drive_link

https://drive.google.com/drive/folders/1386CRcOqjZu37LO2EBTtBX998WCK4I3c?usp=drive_link

https://drive.google.com/file/d/1KjSJ8Y8Qu51VV99acBAuQ-0R0IsMOWh/view?usp=drive_link



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024032

DATE: 04/01/2024

CEER #2024032 was received by the County from Kristin Lortie that described the following Problem and Recommendation.

Citizen Statement:

According to Florida Health Charts, as of 2020-22, Brevard residents have an anticipated longevity of 75.8 years. This put Brevard County approximately 30th of the 67 counties in Florida, and lower than the Florida 2020 average of 77.5 and the average US life expectancy of 77.28 years.

Brevard County currently has no county-wide wellness plan for its residents. Here is a link to the Florida Dept. of Health few wellness pages: <https://brevard.floridahealth.gov/programs-and-services/wellness-programs/index.html>

Of the (6) noted pages, (4) of them have not been updates to the hyperlinked websites since 2018 or prior.

The 2022 Brevard County Community Needs Health Assessment determined at least (13) areas of opportunity: <https://brevard.floridahealth.gov/programs-and-services/community-health-planning-and-statistics/community-health-improvement/documents/brevard-county-community-health-assessment-2022.pdf>

Citizen Recommendation:

Brevard County needs a wellness plan, program and model that is available to all residents. There is a longevity community-focused model that is being implemented elsewhere in Florida called Blue Zone Certification. This effort is evidence based on behaviors of areas of the world that have clusters of centenarians that have lived past 100 years old. The US Blue Zone communities are engaged in a community-wide initiative to improve the health and well-being of all residents. Currently, (8) communities in Southern Florida have achieved certification, and the city of Jacksonville has just

launched their journey in June of 2023. If Jacksonville and Southwest Florida can do this, why can't we here in Brevard County?

Suggest that the Brevard County Commissioners write a letter of support for the Blue Zones administration to deliver a presentation in Brevard County to be attended by the community and community stakeholders. This letter should be extended to the area's largest healthcare providers and stakeholders, as they will be enlisted as sponsors to bring the effort to Brevard County. This includes Space Coast Foundation Health, Healthfirst, United Way of Brevard, and others. A presentation was given at Florida Today in 2017, with no traction afterward to move the initiative forward. Current Brevard leadership has the opportunity to change the trajectory of Brevard wellness to establish Brevard as a county and destination for wellbeing!

Blue Zones website: <https://www.bluezones.com/community/>

Jacksonville website: <https://bluezonesprojectjacksonville.com/>

Jacksonville article:

<https://www.jacksonville.com/story/opinion/columns/guest/2023/06/11/accessible-healthy-choices-for-all-is-key-to-rebranding-jacksonville/70290361007/>

Southwest Florida website: <https://southwestflorida.bluezonesproject.com/>

Anyone can send an email to cocoacarescitizens@gmail.com to express local interest in this exciting and innovative initiative!

Staff Analysis:

Blue Zones is a trademark initiative from the private sector. It is within the purview of the Brevard County Health Department, a state agency, to promote, protect, maintain and improve the health and safety of all citizens and visitors of Brevard County. Brevard County Board of County Commissioners and County staff support our Health Department in this mission. Staff has shared this recommendation with the Health Department and we stand ready to continue supporting their community health program initiatives.

Staff Recommended Action:

Staff recommends that the Board of County Commissioners reject CEER #2024032, as it is properly within the purview of the State of Florida Department of Health community health program.

Recommendation #2024032

Recommendation Details

Contact Information

Full Name: Kristin Lortie **Email Address:** kristin.lortie@gmail.com

Mailing Address: 5524 Brilliance Circle
Cocoa fl 32926 **Alt Email Address:**

Phone Number 720-935-8780

Group/Organization N/A **Recommendation Information**

Recommendation Title: Brevard Needs a Community Wellness Planning for Longevity and Good Health

Areas Affected: Health and Longevity of Brevard Residents

Department: BOARD OF COUNTY COMMISSIONERS

According to Florida Health Charts, as of 2020-22, Brevard residents have an anticipated longevity of 75.8 years. This put Brevard County approximately 30th of the 67 counties in Florida, and lower than the Florida 2020 average of 77.5 and the average US life expectancy of 77.28 years.

Brevard County currently has no county-wide wellness plan for its residents. Here is a link to the Florida Dept. of Health few wellness pages: <https://brevard.floridahealth.gov/programs-and-services/wellness-programs/index.html>

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The 2022 Brevard County Community Needs Health Assessment determined at least (13) areas of opportunity: https://brevard.floridahealth.gov/programs-and-services/community-health-planning-and-statistics/community-health-improvement/_documents/brevard-county-community-health-assessment-2022.pdf

Problem Description:

Brevard County needs a wellness plan, program and model that is available to all residents. There is a longevity community-focused model that is being implemented elsewhere in Florida called Blue Zone Certification. This effort is evidence based on behaviors of areas of the world that have clusters of centenarians that have lived past 100 years old. The US Blue Zone communities are engaged in a community-wide initiative to improve the health and well-being of all residents. Currently, (8) communities in Southern Florida have achieved certification, and the city of Jacksonville has just launched their journey in June of 2023. If Jacksonville and Southwest Florida can do this, why can't we here in Brevard County?

Recommendation Description

Suggest that the Brevard County Commissioners write a letter of support for the Blue Zones administration to deliver a presentation in Brevard County to be attended by the community and community stakeholders. This letter should be extended to the area's largest healthcare providers and stakeholders, as they will be enlisted as sponsors to bring the effort to Brevard County. This includes Space Coast Foundation Health, Healthfirst, United Way of Brevard, and others. A presentation was given at Florida Today in 2017, with no traction afterward to move the initiative forward. Current Brevard leadership has the opportunity to change the trajectory of Brevard wellness to establish Brevard as a county and destination for wellbeing!

Blue Zones website: <https://www.bluezones.com/community/>
 Jacksonville website: <https://bluezonesprojectjacksonville.com/>
 Jacksonville article: <https://www.jacksonville.com/story/opinion/columns/guest/2023/06/11/accessible-healthy-choices-for-all-is-key-to-rebranding-jacksonville/70290361007/>
 Southwest Florida website: <https://southwestflorida.bluezonesproject.com/>

Anyone can send an email to cocoacarescitizens@gmail.com to express local interest in this exciting and innovative initiative!

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 29, 2023	
Karen Conde	Department Assigned	Jan 5, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned
Karen Conde	Department Assigned	Jan 5, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director

2024032 - Links Contained Within Citizen CEER Submission

<https://brevard.floridahealth.gov/programs-and-services/wellness-programs/index.html>

<https://brevard.floridahealth.gov/programs-and-services/community-health-planning-and-statistics/community-health-improvement/documents/brevard-county-community-health-assessment-2022.pdf>

<https://www.bluezones.com/community/>

<https://bluezonesprojectjacksonville.com/>

<https://www.jacksonville.com/story/opinion/columns/guest/2023/06/11/accessible-healthy-choices-for-all-is-key-to-rebranding-jacksonville/70290361007/>

<https://southwestflorida.bluezonesproject.com/>



BOARD OF COUNTY COMMISSIONERS

Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: John P. Denninghoff, Assistant County Manager

FROM: Marc Bernath, Public Works Director

Two handwritten signatures in blue ink. The first signature is 'JD' for John P. Denninghoff, and the second is 'MB' for Marc Bernath.

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024033

DATE: 04/01/2024

CEER #2024033 was received by the County from Terri Friedlander, representing the Pineda Safety Committee.

Citizen Statement:

There has been a steady increase in population in the area and traffic on the Pineda Causeway between I95 and Wickham Road. Speeding is excessive on the Pineda and may be the cause of some recent crashes. The speed limit of 45 mph is basically ignored, especially during rush hour. To date, there have been at least 2 school buses that have been rear-ended with injuries.

Citizen Recommendation:

Additional flashing signals reminding about the 45mph speed limit would be helpful. Also, it has become increasingly dangerous for vehicles to enter and exit the Grand Haven subdivisions at Peninsula Circle and Fringetree Lane. For safety purposes, a traffic signal appears to be warranted. There is also a frequent backup of vehicles heading westbound on the Pineda. Longer turning lanes on the Pineda at the Wickham intersection would be beneficial.

Staff Analysis:

Pineda Causeway between Interstate 95 (I-95) and Wickham Road is a county-maintained arterial roadway with a 45-mph posted speed limit. There are two existing flashing speed feedback signs, one at each end, which have proven to have limited success in reducing the speed of motorists on Pineda Causeway. Drivers are familiar with these devices and choose to disregard them. It is suggested in the citizen recommendation that additional speed feedback signs be provided to slow the speed of traffic, however, at a high cost to install of \$15,000 each and maintain annually at

\$5,000 on average, these electronic signs are not justified by the marginal benefits they provide. The concern about excessive speeding is a frequent complaint that only law enforcement has the greatest control over.

It is also suggested in the citizen recommendation that a traffic signal should be installed at the intersection of Pineda Causeway and Peninsula Circle/Fringetree Lane. A traffic signal warrant analysis was performed in 2021, in accordance with the criteria established by the Federal Highway Administration in the Manual on Uniform Traffic Control Devices, the national standard for traffic control which details the conditions that could allow for the installation of a traffic signal. The study determined that a traffic signal at this location is not warranted. The study was to consider alternative improvements if the results of the safety analysis indicated a trend or an unusual number of crashes that would be mitigated by signalization. However, this was not the case as the crash history does not indicate crash patterns susceptible to correction by the installation of a traffic signal. Installation of signals at unwarranted locations is a technical violation of State and Federal Laws as well as County Code.

Motorists experience significant delays at the intersection of Pineda Causeway and Wickham Road during peak hours due to the bottleneck that occurs because of increasing traffic volume through this signalized intersection. Signal system retiming and optimization are occurring annually, rather than the typical 3 to 5-year frequency, to improve traffic flow. Further, Brevard County Public Works is already in design to lengthen the existing right and left turn lanes approaching the intersection from the west and south. The extension of turn lanes will improve the efficiency of the signal operation and the movement of traffic through the intersection. Construction is anticipated to start by late Fall 2024 barring any unforeseen circumstances.

Staff Recommended Action:

It is recommended that the Board accept the recommendation to extend the turn lanes at the intersection of Wickham and Pineda as the engineering design for this project is already in progress.

Recommendation #2024033

Recommendation Details

Contact Information

Full Name:	Terri Friedlander	Email Address:	terrifriedlander@gmail.com
Mailing Address:	3236 Peninsula Circle Melbourne fl 32940	Alt Email Address:	terrifriedlander@gmail.com
		Phone Number	516-902-8383

Group/Organization

Pineda Safety Committee

Recommendation Information

Recommendation Title:

Ms.

Areas Affected:

District 4

Department:

PUBLIC WORKS DEPARTMENT

There has been a steady increase in population in the area and traffic on the Pineda Causeway between I95 and Wickham Road. Speeding is excessive on the Pineda and may be the cause of some recent crashes. The speed limit of 45 mph is basically ignored, especially during rush hour. To date, there have been at least 2 school buses that have been rear-ended with injuries.

Problem Description:

Additional flashing signals reminding about the 45mph speed limit would be helpful. Also, it has become increasingly dangerous for vehicles to enter and exit the Grand Haven subdivisions at Peninsula Circle and Fringetree Lane. For safety purposes, a traffic signal appears to be warranted. There is also a frequent backup of vehicles heading westbound on the Pineda. Longer turning lanes on the Pineda at the Wickham intersection would be beneficial.

Recommendation Description

Attachments

No.	Type	Name
-----	------	------

1		busrearended march 27 2017.JPG
---	---	--------------------------------

2		school bus rear ended news.jpg
---	---	--------------------------------

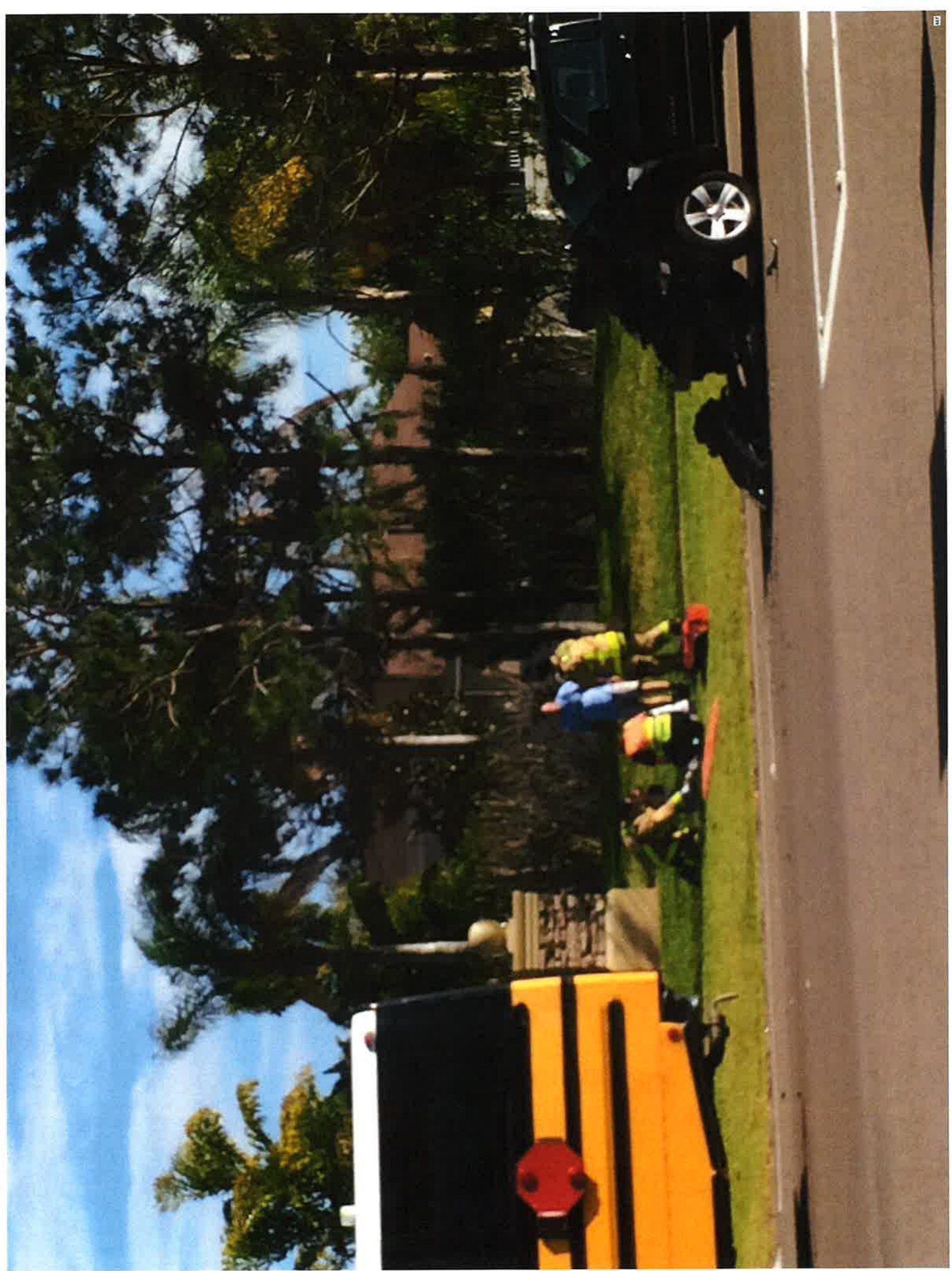
Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 29, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PUBLIC WORKS DEPARTMENT Assigned

Awaiting action from department director



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Eastbound Pineda Causeway slow due to sch

4:35 PM, Nov 30, 2012 | [Comments](#)

[Recommend](#)

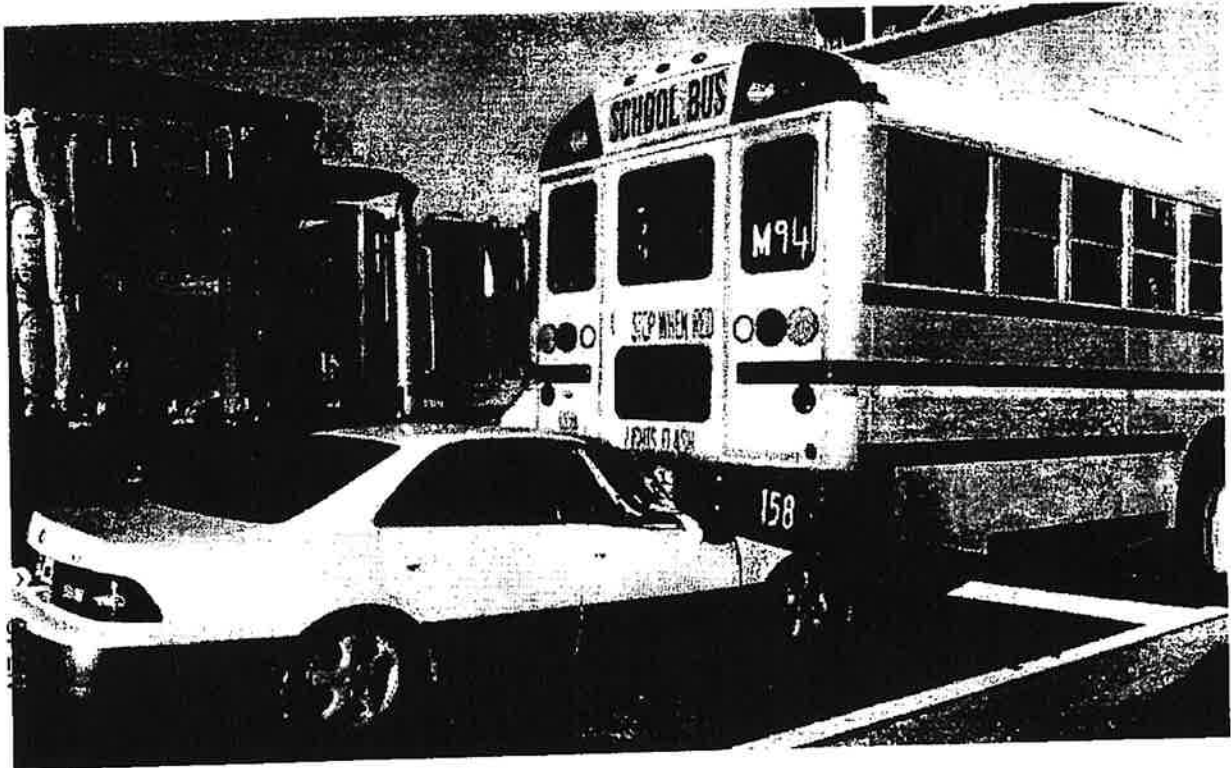
8

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Stacey Barchenger, FLORIDA TODAY



BOARD OF COUNTY COMMISSIONERS

Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager

FROM: Virginia Barker, Director, Natural Resources Management

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024034

DATE: 04/01/2024

CEER #2024034 was received by the County from Sandra Sullivan.

Citizen Statement:

HERBICIDES AND SAVING THE LAGOON - COUNTY INCREASED HERBICIDES BY 2.5 TIMES COST IN 2021. That year the Lagoon report card went from an F++ to an F-- WHILE THE 2 COUNTIES WHICH STOPPED THEIR USE OF GLYPHOSATE, their IRL portions improved . That was the last year of the report card.

Given the priority of voters in Brevard concerned about the decline of the Indian River Lagoon, I would ask that the County reevaluate the decision in 2021 to increase the spraying of herbicides from \$85,370 annually (Aquatic Vegetation Management Services) for past 3 years to 2 and half times for 2 additional districts, to \$221,454.19. I believe this decision to increase this budget will cost the counties millions to the harm these chemicals cause the IRL.

In 2008, the sea grass looked better than 1943. Since 2010, we have lost 98% of sea grass biomass (58% lost compounded with thinning). Even where nutrient loading is good, seagrass is dying suggesting another factor at play.

Since 2011, we have lost almost all the seagrass in the lagoon. What changed in 2011? The muck didn't change. The septic didn't change. The sewage plants didn't change. In fact, FDEP wrote a report in which they said the decline was due to something else other than nutrient loading.

https://drive.google.com/file/d/1hl_3niUI2LQ4mzrk_26WK92vn0ECDKSS/view?usp=sharing

MRC's data also shows that even in areas of good water quality, seagrass continued it's decline suggesting something else other than nutrient loading. "The most critical thing for us to focus on besides what we are doing is the toxins, pesticides, herbicide and PFAS..."

<https://www.facebook.com/MarineResourcesCouncil/videos/377019180614824/>

What was identified by MRC scientist is the state switched to broadcast spraying of herbicides from mechanical harvesting. The state laid off 1300 workers in 2010 and switched to spraying chemicals instead of mechanically removing aquatic weeds. Aquatic weeds are the most

effective way to removing nutrient loading - killing them releases the uptake back to the water. While this is correlation to the die off of seagrass, the science is preliminary on glyphosate having an impact on seagrass.

Earlier in 2021, Duane DeFreese also wrote Virginia Barker at the County about his concerns with herbicides but again no change to the lagoon plan to address:
<https://www.facebook.com/groups/wavesaction/posts/3039719476358583/>

Citizen Recommendation:

The recommendation is for a Moratorium for 2 years on the spraying of glyphosate in any area near the IRL or that drains to the IRL to evaluate the impact.

Unfortunately, currently Florida Statute 487.051(2) preempts cities and counties from enacting any regulations restricting the use of pesticides including herbicide. But Brevard County can at least decrease the use of glyphosate (like other areas of lagoon on that are seeing improvements).

And it is possible that this action may be an cost-effective way to help save the lagoon.

We know the lagoon is resilient - given the 90's lagoon recovery due to the F.S. 403.086 which required Wastewater treatment conversion (deeper injection wells) to AWT preventing raw sewage from going in lagoon regularly. By not using herbicides we could see an equally strong recovery.

This proposal would have the additional cost of aquatic weed control to be funded via the SOIRL Tax, as well as funding FIT (who has testing lab for glyphosate) to measure levels in water near these locations (baseline) in subsequent years of lagoon tax until 2026 to be able to have scientific data to evaluate the impact of the tax use.

Given the CCMP (EPA approved Lagoon Plan) includes pollution and specifically Glyphosate monitoring, this recommendation would be consistent with the IRL Council agreement and Lagoon Ordinance 16-15 to implement the CCMP. Therefore, it is recommended that baseline measurements be obtained under SOIRL throughout the lagoon for glyphosate.

Staff Analysis:

The Citizen Recommendation statement above includes three requests:

1. Adopt a 2-yr moratorium on County use of glyphosate in any area near the Indian River Lagoon;
2. Fund aquatic weed control with the Save Our Indian River Lagoon (SOIRL) Tax; and
3. Measure glyphosate levels in the IRL to establish baseline conditions and evaluate the impact of a moratorium.

- 1) Brevard County Public Works stopped using glyphosate in ditches within a half-mile of the lagoon more than 3 years ago. At the same time, Natural Resources and Mosquito Control reduced their use of glyphosate county-wide substantially, which is used only for sites posing human health or safety concerns with no feasible alternative for weed control. Municipalities in Brevard have also been reducing their use of glyphosate. A multi-jurisdictional discussion of lessons learned from experience using alternatives to glyphosate was conducted during the July 2023 Citizen Oversight Committee meeting to help inform future management decisions by all local jurisdictions.

Mosquito Control employs an integrated mosquito management program which utilizes various habitat management (impounded wetland management), biological control (native fish hatchery/ stocking) and cultural control (public education) techniques to protect public health, but US Environmental Protection Agency (EPA)-approved pesticides ultimately are necessary to support the public health mission as well, and invasive aquatic vegetation control is one of those important tools. Local mosquitoes are known to utilize the shelter of aquatic vegetation during their immature (i.e., larval and pupal) life stages; and invasive aquatic plant species have the capacity to provide significant mosquito breeding habitat when given the opportunity to clog waterways and grow out of control. Glyphosate is known to be effective at controlling such aquatic vegetation, so completely removing it from the rotation could negatively impact public health due to potential increases in mosquitoes and associated disease risk. Nevertheless, Mosquito Control has taken steps to reduce glyphosate usage over the last few years, particularly in areas adjacent to the Lagoon.

Alternative herbicide products and methods are limited, and invasive aquatic vegetation and associated mosquitoes have become more difficult to manage when glyphosate usage has been reduced, so this option has not been more cost-effective thus far.

- 2) Physical/mechanical removal of vegetation from stormwater ponds and drainage ditches was recognized by the County several years ago as an alternative to aquatic herbicides. Public Works has expanded its fleet of mechanical equipment and added field crews to handle the time-intensive process of mechanical ditch maintenance. Natural Resources has purchased multiple harvesters and added field crews to harvest stormwater ponds.

Aquatic vegetation harvesting was added to the SOIRL Project Plan in 2020 as a project type eligible for funding. Funds are allocated to demonstrate or purchase capital equipment needed to initiate or expand harvesting programs, not to fund seasonal maintenance. Currently, there are 10 vegetation harvesting projects approved in the SOIRL Plan. Of these, 6 have been completed, 3 are underway, and 1 is being withdrawn by the municipality. Entities (municipalities, other government agencies, homeowner associations, etc.) are encouraged to apply for this funding during the annual application cycle.

- 3) The Ocean Research & Conservation Association, Inc., (ORCA) conducts water column glyphosate testing four times per year at 26 sites in the IRL and annually at 11 sites in Brevard. They also test for glyphosate in fish tissue collected from the lagoon across four counties (Brevard, Indian River, St. Lucie, and Martin).

Florida Institute of Technology conducted a study in 2023, funded by the IRL National Estuary Program, to evaluate the impacts of glyphosate on seagrass. *Ruppia maritima* (widgeon grass) and *Halodule wrightii* (shoal grass) were exposed to three different concentrations of glyphosate for several weeks. This experiment found no statistically significant adverse impacts of acute toxicity at 1 part per million (Fox et. al, 2023), which is more than 1,000 times higher than the 0 to 0.73 parts per billion concentrations measured by ORCA in Brevard over the last five years.

Staff Recommended Action:

- 1) Reject the recommendation to adopt a 2-yr moratorium on the use of glyphosate in any area near the IRL due to its use already being minimized for over 3 years and the County's continuing need for very limited use associated with flood relief and vector control;
- 2) Reject the recommendation to fund aquatic weed control with the Save Our Indian River Lagoon (SOIRL) Tax due to capital expansions of harvesting programs already being funded by SOIRL and maintenance activities not being an eligible expense for SOIRL; and
- 3) Reject the recommendation to measure glyphosate levels in the IRL to establish baseline conditions and the impact of the moratorium due to monitoring already being conducted by ORCA and their findings indicating that lagoon concentrations are 1000 times lower than the concentrations found by a Florida Tech experiment to cause acute toxicity for local seagrass species.

Recommendation #2024034

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
Satellite Beach fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization WAVEsaction LLC

Recommendation Information

Recommendation Title: Moratorium on glyphosate for 2 years - SOIRL funding for Mechanical Control

Areas Affected: Within 500 ft or area that drains to Lagoon

Department: NATURAL RESOURCES MANAGEMENT

**Problem
Description:**

HERBICIDES AND SAVING THE LAGOON - COUNTY INCREASED HERBICIDES BY 2.5 TIMES COST IN 2021. That year the Lagoon report card went from an F++ to an F-- WHILE THE 2 COUNTIES WHICH STOPPED THEIR USE OF GLYPHOSATE, their IRL portions improved. That was the last year of the report card.

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**Recommendation
Description**

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Unfortunately, currently Florida Statute 487.051(2) preempts cities and counties from enacting any regulations restricting the use of pesticides including herbicide. But Brevard County can at least decrease the use of glyphosate (like other areas of lagoon on that are seeing improvements).

And it is possible that this action may be an cost-effective way to help save the lagoon.

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Attachments

No. Type Name

- | | | |
|---|---|--------------------|
| 1 |  | duane.JPG |
| 2 |  | ReportCard2021.jpg |

No. Type Name

3  sprayingtruckSR513.jpg

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director

2024034 - Links Contained Within Citizen CEER Submission

https://drive.google.com/file/d/1hl_3niUI2LQ4mzrk_26WK92vn0ECDKSS/view?usp=sharing

<https://www.facebook.com/MarineResourcesCouncil/videos/377019180614824/>

<https://www.facebook.com/groups/wavesaction/posts/3039719476358583/>

From: Duane De Freese
To: John Fergus; Barker, Virginia H
Cc: Courtney Barker; Thomas Ruppert; Kathy Hill; Daniel Kolodny
Subject: RE: Glyphosate in Brevard County manatees
Date: Monday, March 29, 2021 12:46:47 PM
Attachments: [Castro2014ToxicityRoundupRuppiaamaritima.pdf](#)
[Wang2016GrowthResponsesMarinePhytoplanktonGlyphosate.pdf](#)
[Mercurio2014GlyphosatePersistenceSeawater.pdf](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

John:

Yes. Article causes much concern and many questions.

The issue of glyphosate (and other herbicides used for aquatic weed control) are not being adequately addressed.

With the amount of glyphosate and other herbicides that are being applied in Florida on residential properties, in stormwater ponds, in stormwater conveyances and along IRL tributary shorelines, it's no big surprise to see bioaccumulation.

Several issues need to be better understood: nutrient loading associated with chemical spraying in aquatic systems (treat vegetation and allow to decay in place); acute and chronic toxicity thresholds; and synergistic impacts of multiple stressors. A recent article in Science is a red flag warning that the chemicals we introduce into aquatic systems can have complex trophic interactions and unforeseen consequences. (<https://www.sciencemag.org/news/2021/03/after-more-2-decades-searching-scientists-finger-cause-mass-eagle-deaths>).

Bioaccumulation of glyphosate in IRL manatees is not surprising considering it's the one of the most commonly and intensively used herbicide to manage aquatic plants along the lagoon. Unfortunately there is a lack of data on glyphosate and the IRL.



From a nutrient management standpoint, chemically treating shoreline vegetation, killing it and letting it decompose in place makes no sense to me. It's no different than throwing grass clippings in the Lagoon.

Three research papers that keep me up at night are attached: 1. Impacts to the seagrass Ruppia; 2. Impacts to microalgae/cyanobacteria growth (lab study); 3. Persistence in seawater.

The combination of ecological concerns and documented human health concerns strongly suggest that we need to re-think glyphosate use in the IRL watershed.

617

Duane

SEAGRASS SCORES

Year	Mosquito Lagoon - Central	Mosquito Lagoon - South	North IRL	Banana River	Central IRL - North	Central IRL - South	South IRL - North	South IRL - Central	South IRL - South
1994	67	70	58	60	70	66	57	54	72
1995	67	70	59	62	68	65	59	*	*
1996	67	86	59	67	72	68	57	53	73
1997	64	80	60	71	73	74	58	52	73
1998	66	84	65	74	75	73	59	52	73
1999	68	84	68	73	74	68	59	49	74
2000	65	80	68	75	73	73	59	36	73
2001	62	80	65	68	75	73	58	51	78
2002	62	82	65	71	69	68	56	53	80
2003	57	84	66	70	69	72	57	52	78
2004	58	94	65	71	73	77	60	53	80
2005	57	82	62	70	73	69	54	52	78
2006	58	81	68	80	78	72	58	55	77
2007	60	86	71	87	82	70	61	56	78
2008	66	98	70	93	84	77	59	53	79
2009	66	86	71	79	76	75	62	53	78
2010	68	99	71	77	79	75	61	55	78
2011	67	93	61	61	56	57	61	61	79
2012	62	80	59	25	9	47	59	59	78
2013	62	78	61	50	37	50	57	62	77
2014	66	79	64	56	50	57	58	55	77
2015	61	78	63	58	50	59	59	56	72
2016	40	74	43	11	37	56	51	0	69
2017	53	74	32	31	29	59	51	0	69
2018	59	75	40	0	21	60	27	0	53
2019	57	75	38	0	30	61	45	4	66
2020	34	75	5	1	7	60	42	3	68
Change in 1 year	-23	0	-33	1	-23	-1	-4	-1	2

OVERALL Habitat Health Score: 33 (F--) Declining.





BOARD OF COUNTY COMMISSIONERS

Central Services Department

2725 Judge Fran Jamieson Way
Building C, Suite 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Kathy Wall, Central Services Department Director *KW*

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024035

DATE: April 1, 2024

CEER #2024035 was received by the County from Sandra I. Sullivan.

Citizen Statement:

Some Advisory Boards are not able to meet quorum i.e. South Central Parks Board.

Citizen Recommendation:

If all Advisory Boards had alternate board members, it would: a) help ensure quorum is met as it did for P&Z; b) provide a period of experience as part of journey to become a board member should one term out or is unable to continue to serve

Staff Analysis:

The Board of County Commissioners (the Board) revised the Uniform Advisory Board Ordinance (the Ordinance) in 2022. These revisions included a list of advisory boards on the County's website, consideration of a member's absence, meeting frequencies, time, and location of advisory board meetings, requiring advisory boards to submit annual written reports, and dissolution of advisory boards by the Board. At that time, the formation of advisory boards remained except for the consolidated Parks and Recreation and Library advisory boards. This consolidation reduced the number of County advisory boards.

The advisory board staff liaison monitors each advisory board activity for compliance with the Ordinance. On October 10, 2023, staff brought forward, and the Board approved a restructuring of the South/Central Brevard Parks and Recreation Advisory Board to address the lack of quorum that had occurred.

Additionally, we have advisory board information on the County's website, which provides the public with a continuous process of applying for advisory boards that they are interested in serving. With this continuous acceptance of applications, the County can replace members who are not meeting the attendance requirements established by the Board and avoid an advisory board not meeting a quorum.

Recommended Action:

It is recommended that the Board of County Commissioners reject this recommendation as the Board has already established a process that addresses advisory board participation in Sections 2-213 (5) and (6) of the Brevard County Codes of Ordinances.

Recommendation #2024035

Recommendation Details

Contact Information

Full Name:	Sandra I Sullivan	Email Address:	s2sully@gmail.com
Mailing Address:	165 Dorset Lane Satellite Beach fl 32937	Alt Email Address:	sandra@sandrasullivan.com
		Phone Number	954-224-8624
Group/Organization	WAVESaction LLC	Recommendation Information	

Recommendation Title: Alternate Board Members for Advisory Boards
Areas Affected: Advisory Boards

Department: GENERAL GOVERNMENT OPERATIONS

Some Advisory Boards are not able to meet quorum i.e. South Central Parks Board.

If all Advisory Boards had alternate board members, it would:
a) help ensure quorum is met as it did for P&Z;
b) provide a period of experience as part of journey to become a board member should one term out or is unable to continue to serve

Problem Description:

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	CENTRAL SERVICES OFFICE Assigned

Awaiting action from department director



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: Morris Richardson, County Attorney 

FROM: Justin Caron, Assistant County Attorney 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024036

DATE: 04/01/2024

CEER # 2024036 was received by the County from Sandra I. Sullivan, affiliated with the group WAVESaction LLC.

Citizen Statement:

Certain parks in Brevard are Tourism Parks with Premium Amenities, such as Lifeguards, showers, bathrooms, playgrounds etc. These parks are more expensive to maintain and are a burden to Brevard County residents as well on the local cities (like Cocoa Beach, Lori Wilson) to provide Fire/Police services. The cost of Lifeguards is being born by the Brevard County taxpayers while the cities benefit by collecting the increased parking revenue as a result of these premium service. Brevard County residents are paying multiple cities (or their passes) to access former county parks. The issue is Brevard County is giving away the Tax-payer paid parks Paid to Cities who then charge for parking. This creates double taxation because we pay for parks and recreation in our tax bill. Then as more cities have acquired over the years, former County parks, we have multiple taxation at each park. Brevard County Parks like Lori Wilson, are a burden to the local city who respond with Fire/Police. This ties into the sneaky vote with another agenda label where Brevard passed using TDC tax for Lifeguards. There are legal challenges that may come from that vote. The legal issue per Attorney General is you can only use the TDC tax for what was in the ballot - which did not include Lifeguards; and AG also did legal opinion cannot be used for Lifeguards. Satellite Beach council member, at the State Delegates requested state change the law to allow TDC tax to be used for Lifeguards. I believe it is a bad decision to cheat the Brevard County residents out of equal access to the parks the Brevard Taxpayers helped the County acquire with each city have its own fees that vary across the County while the cities profit while Brevard County continues to provide lifeguards at these

parks, i.e. Nance Park (acquired under Save the Coast). I would like to thus propose a solution. Nance (premium facilities paid for by Brevard, Lifeguard paid for by Brevard, playground funded by State) - park funded by County under Save the Coast program with matching funds from state. THERE IS NO SIGN TO SAY A PARKING PASS IS AVAILABLE BECAUSE CITY WANTS THE REVENUE - this is cheating the Brevard County residents. Hightower and Pelican Parks in Satellite Beach - former County Parks given to city - is charging a differential in fee but County refuses to enforce their Interlocal Agreement and Deed Restriction (golf carts, rental cars, tourists from out of Country). The bad publicity on a daily basis from the poor management of these facilities is bad for tourism.

Citizen Recommendation:

Proposed Solution: Brevard Designation Premium Tourism Parks Program with interlocal agreement with Cities 1. To charge for Parking at "Tourism Designated Parks" as defined as those County parks which have Lifeguards provided by the County and have a minimum number of parking spaces - i.e. State Sand Renourishment defines Tourism Parks as having 100 parking spaces. Many people, i.e. some I know from Viera want Premium services - so in addition to Tourists, this provides more facilities for locals who want to pay for a premium parks. 2. County sells a "Premium Park Annual Pass" decal per tag for frequent visitors and locals to these Premium Parks as part of the interlocal agreement. This could be handled by Tax Office (collects a handling charge). So, when renewing vehicle tags with Tax Office, residents would have the option to add to their bill; or as visitor/snow bird to buy a pass online - or go into the tax office to purchase. 3. County negotiate, as part of interlocal agreement on Lifeguards, that Cities have a reciprocal parking pass arrangement, that this will then give anyone with a County Premium Park Pass to cities' parks which participate as "Brevard Premium Park" (Lifeguard) program. Naples and Collier County have a reciprocal program like this. The cities still sell their own passes and charge parking. They still make money except for Brevard County decal pass holders. The "Premium Park" decal fees collected by Brevard County are to offset the cost of Lifeguards, as well as additional costs of maintaining Brevard Premium Tourism Parks, as well as Tourism advertising. This then gives back access to the Taxpayers to the former County Parks acquired with our taxpayer dollars, where the city is charging parking - to where now we have to pay several different cities for passes to parks we the taxpayers paid to buy these facilities that are then given to cities. The Premium Park Pass resolves the multiple taxation. 4. From the perspective of a uniform tourism product - as these parks will as part of the interlocal agreement receive

Tourism advertising and lifeguards, an uniform tourism Product should be considered being implmented over time - payment system, signage designating park, parking enforcement as Premium Park. Given most of the cities parks are using Passport App with IPS for credit card, the interlocal agreement should consider for uniform payment system across these premium parks - and signage to be implemented over time. 5. The other benefit of the Premium Parking Pass is that of disaster safety. Following significant hurricane, the barrier island is open to residents only. The barrier island is not open to residents until the causeways are inspected. Once the bridges open, BCSO checks driver licenses to allow access. So if the premium parking decal was a different color for barrier island residents, these vehicles could be fast tracked back onto the barrier island by BSCO without the need to check drivers license residency.

Staff Analysis:

The Board of County Commissioners has reviewed and discussed the subject of paid parking several times in the past. Each time, the Board collectively has made clear its desire not to have parking fees associated with any County owned or operated beach access park. Thus, this CEER recommendation conflicts with the Board's previously stated policy direction.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024036 as it is inconsistent with the direction previously provided by the Board.

Recommendation #2024036

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
Satellite Beach fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization
WAVESaction LLC

Recommendation Information

Recommendation Title: Premium Tourism Parks
Areas Affected: Parks

Department:
PARKS AND RECREATION DEPARTMENT

**Problem
Description:**

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1. To charge for Parking at "Tourism Designated Parks" as defined as those County parks which have Lifeguards provided by the County and have a minimum number of parking spaces - i.e. State Sand Renourishment defines Tourism Parks as having 100 parking spaces. Many people, i.e. some I know from Viera want Premium services - so in addition to Tourists, this provides more facilities for locals who want to pay for a premium parks.
2. County sells a "Premium Park Annual Pass" decal per tag for frequent visitors and locals to these Premium Parks as part of the interlocal agreement. This could be handled by Tax Office (collects a handling charge). So, when renewing vehicle tags with Tax Office, residents would have the option to add to their bill; or as visitor/ snow bird to buy a pass online - or go into the tax office to purchase.
3. County negotiate, as part of interlocal agreement on Lifeguards, that Cities have a reciprocal parking pass arrangement, that this will then give anyone with a County Premium Park Pass to cities' parks which participate as "Brevard Premium Park" (Lifeguard) program. Naples and Collier County have a reciprocal program like this. The cities still sell their own passes and charge parking. They still make money except for Brevard County decal pass holders. The "Premium Park" decal fees collected by Brevard County are to offset the cost of Lifeguards, as well as additional costs of maintaining Brevard Premium Tourism Parks, as well as Tourism advertising. This then gives back access to the Taxpayers to the former County Parks acquired with our taxpayer dollars, where the city is charging parking - to where now we have to pay several different cities for passes to parks we the taxpayers paid to buy these facilities that are then given to cities. The Premium Park Pass resolves the multiple taxation.
4. From the perspective of a uniform tourism product - as these parks will as part of the intelocal agreement receive Tourism advertising and lifeguards, an uniform tourism Product should be considered being implimented over time - payment system, signage designating park, parking enforcement as Premium Park. Given most of the cities parks are using Passport App with IPS for credit card, the interlocal agreement should consider for uniform payment system across these premium parks - and signage to be implemented over time.
5. The other benefit of the Premium Parking Pass is that of disaster safety. Following significant hurricane, the barrier island is open to residents only. The barrier island is not open to residents until the causeways are inspected. Once the bridges open, BCSO checks driver licenses to allow access. So if the premium parking decal was a different color for barrier island residents, these vehicles could be fast tracked back onto the barrier island by BSCO without the need to check drivers license residency.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	COUNTY ATTORNEY Assigned

Awaiting action from department director



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department 

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024037

DATE: April 1, 2024

CEER #2024037 was received by the County from Sandra Sullivan.

Citizen Statement:

Brevard is experiencing rapid growth and parks are crowded, i.e. Viera due to growth. This is a burden to fund new park facilities as Parks and Rec is underfunded. The funds raised by the ad-valorem tax is insufficient even for our existing parks hence why Brevard keeps giving away our parks.

Citizen Recommendation:

Brevard needs to add an impact fee for parks so that developers are paying their share for this added growth. Yes, I realize this gets passed onto the new homebuyer in these new areas.

Other Counties, like Fort Lauderdale, have this impact fee. In this way, developers would be contributing to the added cost of parks needed for the rapid development Brevard is experiencing.

Staff Analysis:

As the problem statement associated with this request mentions Viera, it should be noted that the infrastructure requirements associated with the need for parks as the DRI develops is addressed through Development Order. As of the 2022 status report, the developer had donated 161.7 acres for parks west of I-95. An additional 208 acres may be donated under the Order as development benchmarks are met.

The County's Policy as it relates to the acceptable level of service for total developed acreage of County owned or managed parks is governed by Chapter 3, Policy 1.3 of the Comprehensive Plan. It states that there should be 3 acres per 1,000 people living in unincorporated Brevard County. The County currently exceeds this target. Additionally, the imposition of an impact fee is governed by statutory requirements. See e.g. Fla. Stat. Sec. 163.31801. In order to impose an impact fee related to Parks, the County would need to demonstrate a need.



Planning & Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Any impact fee imposed as a result of a study demonstrating a need would need to be "proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction."

The Parks and Recreation Department continues to improve annually with increasing maintenance and capital expenditures, included in each year's budget since 2017/2018, the County has invested \$90.8 million in over 150 Capital Improvement Projects across the County Park system, including playgrounds, field renovations, field lighting, pavilions and crossovers, docks, and boardwalk replacements.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation.

Recommendation #2024037

Recommendation Details

Contact Information

Full Name:	Sandra I Sullivan	Email Address:	s2sully@gmail.com
Mailing Address:	165 Dorset Lane South Patrick Shores fl 32937	Alt Email Address:	sandra@sandrasullivan.com
		Phone Number	954-224-8624

Group/Organization

WAVESaction LLC

Recommendation Information

Recommendation Title: Impact Fee for Parks
Areas Affected:

Department: PARKS AND RECREATION DEPARTMENT

Brevard is experiencing rapid growth and parks are crowded, i.e. Viera due to growth. This is a burden to fund new park facilities as Parks and Rec is underfunded. The funds raised by the ad-valorem tax is insufficient even for our existing parks hence why Brevard keeps giving away our parks.

Problem Description:

Brevard needs to add an impact fee for parks so that developers are paying their share for this added growth. Yes, I realize this gets passed onto the new homebuyer in these new areas.

Recommendation Description

Other Counties, like Fort Lauderdale, have this impact fee. In this way, developers would be contributing to the added cost of parks needed for the rapid development Brevard is experiencing.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	

User	Status	Date	Remarks
Karen Conde	Department Assigned	Jan 3, 2024	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Morris Richardson, County Attorney 

FROM: Sarah Beazley, Assistant County Attorney 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024038

DATE: 04/01/2024

CEER # 2024038 was received by the County from Sandra Sullivan, affiliated with the group WAVESaction LLC.

Citizen Statement:

Transparency is indicative of good governance. All Public Record Records (PRRs) fulfilled under Sunshine are free to anyone that asks. Unfortunately, we do not know if someone has already done a records request for the information we want. It would save on staff time (for duplicating work), if all records requests fulfilled were online and searchable.

Citizen Recommendation:

Requesting Brevard County create a page on their website which has all of the Public Records Requests (fulfilled) in a table with a link to the digital response files provided.

Staff Analysis:

Access to Brevard County's records is governed by Florida's Public Records law, Chapter 119 of the Florida Statutes. Administrative Order 47, Coordination of Public Records Requests, outlines Brevard County's procedures for processing and responding to public records requests. County staff uses the Public Records Request Software to respond to public records requests.

Currently, the results of fulfilled public records requests are not available on the County's website. However, anyone can request the results of a previously fulfilled public records request.

If all fulfilled public records requests were made available on a publicly accessible page on the County's website, changes would need to be made to the way public records requests are



BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

processed. These changes would increase the amount of staff time devoted to public records. Staff would need to ensure all documents comply with the Americans with Disabilities Act before making them available on the County's website. Optical character recognition would need to be performed on scanned paper documents for a search function to be able to read the documents. Fulfilled public records requests resulting in large file sizes would need to be broken into multiple smaller files by staff to allow access by a variety of operating systems and prevent lengthy download times. The Records Coordinator would need to devote additional time to working with department Records Custodians to achieve compliance and uniformity across all County departments on these additional tasks.

Additional consideration would need to be given to review and redaction of documents if all fulfilled public records requests were available to the public online. For example, the County routinely receives property-related records requests from property owners whose home address is exempt from public disclosure. An unredacted copy of the record may be given to the property owner, but it would need to be redacted before being made available to the public on the County's website to prevent disclosure of exempt records.

The Brevard County Information Technology Department developed the Public Records Request Software currently used by staff. This department would be responsible for developing and implementing a public-facing search function for fulfilled public records requests. Development would take a minimum of a few months for a search function that searches the title and description fields for fulfilled requests, or longer for a more complex search function that searches the fulfilled request documents themselves.

The search function would need to be compatible across multiple operating systems and prioritize user-friendliness. However, the effectiveness of any search function can be compromised by several factors. For example, if a requestor misspells a search term or uses acronyms or abbreviations, the search function may fail to yield the desired results.

Adoption of this recommendation would result in a significant increase in staff time spent on public records requests and require a minimum of a few months of development time by the IT Department. The results of previously fulfilled public records requests are already available upon request. It is anticipated that implementing this recommendation would have limited utility for a small number of citizens.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER # 2024038.

Recommendation #2024038

Recommendation Details

Contact Information

Full Name:	Sandra I Sullivan	Email Address:	s2sully@gmail.com
Mailing Address:	165 Dorset Lane South Patrick Shores fl 32937	Alt Email Address:	sandra@sandrasullivan.com
		Phone Number	954-224-8624
Group/Organization	WAVESaction LLC	Recommendation Information	

Recommendation Title: Public Records Requests Transparency

Areas Affected: Public Records Requests

Department: COUNTY ATTORNEY

Transparency is indicative of good goverance.

All Public Record Records (PRRs) fulfilled under Sunshine are free to anyone that asks. Unfortunately, we do not know if someone has already done a records request for the information we want. It would save on staff time (for duplicating work), if all records requests fulfilled were online and searchable.

Requesting Brevard County create a page on their website which has all of the Public Records Requests (fullfilled) in a table with a link to the digital response files provided.

Problem Description:

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	COUNTY ATTORNEY Assigned

Awaiting action from department director



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: Morris Richardson, County Attorney 

FROM: Heather A. Balser, Assistant County Attorney 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024039

DATE: 04/01/2024

CEER #2024039 was received by the County from Sandra Sullivan, affiliated with the group WAVESaction LLC.

Citizen Statement:

The issue is having separate infrastructure taxes in County. As I read the legal opinion ONLY ONE INFRASTRUCTURE SALES TAX IS ALLOWED. This legal opinion says that Brevard is allowed one Infrastructure Salestax - meaning that the current Lagoon and School Board 1/2 cent sales tax would have to be combined into one 1 cent sales tax. (Legal issue as should have been one tax) - see legal opinion and links below that explicitly reference school board tax having to be part of a County infrastructure sales tax!

<https://www.myfloridalegal.com/print/pdf/node/2440#:~:text=on%20the%20ballot.-,2.,surtaxes%20of%200.5%20percent%20each.> "2. Section 212.055(2), Florida Statutes, authorizes the governing body in each county to levy a surtax of either 0.5 percent or 1 percent. It does not authorize the imposition of separate surtaxes of 0.5 percent each."

<https://www.myfloridalegal.com/print/pdf/node/2440#:~:text=on%20the%20ballot.-,2.,surtaxes%20of%200.5%20percent%20each.> 2(c) Pursuant to s. 212.054(4), the proceeds of the surtax levied under this subsection shall be distributed to the county and the municipalities within such county in which the surtax was collected, according to: 1. An interlocal agreement between the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population, which agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population; or 2. If there is no interlocal agreement, according to the formula provided in s. 218.62.

<https://www.flsenate.gov/laws/statutes/2021/212.055>

http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&U

[RL=0200-0299/0212/Sections/0212.055.html](https://www.flsenate.gov/legislation/statutes/0200-0299/0212/Sections/0212.055.html) (c) Pursuant to s. 212.054(4), the proceeds of the surtax levied under this subsection shall be distributed to the county and the municipalities within such county in which the surtax was collected, according to: 1. An interlocal agreement between the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population, which agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population; or 2. If there is no interlocal agreement, according to the formula provided in s. 218.62.

Citizen Recommendation:

As part of the legal issues identified, plan to eliminate the School Board 1/2 cent sales tax as there are more pressing infrastructure needs in Brevard and this tax has been renewed twice already. "A renewal of the current surtax would not collect any additional monies from those spending on taxable items in Brevard County but would continue the current half-cent sales surtax through 2026."
<https://spacecoastdaily.com/2020/09/brevard-public-schools-sales-surtax-up-for-renewal-on-nov-3rd-ballot-will-sunset-on-dec-31/>

Staff Analysis:

Section 212.055, Florida Statutes, entitled "Discretionary sales surtaxes; legislative intent; authorization and use of proceeds" authorizes discretionary sales surtaxes.

Section 212.055(2), Florida Statutes, entitled the "Local Government Infrastructure Surtax" specifically states that the "governing authority in each county," i.e., the Brevard County Board of County Commissioners, may levy a discretionary sales surtax of 0.5 percent or 1 percent.

Section 212.055(6), Florida Statutes, entitled the "School Capital Outlay Surtax" specifically states that the school board of each county may levy a discretionary sales surtax at a rate that may not exceed 0.5 percent. Section 212.055(6)(d) further states that surtax revenues collected by the Department of Revenue shall be distributed to the school board.

On July 31, 2014, the School Board of Brevard County, acting as the governing body of the School District of Brevard County, Florida, passed Resolution 2014-01, finding:

Section 212.055(6) of the Florida Statutes authorizes the levy of a one-half cent school capital outlay surtax for the purposes of funding school projects in capital

outlay, school security and technology needs, upon approval by a majority vote of the electors of Brevard County. Proceeds will be used for critical improvements to school facilities, school security and technology needs.

On November 4, 2014, the one-half cent school capital outlay surtax was approved by a majority vote of the electors of Brevard County, and the levy of the tax was for the period of January 1, 2015 to December 31, 2020.

On November 3, 2020, a majority of the electors of Brevard County voted to “extend the existing half-cent surtax approved by voters in 2014, to upgrade aging schools in Brevard County with critical school facility renewal projects, school security and technology modernizations that keep schools safe and conducive to learning...for six years.”

The Brevard County School Board’s half-cent surtax is a school capital outlay surtax levied pursuant to Section 212.055(6), Florida Statutes and it has been extended, or renewed, once. The School Board’s half-cent surtax is not a local government infrastructure surtax. Further, pursuant to Section 212.055(6)(d), Florida Statutes, the school capital outlay surtax revenue collected by the Florida Department of Revenue is distributed to the Brevard County School Board, the governing body of the School District of Brevard County. Moreover, under subsection 2.9.3.1 of the Brevard County Home Rule Charter, the Brevard County Board of County Commissioners does not have any power of review of the budget of the School District.

In conclusion, the premise of this citizen recommendation is that the Brevard County School Board’s half-cent school capital outlay surtax is an unauthorized second local government infrastructure surtax adopted pursuant to Section 212.055(2), Florida Statutes. The School Board’s half-cent school capital outlay surtax is separately authorized by Section 212.055(6), Florida Statutes, and the Board of County Commissioners is without jurisdiction to “eliminate” such surtax as recommended.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024039.

Recommendation #2024039

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
South Patrick Shores fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization WAVESaction LLC

Recommendation Information

Recommendation Title: Infrastructure Surtax

Areas Affected: Infrastructure

Department: BOARD OF COUNTY COMMISSIONERS

**Problem
Description:**

The issue is having separate infrastructure taxes in County. As I read the legal opinion ONLY ONE INFRASTRUCTURE SALES TAX IS ALLOWED. This legal opinion says that Brevard is allowed one Infrastructure Salestax - meaning that the current Lagoon and School Board 1/2 cent sales tax would have to be combined into one 1 cent sales tax. (Legal issue as should have been one tax) - see legal opinion and links below that explicitly reference school board tax having to be part of a County infrastructure sales tax!

<https://www.myfloridalegal.com/print/pdf/node/2440#:~:text=on%20the%20ballot.,2.,surtaxes%20of%200.5%20percent%20each.>

"2. Section 212.055(2), Florida Statutes, authorizes the governing body in each county to levy a surtax of either 0.5 percent or 1 percent. It does not authorize the imposition of separate surtaxes of 0.5 percent each." <https://www.myfloridalegal.com/print/pdf/node/2440#:~:text=on%20the%20ballot.,2.,surtaxes%20of%200.5%20percent%20each.>

2(c) Pursuant to s. 212.054(4), the proceeds of the surtax levied under this subsection shall be distributed to the county and the municipalities within such county in which the surtax was collected, according to:

1. An interlocal agreement between the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population, which agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population; or
2. If there is no interlocal agreement, according to the formula provided in s. 218.62.

<https://www.flsenate.gov/laws/statutes/2021/212.055>
http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0200-0299/0212/Sections/0212.055.html

(c) Pursuant to s. 212.054(4), the proceeds of the surtax levied under this subsection shall be distributed to the county and the municipalities within such county in which the surtax was collected, according to:

1. An interlocal agreement between the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population, which agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population; or
2. If there is no interlocal agreement, according to the formula provided in s. 218.62.

**Recommendation
Description**

As part of the legal issues identified, plan to eliminate the School Board 1/2 cent sales tax as there are more pressing infrastructure needs in Brevard and this tax has been renewed twice already.

"A renewal of the current surtax would not collect any additional monies from those spending on taxable items in Brevard County but would continue the current half-cent sales surtax through 2026."
<https://spacecoastdaily.com/2020/09/brevard-public-schools-sales-surtax-up-for-renewal-on-nov-3rd-ballot-will-sunset-on-dec-31/>

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	COUNTY ATTORNEY Assigned

Awaiting action from department director

2024039 - Links Contained Within Citizen CEER Submission

<https://www.myfloridalegal.com/print/pdf/node/2440#:~:text=on%20the%20ballot-,2.,surtaxes%20of%200.5%20percent%20each.>

<https://www.myfloridalegal.com/print/pdf/node/2440#:~:text=on%20the%20ballot-,2.,surtaxes%20of%200.5%20percent%20each.>

<https://www.flsenate.gov/laws/statutes/2021/212.055>

http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0200-0299/0212/Sections/0212.055.html

<https://spacecoastdaily.com/2020/09/brevard-public-schools-sales-surtax-up-for-renewal-on-nov-3rd-ballot-will-sunset-on-dec-31/>



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024040

DATE: 04/01/2024

CEER #2024040 was received by the County from Sandra Sullivan on December 30, 2023.

Citizen Statement:

Ideas are better formulated with a group think-tank to address issues and make recommendations. It used to be an advocacy group called Eye On Brevard that met with commissioners (and staff) on issues periodically.

This advisory board would help promote the idea in the Charter of "Speakup Brevard" in taking suggestions and furthering the discussions with our commissioners to advance the ideas to work with the County ideas so that ideas have a better change of passing.

Citizen Recommendation:

Recommend the formation of a new Citizen Advisory Group to be made up of Citizen Advocates who would bring Speakup Brevard suggestions to the County.

The Board would follow the policy for other boards as well as have alternate board members. In this way, it is a think tank for citizen taxpayer involvement.

Staff Analysis:

In 2019 and 2022, the Board of County Commissioners conducted a thorough analysis of mandatory and non-mandatory County Advisory Boards and ultimately pared down or combined various boards. Establishment of an Advisory Board is at the discretion of the Board of County Commissioners.

Staff Recommended Action:

It is recommended that CEER #20024040 be rejected by the Board of County Commissioners.

Recommendation #2024040

Recommendation Details

Contact Information

Full Name:	Sandra I Sullivan	Email Address:	s2sully@gmail.com
Mailing Address:	165 Dorset Lane South Patrick Shores fl 32937	Alt Email Address:	sandra@sandrasullivan.com
		Phone Number	954-224-8624

Group/Organization

WAVESaction

Recommendation Information

Recommendation Title:	Speakup Brevard Advisory Council
Areas Affected:	Advisory Boards

Department:

BOARD OF COUNTY COMMISSIONERS

Ideas are better formulated with a group think-tank to address issues and make recommendations. It used to be an advocacy group called Eye On Brevard that met with commissioners (and staff) on issues periodically. This advisory board would help promote the idea in the Charter of "Speakup Brevard" in taking suggestions and furthering the discussions with our commissioners to advance the ideas to work with the County ideas so that ideas have a better change of passing.

Problem Description:

Recommend the formation of a new Citizen Advisory Group to be made up of Citizen Advocates who would bring Speakup Brevard suggestions to the County. The Board would be follow the policy for other boards as well as have alternate board members. In this way, it is a think tank for citizen taxpayer involvement.

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	

User	Status	Date	Remarks
Karen Conde	Department Assigned	Jan 3, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, P.E., Assistant County Manager

FROM: Virginia Barker, Director, Natural Resources Management Dept. 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024041

DATE: 04/01/2024

CEER #2024041 was received by the County from Sandra Sullivan.

Citizen Statement:

I could never understand following Irma in 2017 with all the talk of critical infrastructure sewage needs, why the lagoon tax made no mention of AWT infrasture in the lagoon plan as promised taxpayers in Florida Today and in BOCC minutes; and had dedicated 66% to muck dredging.

The problem is the Save Our Lagoon Sales Tax as it has been branded was intended to be a Muck Tax all along as is documented in December 2015 Florida Today story. This sotry documents that it is NOT LEGAL to use the Infrastructure Sales tax for Maintenance Dredging. This bill failed for the second year! and THUS no change has been made to the Infrastructure stae statute that would make it legal use of the Infrastructure Surtax as I read the state statute. Further, BOCC minutes identified that it was not a legal use of the sales tax - and that this tax was for SJRWMD as well as the parties involved including lobbyists for SJRWMD. This is documented in detail in emails to the BOCC. #WeGotMucked

<https://www.floridatoday.com/story/news/local/environment/2015/12/11/legislators-propose-tapping-sales-tax-remove-muck/77108050/>

"Florida republican legislators Thad Altman and Debbie Mayfield will sponsor a bill next year to allow counties to use local-option sales tax money for muck dredging to help clean up the Indian River Lagoon.

"It's not a tax increase," Mayfield, R-Vero Beach, told the Indian River Lagoon Council Friday during their regular monthly meeting. "It's actually a current program that can be used for

Main Line: (321) 633-2016

Website: Brevardfl.gov/NaturalResources

infrastructure. We're just going to add 'mucking' (to what the tax can be used for). We think it's important that we're going to have dedicated funding for projects."

Brevard Commissioners (2016) knew that this was maintenance dredging and a ledge based on BOCC violated state law. While the spoil area is considered "capital" infrastructure, MUCK DREDGING is maintenance. See red underlined text.

<https://www.flsenate.gov/laws/statutes/2021/212.055#:~:text=212.055%20Discretionary%20sales%20surtaxes%3B%20legislative,the%20duration%20of%20the%20levy.>

Section 189.012(5) specifies further the definition of Infrastructure: So infrastructure can be used to acquire the capital purchase of land for the DMAA site for maintenance dredging (but not the maintenance dredging).

The state statute definition of Maintenance dredging is defined by state statute as well. Maintenance dredging is removing muck; whereas capital dredging (which is also defined) is for deepening or widening a port etc. As an illustration, Turkey Creek has been dredged twice under SOIRL - its right in the plan!

403.813 (5) f

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0403/0403.html

"The performance of maintenance dredging of existing manmade canals, channels, intake and discharge structures, and previously dredged portions of natural water bodies within drainage rights-of-way or drainage easements which have been recorded in the public records of the county, when the spoil material is to be removed and placed on a self-contained, upland spoil site which will prevent the escape of the spoil material into the waters of the state, provided that no more dredging is to be performed than is necessary to restore the canals, channels, and intake and discharge structures, and previously dredged portions of natural water bodies, to original design specifications or configurations, provided that the work is conducted in compliance with s. 379.2431(2)(d), provided that no significant impacts occur to previously undisturbed natural areas, and provided that control devices for return flow and best management practices for erosion and sediment control are used to prevent bank erosion and scouring and to prevent turbidity, dredged material, and toxic or deleterious substances from discharging into adjacent waters during maintenance dredging. "

Citizen Recommendation:

The recommendation is to reduce the number of Muck Dredging projects for the remaining 2 years of the Lagoon Plan.

In 2019, the muck tax was decreased from 66% to no more than 30% by BOCC vote. In 2023, with Lober gone, the Muck tax increased to 36%. With original projects, this muck tax will

increase further. There are projects, i.e. Satellite Beach, added last year (\$8.2 m) which do not start until 2028 after this current tax renews.

The FIT studies document the top 20 muck flux sites which do not include the canals being dredged in. Many of the muck projects of the Lagoon Plan are canals. A promise was made to follow the science, and the science is provided and we are not following it.

Essentially the taxpayers of Brevard are paying for the richest property owner canal dredging - where seagrass does NOT grow.

The lagoon plan indicated removing muck which impedes seagrass from growing. Seagrass grows in the IRL not canals, where for the most part lagoon tax is not dredging.

Further, there is a legal requirement of the Infrastructure tax that it is spent on capital projects. The BOCC of 2016 warned that Brevard would be sued for use of this tax for MUCK dredging which is maintenance - so failure to address this problem could be a fiscal cost for Brevard. Turkey creek has been redredged within 5 years - supporting this is maintenance.
https://drive.google.com/drive/folders/1tYOOmtIs0HitZovfpPHWuMTg1ow7fUZE?usp=drive_link

The additional loss of renewal of this tax would be detrimental cost for Brevard, so following the law is an important consideration for the public support for the renewal of the tax.

The people care about the lagoon. What is not in the lagoon plan is pollution as required by the CCMP (EPA approved NEP plan); and AWT sewage plant upgrades as promised in BOCC meetings and numerous Florida Today articles that helped sell the idea of the Lagoon Tax.

Please adjust the lagoon plan accordingly to be legally compliant.

Staff Analysis:

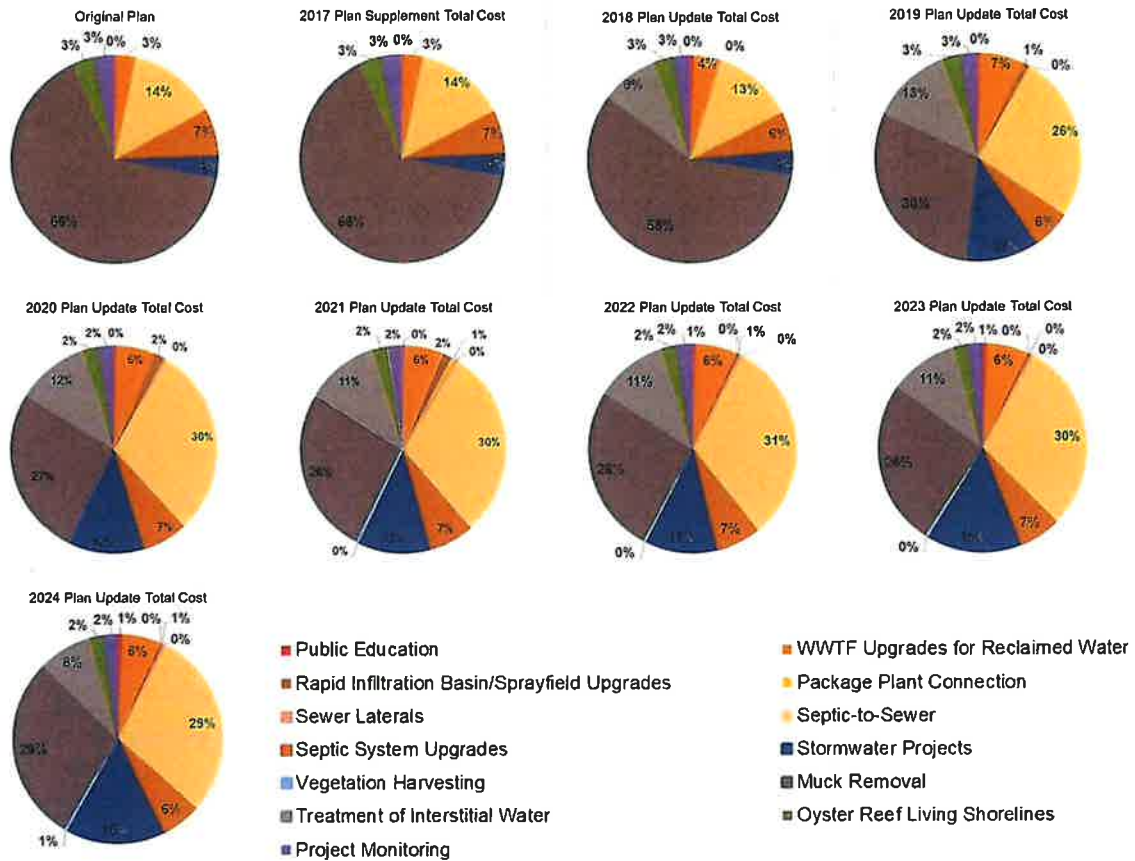
The Citizen Recommendation statement above includes three requests:

1. Reduce the number of muck dredging projects in the Save Our Indian River Lagoon (SOIRL) Project Plan;
 2. Include Advanced Wastewater Treatment upgrades in the SOIRL Project Plan; and
 3. Follow the science.
- 1) Muck dredging projects significantly improve water quality, water clarity, dissolved oxygen levels in the water, and the potential for seagrass recovery. Dr. John Trefry calculated nearly a decade ago that without dredging, the amount of excess nutrients being released by decaying muck deposits would continue to feed harmful algal blooms for more than 100 years. To heal the lagoon in time for current generations to enjoy it, sources of pollution must be reduced and existing pollution accumulated in muck deposits must be removed.

The Save Our Indian River Lagoon (SOIRL) Plan is updated annually. The 2024 Update was brought to the County Commission for consideration on February 20th. Figure 1 shows the annual allocation of SOIRL funds by project type, with a large decrease in allocation for muck removal in 2019 and a nearly constant allocation since 2019. The initial plan that was posted for public review prior to the 2016 vote for the tax allocated 66% of the funds for muck removal. The 2019 Plan Update reduced the funding for muck to 43% (30% for removal plus 13% for interstitial treatment of the water that is separated from the muck). The adopted 2023 Plan Update allocates 37% of the funding for muck (26% for muck removal plus 11% for interstitial treatment). The 2024 Plan Update also allocates 37% of the funding for muck (29% for muck removal and 8% for interstitial treatment).

- 2) Upgrading Wastewater Treatment Plants to tertiary treatment levels was included in the initial plan that was posted for public review prior to the 2016 vote for the tax. The 2016 Plan allocated 3% for this purpose. This allocation increased to 7% in the 2019 Plan Update and has been at a constant 6% every year thereafter.
- 3) The SOIRL Project Plan is based on science and the economic principle of return on investment. Cost effectiveness is calculated for every individual project. The performance of different project types is measured in the field and summarized in the annual updates. Actual costs, measured benefits, new scientific data and publications are used each year to update the cost effectiveness calculations. Muck dredging priorities are based on years of field work funded by the Florida Legislature in the Indian River Lagoon. The latest results of Drs. Fox and Trefry were published in December in the journal, *Frontiers in Marine Science*.

Figure 1: Evolution of Funding Allocations for Projects in the SOIRL Project Plan



Staff Recommended Action:

1. Reject the recommendation to reduce the number of muck dredging projects in the Save Our Indian River Lagoon (SOIRL) Project Plan
2. Reject the recommendation to include Advanced Wastewater Treatment upgrades in the SOIRL Project Plan as Wastewater Treatment upgrades are already included; and
3. Continue to follow the science.

Recommendation #2024041

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
South Patrick Shores fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization WAVESaction

Recommendation Information

Recommendation Title: Indian River Lagoon Infrastructure Surtax (SOIRL tax)

Areas Affected: Lagoon and Sewage Infrastructure

Department: NATURAL RESOURCES MANAGEMENT

I could never understand following Irma in 2017 with all the talk of critical infrastructure sewage needs, why the lagoon tax made no mention of AWT infrasture in the lagoon plan as promised taxpayers in Florida Today and in BOCC minutes; and had dedicated 66% to muck dredging.

**Problem
Description:**

The problem is the Save Our Lagoon Sales Tax as it has been branded was intended to be a Muck Tax all along as is documented in December 2015 Florida Today story. This sotry documents that it is NOT LEGAL to use the Infrastructure Sales tax for Maintenance Dredging. This bill failed for the second year! and THUS no change has been made to the Infrastructure stae statute that would make it legal use of the Infrastructure Surtax as I read the state statute. Further, BOCC minutes identified that it was not a legal use of the sales tax - and that this tax was for SJRWMD as well as the parties involved including lobbyists for SJRWMD. This is documented in detail in emails to the BOCC. #WeGotMucked

<https://www.floridatoday.com/story/news/local/environment/2015/12/11/legislators-propose-tapping-sales-tax-remove-muck/77108050/>

"Florida republican legislators Thad Altman and Debbie Mayfield will sponsor a bill next year to allow counties to use local-option sales tax money for muck dredging to help clean up the Indian River Lagoon.

"It's not a tax increase," Mayfield, R-Vero Beach, told the Indian River Lagoon Council Friday during their regular monthly meeting. "It's actually a current program that can be used for infrastructure. We're just going to add 'mucking' (to what the tax can be used for). We think it's important that we're going to have dedicated funding for projects."

Brevard Commissioners (2016) knew that this was maintenance dredging and aledge based on BOCC violated state law. While the spoil area is considered "capital" infrastructure, MUCK DREDGING is maintenance. See red underlined text. <https://www.flsenate.gov/laws/statutes/2021/212.055#:~:text=212.055%20Discretionary%20sales%20surtaxes%3B%20legislative,the%20duration%20of%20the%20levy.>

Section 189.012(5) specifies further the definition of Infrastructure: So infrastructure can be used to acquire the capital purchase of land for the DMAA site for maintenance dredging (but not the maintenance dredging).

The state statute definition of Maintenance dredging is defined by state statute as well. Maintenance dredging is removing muck; whereas capital dredging (which is also defined) is for deepening or widening a port etc. As an illustration, Turkey Creek has been dredged twice under SOIRL - its right in the plan!

403.813 (5) f http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0403/0403.html

"The performance of maintenance dredging of existing manmade canals, channels, intake and discharge structures, and previously dredged portions of natural water bodies within drainage rights-of-way or drainage easements which have been recorded in the public records of the county, when the spoil material is to be removed and placed on a self-contained, upland spoil site which will prevent the escape of the spoil material into the waters of the state, provided that no more dredging is to be performed than is necessary to restore the canals, channels, and intake and discharge structures, and previously dredged portions of natural water bodies, to original design specifications or configurations, provided that the work is conducted in compliance with s. 379.2431(2)(d), provided that no significant impacts occur to previously undisturbed natural areas, and provided that control devices for return flow and best management practices for erosion and sediment control are used to prevent bank erosion and scouring and to prevent turbidity, dredged material, and toxic or deleterious substances from discharging into adjacent waters during maintenance dredging."

The recommendation is to reduce the number of Muck Dredging projects for the remaining 2 years of the Lagoon Plan.
In 2019, the muck tax was decreased from 66% to no more than 30% by BOCC vote. In 2023, with Lober gone, the Muck tax increased to 36%. With original projects, this muck tax will increase further. There are projects, i.e. Satellite Beach, added last year (\$8.2 m) which do not start until 2028 after this current tax renews.

Recommendation Description

The FIT studies document the top 20 muck flux sites which do not include the canals being dredged in. Many of the muck projects of the Lagoon Plan are canals.
A promise was made to follow the science, and the science is provided and we are not following it. Essentially the taxpayers of Brevard are paying for the richest property owner canal dredging - where seagrass does NOT grow.
The lagoon plan indicated removing muck which impedes seagrass from growing.
Seagrass grows in the IRL not canals, where for the most part lagoon tax is not dredging.

Further, there is a legal requirement of the Infrastructure tax that it is spent on capital projects.
The BOCC of 2016 warned that Brevard would be sued for use of this tax for MUCK dredging which is maintenance - so failure to address this problem could be a fiscal cost for Brevard. Turkey creek has been dredged within 5 years - supporting this is maintenance.
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The additional loss of renewal of this tax would be detrimental cost for Brevard, so following the law is an important consideration for the public support for the renewal of the tax.

The people care about the lagoon. What is not in the lagoon plan is pollution as required by the CCMP (EPA approved NEP plan); and AWT sewage plant upgrades as promised in BOCC meetings and numerous Florida Today articles that helped sell the idea of the Lagoon Tax.

Please adjust the lagoon plan accordingly to be legally compliant.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director

2024041 - Links Contained Within Citizen CEER Submission

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Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024042

DATE: April 1, 2024

CEER #2024042 was received by the County from Sandra Sullivan.

Citizen Statement:

Brevard is historical development growth with increasing needs for transportation dollars. According to TPO we have a fiscal cliff coming on transportation. Declining gas Tax revenues. FDOT District 5 has only allocated less than 5% to transportation capacity needs in next 5 years. The availability of funding is compounded with SB102, developers will get 75% discount on property tax on those middle america units; and with latest vote, our commissions thought it wise to give these developers an exemption on transportation impact fees. According to County budget 2024, Brevard has a \$699 million deficit on transportation capacity needs.

Transportation impact fees have not been updated in nearly quarter century - despite paving costs up nearly 26.6% and materials up 17% this year alone according to FDOT 5 last TPO meeting in December 2023. The last transportation Impact fee study in 2016 recommended a 65% increase on single family homes.

https://drive.google.com/drive/folders/1D1-AdrApY-1VpizCu3nxqcLjD4z__Nxb?usp=drive_link

Unfortunately, Counties are now limited on how much they can increase impact fees:

<https://www.sun-sentinel.com/2021/06/07/desantis-signs-law-limiting-impact-fees-for-development/>
State statute now restricts increasing impact fees to small increases.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/Sections/0163.31801.html

(b) An increase to a current impact fee rate of not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted.



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department
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(c) An increase to a current impact fee rate which exceeds 25 percent but is not more than 50 percent of the current rate must be implemented in four equal installments beginning with the date the increased fee is adopted.

CFX tried in 2021 to take over our east/west corridors (520, 192, 528) to turn them into toll roads. This would be a burden on residents and small business alike, which could be devastating during an economic downturn. Once you agree to hand off those roads, you can't ever get them back. Google MDX and Miami and see the lawsuits. This would be a bad deal for Brevard. Brevard residents would rather fund these roads for a few years with a surtax than a permanent tax by CFX.

The concern is whether the state is intentionally not funding capacity needs to push Brevard onto CFX where tolls would fund these capacity needs. The problem with that is all toll revenue goes to Central Florida. Let's be proactive.

Citizen Recommendation:

The recommendation is to proactively fund transportation capacity needs:

1. Do Transportation Impact Fee study to determine needs for tax adjustment
2. Proactively start a half cent Transportation Infrastructure Surtax

You would be in good company for increasing impact fees - so not to burden all the taxpayers.

Impact Fees - several counties have recently increased impact fees due to growth:

<https://www.mainstreetdailynews.com/govt-politics/alachua-county-increases-impact-fees> (Dec 2023)

<https://www.mysuncoast.com/2023/11/16/manatee-county-proposes-increased-impact-fees/> (Nov 2023)

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As the Brevard School Infrastructure surtax terms out in 2026, it is recommended that Brevard proactively initiate a 1 cent sales Infrastructure Sales Surtax to address:

1. 1/2 cent Lagoon and related sewage infrastructure (lagoon renewal with changes).
2. 1/2 cent Transportation infrastructure

It is my understanding that this planning would need begin in 2024 with referendum language.



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department
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The school board will have had 2 decades of this tax and it's time to sunset their use of this tax; as transportation is a higher need now.

The Infrastructure Surtax is allowed to be spent on Transportation:

http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0200-0299/0212/Sections/0212.055.html

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(a) Each charter county that has adopted a charter, each county the government of which is consolidated with that of one or more municipalities, and each county that is within or under an interlocal agreement with a regional transportation or transit authority created under chapter 343 or chapter 349 may levy a discretionary sales surtax, subject to approval by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.

The half cent sales portion of the tax for transportation can also help with the cost of replacing causeways into fixed bridges for matching funds from the state and federal government. The causeways are where most of the muck accumulates according to the FIT scientific reports.

Staff Analysis:

A detailed evaluation of existing capacity and maintenance backlog issues as well as potential revenue generating options was conducted by Public Works in February 2022. It included the requirements and process for implementing the Infrastructure Sales Tax as well as several other alternatives. It was forwarded to the Board for further review and consideration.

In 2015, an Impact Fee Study was completed at a cost of approximately \$164,000 (\$44,000 of which was expressly related to the Transportation Impact Fee element). In September of 2016, the Board elected to allow a moratorium on Transportation Impact Fees that was imposed at the time to sunset, accepted the Impact Fee Study, and retained the current fee schedule (the Transportation Impact fee was last modified in 2006, based on a study from 2000). In Fiscal Year 2023, the County collected \$15,255,352 in Transportation Impact Fees.

In order to adopt a higher fee, certain statutory procedures must be adhered to. This would include any increase being based on the most recent localized data. Depending on the percentage increase, a study and workshops may be required, the fee increase may have to be imposed incrementally, and it may require a 2/3 vote of the Board. It should be noted that, at all times, it is the duty of the County to ensure such impact fees are "proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction," and "the impact fee is proportional and reasonably connected



Planning & Development Department

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BOARD OF COUNTY COMMISSIONERS

to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction." As impact fees generally may not be increased more than once every 4 years, these fees cannot be indexed to CPI.

Staff Recommended Action:

Staff recommends adhering to current Board direction, absent other Board direction such as modifying Brevard County Code of Ordinances and fee schedules to implement the 2015 impact fee study or conducting a new study.

Absent new Board direction, staff recommends rejecting CEER # 2024042.

Recommendation #2024042

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
South Patrick Shores fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization
WAVESaction

Recommendation Information

Recommendation Title: Transportation Infrastructure Surtax

Areas Affected: Transportation Infrastructure

Department: PUBLIC WORKS DEPARTMENT

Brevard is historical development growth with increasing needs for transportation dollars. According to TPO we have a fiscal cliff coming on transportation. Declining gas Tax revenues. FDOT District 5 has only allocated less than 5% to transportation capacity needs in next 5 years. The availability of funding is compounded with SB102, developers will get 75% discount on property tax on those middle america units; and with latest vote, our commissions thought it wise to give these developers an exemption on transportation impact fees. According to County budget 2024, Brevard has a \$699 million deficit on transportation capacity needs.

**Problem
Description:**

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The concern is whether the state is intentionally not funding capacity needs to push Brevard onto CFX where tolls would fund these capacity needs. The problem with that is all toll revenue goes to Central Florida. Let's be proactive.

- The recommendation is to proactively fund transportation capacity needs:
1. Do Transportation Impact Fee study to determine needs for tax adjustment
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**Recommendation
Description**

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Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PUBLIC WORKS DEPARTMENT Assigned

Awaiting action from department director

2024042 - Links Contained Within Citizen CEER Submission

<https://drive.google.com/drive/folders/1D1-AdrApY-1VpizCu3nxqcljD4z> Nxb?usp=drive link

<https://www.sun-sentinel.com/2021/06/07/desantis-signs-law-limiting-impact-fees-for-development/>

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BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office

2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024043

DATE: 04/01/2024

CEER #2024043 was received by the County from Laurie Lefebvre.

Citizen Statement:

Low to no voter confidence in free, fair and safe elections

Known and always present vulnerabilities and security issues with election machines making them susceptible to foreign and/or domestic interference.

Federal shareholder/stakeholder involvement = conflict of interest

Federal/Non-profit org funding/donations = interference

No voter ID confirming citizenship

Mail-in ballots invite fraud on many levels

Dirty voter database

Citizen Recommendation:

Recommend County Commissioners put forth and document the recommendations, listed below, to the State on behalf of it's constituents to effect this change.

Hand counting of paper ballots

No voting or tabulation of votes by machine, internet, or other electronic means

No federal involvement (includes federal officials located within state borders)

No federal or Non-profit funds accepted for any part of election process

Voter ID with proof of citizenship

Absentee ballots to be requested by voters who wish to vote for each election cycle

Mai-in ballots not allowed under any circumstances

The benefits would be giving voters confidence in the ability to have safe, free, and fair elections.

Additionally, there would be costs benefits.

Please feel free to contact me with any questions.

Phone (321) 305-9194 • Fax (321) 617-7214

Website: BrevardFL.gov/Communications

Staff Analysis:

According to the Florida Department of State Division of Elections, county supervisors of elections are responsible for registering voters, establishing voting precincts and administering elections.

Staff Recommended Action:

It is recommended that CEER #2024043 be rejected by the Board as the County has no jurisdiction.

Recommendation #2024043

Recommendation Details

Contact Information

Full Name:	Laurie Lefebvre	Email Address:	lefebvrejlj@gmail.com
Mailing Address:	1211 GIRALDA CIR NW PALM BAY fl 32907	Alt Email Address:	
		Phone Number	978-505-8645
Group/Organization	N/A	Recommendation Information	

Recommendation Title: Bring back confidence in elections and lower costs to taxpayers

Areas Affected: Elections

Department: SUPERVISOR OF ELECTIONS

Low to no voter confidence in free, fair and safe elections

Known and always present vulnerabilities and security issues with election machines making them susceptible to foreign and/or domestic interference.
Federal shareholder/stakeholder involvement = conflict of interest
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Problem Description:

Recommend County Commissioners put forth and document the recommendations, listed below, to the State on behalf of it's constituents to effect this change.

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Hand counting of paper ballots
No voting or tabulation of votes by machine, internet, or other electronic means
No federal involvement (includes federal officials located within state borders)
No federal or Non-profit funds accepted for any part of election process
Voter ID with proof of citizenship
Absentee ballots to be requested by voters who wish to vote for each election cycle
Mail-in ballots not allowed under any circumstances

The benefits would be giving voters confidence in the ability to have safe, free, and fair elections. Additionally, there would be costs benefits.
Please feel free to contact me with any questions.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 5, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department *[Signature]*

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024044

DATE: April 1, 2024

CEER #2024044 was received by the County from Sandra Sullivan.

Citizen Statement:

Brevard has a lot growth which creates high costs for infrastructure. Developers are not paying their fair share under impact fees. Developer impact fees have NOT been increased in decades (Transportation 23 years). https://drive.google.com/drive/folders/1D1-AdrApY-1VpizCu3nxqcljD4z__Nxb?usp=drive_link

Other counties are increasing impact fees, so should Brevard:

<https://www.mainstreetdailynews.com/govt-politics/alachua-county-increases-impact-fees> (Dec 2023)

<https://www.mysuncoast.com/2023/11/16/manatee-county-proposes-increased-impact-fees/> (Nov 2023)

<https://www.mynews13.com/fl/orlando/news/2023/07/25/kissimmee-city-leaders-voting-next-month-on-whether-to-double-impact-fees-for-home-builders--here-s-what-that-means> (July 2023)

https://www.chronicleonline.com/news/local/county-raises-transportation-impact-fees-to-100/article_54e4044b-8a22-5461-88e9-94355b3b8e3e.html (June 2023)

<https://www.wftv.com/news/local/lake-county-approves-impact-fee-hike-address-massive-development/FLZEUZF2FBEC3IST2XP6TNH3IU/> (Feb 2023)

The concern is our Commission will put the cost of infrastructure burden on you the taxpayer. We need to fix impact fees so developers pay their share of infrastructure. Look at the Growth in Port St. John - Sewage plant went from 85% - 96% capacity in half a year. Now you are scrambling to figure out how to pay for a new sewage plant that costs \$170 million. A plant replacement was \$50 million in 2018. Despite the skyrocketing cost of infrastructure (over 30% in a year), impact fees have not been increased in 32 years. They don't even have a CPI increase - which is imperative.



BOARD OF COUNTY COMMISSIONERS

RESIDENTS GOT AN INCREASE IN infrastructure tax on April 7th commission meeting, while the developers do not get an inflation increase in infrastructure impact tax. Brevard raised your sewer tax 4.41% for inflation in April another increase following last year.

The concern is ultimately the taxpayers are going to be burdened with the cost of infrastructure because our commissioners do the will of the lobbyists and developers #WeTheMoney vs #WeThePeople. The BOCC cancelled the Budget Workshop in Feb 2023, to hide the severity of the infrastructure needs. Like the dump, which the commissioners kicked the can down the road on a decision until Sarno ran out of dump space - for a dump that takes 5 years to build. It is the concern, that this crisis management is also happening for infrastructure. For that reason, additional tax burden on the people will be coming.

"The charter provision ? which was approved by county voters in 2008 with 73.12% support ? generally limits the amount the county can increase property tax revenues to the lesser of 3% or the rate of inflation.

However, the commissioners can surpass that cap if four of five agree there is a "critical need" to do so."

<https://www.floridatoday.com/story/news/local/2023/03/10/court-sides-with-brevard-sheriff-in-tax-cap-dispute-with-clerk-of-court/69990493007/>

Citizen Recommendation:

Brevard County needs to initiate an Impact Fee study to avoid tax increases to the property tax. Doing an impact fee study was discussed at the Budget workshop in 2021 but no action followed up the discussion though clearly the need is there.

Should be giving development credits for redevelopment due to the period of time that has passed 20-60 years we are in a new infrastructure cycle.

A study would look at the projected infrastructure costs with anticipated growth projects and be able to determine fees appropriate with Brevard as fastest growing area of Florida.

Obviously the growth areas has changed in decades - and a need for a new impact fee study is paramount.

To Commission Feltner's comment that this increased tax would be passed by the developer onto the new home - yes, that may be, but it should not be passed onto everyone who have already paid their share for impact fees incorporated into their home cost.



BOARD OF COUNTY COMMISSIONERS

Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

Staff Analysis:

As defined under Florida Stat. Sec. 200.065, the Brevard County Board of County Commissioners have not raised taxes in any of the last 7 years. In 2015, an Impact Fee Study was completed at a cost of approximately \$164,000. In September of 2016, the Board elected to allow a moratorium on Transportation Impact Fee that was imposed at the time to sunset, accepted the Impact Fee Study, and retained the current fee schedule (the Transportation Impact fee was last adopted in 2006). The County collected \$44,805,096 in aggregate impact fees in Fiscal Year 2023.

In order to adopt a higher fee, certain statutory procedures must be adhered to. This would include any increase being based on the most recent localized data. Depending on the percentage increase, a study and workshops may be required, the fee increase may have to be imposed incrementally, and it may require a 2/3 vote of the Board. It should be noted that, at all times, it is the duty of the County to ensure such impact fees are "proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction," and "the impact fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction" (see Fla. Stat. Sec. 163.31801). As impact fees generally may not be increased more than once every 4 years, these fees cannot be indexed to CPI.

County staff adheres to Statutory requirements in its assignments of impact fee credits.

Staff Recommended Action:

Staff recommends adhering to current Board direction, absent other Board direction such as modifying Brevard County Code of Ordinances and fee schedules to implement the 2015 impact fee study or conducting a new study.

Absent new Board direction, staff recommends rejecting CEER # 2024044.

Recommendation #2024044

Recommendation Details

Contact Information

Full Name:	Sandra Sullivan	Email Address:	s2sully@gmail.com
Mailing Address:	165 Dorset Lane South Patrick Shores fl 32937	Alt Email Address:	sandra@sandrasullivan.com
		Phone Number	954-224-8624

Group/Organization

WAVESaction

Recommendation Information

Recommendation Title:	Increasing Developer Impact Fees
Areas Affected:	Infrastructure

Department:	PLANNING AND DEVELOPMENT DEPARTMENT
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Brevard has a lot growth which creates high costs for infrastructure. Developers are not paying their fair share under impact fees. Developer impact fees have NOT been increased in decades (Transportation 23 years). https://drive.google.com/drive/folders/1D1-AdrApY-1VpizCu3nxqcljD4z_Nxb?usp=drive_link

**Problem
Description:**

Other counties are increasing impact fees, so should Brevard:
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https://www.chronicleonline.com/news/local/county-raises-transportation-impact-fees-to-100/article_54e4044b-8a22-5461-88e9-94355b3b8e3e.html (June 2023)
<https://www.wftv.com/news/local/lake-county-approves-impact-fee-hike-address-massive-development/>
[FLZEUZF2FBEC3IST2XP6TNH3IU/](https://www.wftv.com/news/local/lake-county-approves-impact-fee-hike-address-massive-development/) (Feb 2023)

The concern is our Commission will put the cost of infrastructure burden on you the taxpayer. We need to fix impact fees so developers pay their share of infrastructure. Look at the Growth in Port St. John - Sewage plant went from 85% - 96% capacity in half a year. Now you are scrambling to figure out how to pay for a new sewage plant that costs \$170 million. A plant replacement was \$50 million in 2018. Despite the skyrocketing cost of infrastructure (over 30% in a year), impact fees have not been increased in 32 years. They don't even have a CPI increase - which is imperative.

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"The charter provision ? which was approved by county voters in 2008 with 73.12% support ? generally limits the amount the county can increase property tax revenues to the lesser of 3% or the rate of inflation. However, the commissioners can surpass that cap if four of five agree there is a "critical need" to do so." <https://www.floridatoday.com/story/news/local/2023/03/10/court-sides-with-brevard-sheriff-in-tax-cap-dispute-with-clerk-of-court/69990493007/>

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**Recommendation
Description**

Should be giving development credits for redevelopment due to the period of time that has passed 20-60 years we are in a new infrastructure cycle.

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Obviously the growth areas has changed in decades - and a need for a new impact fee study is paramount.

To Commission Feltners comment that this increased tax would be passed by the developer onto the new home - yes, that may be, but it should not be passed onto everyone who have already paid their share for impact fees incorporated into their home cost.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director

2024044 - Links Contained Within Citizen CEER Submission

[https://drive.google.com/drive/folders/1D1-AdrApY-1VpizCu3nxqcLjD4z_Nxb?usp=drive link](https://drive.google.com/drive/folders/1D1-AdrApY-1VpizCu3nxqcLjD4z_Nxb?usp=drive_link)

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BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

TO: Frank Abbate, County Manager

THRU: Morris Richardson, County Attorney

FROM: Christine Reilly, Senior Law Clerk

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024045

DATE: 04/01/2024

CEER #2024045 was received by the County from Sandra Sullivan, affiliated with the group WAVESaction LLC.

Citizen Statement:

When Hightower and Pelican Beach parks (unfunded liabilities) were given to the then insolvent city of Satellite Beach in 2012 (D4 Commissioner then a resident of Satellite Beach), the interlocal agreement and deed restrictions required no differential in fee. The whole deal, given the alleged embellishment of CRA moneies as documented by state agency raises questions on that transaction, since the city did not have the means to maintain the parks. The only good news is that these beach parks had deed restrictions and interlocal agreement. We the taxpayers who funded the acquisition of our County Parks through our taxes – and expect the deed restrictions to be enforced. Unfortunately, Satellite Beach's Parking Management plan creates a differential in fee – a violation of those agreements. 1. Only golf carts from Satellite Beach are exempted for parking (other golf carts cannot park). IHB and SPS golf carts cannot park at Hightower or Pelican without getting booted. 2. Rental cars cannot get a parking pass which means snowbirds (who may even have winter residences) who fly here cannot get a free annual parking pass. 3. Anyone from outside the US who comes to visit – for extended stay – cannot get a free annual parking pass. i.e., my sister comes to visit each winter for a few weeks. The constant booting of tourists is bad for tourism- and are harming IMO our tourism – yet they want TDT monies for lifeguards. There are many instances of questionable booting of people who claim to have a pass. Further while the County owned these parks,

Hightower was funded by a federal agreement for the bathrooms, boardwalk and beach access. This LW541 agreement required the Hightower park (FCT and County park) to remain conservation lands in perpetuity. The conservation easement on Hightower former County Park has been removed which would be another violation of the park interlocal agreement and deed restrictions. Lastly, the county was a joint application partner with Satellite Beach on the FCT state land acquisition. Again there are alleged violation of those agreements which the county was party to those agreements and made the required Comprehensive Plan changes including (capping density, no moving density bonus, etc.)

Citizen Recommendation:

Enforce the deed restrictions and interlocal agreement for Hightower/Pelican Parks and take back these parks back as Brevard County parks to facilitate all the above issues above. This is owed to the taxpayers of Brevard as the responsible action.

Staff Analysis:

When Brevard County conveyed Hightower Beach Park and Pelican Beach Park to the City of Satellite Beach in 2012, the deeds¹ included the following deed restriction in pertinent part,

The property described in Exhibit "A" is to be used solely as a public beach park and for purposes providing public recreational use and related activities.... Any user fees required by the City must be applied uniformly with no differential in the amount charged to the public.... In the event this Property is not used or ceases to be used for the stated purpose and under the stated conditions, then all right, title and interest in the Property shall revert to the party of the first part (County) which shall thereafter have the right to reenter and repossess the Property conveyed herein.... (Parenthetical added).

In 2022, the City of Satellite Beach proposed a beach parking fee program that would have imposed a user fee on non-City residents to park at Hightower Beach Park and Pelican Beach Park, while allowing City residents to park for free. On November 9, 2022, at the direction of the Board of County Commissioners, the County Attorney sent correspondence to Satellite Beach objecting to the proposed program and expressing the Board's intent to take action to enforce the deed restrictions. That correspondence is attached.

¹ The deed for land commonly known as Hightower Beach Park was recorded on May 9, 2012, at OR Book 6597, Page 592, in the Public Records of Brevard County, and the deed for land commonly known as Pelican Beach Park was recorded on May 9, 2012, at OR Book 6597, Page 785, in the Public Records of Brevard County.

In response to that correspondence, Satellite Beach substantially revised its parking fee program to comply with the deed restrictions. As adopted, the Satellite Beach Annual Beach Parking Permit Program² allows residents of the City and non-residents alike to apply for annual parking permits to park at Hightower Beach Park and Pelican Beach Park at no cost. To obtain the annual parking permit, a person must apply online and show proof of a valid registration and ownership of the vehicle. These requirements apply to both residents and non-residents, alike. Therefore, whether an applicant is a resident or non-resident, if he or she does not own the vehicle which he or she would like to park, he or she cannot apply for the annual permit. For those persons without an annual parking permit, the cost is \$2.50 per hour or \$10 per day, irrespective of whether the person is a resident or non-resident. The deed restriction requiring the user fees to be applied uniformly with no differential in the amount charged to the public, therefore, is not violated.

The information from Satellite Beach's Beach Parking program indicates owners of golf carts (LSVs) registered with the State of Florida, and not registered with the city of Satellite Beach, will need to obtain annual permits for parking (which are at no cost). Owners of golf carts which are registered with the City are not required to obtain an annual permit, and similar to non-resident LSVs, they also park at no cost. Golf carts which are not registered with the State or with the City are not allowed to park at Hightower Beach Park and Pelican Beach Park, regardless of whether they are owned by a resident or non-resident.³

Brevard County is not aware of any current violation of the restrictions in the Hightower Beach Park or Pelican Beach Park deeds relative to the LW541 agreement referenced in the CEER, nor is the County a party to that agreement.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024045, as the Board of County Commissioners already enforces the deed restrictions when an actual violation is threatened or occurs.

² The Satellite Beach Annual Beach Parking Permit Program, is available for review at https://satellitebeach.gov/news_detail_T1_R84.php.

³ See also <https://www.parksatellitebeach.org/> page entitled "Parking News" which states,

Are golf carts allowed at the Satellite Beach parks and accesses?

Only if

°Golf cart has State registered LSV with FL license plate

°Golf cart has a City of Satellite Beach Police sticker

**All other golf carts can be considered a violation of roadway laws



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

November 9, 2022

The Honorable Steve Osmer and City Council
City of Satellite Beach
565 Cassia Boulevard
Satellite Beach, Florida 32937

Re: **Ordinance No. 1228 – Beach Parking Fee Program; Pelican Beach
Park and Hightower Park**

Dear Honorable Mayor Osmer and City Council Members:

I write to you at the direction of the Board of County Commissioners of Brevard County. On November 2, 2022, the Satellite Beach City Council approved on first reading proposed Ordinance No. 1228. If adopted, the ordinance will create a beach parking fee program applicable to the City's public beach accesses and beach parking areas. This includes two beach parks – Pelican Beach Park and Hightower Beach Park – which were formerly owned by Brevard County. The deeds transferring Pelican Beach Park and Hightower Beach Park from Brevard County to the City of Satellite Beach each contain the following deed restriction: "Any user fees required by the City must be applied uniformly with no differential in amount charged to the public."

The ordinance professes that "the City has designed a Beach Parking Fee Program to meet the deed restrictions...." However, as explained herein, the annual parking permit program set forth in Ordinance No. 1228 clearly creates a differential user fee and thus violates the deed restrictions.

Ordinance No. 1228 will impose a user fee on non-City residents in the form of a \$25 per year, per vehicle charge to obtain a parking permit. City residents, however, will not be required to pay any user fee in order to obtain a parking permit. Rather, the City will "pay for" resident parking permits by transferring ad valorem tax revenues from its general fund to a new beach park maintenance restricted fund. The agenda report for the first reading of Ordinance No. 1228 described the scheme as follows:

The Committee felt that since the City residents already pay for the maintenance of the parks and accesses through their taxes, that the Annual Permits for the City residents would be paid by the residents' taxes in the amount of the permit per vehicle, and that non-City residents should pay for Annual Permits for their vehicle. ...Our position is that the Committee's strategy meets the terms of the Deed Restrictions since the Annual Permit charge is the same. The only caveat is that the City is paying for the cost of our residents' permits with their own taxes. (emphasis supplied).

The central problem with the City's strategy is that, by definition, a user fee is not a tax, and a tax is not a user fee. The most significant traits that distinguish user fees from taxes are (1) user fees are charged in exchange for a particular government service, (2) the service provided benefits the party paying the fee in a manner not shared by other members of society, and (3) user fees are paid by choice, in that the party paying the fee has the option of not utilizing the governmental service and thereby avoiding the charge. See *I-4 Commerce Center, Phase II, Unit I v. Orange County*, 46 So. 3d 134, 136 (Fla. 5th DCA 2010); *Gargano v. Lee County*, 921 So.2d 661, 667-68 (Fla. 2d DCA 2006) (citing *State v. City of Port Orange*, 650 So. 2d 1, 3 (Fla. 1994)).

Ordinance No. 1228 will not impose a user fee on City residents. City residents will not pay for a parking permit, but rather, the City will pay for resident permits with City tax revenues. The party paying for the permit will not receive benefits in a manner not shared by other members of society, because the City, not the resident, is the party making payment, while the resident enjoys the benefit. Finally, City residents have no ability to avoid paying for the resident parking permit program, as the program is funded by ad valorem taxes. Whether a City resident elects to obtain one parking permit, ten permits, or no permit will have no impact on that resident's City ad valorem taxes.

The fact that the ordinance will create a user fee only as to non-City residents was further illustrated by a slide titled "Estimated Annual Revenue" presented at the November 2 City Council meeting. That slide indicated that non-resident permit user fees would generate an estimated \$30,000 in new revenue annually. However, City resident permits were not estimated to generate any new revenue, because residents would not actually be charged for the permits. The slide noted that the charge for resident permits would be "deducted from general fund," and that "permittees see no charge."

Ordinance No. 1228 creates a program in which non-City residents will be charged a \$25 annual user fee per vehicle, while City residents will not be charged a user fee at all. That plainly violates the Pelican Beach Park and Hightower Beach Park deed restrictions requiring that any user fee be applied uniformly with no differential in amount. The Board of County Commissioners intends to take action to assure that the City honors its legal commitments and complies with the deed restrictions.

Through this letter, the County has now communicated clearly in writing exactly how the City's proposed parking fee program violates the deed restrictions. I trust that this information will inform your further consideration of Ordinance No. 1228. Should you have any questions, I will be happy to discuss this matter with Attorney Beadle and your professional staff.

Very truly yours,

Morris Richardson

Morris Richardson
County Attorney

cc: Courtney Barker, City Manager
Jim Beadle, City Attorney

Recommendation #2024045

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
South Patrick Shores fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization WAVESaction

Recommendation Information

Recommendation Title: Hightower/ Pelican Interlocal Agreement

Areas Affected: Tourism Beach

Department: PARKS AND RECREATION DEPARTMENT

When Hightower and Pelican Beach parks (unfunded liabilities) were given to the then insolvent city of Satellite Beach in 2012 (D4 Commissioner then a resident of Satellite Beach), the interlocal agreement and deed restrictions required no differential in fee. The whole deal, given the alleged embellishment of CRA moneies as documented by state agency raises questions on that transaction, since the city did not have the means to maintain the parks.

**Problem
Description:**

The only good news is that these beach parks had deed restrictions and interlocal agreement. We the taxpayers who funded the acquisition of our County Parks through our taxes - and expect the deed restrictions to be enforced.

Unfortunately, Satellite Beach's Parking Management plan creates a differential in fee - a violation of those agreements.

1. Only golf carts from Satellite Beach are exempted for parking (other golf carts cannot park). IHB and SPS golf carts cannot park at Hightower or Pelican without getting booted.
2. Rental cars cannot get a parking pass which means snowbirds (who may even have winter residences) who fly here cannot get a free annual parking pass.
3. Anyone from outside the US who comes to visit - for extended stay - cannot get a free annual parking pass. i.e. my sister comes to visit each winter for a few weeks.

The constant booting of tourists is bad for tourism - and are harming IMO our tourism - yet they want TDT monies for lifeguards. There are many instances of questionable booting of people who claim to have a pass.

Further while the County owned these parks, Hightower was funded by a federal agreement for the bathrooms, boardwalk and beach access. This LW541 agreement required the Hightower park (FCT and County park) to remain conservation lands in perpetuity. The conservation easement on Hightower former County park has been removed which would be another violation of the park Interlocal agreement and deed restrictions.

Lastly, the county was a joint application partner with Satellite Beach on the FCT state land acquisition. Again there are alleged violation of those agreements which the county was party to those agreements and made the required Comprehensive Plan changes including (capping density, no moving density bonus, etc).

Enforce the deed restrictions and interlocal agreement for Hightower/Pelican Parks and take back these parks back as Brevard County parks to facilitate all the above issues above. This is owed to the taxpayers of Brevard as the responsible action.

**Recommendation
Description**

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	COUNTY ATTORNEY Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager
THRU: Morris Richardson, County Attorney
FROM: Shannon L. Wilson, Assistant County Attorney
SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024046
DATE: 04/01/2024

CEER # 2024046 was received by the County from Ms. Sandra Sullivan, affiliated with the group WAVESaction LLC.

Citizen Statement:

It is concerning that in 2022-23 there have been sneaky votes taken, of interest to large groups of Brevard, under board reports and even public comment. This has including postponing the budget workshop, feasibility study for Merritt Island, and upzoning South Beaches. Especially for the last 2, hundreds of people would have turned out had these been on an agenda item. The intent with a vote under board reports or public comment is to hide the item from the people. The postponing the budget workshop was also a misrepresentation as the intent was to cancel the workshop, as it was not rescheduled as presented. Transparency is important. It cost myself fees for records requests to obtain the budget documents.

Citizen Recommendation:

The request is to update BCC-97 policy to reflect that votes under board reports are not permissible unless an emergency vote. You know the controversy with board reports votes, the most notable was the Mims water vote to remove fluoride being the most controversial. Votes under Public Comment are already not allowed and the only vote should be to bring it to a future meeting agenda. Also request that County policy to reflect that the policy does not allow the Budget workshop to be cancelled, only postponed. Request that Board Reports be defined in BCC-97, that the commissioners give an update on the Boards that they are assigned to attend. i.e. IRL Council, ECRPC, TPO, CFX etc of any news of interest to Brevard residents. Curt Smith gave updates on the boards he sat on, but I have not seen the current commission do this.



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

Inter-Office Memo

Staff Analysis:

Citizen Recommendation: Prohibit Non-Emergency Votes Under Board Reports

Meetings of the Board of County Commissioners are subject to Florida's Government in the Sunshine Law, section 286.011, Florida Statutes, commonly referred to as the Sunshine Law. The Sunshine Law does not mandate that an agency provide notice of each item to be discussed via a published agenda. The courts have rejected such a requirement because it could effectively preclude access to meetings by members of the public who wish to bring specific issues before a governmental body. *See Hough v. Stembridge*, 278 So. 2d 288 (Fla. 3d DCA 1973); *Yarbrough v. Young*, 462 So. 2d 515 (Fla. 1st DCA 1985). Accordingly, the Sunshine Law does not require the Board of County Commissioners to consider only those matters on a published agenda.

The Board of County Commissioners occasionally conducts business of a non-emergency nature during Board reports. Should a controversial matter arise during Board Reports, the Board of County Commissioners will exercise its good judgment and discretion in deciding whether to vote on the matter, or to postpone its consideration to a future meeting.

Pursuant to section 2.9.6 of the Brevard County Home Rule Charter, the Board of County Commissioners has adopted policy BCC-97, providing rules of parliamentary procedures for the orderly transaction of business. Significantly, any provision of such rules may be suspended by majority vote of, or waived by, the Board of County Commissioners to the extent such a suspension or waiver would not be inconsistent with applicable law. *See* sections III. K.1. and III.M, BCC-97. Thus, even if the Board amended BCC-97 as recommended by the citizen, the Board could suspend or waive such a prohibition against voting during Board reports.

Citizen Recommendation: Prohibit Cancellation of Budget Workshops

The Board of County Commissioners schedules its meetings to occur regularly throughout a given year, and the schedule of meetings is typically approved by the Board prior to the upcoming calendar year. Other than the hearings (not workshops) required by the Florida Truth in Millage process to adopt the County's budget for the upcoming fiscal year, there is no requirement to hold additional budget development meetings, including workshops. Whether to schedule a budget workshop, or to cancel or postpone a scheduled workshop, is a discretionary decision for the Board of County Commissioners.

Citizen Recommendation: Require Commissioners to Report on Assignments in Board Reports

There is no statutory, Charter, or Code of Ordinances requirement that commissioners provide updates on the various board and committee meetings they are assigned to attend during the



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

Inter-Office Memo

Board Reports portion of meetings. The subject matter of each commissioner's Board report is left to the discretion of the individual commissioners.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER # 2024046, and retain the discretion and flexibility provided in current policy.

Recommendation #2024046

Recommendation Details

Contact Information

Full Name:	Sandra I Sullivan	Email Address:	s2sully@gmail.com
Mailing Address:	165 Dorset Lane South Patrick Shores fl 32937	Alt Email Address:	sandra@sandrasullivan.com
		Phone Number	954-224-8624

Group/Organization

WAVEsaction

Recommendation Information

Recommendation Title:

Commissioner Voting

Areas Affected:

Commission Meetings

Department:

BOARD OF COUNTY COMMISSIONERS

It is concerning that in 2022-23 there have been sneaky votes taken, of interest to large groups of Brevard, under board reports and even public comment.

This has including postponing the budget workshop, feasibility study for Merritt Island, and upzoning South Beaches. Especially for the last 2, hundreds of people would have turned out had these been on an agenda item. The intent with a vote under board reports or public comment is to hide the item from the people.

The postponing the budget workshop was also a misrepresentation as the intent was to cancel the workshop, as it was not rescheduled as presented. Transparency is important. It cost myself fees for records requests to obtain the budget documents.

Problem Description:

The request is to update BCC-97 policy to reflect that votes under board reports are not permissible unless an emergency vote. You know the controversy with board reports votes, the most notable was the Mims water vote to remove fluoride being the most controversial.

Votes under Public Comment are already not allowed and the only vote should be to bring it to a future meeting agenda.

Also request that County policy to reflect that the policy does not allow the Budget workshop to be cancelled, only postponed.

Request that Board Reports be defined in BCC-97, that the commissioners give an update on the Boards that they are assigned to attend. i.e. IRL Council, ECRPC, TPO, CFX etc of any news of interest to Brevard residents. Curt Smith gave updates on the boards he sat on, but I have not seen the current commission do this.

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	COUNTY ATTORNEY Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024047

DATE: 04/01/2024

CEER #2024047 was received by the County from Sandra Sullivan on December 30, 2023.

Citizen Statement:

Last year the Speak Up Brevard proposals were under Consent.

Citizen Recommendation:

Speak Up Brevard proposals should not be under Consent. Please put Speak Up Brevard Proposals as an Agenda items. (If you approved a Speak Up Brevard Advisory Board, certain proposals could be recommended as designated individual items.)

Staff Analysis:

Items placed on the Board of County Commission meeting agendas are posted by category as appropriate with oversight by the County Manager. All items generated through the annual Speak Up Brevard campaign are reviewed and analyzed by County staff and then submitted to the Board of County Commissioners for review, requesting Board approval. Consent items are subject to public comment for those who submit a speaker card. Items on the Consent Agenda can be pulled for discussion if any member of the Board of County Commissioners chooses to do so before or after public comment relating to the agenda item.

Staff Recommended Action:

It is recommended that CEER #20024047 be rejected by the Board of County Commissioners.

Recommendation #2024047

Recommendation Details

Contact Information

Full Name:	Sandra I Sullivan	Email Address:	s2sully@gmail.com
Mailing Address:	165 Dorset Lane South Patrick Shores fl 32937	Alt Email Address:	sandra@sandrasullivan.com
		Phone Number	954-224-8624

Group/Organization

WAVESaction

Recommendation Information

Recommendation Title:	Speakup Brevard
Areas Affected:	Brevard County Commission

Department:
BOARD OF COUNTY COMMISSIONERS

Last year the Speakup Brevard proposal were under Consent.

Problem Description:

Speakup Brevard Proposals should not be under Consent. Please put Speakup Brevard Proposals as an Agenda items.
(If you approved a Speakup Brevard Advisory Board, certain proposals could be recommended as designated individual agenda items)

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Morris Richardson, County Attorney 

FROM: Alex Essee, Deputy County Attorney 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024048

DATE: 04/01/2024

Citizen Efficiency and Effectiveness Recommendation (CEER) #2024048 was received by the County from Ms. Sandra Sullivan.

Citizen Statement:

Commissioner Goodson said, "If you know anything about Tallahassee, they mandate stuff down here that smells." "Call every representative and get on their butt and ride them like a horse... you should have a voice." "This is going to be an issue." "We better get prepared for a fight." The fiscal impact SB102 has not been evaluated but will be very substantive. Giving developers discounts (75%) for middle american rental housing will result in a tax increase on the real middle america living the American dream of owning their own home - because someone has to pay for fire, police, services and infrastructure. Compounded with skyrocketing insurance, the result will be more middle Americas having to sell their homes because they can't afford them. #Agenda2030 Is the Live Local Law is Unconstitutional? It is suggested that it is based on the Legal Comments in HB1339? (bill without the Mandate). State Constitution section <http://www.leg.state.fl.us/statutes/index.cfm?submenu=3#A8S01> HB1339, a bill like SB102 without the mandate, taking about why there is no MANDATE! Because Florida Constitution is supposed to provide for LOCAL RULE.

<https://flsenate.gov/Session/Bill/2020/1339/Analyses/h1339z1.COM.PDF>
Here an explanation of home rule, like the Comprehensive Plan for ZONING etc furthering the concern of SB102 being unconstitutional under the State Constitution

https://cocoa-beach.granicus.com/MetaViewer.php?view_id=4&clip_id=3149&meta_id=169246#:~:text=In%20Florida%2C%20a%20city%20is%20recognized%20with%20certain%20rights%20and,the%20state%20and%20of

ederal%20law. Please see p 29, section 9 and 10 on local taxes. Does 9 say that local municipalities (County) can levy ad valorem taxes and 10 it says that the state can't give reprieve of those taxes to corporations/private entities. So doesn't SB102 contradict that by giving developers a pass on ad valorem taxes? And if so, is this grounds for a class action lawsuit especially if cities like Pasco, Doral, etc join together with us, because how is a city expected to provide services without being able to collect taxes? <https://files.floridados.gov/media/693801/florida-constitution.pdf> Has the County and property appriaser done a fiscal impact of SB102 over the next 30 years? Also, Section 18 "Laws Requiring counties or municipalities ..," — Does SB102 result in added housing being built and therefore the Cities/County will need to provide added infrastructure, and doesn't have a way to raise the funds (since Sb102 reduces/eliminates ad valorem tax), this section says "no municipality will be bound by the law." P 32,2b. Gives municipalities home rule powers. Therefore, it would therefore seems that SB102 violates the State Constitution.

Citizen Recommendation:

1. Do a fiscal impact statement for SB102 for next 30 years.
2. Brevard consider to join Pasco County to sue the State for the unconstitutional over-reach of Florida State Constitution. We have to push from the local level on Government over-reach just as we did on Vaccine Mandates from the federal government. https://www.suncoastnews.com/news/pasco/pasco-to-sue-apartment-developers-seeking-to-build-under-live-local-act/article_dc04de4a-95f7-11ee-bf51-93934d06dfaa.html?fbclid=IwAR2oR7gEpMwQd8r0UbFxzTroUQM_Mrp0SCCwXJzFfkxg5bo0cqm6Vw-jKmU The results are that it will safeguard working middle class America being able to afford their owns by preventing property tax increases because someone has to pay for the free ride for the "missing middle" rental housing 75% discount on property tax. SB102 is the biggest threat to Brevard - of any of the issues I have presented to Speakup Brevard.

Staff Analysis:

Citizen Recommendation: Fiscal Impact Statement for SB102 (2023) for next 30 years

Senate Bill 102 (2023), the Live Local Act, was drafted to allow for certain affordable housing projects to be entitled to potentially full or partial ad valorem tax exemptions depending on the type of project being developed. For example, pursuant to the updated language in Section 196.1978(3), Florida Statutes, a qualified property may be entitled to an ad valorem property tax exemption of 75 percent or 100 percent depending on the project. To be eligible for these

exemptions, the property owner needs to satisfy certain criteria and submit the necessary paperwork to the property appraiser. The statute ultimately will allow certain projects to be exempt from ad valorem property tax when they otherwise would not have been.

While the specific financial impacts to counties were not specifically identified by the Florida Legislature, a general statement was made in the Staff Analysis for the Live Local Act that provided, in pertinent part, as follows: “[l]ocal governments may incur expenditures and lost revenues in implementing [the Live Local Act] with regards to . . . administering new ad valorem tax exemptions. . . .”

A fiscal impact statement of the Live Local Act would be of limited benefit to County operations. The Live Local Act, as it relates to land use matters, is a mandate that the County is bound by law to adhere to, regardless of its fiscal impact. Additionally, any fiscal analysis would involve broad speculation.

Citizen Recommendation: Join Pasco County’s Suit against the State to Determine the Constitutionality of SB102 (2023)

At the time of this writing, Pasco County has not filed suit against the State regarding the Live Local Act. The recommendation to join Pasco County in its lawsuit against the State should be rejected. After conferring with the Pasco County Attorney’s Office, Pasco County is not presently in the process of suing the State of Florida over the constitutionality of the Live Local Act. While the County can continue to monitor legal challenges to the Live Local Act, Pasco County has not initiated a case for the County to join.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024048.

Recommendation #2024048

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
South Patrick Shores fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization WAVESaction

Recommendation Information

Recommendation Title: SB102 Violation of State Constitution for Local Rule

Areas Affected: Budget

Department: COUNTY ATTORNEY

Commissioner Goodson said, "If you know anything about Tallahassee, they mandate stuff down here that smells." "Call every representative and get on their butt and ride them like a horse... you should have a voice." "This is going to be an issue." "We better get prepared for a fight."

**Problem
Description:**

The fiscal impact SB102 has not been evaluated but will be very substantive. Giving developers discounts (75%) for middle american rental housing will result in a tax increase on the real middle america living the American dream of owning their own home - because someone has to pay for fire, police, services and infrastructure. Compounded with skyrocketing insurance, the result will be more middle Americas having to sell their homes because they can't afford them. #Agenda2030

Is the Live Local Law is Unconstitutional? It is suggested that it is based on the Legal Comments in HB1339? (bill without the Mandate).

State Constitution section <http://www.leg.state.fl.us/statutes/index.cfm?submenu=3#A8501>

HB1339, a bill like SB102 without the mandate, taking about why there is no MANDATE! Because Florida Constitution is supposed to provide for LOCAL RULE. <https://flsenate.gov/Session/Bill/2020/1339/Analyses/h133921.COM.PDF>

Here an explanation of home rule, like the Comprehensive Plan for ZONING etc furthering the concern of SB102 being unconstitutional under the State Constitution
https://cocoabeach.granicus.com/MetaViewer.php?view_id=4&clip_id=3149&meta_id=169246#:~:text=In%20Florida%2C%20a%20city%20is%20recognized%20with%20certain%20rights%20and,the%20state%20and%20federal%20law.

Please see p 29, section 9 and 10 on local taxes. Does 9 say that local municipalities (County) can levy ad valorem taxes and 10 it says that the state can't give reprieve of those taxes to corporations/private entities.

So doesn't SB102 contradict that by giving developers a pass on ad valorem taxes? And if so, is this grounds for a class action lawsuit especially if cities like Pasco, Doral, etc join together with us, because how is a city expected to provide services without being able to collect taxes?

<https://files.floridados.gov/media/693801/florida-constitution.pdf>

Has the County and property appraiser done a fiscal impact of SB102 over the next 30 years?

Also, Section 18 "Laws Requiring counties or municipalities .." — Does SB102 result in added housing being built and therefore the Cities/County will need to provide added infrastructure, and doesn't have a way to raise the funds (since Sb102 reduces/eliminates ad valorem tax), this section says "no municipality will be bound by the law."

P 32,2b. Gives municipalities home rule powers.

Therefore, it would therefore seems that SB102 violates the State Constitution.

Recommendations:

1. Do a fiscal impact statement for SB102 for next 30 years.
2. Brevard consider to join Pasco County to sue the State for the unconstitutional over-reach of Florida State Constitution. We have to push from the local level on Government over-reach just as we did on Vaccine Mandates from the federal government.

**Recommendation
Description**

https://www.suncoastnews.com/news/pasco/pasco-to-sue-apartment-developers-seeking-to-build-under-live-local-act/article_dc04de4a-95f7-11ee-bf51-93934d06d0faa.html?fbclid=IwAR2oR7gEpMwQd8r0UbFxzTroUQM_Mrp0SCCwXJzFfkxg5bo0cqmq6Vw-jKmU

The results are that it will safeguard working middle class America being able to afford their owns by preventing property tax increases because someone has to pay for the free ride for the "missing middle" rental housing 75% discount on property tax.

SB102 is the biggest threat to Brevard - of any of the issues I have presented to Speakup Brevard.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
CEER WebUser	Citizen Submitted	Dec 30, 2023	
Karen Conde	Department Assigned	Jan 3, 2024	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director

2024048 - Links Contained Within Citizen CEER Submission

<http://www.leg.state.fl.us/statutes/index.cfm?submenu=3#A8S01>

<https://flsenate.gov/Session/Bill/2020/1339/Analyses/h1339z1.COM.PDF>

https://cocoabeach.granicus.com/MetaViewer.php?view_id=4&clip_id=3149&meta_id=169246#:~:text=n%20Florida%2C%20a%20city%20is%20recognized%20with%20certain%20rights%20and,the%20state%20and%20federal%20law

<https://files.floridados.gov/media/693801/florida-constitution.pdf>

https://www.suncoastnews.com/news/pasco/pasco-to-sue-apartment-developers-seeking-to-build-under-live-local-act/article_dc04de4a-95f7-11ee-bf51-93934d06dfaa.html?fbclid=IwAR2oR7gEpMwQd8r0UbFxzTroUQM_Mrp0SCCwXJzFfkxg5bo0cqm6Vw-jKmU



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024049 –Premature Closing of Speak Up Brevard

DATE: 04/01/2024

CEER #2024049 was received by the County from Kristin Lortie on Dec. 31, 2023.

Citizen Statement:

I was alerted by another resident that wished to participate that the county has closed the Speak Up Brevard website on December 31st and prior to the policy deadline. Per policy BCC-95, the county is required to accept filings through January 1st.

The early closing of the website may mislead residents of the submission timeline, and preclude their suggestions from being included with the rest of the citizen suggestions. Keeping the website open allows the opportunity for efficiency saving suggestions to be received in the format provided by the Speak Up Brevard policy.

The close date and time is not posted on the website, and even after a resident specifically requested it be added earlier this month to assist and inform residents.

Citizen Recommendation:

Brevard County should leave the Speak Up Brevard submission website open through at least midnight on January 1st, to be in compliance with county policy BCC-95.

- Due to the early website closing this year, Brevard County should immediately open the website and extend the deadline to allow residents additional time to participate.
- The website open and close date and time should be clearly posted on the website for the benefit of Brevard residents that wish to participate.
- Submissions (including this one) that are emailed to the county during the current cycle should be added to the website so that they are available and searchable on the website with the other 2023 submissions.

Staff Analysis:

County Charter stipulates procedures shall include among its provisions, "An annual filing date" for Speak Up Brevard recommendations. County Policy stipulates "The annual filing for submission shall be July 15, 2011, for the initial year and January 1 of each year thereafter." Staff was notified by email on Dec. 31 by county residents Kristin Lortie and Terry Mott, and on Jan. 1 from county resident Sandra Sullivan, that Speak Up Brevard ended early. Upon review, it was determined that since 2017 the software used for Speak Up Brevard has shut the program down at 5 a.m. on Dec. 31. We notified residents who emailed the County Manager's Office that any CEER recommendation submitted through 5 a.m. Jan. 1 would be included, and they have been. Due to the Jan. 1 timeframe mentioned in the Board Policy, staff adjusted the software to continue through Jan. 1, 2024.

Staff Recommended Action:

It is recommended that CEER# 2024049 be accepted with revisions as outlined in the staff analysis.

Recommendation #2024049

Recommendation Details

Contact Information

Full Name: Kristin Lortie **Email Address:** kristin.lortie@gmail.com

Mailing Address: 5524 BRILLIANCE CIR
COCOA FL 32926 **Alt Email Address:**

Phone Number 720-935-8780

Group/Organization N/A **Recommendation Information**

Recommendation Title: Premature Closing of Speak Up Brevard Website for Citizen Suggestions

Areas Affected: Speak Up Brevard

Department: COUNTY MANAGERS OFFICE

I was alerted by another resident that wished to participate that the county has closed the Speak Up Brevard website on December 31st and prior to the policy deadline. Per policy BCC-95, the county is required to accept filings through January 1st.

The early closing of the website may mislead residents of the submission timeline, and preclude their suggestions from being included with the rest of the citizen suggestions. Keeping the website open allows the opportunity for efficiency saving suggestions to be received in the format provided by the Speak Up Brevard policy.

The close date and time is not posted on the website, and even after a resident specifically requested it be added earlier this month to assist and inform residents.

Problem Description:

- Brevard County should leave the Speak Up Brevard submission website open through at least midnight on January 1st, to be in compliance with county policy BCC-95.
- Due to the early website closing this year, Brevard County should immediately open the website and extend the deadline to allow residents additional time to participate.
- The website open and close date and time should be clearly posted on the website for the benefit of Brevard residents that wish to participate.
- Submissions (including this one) that are emailed to the county during the current cycle should be added to the website so that they are available and searchable on the website with the other 2023 submissions.

Recommendation Description

Attachments

No.	Type	Name
1		Lortie1-Screenshot_20231231-181508-522.png
2		Lortie2-Screenshot_20231231-180812-066-2.png

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 3, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



POLICY

TITLE: Citizens Process For Advising
The County Commission

NUMBER: BCC-95

APPROVED: May 24, 2011

ORIGINATOR: County Manager's
Office

REVIEW: May 24, 2014

I. OBJECTIVE:

To provide a process for Citizens as individuals or as an organized group of individuals to submit formal written recommendations for the enhancement of the effectiveness and efficiency of Brevard County Government.

II. REFERENCE:

- A. Brevard County Home Rule Charter Section 2.9.10.

III. DIRECTIVES

- A. The County Manager, within this policy document, shall establish and recommend to the Board of County Commissioners a process and procedures whereby the Board can review and formally vote to accept, accept with revisions, or reject recommendations on the enhancement of the effectiveness and efficiency of County Government.
- B. An annual filing date with a review period shall be established for receipt of submission and final vote of the Board of County Commissioners.
- C. The County Manager will solicit, under this policy and process, recommendations that promote the efficiency and effectiveness of County government as the intent of the Charter amendment was not to address citizen grievances or specific citizen service requests.
- D. Any individual or organized group may submit recommendations intended to enhance the efficiency and effectiveness of County Government by submitting to the County Manager an electronic or hardcopy of the "Citizen Efficiency and Effectiveness" form attached to this policy. Upon submittal, the form will be reviewed and acted upon according to the following procedure.
 - 1. The annual filing date for submission shall be July 15, 2011 for the initial year and January 1 of each year thereafter.

- 2. The form will be available for download and submission on the County Internet Homepage. Hardcopies of the form will be available by request from the County Manager's Office.

- 3. Within forty five (45) days of receipt of the recommendation the County Manager's Office shall evaluate and comment upon the recommendation with a recommendation for the consideration of the Board of County Commissioners. If necessary the County Manager's Office will also forward the recommendation to the County Attorney for a review of the legality of the recommendation.

- 4. The County Manager after completion of the above referenced reviews will forward the recommendation and review package to the Board of County Commissioners for their review.



Speak Up Brevard Recommendations

About Speak Up Brevard. (Click To CLOSE)

To provide a formal process for citizens to submit recommendations to Brevard County government, and as a result of charter amendment, Brevard County has implemented a web-based application called "Speak Up Brevard."

Speak Up Brevard allows citizens to submit ideas which would assist county government in conserving energy, saving costs, eliminating duplication, generating revenue, increasing productivity, or preventing waste.

After submitting a recommendation, the [County Manager's Office](#) has 45 days to evaluate and comment on the recommendation, and then forward it to the [Board of County Commissioners](#) for their review. The Board of County Commissioners must take a final vote to either approve, reject, or revise and accept the recommendation within 120 days. The sponsor of the recommendation will be given at least a week's notice prior to it being heard/voted on by the Board.

[Click here to search recommendations](#) that have been submitted this year and previous years.

**Website was closed
on 12/31.**

Information Notification

Speak Up Brevard form is not available at this time. The next scheduled recommendation form open date is .



Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, P.E., Assistant County Manager

FROM: Virginia Barker, Director, Natural Resources Management

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024050

DATE: 04/01/2024

CEER #2024050 was received by the County from Terry Mott.

Citizen Statement:

This is my second suggestion and it's related to my first suggestion, which was for Brevard County to create a 3W's Resiliency Campaign 2024. Background information: For several years, as a community volunteer, I've had the awesome privilege of being trained and mentored by Brevard County staff through myriad programs. I've used that training in volunteering for both the County and a number of local nonprofits. I also previously served for several years on my HOA's Board of Directors and on a Committee for my community's master association. I mention this background because from these experiences, I've often observed a them-versus-us attitude between various entities in Brevard: government, businesses, nonprofits, HOA leadership, and private residents, etc.

Citizen Recommendation:

I would like to see a targeted campaign to inspire these entities to work together incorporating a systems approach to resolve the many complex challenges facing Brevard. In some cases there is duplication of efforts where we even have entities competing with each other for the same grants. But if people work together on projects, they are more likely to get larger grant requests approved and also resolve the issues in a more cost-effective manner. As for Brevard's government entities, I would like to see each agency working with the individual HOA Boards when they have any problems within the Board's specific community. And I would also like to see the individual HOA Boards be encouraged to create special ad hoc committees of community volunteers to assist the government entities. I believe using this type of one-voice, one-community focus would be very helpful in the Brevard Natural Resources Management Department's current project to create a stormwater management education program for the Viera East community. Thank you for your consideration.

Staff Analysis:

Natural Resources Management recognizes the value of working together and the importance of working with Homeowners Associations (HOAs) to better manage stormwater ponds. HOAs are responsible for the maintenance and operation of over 4,000 stormwater ponds within the Indian River Lagoon watershed in Brevard County, about ten times as many stormwater ponds as the County.

The Save Our Indian River Lagoon (SOIRL) Program is currently developing a citizen science/outreach program to partner with HOAs to improve stormwater pond management and reduce stormwater inputs to the Indian River Lagoon (IRL). Funding to start this program was added in the 2023 Update to the Save Our Indian River Lagoon Project Plan. After program funding was approved, staff began researching other citizen science pond management programs to develop a pilot program for implementation in Brevard. Our program will recruit volunteers from HOAs (that manage at least one stormwater pond) within the IRL watershed of Brevard County. A grant proposal was recently submitted to the IRL Council/Indian River Lagoon National Estuary Program to seek additional funding to support a pilot program for this education/outreach campaign.

Additionally, stormwater pollution prevention presentations to adults are conducted as part of the County's National Pollutant Discharge Elimination System (NPDES) permit compliance. The Brevard County Stormwater Program often conducts presentations at the request of HOAs. Many HOA volunteers are already active in County stormwater pollution prevention efforts, placing storm drain markers throughout our community to further education efforts. The Brevard County Stormwater Program is also working with the Viera East Community Development District (VECDD) on an educational grant for stormwater pond best management practices. Part of the project includes targeted educational outreach to HOAs within the VECDD area. The mission of the grant project is to reduce nutrients in stormwater ponds, prevent erosion, and use green stormwater infrastructure to create buffer zones.

Staff Recommended Action:

It is recommended that the Board of County Commissioners accept the recommendation with revisions as some programs are already underway and program expansions are currently being developed.

Recommendation #2024050

Recommendation Details

Contact Information

Full Name: Terry Mott **Email Address:** terrymott93@gmail.com

Mailing Address: 4899 WEXFORD DR
ROCKLEDGE fl 32955 **Alt Email Address:**

Phone Number 321-223-6943

Group/Organization N/A **Recommendation Information**

Recommendation Title: Brevard County Creating 3 W's Resiliency Campaign 2024
Areas Affected:

Department:

This is my second suggestion and it's related to my first suggestion, which was for Brevard County to create a 3W's Resiliency Campaign 2024.

Background information: For several years, as a community volunteer, I've had the awesome privilege of being trained and mentored by Brevard County staff through myriad programs. I've used that training in volunteering for both the County and a number of local nonprofits.

I also previously served for several years on my HOA's Board of Directors and on a Committee for my community's master association. I mention this background because from these experiences, I've often observed a them-versus-us attitude between various entities in Brevard: government, businesses, nonprofits, HOA leadership, and private residents, etc.

: I would like to see a targeted campaign to inspire these entities to work together incorporating a systems approach to resolve the many complex challenges facing Brevard. In some cases there is duplication of efforts where we even have entities competing with each other for the same grants. But if people work together on projects, they are more likely to get larger grant requests approved and also resolve the issues in a more cost-effective manner.

As for Brevard's government entities, I would like to see each agency working with the individual HOA Boards when they have any problems within the Board's specific community. And I would also like to see the individual HOA Boards be encouraged to create special ad hoc committees of community volunteers to assist the government entities.

I believe using this type of one-voice, one-community focus would be very helpful in the Brevard Natural Resources Management Department's current project to create a stormwater management education program for the Viera East community.

Thank you for your consideration.

Problem Description:

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director



Natural Resources Management Department

2725 Judge Fran Jamieson Way
Building A, Room 219
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank B. Abbate, County Manager
THRU: John Denninghoff, P.E., Assistant County Manager
FROM: Amanda Elmore, Deputy Director, Natural Resources Management (NRM) *AElmore*
SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024051
DATE: 04/01/2024

CEER #2024051 was received by the County from Terry Mott.

Citizen Statement:

As a resident volunteer on behalf of the Viera East Community Development District (VECD) Board of Supervisors, for the past few years I've been working with the Brevard County Natural Resources Management Department on a project to create a stormwater education and pond restoration program for the Viera East Community.

While we've made progress in this endeavor, to increase the potential impact of the program-- and to help Viera East residents improve the resiliency and quality of life within the community-- I'm recommending the following:

That the Brevard County Natural Resource Management Department broaden the scope of this project and become the lead agency in forming a joint Task Force to conduct a 3W's Resiliency Campaign 2024 to improve the quality of life for Viera East residents and to create a model education program for HOA communities within the 3W's areas listed below:

Water: Create a stormwater education and pond maintenance & restoration program.

Wildlife: Create an education program to teach residents how to live in harmony with the wildlife that surrounds the community.

Waste: Create 1) an education program re all aspects of waste (the cost of waste and what the average resident can do to help reduce costs, i.e. recycling); and 2) create a strategy to plan and design a commercial composting facility to be constructed within and maintained by the Viera East community.

The Task Force would include one or more representatives from the following organizations: Brevard County Natural Resources Management Department (lead agency), the Viera East Community Development District, the St. Johns River Water Management District, the Marine Resources Council, the Florida Institute of Technology, UF/IFAS, St. Johns Riverkeepers, Brevard

Zoo, Waste Management, Keep Brevard Beautiful, Recycle Brevard, and the Viera East Community Association Board of Directors.

The essence of the overall 3W's campaign is to inspire and teach the Viera East community leadership at all levels--including each of the individual HOA Boards of Directors--that to maximize the resiliency of the community, especially in reducing its long-term risk of flooding--all residents need to be involved in the process. And in order to inspire public engagement, residents need to be educated in these three areas.

Citizen Recommendation:

As a long-term volunteer for several government and nonprofit entities in Brevard, I know that we have the expertise to create programs (both online in person) in these three areas, and in many cases, the programs have already been created.

For example, I've been through the St. Johns River Water Management Districts stellar online seminar regarding stormwater management that was created for Community Association Managers (CAMs). Recently I asked the District if they would consider slightly modifying the program so that it was targeted to homeowners rather than CAMs. And I received a favorable response from the District.

Another example: I've completed several stormwater & shoreline restoration classes offered by UF/IFAS, and much of the information is currently available online and could easily be incorporated into a comprehensive education program that could be promoted via a campaign for community homeowners.

Yet another example: A few years ago, I was a volunteer for the Brevard Natural Resources Management Department's/Brevard Zoo's Oyster Restoration Program for the Indian River Lagoon. I raised 250 oysters and also participated in helping to create a reef in the Lagoon. I'm also a Florida Master Naturalist, and while I was attending one of the Oyster Restoration Program classes, I noticed that the procedures being used to restore the Indian River Lagoon could also be used to restore the shorelines of the ponds within our HOA communities, as long as we changed the vegetation to accommodate freshwater species. At that time, I asked Dr. Marty Main, Director for the Florida Master Naturalist Program if he would create a program to specifically teach Florida Master Naturalists how to restore the shorelines of freshwater ponds. While it took four years to roll out, the new course (Freshwater Restoration) was announced in October 2023 and will soon be available in Brevard County.

My hope is that we will inspire many Florida Master Naturalists living in Brevard to attend this new program and help assist the community in restoring our ponds and educating residents regarding how they can help maintain them. I believe the majority of residents do not understand that the ponds adjacent to their homes flow unfiltered into our waterways.

In sum: I believe we simply need to create a community campaign to energize the community and also obtain the commitments from the HOA master association (Viera East Community Association) and the individual HOA Boards of Directors to help in the process of bringing the education programs into the Viera East community by actively being involved in the program: such as promoting the program via their individual websites, inviting guest speakers at their meetings, participating and hosting workshops, and other myriad educational activities. As an added note, I would be happy to volunteer to help organize the campaign.

Some background information re the community:

The Viera East Community Development District (VECDD) is an unincorporated, master-planned community that was created in 1991 as a special tax district governed by a five-member board of supervisors.

This VECDD encompasses 2,825 acres east of Interstate 95 from Wickham Road northward into Rockledge, including 31 subdivisions, a residential population of about 12,000, with about 300 businesses, and a champion golf course (Viera East Golf Club).

And the VECDD is responsible for the construction, operation and maintenance of the community's infrastructure, an 85-pond stormwater system, conservation areas, paved trails and sidewalks, Woodside Park, and its golf course.

Staff Analysis:

The Board of County Commissioners recognizes the value of working together and the importance of partnerships that result in a more resilient Brevard. Outreach efforts involve overseeing contracted stormwater pollution prevention presentations as part of the County's National Pollutant Discharge Elimination System (NPDES) permit compliance.

The County has implemented programs that address the first W of the 3W's, Water. The Lagoon Loyal program was developed to address the thousands of pounds of excess algae-feeding nutrients that flow to the Indian River Lagoon, polluting both groundwater and stormwater. This program is the cornerstone of the outreach efforts required under the county's NPDES permit. Additionally, the Save Our Indian River Lagoon (SOIRL) Program is currently developing a citizen science/outreach program to partner with Homeowners Associations (HOAs) to improve stormwater pond management and reduce stormwater inputs to the Indian River Lagoon (IRL). Funding to start this program was added in the 2023 Update to the Save Our Indian River Lagoon Project Plan. After program funding was approved, staff began researching other citizen science pond management programs to develop a pilot program for implementation in Brevard. Our program will recruit volunteers from HOAs that manage at least one stormwater pond within the IRL watershed of Brevard County. A grant proposal was

recently submitted to the IRL Council/Indian River Lagoon National Estuary Program to seek additional funding to support a pilot program for this education/outreach campaign.

Regarding the second W, Wildlife, the Board does not have jurisdiction relevant to wildlife protection. The Florida Fish and Wildlife Conservation Commission or United States Fish and Wildlife Service would need to spearhead efforts regarding outreach for fauna. Additionally, as noted in the citizen recommendation, the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) has a Florida Master Naturalist Program that teaches those who teach others about Florida's unique ecosystems and wildlife. UF/IFAS Brevard Extension continues to work with Natural Resources to assist and educate the citizens of Brevard when appropriate.

The last W, Waste, is partially addressed by the Florida Department of Environmental Protection's Waste Reduction Section. This section is responsible for promoting and monitoring statewide recycling and waste reduction programs as well as the recycling and proper management of household hazardous waste, medications, mercury lamps (fluorescent) and devices (thermostats), batteries, and scrap electronics. Grants and technical assistance are provided to local governments for the implementation of solid waste management programs. As required pursuant to 403.7032 Florida Statutes, and Chapter VIII of Brevard's Comprehensive Plan, Brevard County's Solid Waste Department provides outreach by a Recycling Coordinator and a Recycling Educator who attend community events, civic organization meetings, school functions, and other events as appropriate. The Solid Waste webpage provides a plethora of educational materials including a Recyclopedia, Recycling Kids' Corner, and other links and media.

Although not located in the Viera East community, Florida Recyclers of Brevard (Sarno Road) is a commercial composting facility. At the current Brevard County Solid Waste Management locations, there is neither the space nor the personnel to engage in composting. Lastly, composting results in odors that are not normally compatible adjacent to residential uses unless high-cost management and maintenance equipment is employed.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendations as they are already implemented, being developed, or are not under the jurisdiction of Brevard County.

Recommendation Details

Contact Information

Full Name: Terry Mott **Email Address:** terrymott93@gmail.com

Mailing Address: 4899 WEXFORD DR
ROCKLEDGE fl 32955 **Alt Email Address:**

Phone Number 321-223-6943

Group/Organization N/A **Recommendation Information**

Recommendation Title: Brevard County Creating 3 W's Resiliency Campaign 2024
Areas Affected:

Department: NATURAL RESOURCES MANAGEMENT

As a resident volunteer on behalf of the Viera East Community Development District (VECD) Board of Supervisors, for the past few years I've been working with the Brevard County Natural Resources Management Department on a project to create a stormwater education and pond restoration program for the Viera East Community.

Problem Description:

While we've made progress in this endeavor, to increase the potential impact of the program--and to help Viera East residents improve the resiliency and quality of life within the community--I'm recommending the following:

?That the Brevard County Natural Resource Management Department broaden the scope of this project and become the lead agency in forming a joint Task Force to conduct a 3W's Resiliency Campaign 2024 to improve the quality of life for Viera East residents and to create a model education program for HOA communities within the 3W's areas listed below:

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Waste: Create 1) an education program re all aspects of waste (the cost of waste and what the average resident can do to help reduce costs, i.e. recycling); and 2) create a strategy to plan and design a commercial composting facility to be constructed within and maintained by the Viera East community.

The Task Force would include one or more representatives from the following organizations: Brevard County Natural Resources Management Department (lead agency), the Viera East Community Development District, the St. Johns River Water Management District, the Marine Resources Council, the Florida Institute of Technology, UF/IFAS, St. Johns Riverkeepers, Brevard Zoo, Waste Management, Keep Brevard Beautiful, Recycle Brevard, and the Viera East Community Association Board of Directors.

The essence of the overall 3W's campaign is to inspire and teach the Viera East community leadership at all levels--including each of the individual HOA Boards of Directors--that to maximize the resiliency of the community, especially in reducing its long-term risk of flooding--all residents need to be involved in the process. And in order to inspire public engagement, residents need to be educated in these three areas.

As a long-term volunteer for several government and nonprofit entities in Brevard, I know that we have the expertise to create programs (both online in person) in these three areas, and in many cases, the programs have already been created.

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Recommendation Description

Another example: I've completed several stormwater & shoreline restoration classes offered by UF/IFAS, and much of the information is currently available online and could easily be incorporated into a comprehensive education program that could be promoted via a campaign for community homeowners.

Yet another example: A few years ago, I was a volunteer for the Brevard Natural Resources Management Department's/Brevard Zoo's Oyster Restoration Program for the Indian River Lagoon. I raised 250 oysters and also participated in helping to create a reef in the Lagoon. I'm also a Florida Master Naturalist, and while I was attending one of the Oyster Restoration Program classes, I noticed that the procedures being used to restore the Indian River Lagoon could also be used to restore the shorelines of the ponds within our HOA communities, as long as we changed the vegetation to accommodate freshwater species. At that time, I asked Dr. Marty Main, Director for the Florida Master Naturalist Program if he would create a program to specifically teach Florida Master Naturalists how to restore the shorelines of freshwater ponds. While it took four years to roll out, the new course (Freshwater Restoration) was announced in October 2023 and will soon be available in Brevard County.

My hope is that we will inspire many Florida Master Naturalists living in Brevard to attend this new program and help assist the community in restoring our ponds and educating residents regarding how they can help maintain them. I believe the majority of residents do not understand that the ponds adjacent to their homes flow unfiltered into our waterways.

In sum: I believe we simply need to create a community campaign to energize the community and also obtain the commitments from the HOA master association (Viera East Community Association) and the individual HOA Boards of Directors to help in the process of bringing the education programs into the Viera East community by actively being involved in the program: such as promoting the program via their individual websites, inviting guest speakers at their meetings, participating and hosting workshops, and other myriad educational activities. As an added note, I would be happy to volunteer to help organize the campaign.

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This VECDD encompasses 2,825 acres east of Interstate 95 from Wickham Road northward into Rockledge, including 31 subdivisions, a residential population of about 12,000, with about 300 businesses, and a champion golf course (Viera East Golf Club).

And the VECDD is responsible for the construction, operation and maintenance of the community's infrastructure, an 85-pond stormwater system, conservation areas, paved trails and sidewalks, Woodside Park, and its golf course.

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	UF/BREVARD COUNTY EXTENSION SERVICES OFFICE Assigned

Awaiting action from department director



BOARD OF COUNTY COMMISSIONERS

Communications/SCGTV Office
2725 Judge Fran Jamieson Way
Building C, Room 301
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

FROM: Don Walker, Communications/SCGTV Director 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024052 – Speak Up Brevard Advisory Council

DATE: 04/01/2024

CEER #2024052 was received by the County from Susan B. Connolly on Dec. 31, 2023.

Citizen Statement:

Continue the Speak Up Brevard citizen-input forum every calendar year

Citizen Recommendation:

Continue the Speak Up Brevard citizen-input forum every calendar year

Staff Analysis:

Speak Up Brevard, as provided for in the Brevard County Charter, solicits public comments/suggestions/concerns on an annual basis. In 2021/2022, The County Charter Commission looked at extending the program, but all proposals were rejected. There are additional options to public input available. Examples include on our website, www.brevardfl.gov, and under the **e-Government** tab, and under the title of “**Provide Feedback**” there are options to provide feedback directly to County Departments, to provide input on the County budget, feedback on Space Coast Area Transit, to “**Provide Feedback - Any Subject**,” and to comment or raise issues related to various other County services, including Parks and Recreation, Public Safety, the Sheriff’s Office and other departments, agencies or charter offices. All of the suggestions, comments, complaints received through these channels are reviewed by County staff and are responded to in a timely manner.

Residents also have other avenues to communicate issues to the County, including during **Public Comments**, which are entertained at every Board of County Commissioner meeting. Alternatively, any resident can interact with their District Commissioner or any other Commissioner to ask them to

sponsor an agenda item they would like to have the Commission consider. Our website also includes contact information for each County department and each Commissioner office.

Staff Recommended Action:

It is recommended that CEER #2024052 be rejected as it has already being implemented.

Recommendation #2024052

Recommendation Details

Contact Information

Full Name: Susan B Connolly **Email Address:** sbconnolly@aol.com

Mailing Address: 3901 DIXIE HWY NE #102
PALM BAY fl 32905 **Alt Email Address:**
Phone Number 865-924-4238

Group/Organization N/A **Recommendation Information**

Recommendation Title: Continue Speak Up Brevard Program
Areas Affected:

Department: COUNTY MANAGERS OFFICE

Continue the Speak Up Brevard citizen-input forum every calendar year

Continue the Speak Up Brevard citizen-input forum every calendar year

Problem Description:

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	SCGTV/COMMUNICATIONS OFFICE Assigned

Awaiting action from department director



Brevard County Budget Office
2725 Judge Fran Jamieson Way
Building C, Room 303
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank Abbate, County Manager
FROM: Jill Hayes, Budget Director 
SUBJECT: Citizen Efficiency and Effectiveness Recommendation #2024053
DATE: April 1, 2024

CEER #2024053 was received by the County from Susan B Connolly

Citizen Statement:

"Recommend all Brevard County municipalities create Citizen Budget Review Committees patterned after the County."

Citizen Recommendation:

"Recommend all Brevard County municipalities create Citizen Budget Review Committees patterned after the County."

Staff Analysis:

Brevard County's Citizen Budget Review Committee was established for the purpose of assisting the Board of County Commissioners in reviewing the Proposed Brevard County Budget. Brevard County Board of County Commissioners does not have jurisdiction over municipalities.

Staff Recommendation Action:

It is recommended that CEER #2024053 be rejected by the Board of County Commissioners due to lack of jurisdiction.

Recommendation #2024053

Recommendation Details

Contact Information

Full Name: Susan B Connolly **Email Address:** sbconnolly@aol.com

Mailing Address: 3901 DIXIE HWY NE #102
PALM BAY fl 32905 **Alt Email Address:**

Phone Number 865-924-4238

Group/Organization N/A **Recommendation Information**

Recommendation Title: Municipalities Create Citizens Budget Review Committees
Areas Affected:

Department:

Recommend all Brevard County municipalities create Citizen Budget Review Committees patterned after the County

Problem Description:

Recommend all Brevard County municipalities create Citizen Budget Review Committees patterned after the County

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	BUDGET OFFICE Assigned

Awaiting action from department director



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

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: John Denninghoff, P.E., Assistant County Manager

FROM: Virginia Barker, Director, Natural Resources Management Dept. 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024054

DATE: 04/01/2024

CEER #2024054 was received by the County from Susan B. Connolly.

Citizen Statement:

Support the Indian River Lagoon becoming a National Park

Citizen Recommendation:

Support the Indian River Lagoon becoming a National Park

Staff Analysis:

The mission of the National Park Service is to *"conserve the scenery and the natural and historic objects, and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."*

The potential conversion of the Indian River Lagoon (IRL) to a national park brings both advantages and drawbacks. The prospect of gaining greater public recognition as a national park has the potential to attract more tourists, providing a boost to the local economy. The IRL could benefit from an increase in federal funding for lagoon access facilities and conservation efforts. However, there are notable concerns as well. Access restrictions to the park, including the imposition of entrance fees, may pose challenges for visitors and residents. Use restrictions, including limitations on commercial and recreational fishing could be implemented to protect national interests. The anticipated rise in property value around the park could become another barrier for lower-income communities, potentially leading to issues of accessibility and affordability. Furthermore, local control of management decisions for the IRL will be diminished, leading to legal complexities. The divergence in priorities between federal, state

and local governments may introduce decision-making challenges and delays, impeding restoration efforts and conflicting with local priorities.

Biscayne National Park is the largest marine park in the National Park System and offers a window into possible impacts of the Indian River Lagoon becoming a national park. The park follows two basic sets of rules; (1) rules common to all national parks and (2) rules that apply only in Biscayne National Park. Rules that apply to all national parks include the Historic Sites Act, Endangered Species Act, National Environmental Policy Act, and Clean Water Act. Rules specific to the park include its enabling legislation, which expresses the purpose of the park; the park superintendent compendium, which details items such as closures, speed limits, camping, personal watercraft and unmanned aircraft; and General management plans, which guide park actions in order to achieve the missions of resource preservation and protection.

Effective January 1, 2024, Biscayne National Park increased its docking and camping fees per the table below. Eighty percent of docking fee revenue stays at Biscayne National Park to fund projects related to visitor experiences. Recent examples of fee revenue improvements include improved park signage, updated comfort stations, picnic tables and grills. The remaining twenty percent of collected fees is allocated for visitor experience improvements at non-fee parks throughout the National Park system.

Docking and Camping Fee Changes effective January 1, 2024

	Boca Chita Docking	Elliott Key Docking	Boca Chita Camping	Elliott Key Camping
Current Rates	\$0	\$0	\$35/night boat docking and camping	\$35/night boat docking and camping
			\$25/night camping only (no boat docking)	\$25/night camping only (no boat docking)
Proposed 2024 Rates	\$45	\$45	\$35 camping	\$35 camping

In 2014, a Fisheries Management Plan was adopted with regulatory options, however specific regulations must be approved by Florida's Fish and Wildlife Conservation Commission. Five years later, Biscayne National Park was sued by the National Parks Conservation Association for failing to implement its plan to create a marine reserve and phase out commercial fishing in the park. The following is a statement by Dr. Melissa Abdo, Sun Coast Regional Director for the National Parks Conservation Association: "Because of the Park Service's failure to act, overfishing has led to the severe decline of many reef fish species and the degradation of Biscayne's marine environment. This damage is leaving Biscayne's coral reef ecosystem less resilient to climate change, coral bleaching, coral disease, and pollution."

The process for designating the Indian River Lagoon as a national park requires an assessment of its natural, cultural, and recreational significance, followed by a study of its suitability and

feasibility. If deemed nationally significant and feasible, legislation is proposed in Congress, and upon approval through an act of Congress, the management is transferred to the National Park Service, marking its designation as a national park.

Potential PROs

- Greater public recognition
- More tourists boost the local economy
- Increased federal funding
- Increased property values around the IRL
- Increased regulation for the protection of natural resources

Potential CONS

- Access restrictions to the IRL and entrance fees
- Property value increases contribute to affordable housing challenges
- Loss of local control to benefit national interests
- More red tape to resolve federal, state and local government differences in priorities
- Notoriety could lead to excess use

Staff Recommended Action:

Staff recommends that the Board reject the CEER recommendation as there is insufficient information to evaluate the potential benefits and detriments of national park designation.

Recommendation #2024054

Recommendation Details

Contact Information

Full Name: Susan B Connolly **Email Address:** sbconnolly@aol.com

Mailing Address: 3901 DIXIE HWY NE #102
PALM BAY fl 32905 **Alt Email Address:**

Phone Number 865-924-4238

Group/Organization

N/A

Recommendation Information

Recommendation Title: Support the Indian River Lagoon becoming a National Park

Areas Affected:

Department:

Support the Indian River Lagoon becoming a National Park

Problem Description:

Support the Indian River Lagoon becoming a National Park

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	NATURAL RESOURCES MANAGEMENT Assigned

Awaiting action from department director



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department *TC*

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024055

DATE: April 1, 2024

CEER #2024055 was received by the County from Susan B. Connolly.

Citizen Statement:

Promote more uniform, county-wide development practices using LID, energy efficiency, and future-ready technology.

Citizen Recommendation:

Promote more uniform, county-wide development practices using LID, energy efficiency, and future-ready technology.

Staff Analysis:

The Brevard County Board of County Commissioners have been working to promote more uniform, county-wide development practices using Low Impact Development (LID), energy efficiency, and future-ready technology in a variety of ways.

As part of its Comprehensive Plan, which is applied uniformly county-wide to development, in February 2022, Objective 14 - Coastal Development and Redevelopment, was adopted into the Coastal Management Element to address "Peril of Flood." These 13 new policies create procedures to allow consideration of the changing dynamics of flooding, sea level rise, and storm surge in growth management decisions through nature-based design standards and/or Low Impact Development.

The Florida Building Code new energy conservation standards went into effect on January 1, 2024. The conservation measures consist of code changes for both commercial and residential development which include, but are not limited to:



Planning & Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

- Increased percentage (now 100%) of higher efficiency permanently installed luminaires and lamps are required for residential development
- Reduced existing home alteration new lighting requirement exception limit
- Enhanced insulation requirements
- Updated efficiency requirements for heat pumps and other equipment for commercial and residential development
- Extensively revised interior lighting requirements for commercial developments
- Updated HVAC standards for commercial development
- Updated standards for testing for building air leakage

Additionally, the Board provided an exception to permitting fees for residential solar photovoltaic projects from 2018 to 2024. This incentive applied to thousands of projects and was intended to promote adoption of more energy efficient technology.

Staff will continue to explore ways to promote further innovative policies.

Staff Recommended Action:

Staff recommends the Board accept the recommendation with revisions as detailed in the staff analysis.

Recommendation #2024055

Recommendation Details

Contact Information

Full Name:	Susan B Connolly	Email Address:	sbconnolly@aol.com
Mailing Address:	3901 DIXIE HWY NE #102 PALM BAY fl 32905	Alt Email Address:	
		Phone Number	865-924-4238

Group/Organization

N/A

Recommendation Information

Recommendation Title: Promote more uniform, county-wide development practices
Areas Affected:

Department:

Promote more uniform, county-wide development practices using LID, energy efficiency, and future-ready technology
Promote more uniform, county-wide development practices using LID, energy efficiency, and future-ready technology

Problem Description:

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director



Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Jim Liesenfelt, Assistant County Manager *RL*

FROM: Mary Ellen Donner, Parks and Recreation Department Director *ME*

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024056

DATE: 04/01/2024

CEER #2024056 was received by the County from Susan B Connolly.

Citizen Statement:

Work with the City of Palm Bay to form a Government – Community Investment Partnership to restore the Majors Golf Course at Bayside Lakes to a revenue producing enterprise.

Citizen Recommendation:

Work with the City of Palm Bay to form a Government – Community Investment Partnership to restore the Majors Golf Course at Bayside Lakes to a revenue producing enterprise.

Staff Analysis:

The Majors Golf Course is privately owned by Joy, LLC and is located in Bayside Lakes, a multifamily, neighborhood community in the City of Palm Bay.

In January, 2016, any Brevard County Parks and Recreation parks or facilities located in the City of Palm Bay were conveyed to the City. Brevard County does not own or operate any parks or recreation facilities in the City of Palm Bay.

The Board of County Commissioners has provided direction to staff not to maintain and operate golf courses.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject the recommendation due to lack of jurisdiction.

Recommendation #2024056

Recommendation Details

Contact Information

Full Name:	Susan B Connolly	Email Address:	sbconnolly@aol.com
Mailing Address:	3901 DIXIE HWY NE #102 PALM BAY fl 32905	Alt Email Address:	
Group/Organization	N/A	Phone Number	865-924-4238

Recommendation Information

Recommendation Title: Restore the Majors Golf Course at Baysides Lakes

Areas Affected:

Department:

Work with the City of Palm Bay to form a Government – Community Investment Partnership to restore the Majors Golf Course at Baysides Lakes to a revenue producing enterprise

Problem Description:

Work with the City of Palm Bay to form a Government – Community Investment Partnership to restore the Majors Golf Course at Baysides Lakes to a revenue producing enterprise

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	PARKS AND RECREATION DEPARTMENT Assigned

Awaiting action from department director



Parks and Recreation Administration

2725 Judge Fran Jamieson Way
Building B, Room 203
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: Jim Liesenfelt, Assistant County Manager *JL*

FROM: Mary Ellen Donner, Parks and Recreation Director *ME*

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024057

DATE: 04/01/2024

CEER #2024057 was received by the County from Susan B Connolly.

Citizen Statement:

Increase promotion of Harry T and Harriett V Moore Park for multi-stream revenues from tourism, education, historical sources

Citizen Recommendation:

Increase promotion of Harry T and Harriett V Moore Park for multi-stream revenues from tourism, education, historical sources

Staff Analysis:

The Harry T. and Harriett V. Moore Memorial Park is located in Mims, FL. There are two full-time and one part-time staff who promote the Park locally, regionally, State and nationwide. The Memorial Park is promoted across all types of media. Some examples include:

- Brevard County Parks and Recreation website
- Social media posts – Brevard County, Tenderfoot.tv, TDC
- Television – News 6, News 9, Channel 7, Fox 35, PBS
- Podcasts – Apple, Channel 13, CMG Orlando
- Magazines – Buneke, Merritt Island Now, Forum Magazine, Parents Magazine, Onyx Magazine
- Newspapers – Miami Herald, USA Today, Florida Today, Ebony News Today
- Websites – floridarentals.com, clickorlando.com, theaustrian.com, floridabeachbreak.com
- Promotional Materials – brochures, coloring books, bookmarks, fans
- Speaking Engagements / Display Tables – Rotary Clubs, Black Chamber of Commerce, Cocoa Chamber of Commerce, North Brevard Democratic Club, National Congress of Black Women, Brevard Caribbean American Sports & Cultural Association, local churches

- Schools – Brevard, Volusia, Michigan school districts, Brevard County schools, Brevard Teachers Federation, homeschools, visit various local elementary, middle and high schools
- Local Businesses – Starbucks, Jack & Jill, Dixie Crossroads, Loyd Have Mercy
- Libraries – throughout Brevard County
- Promote the Park through a collaboration with the Museums of Brevard
- Programs and Special Events at the Center that promote visitors to the Center – Car Show, Tea Party, Strategies of Successful Women, Movie Day, Juneteenth
- Assist with research for Moore related Books

Brevard County has a partnership with The Harry T. & Harriette V. Moore Cultural Complex, Inc. This organization promotes the Memorial Park through:

- Florida Today
- The Moore Gravesite Memorial
- Sponsored Special Events – Healthy Living Lifestyle, 5K Run/Walk
- Speaking Engagements
- Plays – Fearless Play at Titusville Playhouse, Harry T. Moore Play at Titusville High School

The Brevard County Tourism Development Office promotes The Harry T. and Harriett V. Moore Memorial Park on their website visitspacecoast.com and include the Park in their social media posts.

Brevard County Parks and Recreation Department will continue to seek to maximize the promotion of The Harry T. and Harriett V. Moore Memorial Park to increase tourism and educational / historical visits. The department will continue to seek additional multi-stream revenue sources.

Staff Recommended Action:

It is recommended that the Board of County Commissioners accept the recommendation.

Recommendation #2024057

Recommendation Details

Contact Information

Full Name:	Susan B Connolly	Email Address:	sbconnolly@aol.com
Mailing Address:	3901 DIXIE HWY NE PALM BAY fl 32905	Alt Email Address:	
Group/Organization	N/A	Phone Number	865-924-4238

Recommendation Information

Recommendation Title: Increase promotion of Moore Memorial Park for multi-stream revenue

Areas Affected:

Department:

Problem Description:

Increase promotion of Harry T and Harriett V Moore Memorial Park for multi-stream revenues from tourism, education, historical sources

Recommendation Description

Increase promotion of Harry T and Harriett V Moore Memorial Park for multi-stream revenues from tourism, education, historical sources

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	PARKS AND RECREATION DEPARTMENT Assigned

Awaiting action from department director



Housing & Human Services
2725 Judge Fran Jamieson Way
Building B, Room 103
Viera, Florida 32940

Inter-Office Memo

TO: Frank B. Abbate, County Manager

THRU: James Liesenfelt, Assistant County Manager 

FROM: Ian Golden, Director Housing and Human Services Department 

SUBJ: Citizen Efficiency and Effectiveness Recommendation #2024058

DATE: 04/01/2024

CEER #2024058 was received by the County from Susan B Connolly.

Citizen Statement:

Reduce / eliminate duplicate services from non-profit organizations while developing replicable pathways achieving and assuring earned success by supporting the State of Florida Chamber of Commerce "Prosperity Initiative".

Citizen Recommendation:

Reduce / eliminate duplicate services from non-profit organizations while developing replicable pathways achieving and assuring earned success by supporting the State of Florida Chamber of Commerce "Prosperity Initiative".

Staff Analysis:

The Citizen Statement and Recommendation's initial segment "*Reduce / eliminate duplicate services from non-profit organizations ...*" could be interpreted to mean either services between non-profit organizations or County services which are also provided by non-profits. If the submitter meant the former, then the County has no authority to dictate service provision from non-profit organizations. If it is the latter, the Department is not aware of any local non-profit organizations which offer unnecessary duplicative services.

Departmental services, such as the Low-Income Home Energy Assistance Program (LIHEAP), offer similar services (assistance with energy bills) as some local religious organizations, but the Department is not aware of any non-profit organizations providing such assistance. There are some local non-profit organizations that offer small rehabilitation services, such as Aging Matters in Brevard, Inc's Home Improvement Program, which is focused on environmental

modifications to improve accessibility, safety, and security of the home. Some of these same types of improvement efforts (grab bars, wheelchair ramps, etc.) could also be performed under the Department's Repair, Rehabilitation, and Reconstruction Program, but the rules and regulations guiding each program (including eligibility) is different and there is significant demand for these services indicating that there is little wasteful, duplicative service availability.

The remaining portion of the statement and recommendation, *"...while developing replicable pathways achieving and assuring earned success by supporting the State of Florida Chamber of Commerce 'Prosperity Initiative'"*, appears to be referring to the Florida Chamber of Commerce's Florida Prosperity Project (FPP). The Florida Chamber of Commerce's website identifies the FPP as a **"Chamber-led approach to cut childhood poverty in half – A key objective of the Florida Equality of Opportunity Initiative and essential for achieving the Florida 2030 Blueprint goals overall"**¹. Further, a review of the FPP website shows that the identified promising practices² are led by non-profit organizations and not governmental agencies. Additionally, the Brevard County scorecard³ indicates decreasing overall poverty rates, decreasing rates of children in poverty rates, decreasing crime data, and increasing per capita income. Of the FPP's 10 Root Causes of Poverty¹, several do not appear to be under the purview of the County (for example, Lack of Employment Opportunities appears to be private sector or CareerSource Brevard focused and Lack of Quality in Education & Workforce Development appears to be primarily the domain of the School Board of Brevard County and CareerSource Brevard). The root causes that appear to have a Brevard County Government overlap (housing, transportation, etc.) are already addressed through current programs and services within multiple County Departments as funding allows.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024058.

¹ <https://www.flchamber.com/prosperityfl/>

² <https://www.flchamber.com/county-wide-promising-practices/>

³ <https://www.flchamber.com/wp-content/uploads/2023/02/Brevard.pdf>

Recommendation #2024058

Recommendation Details

Contact Information

Full Name:	Susan B Connolly	Email Address:	sbconnolly@aol.com
Mailing Address:	3901 DIXIE HWY NE #102 PALM BAY fl 32905	Alt Email Address:	
Group/Organization	N/A	Phone Number	865-924-4238

Recommendation Information

Recommendation Title: Replicate Florida Chamber of Commerce "Prosperity Initiative"

Areas Affected:

Department:

Reduce / eliminate duplicate services from non-profit organizations while developing replicable pathways achieving and assuring earned success by supporting the State of Florida Chamber of Commerce "Prosperity Initiative"

Problem Description:

Reduce / eliminate duplicate services from non-profit organizations while developing replicable pathways achieving and assuring earned success by supporting the State of Florida Chamber of Commerce "Prosperity Initiative"

Recommendation Description

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	HOUSING AND HUMAN SERVICES DEPARTMENT Assigned

Awaiting action from department director



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Frank Abbate, County Manager

THRU: John Denninghoff, Assistant County Manager, Development and Environmental Services Group

FROM: Tad Calkins, Director, Planning and Development Department

SUBJECT: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024059

DATE: April 1, 2024

CEER #2024059 was received by the County from Laurilee Thompson.

Citizen Statement:

Brevard is blessed. We have a celebrated environment with beaches, our Lagoon and wetlands; a thriving business community; strong educational institutions; nationally recognized tourism resources; and more-the world's leading Space Port.

Where many communities boast "quad-modal" transportation infrastructure systems (aviation, rail, road, and sea) to support and drive their growth, Brevard may be the only "penta-modal" community that is adding Space to its other drivers. This unique opportunity is the result both of its choice location for the launching of rockets and the leadership of our County Commission, Economic Development Commission, Space Florida, and others over the past decades.

Today the accelerating growth of commercial Space, and other issues, are driving changes through much of our community:

- Thousands of acres of new manufacturing and support facilities both within the Space Port and beyond.
- Additions of tens of thousands of workers to support government and private Space activities, with the accompanying need for housing and support facilities.
- Construction of new wastewater facilities to support growth and meet new septic conversion requirements.
- Need for provisions to manage anticipated sea-level rise.
- Adaptation of Port Canaveral to accommodate Space industry needs in addition to tourism and commercial activities.
- Replacement and expansion of our roads and bridges to support Space and other growth.
- Expansion of our local airports and improved rail access.
- Additions to our educational and tourism resources.
- And more.

The question that we face is this:



BOARD OF COUNTY COMMISSIONERS

- Can we join forces as a community to build synergy as we develop and integrate these changing demands into our infrastructure and at the same time sustain our environment and quality of life? If we cannot, we have seen the type of community disruption that can take place, for example in Boca Chica, Texas. The issue posed then is this: What leadership role should the Brevard County Commission play in understanding and planning this development over the next 20-30 years and beyond? Failure to do this is likely to lead to substantial deterioration in our environment, inefficient development, and citizens' dissatisfaction with their quality of life.

Citizen Recommendation:

We urge the County Commission to recognize the dramatic changes that are taking place here today and accelerating into the future, and to work with Space Florida to characterize, quantify, and plan for this development.

We recommend that the Commission use its unique Brevard leadership role to engage key organizations, beginning with Space Florida, to form a task force made of the entities involved in the planning, permitting, and implementation of future projects in order to characterize and quantify the coming growth.

This "inventory" should lead to a planning process that moves our community forward, while balancing growth and quality of life synergistically, and avoiding conflicting demands and unplanned problems. This effort should be transparent to and involve the public.

Utilizing these agencies and organizations to create and implement a unified plan now, rather than reacting to growth in a piecemeal manner as it occurs, will save the County considerable time and money in the future.

The following is a draft list of organizations to be included in this effort:

Key Participants for County-Related "Penta-Modal" Growth Assessment Task Force

- Brevard County Commission
- NASA/KSC
- DOD/Space Force/CCSFS
- Space Florida
- Space Coast Economic Development Council
- Canaveral Port Authority
- US Army Corps of Engineers
- Brevard County Natural Resources Management Office
- Titusville-Cocoa Airport Authority
- Brevard County Environmentally Endangered Lands Program
- IRL National Estuary Program/ Indian River Lagoon Council
- Titusville/Cocoa Municipal Representatives
- USFWS/Merritt Island National Wildlife Refuge
- National Park Service/Canaveral National Seashore



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

- FAA/COMSTAC
- US Coast Guard – Canaveral MSD
- US Department of Commerce
- NOAA/National Marine Fisheries Service
- Brevard County Tourist Development Council
- Florida Dept. of Environmental Protection
- Florida Dept. of Transportation
- St. Johns River Water Management District
- Indian River Lagoon Roundtable
- Marine Resources Council of East Florida
- Space Coast Audubon Society
- Brevard Indian River Lagoon Coalition

Staff Analysis:

The long-term strategic planning discussed as part of this recommendation is best addressed through the comprehensive plan process. The process is objective, allows for public and stakeholder participation, and carries significant weight in related decision-making. The County's efforts in 2022 in amending the Coastal Management Element of the Comprehensive Plan is an example of such an effort, during which 13 policies were adopted to include language that creates procedures to allow consideration of the changing dynamics of flooding, sea level rise, and storm surge in growth management decisions through nature-based design standards and/or Low Impact Development. This process included review by several of the listed agencies, including the Florida Department of Environmental Protection.

Staff would also note that the County is currently in the process of implementing an Area of Critical State Concern in the South Beaches Area. This process, which is overseen by our partners at Florida Commerce, will involve public and stakeholder input (such as the Florida Fish and Wildlife Conservation Commission), and is expected to have a significant impact on several of the issues raised here, including wastewater infrastructure, additions to educational resources, and growth management.

Staff will continue to advance effective growth management policies consistent with Board direction.

Staff Recommended Action:

It is recommended that the Board of County Commissioners accept the recommendation with revisions as detailed in the staff analysis.

Recommendation #2024059

Recommendation Details

Contact Information

Full Name: Laurilee Thompson **Email Address:** laurileethompson@aol.com

Mailing Address: 3540 IRWIN AV
MIMS fl 32754 **Alt Email Address:**

Phone Number 321-794-6866

Group/Organization subcommittee of the Indian River
Lagoon Roundtable

Recommendation Information

Recommendation Title: Building Brevard's Unique Space Future with Quality of Life
Areas Affected:

Department:

Brevard is blessed. We have a celebrated environment with beaches, our Lagoon and wetlands; a thriving business community; strong educational institutions; nationally recognized tourism resources; and more-the world's leading Space Port.

**Problem
Description:**

Where many communities boast "quad-modal" transportation infrastructure systems (aviation, rail, road, and sea) to support and drive their growth, Brevard may be the only "penta-modal" community that is adding Space to its other drivers. This unique opportunity is the result both of its choice location for the launching of rockets and the leadership of our County Commission, Economic Development Commission, Space Florida, and others over the past decades.

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- Can we join forces as a community to build synergy as we develop and integrate these changing demands into our infrastructure and at the same time sustain our environment and quality of life? If we cannot, we have seen the type of community disruption that can take place, for example in Boca Chica, Texas. The issue posed then is this: What leadership role should the Brevard County Commission play in understanding and planning this development over the next 20-30 years and beyond? Failure to do this is likely to lead to substantial deterioration in our environment, inefficient development, and citizens' dissatisfaction with their quality of life.

We urge the County Commission to recognize the dramatic changes that are taking place here today and accelerating into the future, and to work with Space Florida to characterize, quantify, and plan for this development.

**Recommendation
Description**

We recommend that the Commission use its unique Brevard leadership role to engage key organizations, beginning with Space Florida, to form a task force made of the entities involved in the planning, permitting, and implementation of future projects in order to characterize and quantify the coming growth.

This "inventory" should lead to a planning process that moves our community forward, while balancing growth and quality of life synergistically, and avoiding conflicting demands and unplanned problems. This effort should be transparent to and involve the public.

Utilizing these agencies and organizations to create and implement a unified plan now, rather than reacting to growth in a piecemeal manner as it occurs, will save the County considerable time and money in the future.

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- St. Johns River Water Management District
- Indian River Lagoon Roundtable
- Marine Resources Council of East Florida
- Space Coast Audubon Society
- Brevard Indian River Lagoon Coalition

Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

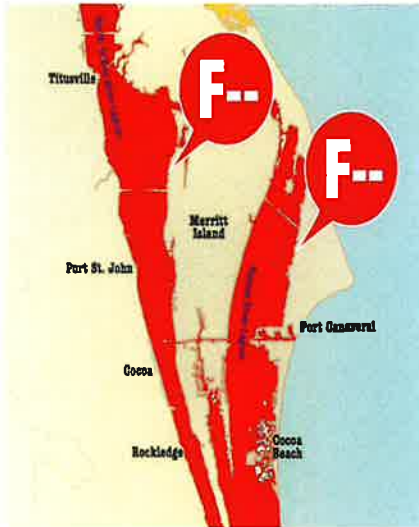
User	Status	Date	Remarks
RACHEL HORST	Citizen Submitted	Jan 3, 2024	
Karen Conde	Department Assigned	Jan 4, 2024	PLANNING AND DEVELOPMENT DEPARTMENT Assigned

Awaiting action from department director

Comments to the Brevard Commission: Speak Up Brevard Building Brevard's Unique Space Future w/ Quality of Life

- Lewis T. Kontnik, Brevard, LewKontnik@gmail.com; <https://irlroundtable.com/> and <https://helpthelagoon.org/>.
- Thank you and the Staff for recognizing the importance of “long-term, strategic planning” and especially Brevard’s Comprehensive Planning Process.
- Chapter 12, Intergovernmental Coordination of the County’s Comprehensive Plan appears to call for very much the type of “planning process that moves our community forward, while balancing growth and quality of life...” that we asked for in our Speak Up submission; and which may protect the \$550M we as citizen voters are spending to restore the Lagoon.
- Specifically, Policy 1.14 states:
 - Brevard County shall take steps necessary to coordinate with the Spaceport Florida Authority, the Economic Development Commission of Florida’s Space Coast and the Space Coast Development Commission on promotional efforts concerning those areas of the County uniquely suited for the development of space commerce and the National Space Policy.
- Other key provisions include:
 - Policy 2.2: Brevard County shall coordinate with appropriate local governments and Florida Department of Environmental Protection in the maintaining of a Wetland Ordinance for uniform regulation of these valuable resources. Specific guidelines are set forth in the Conservation Element and described in the criteria below.
 - Policy 2.4: Coordination between the County and Port Canaveral.
 - And other Policies call for coordination on sewer service, potable water, land development impact on traffic. (Policies 1.12, 1.6, and 2.1.B/3.10)
- Based on our discussions with Space Florida, it appears that we currently have a great opportunity for these requirements to be initiated cooperatively.
 - Space Florida has already begun an Environmental Master Plan that, as we understand it, will include all (or virtually all) current and future identified space related development projects, however their analysis may be narrowly focused on limited environmental issues and may not consider other aspects such as those called out above.
 - Likewise, Space Florida is completing its Maritime Intermodal Transportation Study aka “Wharf Study”
- We urge the County to move swiftly to initiate a comprehensive planning process with Space Florida that also give visibility to the taxpayer/voters of Brevard.
- The IRL Round Table and Brevard Indian River Lagoon Coalition are eager to participate and assist.

Today's Reality Differs From This Vision: The Latest Lagoon Reports Are Dismal



From the NASA Kennedy Space Center Indian River Lagoon Health Initiative Plan (2021):

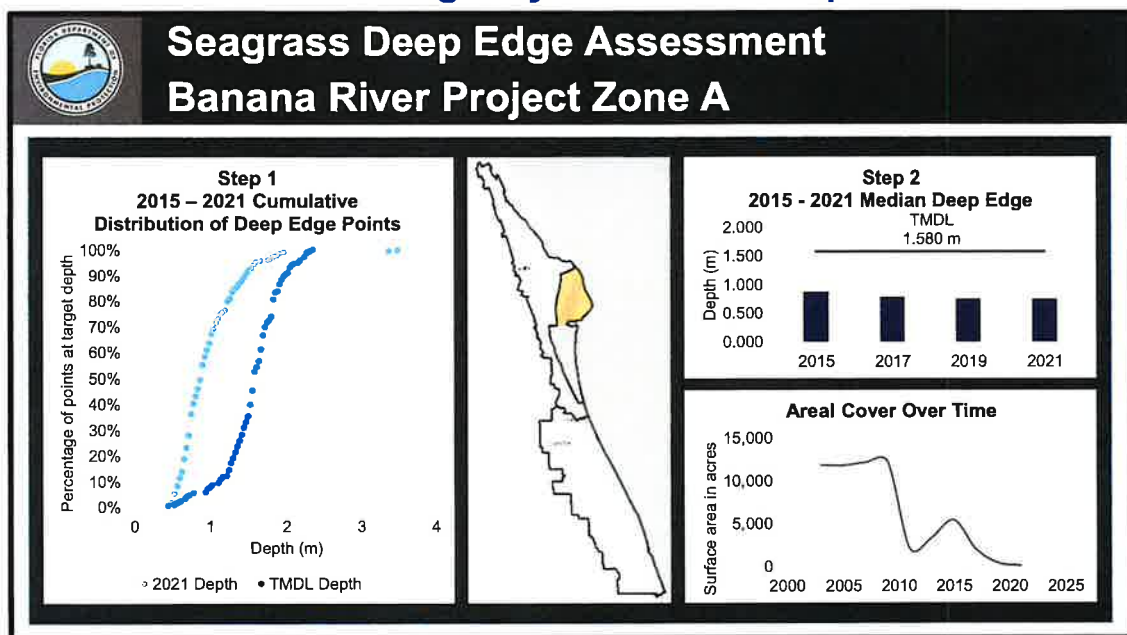
"The last decade has seen dramatic seagrass loss due to repeated algal blooms consistent with eutrophication (excessive nutrients) of the system, the effects of which are apparent in segments of the IRL proper, Banana River Lagoon (BRL), and Mosquito Lagoon that lie within the jurisdictional boundaries of KSC."



Marine Resources Council 2022 IRL Report Card:

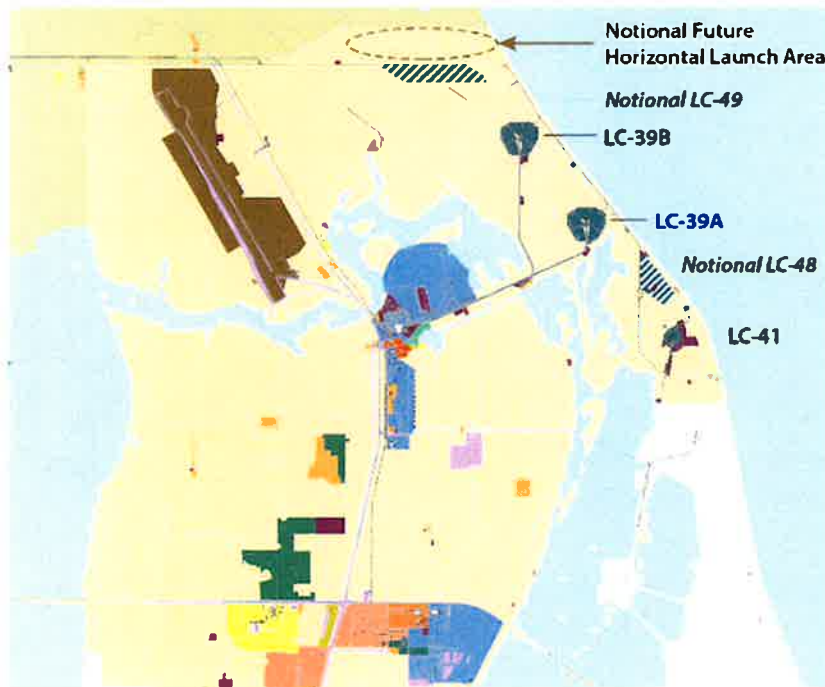
Health Scores for Banana River and North IRL: F - -

Example From Recent Department Of Environmental Protection Agency's IRL BMAP Update



The Florida Department of Environmental Protection Agency Basin Management Action Plan (BMAP) uses the health of IRL Seagrass to measure whether the targets set for nutrient reduction are working. From 2009-2021, the **Seagrass Mean Deep Edge** decreased and the **Seagrass Areal Cover Over Time** dropped from thousands of acres to essentially 0.

Kennedy Space Center Development Is And Will Continue To Be Substantial – Cumulative Environmental Impacts Are Not Addressed Through The Process Of Permitting Projects One At A Time



Potential Impacts from Development:

Adding significant amounts of freshwater runoff from new development into the impoundments and then ultimately into the IRL in the area where clams are being cultured to restore the IRL could be disastrous.

Seagrass restoration and growth could be deterred by additional freshwater going into the system.

The expected increase in launch rates could cause closures of Merritt Island National Wildlife Refuge and Canaveral National Seashore for 100 days or more each year.

KSC Policy Appears To Be Very Pro-Environment

KSC Vision Plan (2020):

"Goal 4: Responsible Stewardship of our Built and Natural Environment"

NASA/KSC Policy Directive KNPC 8501:

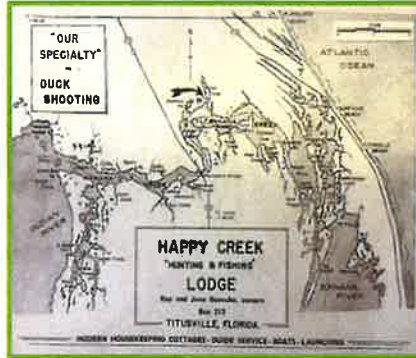
"KSC is unique [with] ... the Merritt Island National Wildlife Refuge KSC [is] committed to the **protection, preservation, enhancement, and restoration of the quality of the environment while achieving our mission activities.**"

Video: NASA KSC Indian River Lagoon Health Initiative Plan

[youtube.com/watch?v=rcDTIEyb9kA](https://www.youtube.com/watch?v=rcDTIEyb9kA)

The Question Is: How Do We Balance Technology and Nature?





An open flow of water once existed between the Banana River and the Indian River through Banana Creek as shown on this 1950's brochure. Oysters, clams, fish and waterfowl abounded. In the early 1960's, Banana Creek was severed by a dirt causeway and the Shuttle Crawlerway. Impoundments for mosquito control were constructed and saltmarshes disappeared as they transitioned into freshwater lakes. Impoundments are now reconnected to the estuaries through culverts. Rejuvenated saltmarshes have returned to their role as critically important nursery areas for juvenile fish, shrimp, crabs, and seagrass. They must be protected.

There is No Clear "Owner" for Overall Spaceport Development or Environmental Issues

KSC Master Plan:

Identifies the most suitable areas of KSC for future development, taking factors including development capacity, the environment, and sea level rise into account.

Cape Canaveral Spaceport Master Plan 2017:

Space Florida has a responsibility to manage and regulate the tenants and uses on these properties by flowing down federal requirements, and where it has been given the authority, by acting as the "Building Department" for application of state and local building codes, as well as area-unique standards and codes adopted by Space Florida.

Cape Canaveral Space Port Manual 2016:

No building or other improvements will be erected, constructed, placed, removed, occupied or permitted to exist on any land parcel under Space Florida's management responsibility until: The proposed use of such building or improvement has been approved by Space Florida in writing; schematic designs and plans, in compliance with this Development Manual, have been submitted to and approved in writing by Space Florida; and final plans and specifications in the form and content provided in this Development Manual have been submitted to and approved in writing by Space Florida.

Complicating Factors:

- National security and commercial confidentiality
- Growing workforce
- Increasing manufacturing activities
- New infrastructure requirements
- Changing waste streams
- Need to address sea level rise
- Water sourcing, usage and management
- Complex regulatory mix (FAA, FDEP, EPA, FWC, USACE, SJRWMD, USFWS, etc.)
- Complex land "ownership and usage" (NASA/KSC, DOD/CCSFS, Space Florida, Private Commercial Entities, US Department of Interior/Merritt Island National Wildlife Refuge and Canaveral National Seashore)
- No comprehensive plan to eliminate cumulative negative impacts to the environment
- Complete lack of transparency to the public resulting in increasing scrutiny and concern

IRL Roundtable Position: While the urgency of restoring the Lagoon is clear, there is no action path or responsibility chain to ensure that the Indian River Lagoon will not be further degraded by development at KSC and CCSFS. Allowing continuing piecemeal decision making and failure to provide appropriate corrective actions will guarantee a continuing decline and ultimate destruction of the Indian River Lagoon as we know it.

- Educate employees on challenges and what they can do to help build balance with the IRL.
- Adopt the use of Low Impact Development techniques to minimize the amount of freshwater that enters the wildlife refuge impoundments and the Indian River Lagoon.
- Create lakes to hold stormwater and treated industrial wastewater for possible reuse and irrigation. This will decrease demand on the aquifer and disposal into refuge impoundments and the Indian River Lagoon.
- Require accurate monitoring of restoration and mitigation projects to verify impacts and ensure performance of plans.
- Support the creation of a Task Force of stakeholders to monitor comprehensive planning and track cumulative impacts. Establish meaningful public transparency to grow the confidence and support of voters.
- Fund the NASA Kennedy Space Center Indian River Lagoon Health Initiative Plan.

Recommendations



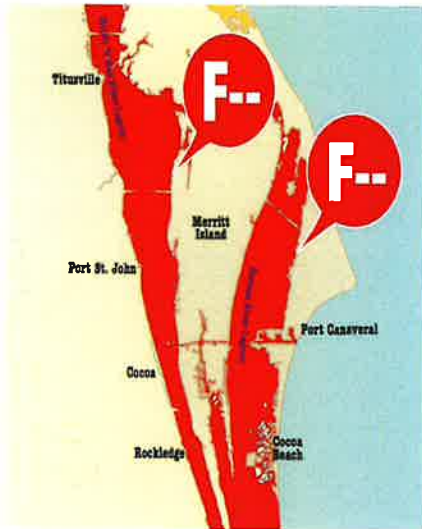
Can We Join Forces To Build Synergy Between Development For Space And Our Environment?



If We Cannot, The Space Coast Quality Of Life And Ability To Recruit Top Talent Will Be At Risk!



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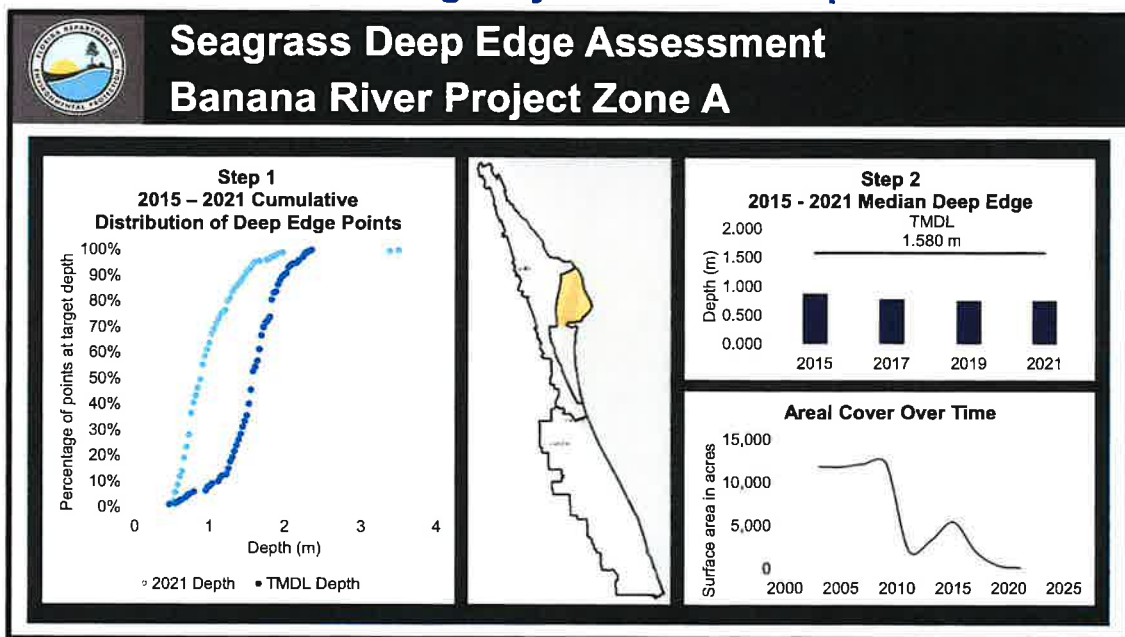
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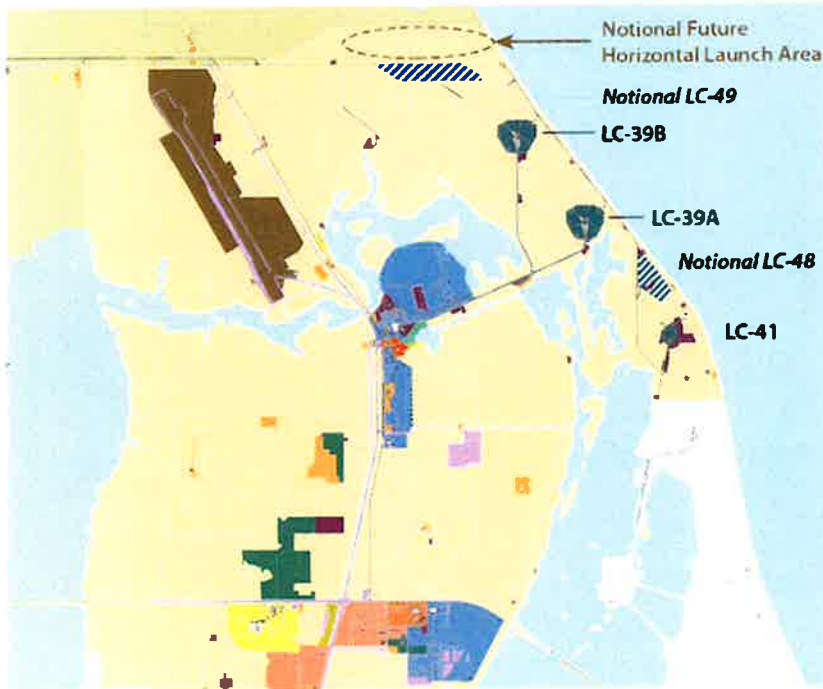
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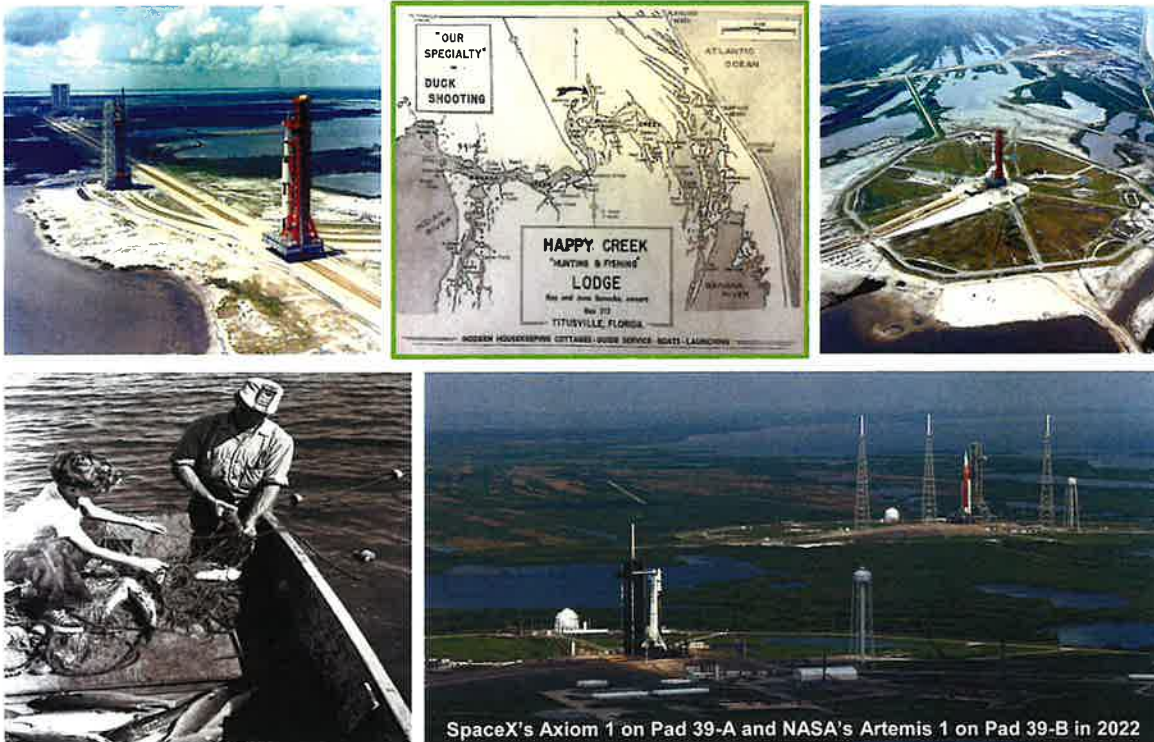
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- Water sourcing, usage and management
- Complex regulatory mix (FAA, FDEP, EPA, FWC, USACE, SJRWMD, USFWS, etc.)
- Complex land "ownership and usage" (NASA/KSC, DOD/CCSFS, Space Florida, Private Commercial Entities, US Department of Interior/Merritt Island National Wildlife Refuge and Canaveral National Seashore)
- No comprehensive plan to eliminate cumulative negative impacts to the environment
- Complete lack of transparency to the public resulting in increasing scrutiny and concern

IRL Roundtable Position: While the urgency of restoring the Lagoon is clear, there is no action path or responsibility chain to ensure that the Indian River Lagoon will not be further degraded by development at KSC and CCSFS. Allowing continuing piecemeal decision making and failure to provide appropriate corrective actions will guarantee a continuing decline and ultimate destruction of the Indian River Lagoon as we know it.

- Educate employees on challenges and what they can do to help build balance with the IRL.
- Adopt the use of Low Impact Development techniques to minimize the amount of freshwater that enters the wildlife refuge impoundments and the Indian River Lagoon.
- Create lakes to hold stormwater and treated industrial wastewater for possible reuse and irrigation. This will decrease demand on the aquifer and disposal into refuge impoundments and the Indian River Lagoon.
- Require accurate monitoring of restoration and mitigation projects to verify impacts and ensure performance of plans.
- Support the creation of a Task Force of stakeholders to monitor comprehensive planning and track cumulative impacts. Establish meaningful public transparency to grow the confidence and support of voters.
- Fund the NASA Kennedy Space Center Indian River Lagoon Health Initiative Plan.

Recommendations



Can We Join Forces To Build Synergy Between Development For Space And Our Environment?



If We Cannot, The Space Coast Quality Of Life And Ability To Recruit Top Talent Will Be At Risk!