



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.4.

9/13/2022

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### **Subject:**

Ordinance on County Commission Salaries

### **Fiscal Impact:**

Approximately \$16,300 annually.

### **Dept/Office:**

County Manager's Office

### **Requested Action:**

It is requested that the Board adopt the attached Ordinance establishing Commission Salaries for the years of 2023 and 2024.

### **Summary Explanation and Background:**

Section 2.6 of the County Charter, amended November 7, 2000, established the salary for each County Commissioner effective January 1, 2001. In accordance with Section 2.6 of the Brevard County Charter, on or before October 1, 2001, and on or before October 1 of every even-numbered year thereafter, the Board of County Commissioners may adopt an ordinance fixing the salaries of Commissioners for the next two years. Accordingly, the Board may address the issue of Commission salaries between January 1, 2022 and October 1, 2022. The salary for each County Commissioner has been \$58,308 since January 1, 1997.

Section 2.6 of the County Charter provides that the specified salary shall not exceed the average percentage increase in the salaries of county employees for the fiscal year just concluded, or the percentage change of the consumer price index from the previous year, whichever is less.

The average percentage increase in the salaries of county employees for the fiscal year just concluded was 3.37%.

The percentage change of the consumer price index from the previous year was 4.7%.

Section 2.6 of the Charter also specifically provides: "...the salary or other compensation of a Commissioner shall not otherwise be decreased during that Commissioner's term of office."

As a result, an ordinance has been advertised increasing Commission salaries effective January 1, 2023 by the average percentage increase in the salaries of county employees of 3.37%, which is less than the consumer

price index for the previous year. The resulting Commission salary would be \$60,272.98.

Alternatively, the Board could decide to modify the ordinance by fixing salaries for the next two years, effective January 1, 2023 at a rate not to exceed a 3.37% increase above the current salary of \$58,308. If no action is taken, the current salary rate will remain in effect.

**Clerk to the Board Instructions:**

In accordance with Florida Statutes, please file the fully executed Ordinance with the Department of State.



September 14, 2022

**M E M O R A N D U M**

**TO:** Frank Abbate, County Manager

**RE:** Item H.4., Ordinance on County Commission Salaries

The Board of County Commissioners, in regular session on September 13, 2022, adopted Ordinance No. 22-28, reviewing and fixing of Commission Salaries, requiring periodic review and approval of Commission Salaries in the manner required by the Brevard County Charter. Enclosed is the fully-executed Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

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

A handwritten signature in cursive script that reads "Kimberly Powell".

Kimberly Powell, Clerk to the Board

/pp

Encl. (1)

**cc:** Each Commissioner  
County Attorney  
Finance  
Budget

ORDINANCE NO. 2022- 28

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA; REVIEWING AND FIXING COUNTY COMMISSION SALARIES; REQUIRING PERIODIC REVIEW AND APPROVAL OF COMMISSION SALARIES IN THE MANNER REQUIRED BY THE BREVARD COUNTY CHARTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING AN EFFECTIVE DATE.**

RECITALS

WHEREAS, Section 2.6 of the Brevard County Charter states that on or before October 1, of every even-numbered year, the Board of County Commissioners may adopt an ordinance fixing the salaries of the Commissioners for the next two years; and

WHEREAS, under Section 2.6 of the Brevard County Charter, the specified salary shall not exceed the average percentage increase in the salaries of county employees for the fiscal year just concluded, or the percentage change of the consumer price index from the previous year, whichever is less.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Brevard County, Florida as follows:

Section 1: FIXED SALARY. Effective January 1, 2023, the annual salary for each County Commissioner shall be \$60,272.98 annually.

Section 2: PERIODIC REVIEW AND APPROVAL OF SALARIES: In accordance with Section 2.6 of the Brevard County Charter, on or before October 1, 2024 and in each even numbered year thereafter, the Board of County Commissioners shall review Commission salaries and may adopt a new fixed salary. Upon the review by the Board, and consistent with Section 2.6 of the Charter, if the Board decides not to adopt a new fixed salary by ordinance, this Ordinance shall continue to apply as the fixed salary of the Commissioners until such time as the Commission adopts an ordinance fixing a new annual salary.

Section 3: SEVERABILITY. If any provision of this ordinance is held to be illegal, invalid, or unconstitutional, the other valid provisions of the ordinance may remain in full force and effect.

Section 4: REPEALER. Ordinance 2002-023 is hereby repealed in its entirety.

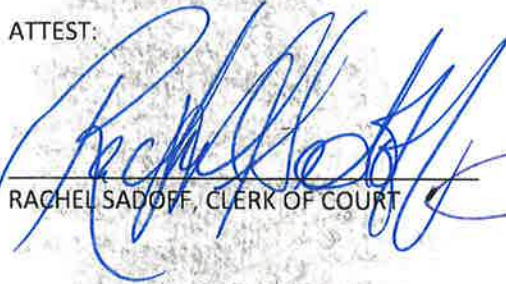
Section 5: EFFECTIVE DATE. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. This ordinance shall become effective on January 1, 2023.

(Signature Page Follows)

OFFICIALLY FILED WITH THE SECRETARY OF STATE ON SEPTEMBER 16, 2022.

DONE, ORDERED AND ADOPTED in Regular Session this 13th day of September, 2022.

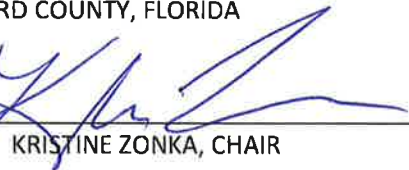
ATTEST:



RACHEL SADOFF, CLERK OF COURT

BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

BY



KRISTINE ZONKA, CHAIR

AS APPROVED BY THE BOARD  
OF COUNTY COMMISSIONERS  
ON SEPTEMBER 13, 2022

Officially Filed with  
The Secretary of State

September 16, 2022



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

September 19, 2022

Honorable Rachel M. Sadoff  
Clerk  
Board of County Commissioners  
Brevard County  
Post Office Box 999  
Titusville, Florida 32781-0999

Attention: Deborah Thomas

Dear Honorable Rachel Sadoff:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2022-28, which was filed in this office on September 16, 2022.

Sincerely,

Anya Owens  
Program Administrator

ACO/wlh

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 2022-28	9/13/2022	9/23/2022	PDF
Ordinance No. 2022-29	9/13/2022	9/23/2022	PDF



Update the internet version of your Code more often than a printed supplement. We can update the Internet quarterly, monthly, even weekly.



We can post newly enacted ordinances in the online Code after each meeting.

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

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### **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard County, Florida, on September 13, 2022 at 9:00 a.m., in the Commission Room at 2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, FL 32940, will hold a public hearing on the following ordinance:

ORDINANCE 2022-\_\_\_\_\_

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA; REVIEWING AND FIXING COUNTY COMMISSION SALARIES; REQUIRING PERIODIC REVIEW AND APPROVAL OF COMMISSION SALARIES IN THE MANNER REQUIRED BY THE BREVARD COUNTY CHARTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING AN EFFECTIVE DATE.**

Interested parties may appear at the September 13, 2022 meeting and be heard with respect to the proposed ordinance. A copy of the ordinance may be inspected at the following locations:

- Office of Clerk to the Board of County Commissioners, Titusville, Florida
- North Brevard Library, Titusville, Florida
- Central Brevard Library, Cocoa, Florida
- Melbourne Library, Melbourne, Florida
- South Mainland Library, Micco, Florida

A copy of the ordinance may also be viewed online at [www.brevardfl.gov/public-hearings-and-notices](http://www.brevardfl.gov/public-hearings-and-notices). Pursuant to Section 286.0105 Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or herein, he or she will need a record of the proceeding, and that, for such purpose, he or she will need to ensure that a verbatim record of the proceedings is made, at his or her own expense, which record includes the testimony and evidence upon which any such appeal is to be based. Such person may provide a court reporter, stenographer, or a tape recorder for such verbatim record. In accordance with the Americans Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings, please notify the department sponsoring the meeting/hearing, or the County Manager's Office, (321) 633-2001, at least 48 hours in advance. TDD:1-800-955-8771. Assisted Listening System receivers are available for the hearing impaired, & can be obtained from the Sound Technician at the meeting. This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Brighthouse Networks channel 499, Comcast Cable Communications channel 51 in North Brevard and channel 13 in South Brevard, and AT&T U-verse channel 99. SCGTV will also replay this meeting during the coming month. Check the SCGTV website for daily program updates <http://www.scgtv.org>.

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**FLORIDA TODAY: Please publish in the Legal Advertisements Section of the Newspaper on September 1, 2022.**