



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## New Business - Development and Environmental Services Group

J.2.

8/27/2024

### Subject:

Legislative Intent and Permission to Advertise Modifications to the Structure of the Save Our Indian River Lagoon Citizen Oversight Committee

### Fiscal Impact:

None

### Dept/Office:

Natural Resources Management

### Requested Action:

Approve Legislative Intent and Permission to Advertise Modifications to the Structure of the Save Our Indian River Lagoon Citizen Oversight Committee

### Summary Explanation and Background:

The current structure of the Save Our Indian River Lagoon (SOIRL) Citizen Oversight Committee (COC) includes seven fields of expertise, with a voting member and alternate selected to represent each field. To ensure future representation on the COC of residents whose incomes are tied to the health of the lagoon and who experience changing lagoon conditions daily, the committee recommends changing a field of expertise to "Lagoon Commerce." This could be accomplished by combining the Education and Outreach field of expertise with the Lagoon Advocacy field of expertise.

In addition, due to impending term limits that will result in large turnover on the COC and the desire to have voices at the table who have heard all the public comment to date and County Commission direction since inception of the SOIRL program, the COC recommends adding 2 non-voting ex officio members to provide readily available historical context for the large number of new members. The League of Cities and the County Commission would each select one ex officio member.

Draft markup of the current policy to incorporate both of these recommendations is attached for Board consideration. The markups also update the policy to reflect current terminology and transition the initial COC appointment process to the ongoing process.

### Background:

On May 3, 2022, the County Commission adopted changes to the County's Uniform Advisory Board Policy including the application of term limits to all appointees. These term limits will apply to 5 of 7 voting members on the COC and 2 of 7 alternates at the end of the current 2-year term. For reference, the current Board policy is as follows:

Term limits. Appointees to advisory boards shall serve no more than eight consecutive years, or ten years in 16-year period, on the same advisory board for which there is not an interlocal agreement or memorandum of understanding or other contractual commitment precluding imposition of a term limit. A commissioner may request the board of county commissioners waive the aforementioned term limits should the commissioner have difficulty filling an advisory board appointee position. A waiver of the term limits will only be granted if the board votes in favor of the waiver by a supermajority vote.

On August 16th, the COC recommended the following changes to the COC structure:

Existing	Recommended
1. science,	8. science,
2. technology,	9. technology,
3. economics/finance,	10. economics/finance,
4. real estate,	11. real estate,
5. lagoon advocacy	12. lagoon commerce,
6. education/outreach and	13. lagoon education/outreach/advocacy
7. tourism	14. tourism, and
	15. 2 non-voting, ex officio members

## Clerk to the Board Instructions:



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August 28, 2024

**MEMORANDUM**

TO: Virginia Barker, Natural Resources Management Director

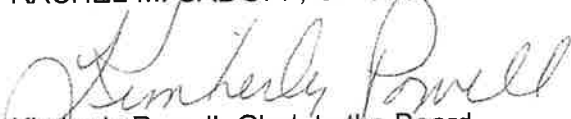
RE: Items J.2., Legislative Intent and Permission to Advertise Modifications to the Structure of the Save Our Indian River Lagoon Citizen Oversight Committee

The Board of County Commissioners, in regular session on August 27, 2024, approved legislative intent and permission to advertise modifications to the structure of the Save Our Indian River Lagoon Citizens Oversight Committee.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

  
Kimberly Powell, Clerk to the Board

Section 46-400 of Brevard County Code could be amended to read as follows:

- **Sec. 46-400. - Save Our Indian River Lagoon Citizen Oversight Committee.**

The Save Our Indian River Lagoon Citizen Oversight Committee shall consist of seven voting members, seven alternates and two non-voting ex officio members. The intent of this volunteer oversight committee of diversely skilled citizens would be to recommend updates of the Save Our Lagoon Project Plan to the board of county commissioners annually and to provide public oversight and a transparent process that not only allows, but fosters, development and implementation of better, less costly and/or more timely tools and techniques for restoration of the Indian River Lagoon.

- (1) *Structure.* Membership shall consist of seven representatives, seven alternates, and two non-voting ex-officio members. Committee members shall represent a diversity of demonstrated expertise and experience to annually update and improve the Save Our Lagoon Project Plan. Each member and alternate shall represent at least one of the following fields of expertise: science, technology, economics/finance, real estate, lagoon commerce, tourism, and lagoon education/outreach/advocacy. A good working knowledge of lagoon water quality issues and sources of pollution is highly desirable. A chair and co-chair shall be elected by a majority vote of the citizen oversight committee members.
- (2) *Appointment process.* The county commissioners shall call for interested volunteers to submit their qualifications to the Natural Resources Management Department (NRM). NRM Department staff will review the applications and provide a qualified list of applicants to the league of cities and to the county commission to ensure that municipal and county interests are represented. The league will nominate members for three fields of expertise, nominate alternates for the remaining four fields of expertise, and nominate one non-voting, ex officio member. The County Commission will confirm appointments of the League of City's nominees to the Citizen Oversight Committee.

The County Commission will select members for four fields of expertise, alternates for the remaining three fields of expertise, and one non-voting ex officio member. Each commissioner will review and rank the qualifications of the applicants for the Commission's seats. Department staff will tabulate the ranking scores and provide the results to the County Commission to appoint the highest ranked candidates

Appointments will be for two-year terms, after which time members and alternates may be considered for reappointment or replacement. As replacement members or alternates are required, the entity who selected the appointee for that seat can upgrade the alternate to the member seat, choose a replacement from an existing pool of applicants, or request a new call for qualified citizen volunteers.

- (3) *Responsibilities.* The Save Our Indian River Lagoon Project Plan will be updated annually with the best information available. Verifying the sources of water quality pollution and keeping up with technological advancements is important for maximizing timely and cost-effective solutions. In order to review and adapt to better information and opportunities through time, monitoring is necessary. As projects from this plan are implemented, the actual costs and nutrient reduction benefits will be tracked.

County staff will provide project monitoring reports to the citizen oversight committee and will work with them to recommend adjusting the planned projects, as needed. An adaptive management process shall be utilized to allow alternative projects to be submitted by municipalities and other community or lagoon focused partners for review by the oversight committee for inclusion in the next annual update to the project plan.

The role of the citizen oversight committee will be to review monitoring data on timeliness of project delivery, actual and updated project costs, and actual nutrient removal effectiveness, review new literature and local studies on the types of projects included in the plan and potential alternative project types, evaluate alternative project proposals received from the community, and recommend annual adjustments to the plan including allocation of fund to a project list and the Timeline for Funding Needs Table.

The committee's recommendations will be presented annually by the committee chair, working with department staff, to the board of county commissioners for their inclusion; modification and inclusion; or non-inclusion in the Save Our Indian River Lagoon Project Plan. The Board shall not take action on the plan recommendations any sooner than 15 days after receipt and posting of the plan on the County website.

Upon county commission approval, a project or projects that deliver comparable nutrient removal benefits may be added to the Save Our Indian River Lagoon Project Plan or substituted for the funding allocated to one or

more other funded projects in the same sub-lagoon. Unless otherwise agreed to by the county commission, if a substituted project costs more than the previously funded project listed in the plan, the requesting partner must provide the balance of the costs.

(Ord. No. 2016-15, § 1, 8-23-16)