



AGENDA REPORT
April 24, 2018

18-09

SUBJECT:

Ordinance Amending Article III, Division 2, Section 2-73 of the Brevard County Code of Ordinances

FISCAL IMPACT:

The proposed organization restructuring will be funded through existing resources.

DEPT/OFFICE:

County Manager

REQUESTED ACTION:

It is requested the Board of County Commissioners approve the amendment to Article III, Division 2, Section 2-73 of the Brevard County Code of Ordinances, authorize the Chair to execute the amendment, and authorize the County Manager to approve any necessary organization and budget changes within existing budget resources.

SUMMARY EXPLANATION and BACKGROUND:

The attached ordinances amends Article III, Division 2, Section 2-73 of the Brevard County Code of Ordinances to modify the organizational structure to provide for the most effective and efficient services to the citizens and visitors within the budgetary resources currently allocated. This amendment also defines the administrative groups within the County and to correct scrivener's errors.

The following services will report to the Public Safety Group, under the direction of a Public Safety Director:

- Emergency Management Office including planning and operations, address assignment and E-911 administration.
- Fire Rescue Department including Emergency Medical Services, Fire Rescue Operations and administration, fire prevention services and ocean lifeguard.
- Public Safety Services Office including Medical Examiner, School Crossing Guards, and Community Correction Services which include probation, pre-trial release, pre-trial diversion and alternative community services in compliance with Florida Statutes, Chapter 948.

The Public Safety Group, under the direction of a Public Safety Director, will report to the County Manager.

ATTACHMENTS:

Description

- **Ordinance Amending Article III, Division 2 underlined ver**
- **Ord Amending Article III, Division 2 clean ver**

Florida Today (<http://>) | Notice Public Hearing (<http://category.php?place=Legals&posit=Notice+Public+Hearing>)

AD#2852630, 4/12/2018 NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard County, Florida, on April 24, 2018 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 NO. 2018-___ AN ORDINANCE AMENDING ARTICLE III, CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA, AMENDING SECTION 2-73 PROVIDING FOR THE DEPARTMENTAL STRUCTURE OF COUNTY GOVERNMENT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND AN EFFECTIVE DATE. Interested parties may appear at the April 24, 2018 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: <http://www.brevardcounty.us/CountyManager/DraftOrdinances>. 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 hearing, he or she will need a record of the proceedings, 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) 633-2010, 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 Bright House Networks channel 199, Comcast Cable Communications channel 51 in North Brevard and channel 13 in South Brevard, and AT&T U-verse channel 99. The meeting can be viewed at www.brevardfl.gov/onlineagenda

Click for less text (<http://item.php?id=2852630&place=Legals&posit=Notice Public Hearing>)

 (<http://twitter.com/home?status=AD#2852630>, 4/12/2018 NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard)

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 26, 2018

Honorable Scott Ellis
Clerk
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, Florida 32781-0999

Attention: Ms. Deborah Thomas

Dear Mr. Ellis:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2018-09, which was filed in this office on April 26, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

April 25, 2018

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item IV.A., Ordinance Amending Article III, Division 2, Section 2-73, Brevard County Code of Ordinances

The Board of County Commissioners, in regular session on April 24, 2018, adopted Ordinance No. 18-09, amending Article III, Division 2, Section 2-73, Brevard County Code of Ordinances; authorized the Chair to execute the amendment; and authorized you to approve any necessary organization and budget changes within existing budget resources. Enclosed is a certified copy of the Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

Encl. (1)

ORDINANCE NO. 2018-09

AN ORDINANCE AMENDING ARTICLE III, CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA, AMENDING SECTION 2-73 PROVIDING FOR THE DEPARTMENTAL STRUCTURE OF COUNTY GOVERNMENT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 4.6.1 of the Brevard County Charter requires changes in departments to be approved by ordinance;

WHEREAS, Article III, Division 2, Section 2-73 of the Brevard County Code addresses composition, responsibilities of offices, departments and groups; and

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners as follows:

Section 2-73. Composition, responsibilities of offices, departments and groups is amended to read as follows:

There shall be the following agencies reporting to the county manager or designee:

- (1) Offices. The following offices shall report to the County Manager or designee:
 - a. The Budget Office shall be responsible for budget development, monitoring, fiscal planning, capital improvement planning, and organizational performance management and improvement.
 - b. The Emergency Management Office shall be responsible for providing emergency management planning and operations, address assignment, and E-911 administration.
 - c. The Human Resources Office shall be responsible for the functions of personnel services, employee relations and equal employment opportunity, risk management, employee health and wellness and occupational safety.
 - d. The Public Safety Services Office shall be responsible for the Medical Examiner, School Crossing Guards, and Community Correction Services which include probation, pre-trial release, pre-trial diversion and alternative community services in

Officially filed with the Secretary of State on April 26, 2018

compliance with Florida Statutes, Chapter 948.

- e. The University of Florida Brevard County Extension Service Office shall be responsible for providing technical assistance and consultation services related to agriculture, horticulture, aquaculture, family and consumer sciences and 4-H youth development.
 - f. The Space Coast Government Television/Communications Office shall be responsible for the operation of the Government television station, County's Portal Pages, and Public Communications. The Tourism Development Office shall be responsible for the administration and allocation of tourist tax revenues, and the promotion of tourism in the County.
 - g. The Valkaria Airport Office shall be responsible for the operation and maintenance of the Valkaria Airport.
- (2) Departments: The following departments shall report to the County Manager or designee:
- a. The Information Technology Department shall be responsible for managing information, communications, and network systems.
 - b. The Natural Resources Management Department shall be responsible for the protection and preservation of existing natural resources, through management planning, monitoring, and enforcement programs, and management of regional basin and watershed flood control and stormwater treatment.
 - c. The Utility Services Department shall be responsible for operation, maintenance, and construction of water, wastewater, and water reuse, treatment and conveyance/distribution systems, and for the management of water resources.
 - d. The Solid Waste Management Department shall be responsible for solid waste collection, disposal, recycling and household hazardous wastes collection and disposal.
 - e. The Planning and Development Department shall be responsible for comprehensive planning, zoning code, building code compliance, code enforcement, land development code compliance, licensing regulation and enforcement.
 - f. The Public Works Department shall be responsible for right-of-way management and maintenance, localized drainage, in-house construction projects, municipal services benefit units, right-of-way and easement

records, and landscaping maintenance, design and construction for County facilities and right-of-ways, engineering design and construction administration for major road construction projects, land acquisition , surveying, traffic engineering and canal dredging .

- g. The Animal Services and Enforcement Department shall be responsible for enforcement of animal regulatory ordinances, animal welfare, and disease control.*
 - h. The Housing and Human Services Department shall be responsible for family, children, elderly, and veterans' services, affordable housing services, and the community development block grant program.
 - i. The Library Services Department shall be responsible for the operation of the free countywide library system.
 - j. The Parks and Recreation Department shall be responsible for providing leisure time activities, constructing, maintaining, and operating park and recreation facilities, and management of the environmentally endangered lands program.
 - k. The Fire Rescue Department shall be responsible for providing emergency medical services, fire rescue and fire prevention services, and ocean lifeguard services.
 - l. The Transit Services Department shall be responsible for providing public transportation services through fixed route, paratransit, van pooling, and ridesharing programs.
 - m. Central Services Department shall be responsible for the functions of purchasing, asset management, fleet services and clerk to the special magistrate.
 - n. The Mosquito Control Department shall be responsible for providing mosquito control and herbicide control.
- (3) Groups: The following groups shall be comprised of and report to the County Manager
- a. The Community Services Group shall be responsible for the Housing and Human Services Department, the Library Services Department, the Parks and Recreation Department, The Tourism Development Office, the Transit Services Department and the University of Florida/Extension Services Office.
 - b. The Development and Environmental Services Group shall be responsible for the Mosquito Control Department, the Natural Resources Management Department, the Planning & Development Department, the Public Works Department, the Solid Waste Management Department, the Utility Services Department and The Valkaria Airport Office.

- c. The Support Services Group shall be responsible for the Budget Office, the Central Services Department, the Communications/SCGTV Office, the Human Resources Office, the Information Technology Department and Economic Development.
- d. The Public Safety Group shall be responsible for the Emergency Management Office, the Fire Rescue Department, and the Public Safety Services Office.

*The Board of County Commissioners and the Brevard County Sheriff entered into an interlocal agreement for the Sheriff's Office to provide animal control services encompassing the enforcement of state statutes and county codes, animal welfare, disease control, sheltering and licensing services, effective October 1, 2014 (Board action March 18, 2014).

SECTION II. Conflicting Provisions.

In the case of a direct conflict between any provisions of this ordinance and a portion or provision of any other appropriate Federal, State, or County law, the Rule, Code or Regulation, then the more restrictive shall apply.

SECTION III. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION IV. Effective Date.

This ordinance shall take effect upon adoption and filing as required by law.

ATTEST:

BOARD OF COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Scott Ellis, Clerk

Rita Pritchett, Chair

As approved by the Board on 04/24/18

ORDINANCE NO. ~~2017~~2018-___

AN ORDINANCE AMENDING ARTICLE III, CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA, AMENDING SECTION 2-73 PROVIDING FOR THE DEPARTMENTAL STRUCTURE OF COUNTY GOVERNMENT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 4.6.1 of the Brevard County Charter requires changes in departments to be approved by ordinance;

WHEREAS, Article III, Division H~~2~~, Section 2-73 of the Brevard County Code addresses composition, responsibilities of offices, departments and groups; and

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners as follows:

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- b. The Emergency Management Office shall be responsible for providing emergency management planning and operations, address assignment, and E-911 administration.
- c. The Human Resources Office shall be responsible for the functions of personnel services, employee relations and equal employment opportunity, risk management, employee health and wellness and occupational safety.

e-d. The Public Safety Services Office shall be responsible

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for the Medical Examiner, School Crossing Guards, and Community Correction Services which include probation, pre-trial release, pre-trial diversion and alternative community services in compliance with Florida Statutes, Chapter 948.

~~d.e.~~ e. The University of Florida Brevard County Extension Service Office shall be responsible for providing technical assistance and consultation services related to agriculture, horticulture, aquaculture, family and consumer sciences and 4-H youth development.

~~e.f.~~ f. The Space Coast Government Television/Communications Office shall be responsible for the operation of the Government television station, County's Portal Pages, and Public Communications. The Tourism Development Office shall be responsible for the administration and allocation of tourist tax revenues, and the promotion of tourism in the County.

~~f.g.~~ g. The Valkaria Airport Office shall be responsible for the operation and maintenance of the Valkaria ~~a~~ Airport.

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d. The Solid Waste Management Department shall be responsible for solid waste collection, disposal, recycling and household hazardous wastes collection and disposal.

e. The Planning and Development Department shall be responsible for comprehensive planning, zoning code, building code compliance, code enforcement, land development code compliance, licensing regulation

and enforcement.

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e.f. The Public Works Department shall be responsible for right-of-way management and maintenance, localized drainage, in-house construction projects, municipal services benefit units, right-of-way and easement records, and landscaping maintenance, design and construction for County facilities and right-of-ways, engineering design and construction administration for major road construction projects, land acquisition, surveying, traffic engineering and canal dredging.

f.g. The Animal Services and Enforcement Department shall be responsible for enforcement of animal regulatory ordinances, animal welfare, and disease control.*

g.h. The Housing and Human Services Department shall be responsible for family, children, elderly, and veterans' services, affordable housing services, ~~circuit assigned probation, circuit assigned pre-trial release, circuit assigned pre-trial diversion, circuit assigned alternative community services, misdemeanor probation and pre-trial services contract management, crossing guards, the medical examiner's office, and the community development block grant program.~~

h.i. The Library Services Department shall be responsible for the operation of the free countywide library system.

i.j. The Parks and Recreation Department shall be responsible for providing leisure time activities, constructing, maintaining, and operating park and recreation facilities, and management of the environmentally endangered lands program.

j.k. The Fire Rescue Department shall be responsible for providing emergency medical services, fire rescue and fire prevention services, and ocean lifeguard services.

k.l. The Transit Services Department shall be responsible for providing public transportation services through fixed route, paratransit, van pooling, and ridesharing programs.

l.m. Central Services Department shall be responsible for the functions of purchasing, asset management, ~~and fleet services, facilities construction and maintenance, planning and operations, and~~ and clerk to the special magistrate.

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~~m.~~

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(3) Groups: The following groups shall be comprised of and report to the County Manager

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a. The Community Services Group shall be responsible for the Housing and Human Services Department, the Library Services Department, the Parks and Recreation Department, The Tourism Development Office, the Transit Services Department and the University of Florida/Extension Services Office.

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b. The Development and Environmental Services Group shall be responsible for the Mosquito Control Department, the Natural Resources Management Department, the Planning & Development Department, the Public Works Department, the Solid Waste Management Department, the Utility Services Department and The Valkaria Airport Office.

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c. The Support Services Group shall be responsible for the Budget Office, the Central Services Department, the Communications/SCGTV Office, the Human Resources Office, the Information Technology Department and Economic Development.

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d. The Public Safety Group shall be responsible for the Emergency Management Office, the Fire Rescue Department, and the Public Safety Services Office.

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SECTION II. Conflicting Provisions.

In the case of a direct conflict between any provisions of this ordinance and a portion or provision of any other appropriate Federal, State, or County law, the Rule, Code or Regulation, then the more restrictive shall apply.

SECTION III. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION IV. Effective Date.

This ordinance shall take effect upon adoption and filing as required by law.

ATTEST:

BOARD OF COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

| Scott Ellis, Clerk

| ~~9/19/17~~04/24/18

~~Curt Smith~~Rita Pritchett, Chairman
As approved by the Board on