



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

D.5.

9/6/2022

Subject:

Resolution: Adoption of the Stormwater Utility Resolution Ratifying, Confirming, and Certifying the Annual Stormwater Utility Special Assessment Rolls.

Fiscal Impact:

FY 22/23 Expected Revenues \$6,628,687.62

- District 1 \$2,056,832.89
- District 2 \$1,909,694.32
- District 3 \$ 494,958.34
- District 4 \$1,653,460.38
- District 5 \$ 513,741.69

Fiscal Impact does not include amounts to be direct billed for assessment of Federal Lands.

Dept/Office:

Natural Resources Management

Requested Action:

It is requested that the Board of County Commissioners adopt the Resolution ratifying, confirming, and certifying the Annual Stormwater Utility Special Assessment Rolls.

Summary Explanation and Background:

As specified by Section 110.369(c), Code of Ordinances of Brevard County, Florida, the Board must annually ratify and certify to the Tax Collector the Stormwater Utility Special Assessment Roll. There are no proposed changes to the annual assessment rate of \$64 per Equivalent Residential Unit (ERU). The roll is maintained in an electronic format by the Property Appraiser's Office.

Clerk to the Board Instructions:

Total of two signed originals: one for Clerk of Court and one for Natural Resources Management Department

ATTACHMENTS:

- Attachment A: Resolution Ratifying, Confirming and Certifying Rate and Annual Stormwater Utility Assessment Rolls.
- AO-29

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

INITIAL CONTRACT REVIEW AND APPROVAL FORM

SECTION I - GENERAL INFORMATION

1. Contractor:	
2. Fund/Account #:	3. Department Name: Natural Resources Mgmt Dept (NRMD)
4. Contract Description: Resolution to Certify FY 22-23 Annual Stormwater Assessment Roll	
5. Contract Monitor: Valerie Citta 321-863-9510	7. Contract Type:
6. Dept/Office Director: Amanda Elmore, Dept Deputy Director	Select from pulldown:

SECTION II – REVIEW AND APPROVAL TO ADVERTISE

COUNTY OFFICE	APPROVAL		SIGNATURE	DATE
	YES	NO		
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Elmore, Amanda <small>Digitally signed by Elmore, Amanda Date: 2022.07.26 16:26:05 -04:00</small>	07/26/2022
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>		
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>		

SECTION III – REVIEW AND APPROVAL TO EXECUTE

COUNTY OFFICE	APPROVAL		SIGNATURE	DATE
	YES	NO		
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Elmore, Amanda <small>Digitally signed by Elmore, Amanda Date: 2022.07.26 16:26:19 -04:00</small>	07/26/2022
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>		
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Balser, Heather <small>Digitally signed by Balser, Heather Date: 2022.08.04 12:26:50 -04:00</small>	

SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

CM DATABASE REQUIRED FIELDS	Complete <input checked="" type="checkbox"/>
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status	<input type="checkbox"/>
Contract Title	<input type="checkbox"/>
Contract Type	<input type="checkbox"/>
Contract Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date	<input type="checkbox"/>
Contract Effective Date	<input type="checkbox"/>
Contract Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Initial Contract Form with County Attorney/ Risk Management Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>



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Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

September 7, 2022

M E M O R A N D U M

TO: Virginia Barker, Natural Resources Management Director

RE: Item D.5., Resolution Ratifying, Confirming, and Certifying the Annual Stormwater Utility Special Assessment Rolls

The Board of County Commissioners, in special session on September 6, 2022, adopted Resolution No. 22-098, ratifying, confirming, and certifying the Annual Stormwater Utility Special Assessment Rolls. Enclosed is a fully-executed Resolution.

Your continued cooperation is greatly appreciated.

Sincerely,

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

Kimberly Powell
Kimberly Powell, Clerk to the Board

Encl. (1)

cc: County Manager
Tax Collector
Finance
Budget

RESOLUTION NO: 2022- 098

Resolution of the Board of County Commissioners ratifying, confirming and certifying the rate and the annual Stormwater Assessment Utility Rolls for the county fiscal year beginning October 1, 2022 and forwarding the same to the Tax Collector's Office for collection in the same manner as ad valorem taxes are collected.

WHEREAS, on April 3, 2014, the Board of County Commissioners of Brevard County, Florida (Board) adopted Resolution 2014-51, a Schedule of Annual Stormwater Utility Special Assessments including a schedule of rates and classifications for the fiscal year; and

WHEREAS, pursuant to Section 110-369 (c), Code of Ordinances of Brevard County, Florida, the Board, on or before September 15 of each year, shall hold a public hearing to adopt a rate resolution to establish the rates required for the operation and maintenance of the county's stormwater program and systems for said County fiscal year; and

WHEREAS, an Annual Stormwater Utility Special Assessment Roll must be certified to the Brevard County Tax Collector for collection in the same manner as ad valorem taxes are collected; and

WHEREAS, the Board has reviewed the summary of the Annual Stormwater Utility Special Assessment Roll sent to the Tax Collector; and

WHEREAS, the Board is satisfied that the Annual Stormwater Utility Special Assessment Roll has been prepared in conformity with the Schedule of Stormwater Special Assessments previously authorized by the Board pursuant to Resolution 2014-51.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that:

The Board of County Commissioners confirms the Schedule of Stormwater Assessments and Classifications adopted pursuant to Resolution 2014-51. The stormwater classifications adopted on April 3, 2014 are attached hereto as Exhibit 1. Amendments to the stormwater classifications do not change assessments or methodology.

The Board of County Commissioners of Brevard County, Florida hereby ratifies, confirms and certifies that the Annual Stormwater Utility Special Assessment Roll for Brevard County fiscal year beginning October 1, 2022, a summary of which is attached hereto as Exhibit 2, is in conformity with the Schedule of Stormwater Special Assessments adopted pursuant to Resolution 2014-51.

Exhibit 2 is a summary of the Stormwater Assessment Roll and hereby incorporates the electronic data view identified as 2022 Stormwater Assessment Billing

Data (SAM_Taxbill), dated September 15, 2022, provided by the Natural Resources Management Department. The electronic data view identified herein is the Stormwater Utility Special Assessment Roll and contains the details of the Stormwater Assessment Roll. Pursuant to Section 197.3632, Florida Statutes, the Roll is provided via electronic medium to the Property Appraiser, to be transferred to the Tax Collector's data table.

The Board of County Commissioners of Brevard County, Florida, hereby certifies, ratifies and confirms such Annual Stormwater Utility Special Assessment Roll to the Tax Collector. The Tax Collector shall collect such special assessments in the same manner as ad valorem taxes are collected.

A certified copy of this Resolution shall be delivered to the Tax Collector of Brevard County, Florida.

This Resolution shall take effect immediately upon adoption.

DONE, ORDERED AND ADOPTED this 6th day of September, 2022.

ATTEST:



Rachel M. Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: _____

Kristine Zonka, Chair

approved by Board on: September 6, 2022

EXHIBIT 1
SCHEDULE OF ANNUAL STORMWATER UTILITY ASSESSMENT
BILLING CLASSIFICATIONS AND CALCULATION FORMULAS
EFFECTIVE OCTOBER 1, 2022

Billing Classification Category Letter/Name	Billing Classification Description
(A) Agricultural (same as vacant altered)	Any property used for commercial Agricultural pursuits, and designated as commercial Agricultural on Brevard County Property Appraiser records.
(B) Condominium and Manufactured Housing	Any property identifying as individual Condominium or Townhouse unit or any property upon which is located a manufactured home.
(D) Multiple Single-Family Dwelling Units	Any property on which is located more than one building or structure, each of which is designed and constructed for use as residence for one family.
(E) Commercial	Any lot or parcel upon which is located any structure or facility designed for business related uses.
(I) Industrial	Any lot or parcel upon which there is a structure or building for use as productive enterprises and/or manufacturing activities.
(M) Multi-Family Dwelling	Any property upon which is located any building or structure consisting of more than one dwelling unit, each designed for occupancy by one family.
(N) Non-Billable	Those parcels or lots which are right of way or government-owned lands excluding those billable by law.
(R) Mixed Use Residential	Any lot or parcel which contains more than one use, including one or more single family dwellings in conjunction with more than one multi-family unit, each being assessed at its corresponding billing class Equivalent Residential Unit (ERU) calculation.
(S) Single Family Residence	Any property upon which is located any building or structure designed or constructed for and capable for use as a residence for one family, and is erected on a separate lot or parcel.
(T) Non-Billable	Any lot or parcel that is unaltered, contains no structures, and is not designated as Agricultural Bill Class A or Non-Billable Bill Class N
(V) Vacant Altered (same as Agricultural)	Any lot or parcel that is modified from its natural state, contains no structures, and is not designated as Agricultural Bill Class A or Non-Billable Bill Class N
(Y) Vacant Improved	Any lot or parcel which is either graded, cleared, compacted and/or excessively landscaped, and is not designated as Agricultural Bill Class A or Non-Billable Bill Class N

Table 1

Billing Classification Calculation Formula Term	Billing Classification Calculation Formula Term Definition
ERU	Equivalent Residential Unit is determined through engineering analysis to be 2,500 square feet of effective impervious area, and is for purposes of calculating service charge. Current ERU Rate = \$64 effective October 1, 2022
G	Gross Area of parcel in square feet
I	Impervious Area of parcel in square feet
M	Mitigation Factor with a range of 0.2 to 1.0 and an increment of 0.01
N	Number of Dwelling Units or hookups
NI	Adjustment Factor for alteration of impervious surfaces
0.20	Pervious Factor Coefficient
0.90	Impervious Factor Coefficient
0.03	Pervious Factor Coefficient for Agricultural, Vacant Altered, Industrial Use Only
0.40	Infiltration Factor for Agricultural Land Use Cover for Good Soil Conditions
0.60	Average Runoff Coefficient for Open Space for Average Soil Conditions
DF	Melbourne Tillman Drain Fee
RATE	Per ERU. This is set by the taxing authority (Brevard County or city with interlocal agreement)
Billing	Stormwater Assessment Amount

Table 2

Billing Classification Category Letter/Name	Billing Classification Calculation Formula
(A) Agricultural (same as vacant altered)	# ERU's = $G \times 0.03 \times 0.4 \div 2,500$ square feet Billing = [#ERU's \times RATE \times M] - DF
(B) Condominium and Manufactured Housing	Billing = [1 ERU \times .50 \times RATE \times M] - DF
(D) Multiple Single-Family Dwelling Units	Billing = [1 ERU \times N \times RATE \times M] - DF Note: If number of units is unavailable, this defaults to calculating with 2
(E) Commercial	NI = I \times 1.25 # ERU's Commercial = $\{[(NI-I) \times 0.2] + (I \times 0.9)\} \div 2,500$ square feet # ERU's Vacant Altered = $[(G-NI) \times 0.03 \times 0.40] \div 2,500$ square feet Billing = $\{[(\#ERU's \text{ Commercial} \times \text{RATE}) + (\#ERU's \text{ Vacant Altered} \times \text{RATE})] \times M\} - \text{DF}$
(I) Industrial	NI = I \times 1.25 # ERU's Commercial = $\{[(NI-I) \times 0.2] + (I \times 0.9)\} \div 2,500$ square feet # ERU's Vacant Improved = $[(G-NI) \times 0.03 \times 0.60] \div 2,500$ square feet Note: If Vacant Improved < 0, then this defaults to 0 Billing = $\{[(\#ERU's \text{ Commercial} \times \text{RATE}) + (\#ERU's \text{ Vacant Improved} \times \text{RATE})] \times M\} - \text{DF}$
(M) Multi-Family Dwelling	Billing = [1 ERU \times .50 \times N \times RATE \times M] - DF
(N) Non-Billable	Billing = 0. No bills generated for these land uses
(R) Mixed Use Residential	Billing = [(Sum of S, M, B, D ERU's) \times RATE \times M] - DF Sum Explained – Mixed Use Residential accounts will have more than one structure on the account. To each individual structure, the Property Appraiser's Office assigns a number of units and use code. Each use code has a calculation factor of either 0.5 or 1.0. An amount for each structure is computed by multiplying the number of units times the calculation factor times the rate. The sum of these amounts for the account is then used in the Bill Class R Calculation.
(S) Single Family Residence	Billing = [1 ERU \times RATE \times M] - DF
(T) Non-Billable	Billing = 0. No bills generated for these land uses
(V) Vacant Altered (same as Agricultural)	# ERU's = $G \times 0.03 \times 0.4 \div 2,500$ square feet Billing = [#ERU's \times RATE \times M] - DF
(Y) Vacant Improved	# ERU's = $[(G \times 0.03 \times 0.6) + (I \times 0.9)] \div 2,500$ square feet Billing = [#ERU's \times RATE \times M] -DF
Minimum Bill Amount	The minimum billing is set at \$2.35 per parcel

Table 3

EXHIBIT 2
2022 STORMWATER BILLING TOTALS

District	Parcel Count	Billing Amount
District 1	32,212	\$2,056,832.89
District 2	25,810	\$1,909,694.32
District 3	13,020	\$494,958.34
District 4	31,476	\$1,653,460.38
District 5	8212	\$513,741.69
Total	110,730	\$6,628,687.62

Table 4

“Exhibit 2” is a summary of the Stormwater Assessment Roll and hereby incorporates the electronic data view identified as 2022 Stormwater Assessment Billing Data (SAM_Taxbill), dated September 15, 2022 provided by the Natural Resources Management Department. Summary does not include amounts to be direct billed and collected for assessment of Federal Lands.