

ADD ON

Meeting Date
August 22, 2017



AGENDA	
Section	New Business
Item No.	VI F 4

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Florida Legislature amend Chapter 2001-336(8)(12)(C) in order to give all Commissioners equal weight in the adoption of user fees.
DEPT/OFFICE:	District 3, Commissioner John Tobia

Requested Action:

It is requested that the Board of County Commissioners discuss and approve a Resolution to amend Chapter 2001-336(8)(12)(C), a Special Act regarding the Melbourne-Tillman Water Control District, to be included in the legislative package on September 20, 2017.

Summary Explanation & Background:

Chapter 2001-336(8)(12)(C), a Special Act currently includes basic veto power by District 3 and District 5 for the Melbourne-Tillman Water Control District. It is recommended the legislature by Resolution amend Chapter 2001-336(8)(12)(C) to allow all members of the Board of County Commissioners to have equal weight in the setting of user fees of the Melbourne-Tillman Water Control District, a Dependent Special District of Brevard County.
 The amendment of Chapter 2001-336(8)(12)(C) requires action by the Florida Legislature.

Clerk to the Board instruction:

Exhibits Attached

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager Frank Abbate 	Interim Assistant County Manager Jim Liesenfelt	Department Director / Extension
	Assistant County Manager John Denninghoff	



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August 23, 2017

MEMORANDUM

TO: John Tobia, District 3 Commissioner

RE: Item VI.F.4., Resolution for Florida Legislature to Amend Chapter 2001- 336(8)(12)(C) in Order to Give All Commissioners Equal Weight in the Adoption of User Fees

The Board of County Commissioners, in regular session on August 22, 2017, adopted Resolution No. 17-153, recommending Florida Legislature amend Chapter 2001-336(8)(12)(C), to allow all members of the Board of County Commissioners to have equal weight in the setting of user fees of the Melbourne-Tillman Water Control District; and for it to be included in the legislative package on September 20, 2017. Enclosed is a certified copy of the Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: Each Commissioner
County Manager
County Attorney

Resolution 17- 153

RESOLUTION REQUESTING THAT THE FLORIDA LEGISLATURE AMEND CHAPTER 2001-336(8)(12)(C) IN ORDER TO GIVE ALL COMMISSIONERS EQUAL WEIGHT IN THE ADOPTION OF USER FEES

Whereas, Chapter 2001-336(8)(12)(c), a Special Act regarding the Melbourne-Tillman Water Control District, provides that stormwater management user fees

...must be established by resolution of the Board of Directors and approved by a majority vote of the Board of County Commissioners of Brevard County, with each County Commissioner whose county commission residency area lies wholly or partially within the District voting in the affirmative.

Whereas, it is in the best interest of Brevard County to allow all members of the Board of County Commissioners to have equal weight in the setting of user fees of the Melbourne-Tillman Water Control District, a Dependent Special District of Brevard County

Whereas, amending Chapter 2001-336(8)(12)(c) would require action by the Florida Legislature

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY FLORIDA requests that the Florida Legislature adopt the following amendment to Chapter 2001-336(8)(12)(c)

The fee must be established by resolution of the Board of Directors and approved by a majority vote of the Board of County Commissioners of Brevard County, ~~with each County Commissioner whose county commission residency area lies wholly or partially within the District voting in the affirmative.~~

DONE, ORDERED AND ADOPTED, in regular session, this : 22 day of August, A.D., 2017.



CURT SMITH, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FL

ATTEST:



SCOTT ELLIS, CLERK

As approved by Board Aug.22,2017