



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Unfinished Business

H.1.

11/14/2023

Subject:

Discussion Re: Request for Proposal for Software to Enhance Education and Enforcement of Resort Dwellings Regulation

Fiscal Impact:

Direct software costs: Approximately \$75,000 annually

Potential indirect staffing costs: Approximately \$220,000

- \$150,000 for additional Code Enforcement Officers and equipment
- \$70,000 for an additional Fire Inspector and equipment

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners review the scope of services that will be used in a Request for Proposal (RFP) to competitively procure the software that will enhance education and enforcement of resort dwelling regulations, and make certain decisions and provide direction relative to the RFP as outlined in the Summary Explanation and Outline below. It is further requested that the Board (1) authorize permission to advertise an RFP for the competitive procurement accordingly, and (2) authorize the County Manager to execute all associated contracts.

Summary Explanation and Background:

On August 22, 2023, the Board directed staff to prepare a report regarding the enforcement of unpermitted resort dwellings. Staff provided this report, and at its October 24, 2023, regular meeting, the Board directed staff to craft a Request for Proposal ("RFP") for Board consideration. Staff now requests Board review and approval of this RFP and for the Board to make associated determinations. As proposed, the RFP is for the vendor to provide services for 1 year after a 3-month implementation period.

The proposed RFP scope of services can be broken up into three primary elements:

- 1) Providing an online **registration portal** to implement a registration program for resort dwellings; and
- 2) Providing an **eligibility authorization system** for citizens and other interested parties to

quickly determine whether a particular piece of property is eligible for resort dwellings under the County Code; and

- 3) Providing access to **software to identify illegal resort dwellings** for use in enforcement actions.

These elements have related decision points for Board consideration, should it choose to move forward with them. These include the following:

Decision Points related to providing an online registration portal to implement a registration program for resort dwellings

1. Does the Board wish to approve legislative intent and permission to advertise an ordinance to adopt registration requirements for short-term rentals?
2. Does the Board wish to impose additional regulations through the registration system? If so, what additional regulations?
3. Does the Board wish to collect a fee for registration? If so, what costs should the fee cover?

Decision Points related to the eligibility authorization system

1. Does the Board want to seek assistance from the software provider to create a portal for use by citizens and other interested parties to identify whether a particular parcel can have a legitimate resort dwelling use?

Decision Points related to providing access to software to identify illegal resort dwellings for use in enforcement actions

1. Would the Board desire to add or remove any part of the proposed Scope of Services for the software element?
 - a. *Note: The Board previously expressed some concerns regarding privacy interests. The following requirement has been added to the text of Section 3 of the RFP: "proposal must demonstrate how personal privacy interests of citizens will be protected while maintaining conformance with Public Records Law." Similar language is also included in the proposed Scope of Services.*
2. Does the Board wish to adopt a proactive stance related to Code Enforcement and/or Fire Prevention?

Clerk to the Board Instructions:

Please provide a copy of the Board Action Memorandum to Planning and Development



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November 15, 2023

M E M O R A N D U M

TO: Tad Calkins, Planning and Development Director

RE: Item H.1., Discussion of Request for Proposal (RFP) for Software to Enhance Education and Enforcement of Resort Dwellings Regulation

The Board of County Commissioners, in regular session on November 14, 2023, tabled discussion of RFP for software to enhance education and enforcement of resort dwellings regulation to the December 7, 2023, Board meeting.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for: Donna Scott
Kimberly Powell, Clerk to the Board

/ds

**SOFTWARE APPLICATION TO IDENTIFY SHORT-TERM RENTALS (STR)
PLANNING AND DEVELOPMENT DEPARTMENT
P-4-24-08**

SCOPE OF SERVICES

The Scope of Services is broken into three elements, each element having its own subset. They are as follows.

- 1) Providing an online registration portal to implement a registration program for resort dwellings or short-term rentals (STR).
- 2) Providing an eligibility screening tool for citizens and other interested parties to quickly determine the eligibility of a property for short-term rental usage based on characteristics such as zoning classifications.
- 3) Providing access to a software application to identify illegal resort dwellings or short-term rentals (STR) for use in enforcement.

Provide an Online Registration Portal

- Provide an online registration portal for parcels within the unincorporated Brevard County to allow for the development of a database of existing, legally operated STRs.
 - Ability to upload documents including, but not limited to, Business Tax Receipt
 - Ability to accept and maintain information such as designated contact for STR properties.
 - Ability to provide step-by-step screens (wizard tool) to register a STR.
 - Ability to provide a third-party payment method where the County doesn't have access to customer payment information software integration information for registration fees.
- Ability to provide customer support for troubleshooting with end users through email address or phone service.
- Ability to generate and export reports in PDF and Microsoft Excel based on specific parameters such as new registrations, changes in current listings, and other property-related data.
- Ability to generate custom reports and identify if there is a cost structure for such reports.
- Ability to allow the registration portal to be publicly accessible/searchable by address/parcel ID/owner while redacting exempt/confidential properties.

Provide an Eligibility Verification System

- Public-facing eligibility verification system for parcels within unincorporated Brevard County that can search against a specific parcel to confirm that the parcel is eligible for STR usage based on complex zoning, land use, and other parcel-related data, as provided by the County.
- Search function must be able to be embedded on the County website for citizens to access.

Provide access to a software application that will assist in identifying illegal resort dwellings or short-term rentals for use in enforcement actions:

The Planning and Development Department (the Department) is requesting proposals for a software application that can assist the Department in identifying STR within the unincorporated areas of Brevard County, Florida (the County). The software application can be accessible on the cloud. The County's definition of resort dwelling, or short-term rental (STR), is any dwelling unit which is rented for periods of less than 90 days or three calendar months, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than 90 days or three calendar months, whichever is

less. The software application must have the ability to identify the County's STR on a daily basis for the new rental activity that includes, but is not limited to, the following:

- Identify the street addresses of the properties and tie them to the Brevard County Property Appraiser's real property parcel identification number, real property tax account number, and information such as the owner's name and mailing address.
- Identify Short Term Rental Listing by URL (website link)
- Identify the number of listings for an address.
- Identify the hosting platform.
- Identify whether a listing is for an entire unit, room(s), or the entire resort dwelling.
- Identify if the listing is active.
- Identify the time period(s) the listing has been active, beginning with contract execution.
- Identify the listing termination dates.
- Identify the nightly rental rate.
- Ability to search the software application by the Brevard County Property Appraiser real property tax account number or address for past listings over the previous 6-month period.
- Ability to maintain historical information and enter information related to specific parcels/properties, even if the listing becomes inactive.
- Ability to identify and differentiate STR properties operating in unincorporated portions of the County as opposed to those operating within incorporated jurisdictions.
- Analytical tools to identify future short-term rental based on historical rental activity from past rental bookings/activity.
- Differentiate between owner-blocked and booked rental calendars for STR properties.
- Generate and export reports from the data based on new listings, changes in current listings, and other property-related activity.
- Provide whether the ability to generate custom reports is offered and if there is a cost structure for such reports.
- Outline mapping capabilities including, but not limited to, GIS compatibility and zoning integration.
- Sorting and filtering functions to search for specific types of short-term rentals or to delineate between specific rental characteristics such as activity level, revenue generation, availability, future booking statuses, and structure characteristics such as a room within a home.
- Ability to identify confidential/exempt information (including, but not limited to, utilizing information from the Brevard County Property Appraiser) and redact as necessary when creating reports.
- Ability to provide a list of data sources (e.g., listing platforms)
- Ability to provide authenticated records/affidavits as needed for Special Magistrate hearings.
- Ability to manage and restrict user account permission as necessary.
- Ability to send out educational information to identified suspected STR violators.
- Ability to protect the personal privacy interests of citizens while maintaining conformance with Public Records Law.