



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

August 16, 2017

**M E M O R A N D U M**

**TO:** John Tobia, Commissioner District 3

**RE:** Item II., Resolution Requesting Florida Legislature Amend Chapter 2001-336(8)(12)(c) for All Commissioners Equal Weigh In to Adopt User Fees for the Melbourne-Tillman Control District

The Board of County Commissioners, in special session on August 15, 2017, approved the resolution requested giving consent to a Member of the Florida Legislature to take up a local bill and change the vetoing authority from Districts 3 and 5, and giving vetoing authority to the Board of County Commissioners as the governing board of the Melbourne-Tillman Control District. Enclosed is a copy of the resolution as presented.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encl. (1)

cc: Each Commissioner  
County Manager  
County Attorney

Resolution 17-\_\_\_\_\_

**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 14<sup>th</sup> day of August, A.D., 2017.

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

ATTEST:

\_\_\_\_\_  
SCOTT ELLIS, CLERK