

Horst, Rachel

From: CEER@brevardfl.gov
Sent: Tuesday, January 27, 2026 9:57 AM
To: Horst, Rachel
Subject: A new CEER Recommendation has been submitted as ID #2026035

Recommendation # 2026035

Dear CEER Administrator,

Speak Up Brevard Recommendation ID #2026035 has been submitted. Please login to the CEER Application to start the recommendation evaluation workflow.

Contact Information:

Group/Organization

Name Elaine Trotter
Address 2410 SEA AV, MELBOURNE FL 32903
Phone (321) 634-4061
Email ehtrotter5@gmail.com
Alternate Email

Recommendation Information:

Recommendation ID 2026035
Recommendation Title City of Melbourne vs. Unincorporated Brevard County
Areas Affected Police, Streets, Sidewalks, Code Enforcement. Fire
Department Affected
Current problem I live in the city of Melbourne on the barrier island. The street I live on (Sea Av) is split between the city of Melbourne and unincorporated Brevard County. It is almost impossible to get any services from the city (i.e., road repair, drainage repair, sidewalk repair) because the city of Melbourne claims Sea Ave is maintained by the county, but the county does not seem to do any work maintaining the streets, drainage, sidewalks for the residents that live in the city of Melbourne on Sea Ave. It seems very silly that two houses over from me are unincorporated Brevard. Why not have the city annex the areas on beachside that are unincorporated so that we can get decent services there? There are homes that have been condemned but people still live in them because they know that Brevard county cannot keep up with the unincorporated areas. Homes are being built solely for rental purposes and it is really destroying the beauty of living beachside.
Recommendation Expand Melbourne city limits to include the unincorporated portions between Paradise Blvd and Gross Pointe

Attachments


SpeakUpBrevard2026.pdf

Please do not reply to this e-mail, as it will go to an unmonitored mailbox.



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Jim Liesenfelt, County Manager
THRU: Morris Richardson, County Attorney 
FROM: Alexander Esseesse, Deputy County Attorney
SUBJ: Citizen Efficiency and Effectiveness Recommendation #2026035

CEER #2026035, titled *City of Melbourne v. Unincorporated Brevard County*, was received by the County from Ms. Elaine Trotter.

Citizen Statement:

I live in the city of Melbourne on the barrier island. The street I live on (Sea Av) is split between the city of Melbourne and unincorporated Brevard County. It is almost impossible to get any services from the city (i.e., road repair, drainage repair, sidewalk repair) because the city of Melbourne claims Sea Ave is maintained by the county, but the county does not seem to do any work maintaining the streets, drainage, sidewalks for the residents that live in the city of Melbourne on Sea Ave. It seems very silly that two houses over from me are unincorporated Brevard. Why not have the city annex the areas on beachside that are unincorporated so that we can get decent services there? There are homes that have been condemned but people still live in them because they know that Brevard county cannot keep up with the unincorporated areas. Homes are being built solely for rental purposes and it is really destroying the beauty of living beachside.

Citizen Recommendation:

Expand Melbourne city limits to include the unincorporated portions between Paradise Blvd and Gross Pointe.

Staff Analysis:

This CEER recommends that the City of Melbourne annex the area along and including Sea Avenue, a County-maintained right-of-way, so that the City will be responsible for the maintenance of Sea Avenue and associated drainage and sidewalks. Sea Avenue was last resurfaced in 2018, is considered by the Brevard County Public Works Department to be in "good" condition, and is served by an underground stormwater pipe system.

The proponent of this CEER owns property at 2410 Sea Avenue, which is located on the barrier island within the jurisdictional boundaries of the City of Melbourne. The property is located less than 100 feet from the boundary line between unincorporated Brevard County and the City of Melbourne.

Florida law establishes a process for expanding or contracting a municipality's jurisdictional boundaries under Chapter 171, Florida Statutes, the "Municipal Annexation or Contraction Act." The annexation process can be either voluntary or involuntary, depending upon whether the property owner wants their property to be annexed into the municipality. Under either scenario, it is the municipality that is responsible for annexing the property.

The County does not have any authority to cause property to be annexed into a municipality. This CEER recommendation thus falls outside of the County's jurisdiction and should instead be directed to the City of Melbourne. Alternatively, if the citizen wants Sea Avenue to become a City right-of-way without altering the City's boundaries, then that may be accomplished with a deed, resolution, and interlocal agreement between the County and City. See Section 335.0415, Florida Statutes. Such a transfer would require the mutual agreement of the County and the City.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2026035 as the County is without jurisdiction or authority to cause the area that is the subject of the request to be annexed into the City of Melbourne.