



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

BOARD OF COUNTY COMMISSIONERS

TO: Frank B. Abbate, County Manager

THRU: Morris Richardson, County Attorney 

FROM: Justin Caron, Assistant County Attorney 

SUBJ: Citizen Efficiency and Effectiveness Recommendation (CEER) #2024036

DATE: 04/01/2024

CEER # 2024036 was received by the County from Sandra I. Sullivan, affiliated with the group WAVESaction LLC.

Citizen Statement:

Certain parks in Brevard are Tourism Parks with Premium Amenities, such as Lifeguards, showers, bathrooms, playgrounds etc. These parks are more expensive to maintain and are a burden to Brevard County residents as well on the local cities (like Cocoa Beach, Lori Wilson) to provide Fire/Police services. The cost of Lifeguards is being born by the Brevard County taxpayers while the cities benefit by collecting the increased parking revenue as a result of these premium service. Brevard County residents are paying multiple cities (or their passes) to access former county parks. The issue is Brevard County is giving away the Tax-payer paid parks Paid to Cities who then charge for parking. This creates double taxation because we pay for parks and recreation in our tax bill. Then as more cities have acquired over the years, former County parks, we have multiple taxation at each park. Brevard County Parks like Lori Wilson, are a burden to the local city who respond with Fire/Police. This ties into the sneaky vote with another agenda label where Brevard passed using TDC tax for Lifeguards. There are legal challenges that may come from that vote. The legal issue per Attorney General is you can only use the TDC tax for what was in the ballot - which did not include Lifeguards; and AG also did legal opinion cannot be used for Lifeguards. Satellite Beach council member, at the State Delegates requested state change the law to allow TDC tax to be used for Lifeguards. I believe it is a bad decision to cheat the Brevard County residents out of equal access to the parks the Brevard Taxpayers helped the County acquire with each city have its own fees that vary across the County while the cities profit while Brevard County continues to provide lifeguards at these

parks, i.e. Nance Park (acquired under Save the Coast). I would like to thus propose a solution. Nance (premium facilities paid for by Brevard, Lifeguard paid for by Brevard, playground funded by State) - park funded by County under Save the Coast program with matching funds from state. THERE IS NO SIGN TO SAY A PARKING PASS IS AVAILABLE BECAUSE CITY WANTS THE REVENUE - this is cheating the Brevard County residents. Hightower and Pelican Parks in Satellite Beach - former County Parks given to city - is charging a differential in fee but County refuses to enforce their Interlocal Agreement and Deed Restriction (golf carts, rental cars, tourists from out of Country). The bad publicity on a daily basis from the poor management of these facilities is bad for tourism.

Citizen Recommendation:

Proposed Solution: Brevard Designation Premium Tourism Parks Program with interlocal agreement with Cities 1. To charge for Parking at "Tourism Designated Parks" as defined as those County parks which have Lifeguards provided by the County and have a minimum number of parking spaces - i.e. State Sand Renourishment defines Tourism Parks as having 100 parking spaces. Many people, i.e. some I know from Viera want Premium services - so in addition to Tourists, this provides more facilities for locals who want to pay for a premium parks. 2. County sells a "Premium Park Annual Pass" decal per tag for frequent visitors and locals to these Premium Parks as part of the interlocal agreement. This could be handled by Tax Office (collects a handling charge). So, when renewing vehicle tags with Tax Office, residents would have the option to add to their bill; or as visitor/snow bird to buy a pass online - or go into the tax office to purchase. 3. County negotiate, as part of interlocal agreement on Lifeguards, that Cities have a reciprocal parking pass arrangement, that this will then give anyone with a County Premium Park Pass to cities' parks which participate as "Brevard Premium Park" (Lifeguard) program. Naples and Collier County have a reciprocal program like this. The cities still sell their own passes and charge parking. They still make money except for Brevard County decal pass holders. The "Premium Park" decal fees collected by Brevard County are to offset the cost of Lifeguards, as well as additional costs of maintaining Brevard Premium Tourism Parks, as well as Tourism advertising. This then gives back access to the Taxpayers to the former County Parks acquired with our taxpayer dollars, where the city is charging parking - to where now we have to pay several different cities for passes to parks we the taxpayers paid to buy these facilities that are then given to cities. The Premium Park Pass resolves the multiple taxation. 4. From the perspective of a uniform tourism product - as these parks will as part of the interlocal agreement receive

Tourism advertising and lifeguards, an uniform tourism Product should be considered being implmented over time - payment system, signage designating park, parking enforcement as Premium Park. Given most of the cities parks are using Passport App with IPS for credit card, the interlocal agreement should consider for uniform payment system across these premium parks - and signage to be implemented over time. 5. The other benefit of the Premium Parking Pass is that of disaster safety. Following significant hurricane, the barrier island is open to residents only. The barrier island is not open to residents until the causeways are inspected. Once the bridges open, BCSO checks driver licenses to allow access. So if the premium parking decal was a different color for barrier island residents, these vehicles could be fast tracked back onto the barrier island by BSCO without the need to check drivers license residency.

Staff Analysis:

The Board of County Commissioners has reviewed and discussed the subject of paid parking several times in the past. Each time, the Board collectively has made clear its desire not to have parking fees associated with any County owned or operated beach access park. Thus, this CEER recommendation conflicts with the Board's previously stated policy direction.

Staff Recommended Action:

It is recommended that the Board of County Commissioners reject CEER #2024036 as it is inconsistent with the direction previously provided by the Board.

Recommendation Details

Contact Information

Full Name: Sandra I Sullivan

Email Address: s2sully@gmail.com

Mailing Address: 165 Dorset Lane
Satellite Beach fl 32937

Alt Email Address: sandra@sandrasullivan.com

Phone Number 954-224-8624

Group/Organization WAVESaction LLC

Recommendation Information

Recommendation Title: Premium Tourism Parks

Areas Affected: Parks

Department: PARKS AND RECREATION DEPARTMENT

**Problem
Description:**

Certain parks in Brevard are Tourism Parks with Premium Amenities, such as Lifeguards, showers, bathrooms, playgrounds etc. These parks are more expensive to maintain and are a burden to Brevard County residents as well on the local cities (like Cocoa Beach, Lori Wilson) to provide Fire/Police services. The cost of Lifeguards is being born by the Brevard County taxpayers while the cities benefit by collecting the increased parking revenue as a result of these premium service.

Brevard County residents are paying multiple cities (or their passes) to access former county parks. The issue is Brevard County is giving away the Tax-payer paid parks Paid to Cities who then charge for parking. This creates double taxation because we pay for parks and recreation in our tax bill. Then as more cities have acquired over the years, former County parks, we have multiple taxation at each park.

Brevard County Parks like Lori Wilson, are a burden to the local city who respond with Fire/Police.

This ties into the sneaky vote with another agenda label where Brevard passed using TDC tax for Lifeguards. There are legal challenges that may come from that vote. The legal issue per Attorney General is you can only use the TDC tax for what was in the ballot - which did not include Lifeguards; and AG also did legal opinion cannot be used for Lifeguards. Satellite Beach council member, at the State Delegates requested state change the law to allow TDC tax to be used for Lifeguards.

I believe it is a bad decision to cheat the Brevard County residents out of equal access to the parks the Brevard Taxpayers helped the County acquire with each city have its own fees that vary across the County while the cities profit while Brevard County continues to provide lifeguards at these parks, i.e. Nance Park (acquired under Save the Coast). I would like to thus propose a solution.

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Recommendation Description

Proposed Solution: Brevard Designation Premium Tourism Parks Program with interlocal agreement with Cities

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Attachments

There are no attachments for this recommendation.

Administrative Action

Evaluation

Recommendation Timeline

| User | Status | Date | Remarks |
|-----------------|------------------------|--------------|--------------------------|
| CEER WebUser | Citizen Submitted | Dec 30, 2023 | |
| Karen Conde | Department Assigned | Jan 3, 2024 | COUNTY ATTORNEY Assigned |

Awaiting action from department director