

Business Impact Estimate

This form must be uploaded into Granicus to be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the County's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, REPEALING CHAPTER 98, ARTICLE VI, "BAREFOOT BAY WATER AND SEWER DISTRICT," SECTIONS 98-181 THROUGH 98-200, OF THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA; DISSOLVING THE BAREFOOT BAY WATER AND SEWER DISTRICT, A DEPENDENT SPECIAL DISTRICT OF BREVARD COUNTY, AS OF DECEMER 31, 2029, PURSUANT TO SECTION 189.071, FLORIDA STATUTES; PROVIDING FOR THE CONTINUATION AND ADMINISTRATION OF EXISTING CONTRACTUAL OBLIGATIONS OF THE BAREFOOT BAY WATER AND SEWER DISTRICT; PROVIDING FOR THE DISPOSITION OF DISTRICT-OWNED PROPERTY WITHIN BAREFOOT BAY WATER AND SEWER DISTRICT; REPEALING ALL ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CODE SECTIONS AND EFFECT ON CODE; PROVIDING AN EFFECTIVE DATE.

Pursuant to Section 125.66, Florida Statutes, a business impact estimate is **not** required if any of the following statements apply. Check all that apply and include this page in the agenda packet for the proposed ordinance under consideration. If one or more boxes are checked below, this means the County is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the County is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☒ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or

¹ See Section 125.66(3)(c), Florida Statutes.

- ☐ The proposed ordinance is enacted to implement the following:
- a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of Section 125.66, Florida Statutes, and in the absence of an exemption listed above, the County hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinance provides for the following:

1. *The dissolution of the Barefoot Bay Water and Sewer Utility District as of December 31, 2029.*
2. *The continuation and administration of existing contractual obligations of the Barefoot Bay Water and Sewer Utility District. When all contractual obligations and commitments have been satisfied, any remaining surplus funds will be transferred to the Brevard County Utility Services Department.*
3. *Disposition of assets and liabilities of the Barefoot Bay Water and Sewer Utility District pursuant to section 189.076, Florida Statutes.*
4. *The repeal of Chapter 98, Article VI, which includes Code sections 98-181 to 98-200, inclusive, of the Brevard County Code of Ordinances.*

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the County:

None.

3. Estimate of direct compliance costs that businesses may reasonably incur if enacted:

None.

4. Any new charge or fee imposed on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:

None.

5. Estimate of the County's regulatory costs, including estimated revenues from any new charges or fees that will be imposed on businesses to cover such costs:

None.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

None.

7. Additional information that the Board of County Commissioners determines useful:

At the March 23, 1999 Regular Board meeting, the Board of County Commissioners approved Ordinance 99-17, creating the Barefoot Bay Water and Sewer Utility District (the District), a dependent special district governed by the Board of County Commissioners, with the Brevard County Utility Services Department (the Department) responsible for District service operations. The currently outstanding debt associated with the District are the Revenue Bond Series 2009A and the Utility Refunding Revenue Note, Series 2018, with their last payments due by December 1, 2029, and October 1, 2029, respectively.

As a dependent special district, all revenue generated by the District must be spent on the District. However, utility fees collected countywide cannot be used within the District. The existing Barefoot Bay water and wastewater treatment plant is over 50 years old and will not be able to meet federal and state environmental requirements. As a result, the Department is currently in the design phase to construct a new water and wastewater treatment plant to serve not only Barefoot Bay, but also, unincorporated Brevard County east of I-95 and south of Grant-Valkaria.

The District will have satisfied the purposes for which it was created in 1999, by December 31, 2029, i.e., to provide and pay for a needed sewage disposal and water supply facility for the District. On December 31, 2029, upon dissolution of the District, the District's utility service area will be merged into the Brevard County utility service area. Upon dissolution, all remaining revenue of the District will be transferred to Brevard County, and the user rates and fees for Barefoot Bay will be incorporated into those of the countywide system.

The above-described regional advanced water and wastewater treatment plant will serve Barefoot Bay and the additional areas previously mentioned, and all water, sewer, and reclaimed water systems will be owned and operated by Brevard County. In 2030, all remaining revenue of the District will be transferred to Brevard County, and the user rates and fees for Barefoot Bay will be incorporated into those of the countywide system.