

**ORDINANCE 2016- 15**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, CALLING A COUNTYWIDE SAVE OUR INDIAN RIVER LAGOON ½ CENT SALES TAX REFERENDUM ELECTION ON NOVEMBER 8, 2016 WITHIN THE TERRITORIAL LIMITS OF BREVARD COUNTY ON THE QUESTION AS TO WHETHER THE BOARD OF COUNTY COMMISSIONERS SHOULD LEVY A ½ CENT INFRASTRUCTURE SALES TAX FOR FINANCING THE COUNTY’S SHARE OF THE COST FOR THE SAVE OUR INDIAN RIVER LAGOON PROJECT PLAN; PROVIDING FOR FINDINGS; CALLING A REFERENDUM; PROVIDING FOR NOTICE OF THE REFERENDUM; PROVIDING FOR BALLOT LANGUAGE; APPROVAL OF SAVE OUR INDIAN RIVER LAGOON PROJECT PLAN; PROVIDING FOR LEVY OF THE ½ CENT SALES TAX FOR RESTORATION OF THE INDIAN RIVER LAGOON; CREATING A SAVE OUR INDIAN RIVER LAGOON PROJECT TRUST FUND; SAVE OUR INDIAN RIVER LAGOON OVERSIGHT COMMITTEE; PROVIDING FOR SEVERABILITY; REPEALER; AND AN EFFECTIVE DATE.**

**SECTION 17. SAVE OUR INDIAN RIVER LAGOON OVERSIGHT COMMITTEE**

There is hereby created an Save Our Indian River Lagoon Oversight Committee which shall consist of seven members. The intent of this volunteer oversight committee of diversely skilled citizens would be to recommend updates of the Save Our Lagoon Project Plan to the Board of County Commissioners annually and to provide public oversight and a transparent process that not only allows, but fosters, development and implementation of better, less costly and/or more timely tools and techniques for restoration of the Indian River Lagoon.

**A. STRUCTURE:**

Membership shall consist of seven representatives and seven alternates. Committee members shall represent a diversity of demonstrated expertise and experience to annually update and improve the Save Our Lagoon Project Plan. Each member and alternate shall represent at least one of the following fields of expertise: science, technology, economics/finance, real estate, education/outreach, tourism, and lagoon advocacy. A good working knowledge of lagoon water quality issues and sources of pollution is highly desirable. A Chair and Co-Chair shall be elected by a majority vote of the Oversight Committee members.

**B. APPOINTMENT PROCESS:**

The County Commissioners shall call for interested volunteers to submit their qualifications to the Natural Resources Management Department prior to October 1, 2016. ONRM Department staff will review the applications and provide a qualified list of applicants to the League of Cities and to the County Commission to ensure that municipal and County interests are represented. The League will nominate members for three fields of expertise and nominate alternates for the remaining four fields of expertise. Each Commissioner will review the qualifications of the remaining applicants and score them from 1 to 3. Department staff will tabulate the ranking scores to select members for the remaining four fields of expertise and alternates for the

remaining three fields of expertise. The County Commission will appoint the League of City nominees to the Oversight Committee and fill the remaining seats with candidates with the highest County Commission ranking. Appointments will be for two year terms, after which time members and alternates may be considered for reappointment or replacement. If replacement members or alternates are required, the entity who selected that member can upgrade the alternate to the member seat, choose a replacement from the existing pool of applicants, or request a new call for qualified citizen volunteers.

C. RESPONSIBILITIES:

1. Although Save Our Lagoon plan was developed with the best information available in 2016, verifying the sources of water quality pollution and keeping up with technological advancements is important for maximizing timely and cost-effective solutions. In order to review and adapt to better information and opportunities through time, monitoring is necessary. As projects from this plan are implemented, the actual costs and nutrient reduction benefits will be tracked.

2. Brevard County staff will provide project monitoring reports to the Oversight Committee and will work with them to recommend adjusting the planned projects, as needed. An adaptive management process shall be utilized to allow alternative projects to be submitted by municipalities and other community or lagoon focused partners for review by the Oversight Committee for inclusion in the next annual update to this plan.

3. The role of the Oversight Committee will be to review monitoring data on timeliness of project delivery, actual and updated project costs, and actual nutrient removal effectiveness, review new literature and local studies on the types of projects included in the plan and potential alternative project types, evaluate alternative project proposals received from the community, and recommend annual adjustments to the plan including Table 46, the Timeline for Funding Needs.

4. The Committee's recommendations will be presented annually by the Committee Chair, working with Department staff, to the Board of County Commissioners for their inclusion; modification and inclusion; or non-inclusion in the Save Our Lagoon plan. The Board shall not take action on the plan recommendation/s any sooner than 15 days after receipt and posting of the plan on the County's or Save Our Indian River Lagoon Project Plan Committee's websites.

5. Upon County Commission approval, a project or projects that deliver comparable nutrient removal benefits may be added to listed Save Our Lagoon projects or substituted for the funding allocated to one or more other Save Our Lagoon projects in the same sub-lagoon. Unless otherwise agreed to by the County Commission, if a substituted project costs more than the project listed in the Save Our Lagoon plan, the requesting partner must provide the balance of the costs.