Melbourne-Tillman

Special Public Hearing of the Brevard County Board of County Commissioners
Ted Whitlock Community Center,
Palm Bay Regional Park
1951 Malabar Rd, NW, Palm Bay, Fl.

Agenda
Tuesday, August 10, 2021

If you wish to speak to any item on the agenda, please fill out a speaker card. Persons addressing the Board shall have three minutes to complete his/her comments on each public hearing agenda item for which he/she has filled out a card.

The Board of County Commissioners requests that speakers appearing under the Public Comment section of the agenda limit their comments and/or presentations to matters under the Board's jurisdiction. It is the responsibility of the Chair to determine the time limit on comments under Public Comment and other agenda items that are not Quasi-Judicial Public Hearings. In Quasi-Judicial proceedings, fifteen (15) minutes shall be allowed for applicants and five (5) minutes for other speakers.

A. CALL TO ORDER 5:30 PM

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE: Commissioner Kristine Zonka, District 5

D. PUBLIC COMMENTS

E. PUBLIC HEARINGS

1. Adoption of a Resolution establishing user fees for FY 2021-2022 for the Melbourne-Tillman Water Control District

F. BOARD REPORTS

1. Frank Abbate, County Manager
2. Eden Bentley, County Attorney
3. Bryan Lober, Commissioner District 2
4. Curt Smith, Commissioner District 4
5. Kristine Zonka, Commissioner District 5, Vice-Chair

G. Adjourn

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321)633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at http://www.brevardfl.gov. The Agenda may be viewed at: http://www.brevardfl.gov/Board Meetings

In accordance with Resolution 2014-219 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

Agenda Report

2725 Judge Fran Jamieson Way
Viera, FL 32940

Public Hearing

8/10/2021

Subject:
Adoption of a Resolution establishing user fees for FY 2021-2022 for the Melbourne-Tillman Water Control District

Fiscal Impact:

Dept/Office:
Budget

Requested Action:
It is requested by the Melbourne Tillman Water Control District that the Board of County Commissioners adopt the attached Resolution approving user fees for the Melbourne-Tillman Water Control District for FY 2021- 2022 and authorize the Chair to sign the Resolution.

Summary Explanation and Background:
The user fees requested and recommended by the Melbourne-Tillman Water Control District's Board of Directors represents a 1.234% increase in the FY 2021-2022 rates for Residential and Commercial, and no increase in Agricultural due to the legislative cap on the agricultural classification. Proposed rates are as follows:

- Residential from $24.44 per lot or acre to $24.74
- Agriculture remains at $8.50 per lot or acre
- Commercial from $47.35 per lot or acre to $47.93

Per Ch. 2001336 Laws of Florida, the fee must be established by resolution of the Board of Directors and approved by a majority vote of the Board of County Commissioners, with each County Commissioner whose county commission residency area lies wholly or partially within the District (District 3 and District 5) voting in the affirmative.

Clerk to the Board Instructions:

MELBOURNE-TILLMAN WATER CONTROL DISTRICT
Public Hearing

THE BOARD OF DIRECTORS OF THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT HAVE TENTATIVELY ADOPTED A BUDGET FOR THE FISCAL YEAR 2021/2022.

THE PROPOSED BUDGET RECOMMENDS THE USER FEE RATES AS FOLLOWS:

CATEGORY:	RESIDENTIAL	$24.74	per acre or portion thereof
	AGRICULTURAL	$ 8.50	per acre or portion thereof
	COMMERCIAL	$47.93	per acre or portion thereof

THESE FEES ARE LEVIED IN ACCORDANCE WITH FLORIDA LAWS CHAPTER 01-336, AS AMENDED BY CHAPTER 03-334.

A PUBLIC HEARING ON THE PROPOSED USER FEES RATES WILL BE HELD BY THE BREVARD COUNTY BOARD OF COMMISSIONERS, ON TUESDAY, AUGUST 10, 2021 AT 5:30 PM, IN THE TED WHITLOCK COMMUNITY CENTER, FRED POPPE REGIONAL PARK, 1951 MALABAR ROAD NW, PALM BAY, FLORIDA 32907.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE DISTRICT HEREBY ADVISES THE PUBLIC THAT: If a person decides to appeal any decision made by the Board members with respect to any matter considered at this meeting, they will need a record of the proceedings and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the District for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the American with Disabilities Act and 286.26 Florida Statutes, persons with disabilities needing special accommodations to participate in this proceeding should contact the office of the Melbourne-Tillman Water Control District no later than 48 hours prior to the proceedings at 321/723-7233 for assistance.

RESOLUTION NO.2021-_____

A RESOLUTION TO AUTHORIZE AND ADOPT USER FEES PURSUANT TO CHAPTER 2001-336, LAWS OF FLORIDA, AUTHORIZING THE BOARD OF THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT TO LEVY USER FEES FOR FISCAL YEAR 2021-2022 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 2001-336, Laws of Florida, provides the authority for the Melbourne-Tillman Water Control District to levy user fees; and

WHEREAS, the Melbourne-Tillman Water Control District is a dependent special district of the Brevard County Board of County Commissioners whose charges and budget are subject to the approval of the Brevard County Board of County Commissioners; and

WHEREAS, the user fees proposed by the Melbourne-Tillman Water Control District have been advertised and the subject of public hearings conducted by the Brevard County Board of County Commissioners on August 10, 2021 and August 31, 2021; and

WHEREAS, the user fees to be levied represent a 1.81% increase over current rates for Residential and Commercial and a 1.19% increase in Agricultural, are stated in this resolution, and have been publicly read in full.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that:

1. The Board of Directors of the Melbourne-Tillman Water Control District has adopted the following classifications (categories of land use) to be assessed as follows:

CLASSIFICATION I, RESIDENTIAL -	$24.44 per lot, acre or portion thereof

CLASSIFICATION II, AGRICULTURAL -	$ 8.50 per lot, acre or portion thereof
CLASSIFICATION III, COMMERCIAL -	$47.35 per lot, acre or portion thereof

This levy has been adopted for the Budget of the District for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022.

2. The aforementioned classifications and fees of the Melbourne-Tillman Water Control District are hereby ratified and affirmed for the Budget and Fiscal Year 2021-2022.

3. A certified copy of this Resolution shall be filed with the Tax Collector of Brevard County, Florida.

4. This Resolution shall take effect immediately upon its adoption.

DONE, ORDERED AND ADOPTED, THIS 21st DAY OF September, A.D., 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA

_____
Rachel Sadoff, Clerk of the Court

By:_____
Rita Pritchett, Chair

As approved by the Board on September 21, 2021