



Regular

Brevard County Board Of County Commissioners Governing Board Of The Brevard Mosquito Control District Governing Board Of The Barefoot Bay Water And Sewer District

2725 Judge Fran Jamieson Way

Viera, FL 32940

Agenda

Tuesday, August 2, 2022

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 5:00 PM

B. INTENTIONALLY OMITTED

C. PLEDGE OF ALLEGIANCE: Commissioner John Tobia, District 3

D. MINUTES FOR APPROVAL:

E. RESOLUTIONS, AWARDS AND PRESENTATIONS

E.1. Resolution acknowledging Maddox Scott Jurgensen has achieved the rank of Eagle Scout

E.2. Resolution Honoring Ms. Myra Igo Haley

F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)

Development and Environmental Services Group

Natural Resources Management

F.1. Natural Resources Management Department, Stormwater Program Interlocal Agreement with the City of West Melbourne

North Brevard Economic Development Zone

- F.2.** Approval of Resolution and Real Estate Contract for Sale of Property In County-Owned Commerce Park in Titusville

Utility Services Department

- F.3.** Legislative intent and permission to advertise an amendment to the Brevard County Code of Ordinances modifying Section 110-141, pertaining to refunds and fees.
- F.4.** Approval of Resolution for Termination of Resolution 2000-033 - Reclaimed Water Infrastructure Credit

Community Services Group

Housing and Human Services

- F.5.** Item moved to Public Hearing

Parks and Recreation Department

- F.6.** Confirmation, Re: New Member to Board of Directors of Golf Brevard, Inc. (District 3)

Administrative Services Group

County Attorney

- F.7.** Resolution, Re: Calling for Referendum Election to Consider a Charter Amendment Amending Term Limits for Barefoot Bay Recreation District Board of Trustees.
- F.8.** Resolution, Re: Calling for Referendum Election to Consider a Charter Amendment Amending the Barefoot Bay Recreation District Board of Trustees' Spending Limit for the Acquisition of Real and Personal Property.

County Manager

- F.9.** Acceptance and Approval of Internal Audit Reports.

Miscellaneous

- F.10.** Bill Folder
- F.11.** Appointment(s) / Reappointment(s)
- F.12.** County Manager's Agreement
- F.13.** Permission to Advertise for a Public Hearing to consider application for the FY21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, JAG-Countywide (JAGC) Solicitation

F.14. Resolution recognizing the Marine Corps League Brevard County Detachment #513.

G. PUBLIC COMMENTS

H. PUBLIC HEARINGS

H.1. Petition to Vacate, Re: Public Utility & Drainage Easements- 2490 Sweetwater Court - "Sweetwater Downs" Plat Book 35, Page 81 - Mims - Francis J. Sidoti - District 1

H.2. Petition to Vacate, Re: Public Utility Easements- 1751 N. Carpenter Road - "Sherwood Estates Unit Number 4" Plat Book 19, Page 67 - Titusville - Nicholas S. Townsend - District 1

H.3. Petition to Vacate, Re: Public Utility & Drainage Easement- 912 Harbor Pines Drive - "Harbor Pines" Plat Book 35, Page 26 - Merritt Island - Shawn & Jody Overdorf - District 2

H.4. Extension of Temporary Moratorium on New Applications of Biosolids to Lands within Brevard County - Public Hearing.

H.5. Resolutions RE: Adoption of Solid Waste Special Assessments, Fees and Charges and Ratification, Confirmation and Certification of the Solid Waste Special Assessment Rolls.

H.6. Proposed Amendments to Brevard County Code of Ordinances, Section 74, Article VI Brevard County Code, pertaining to restrictions for sexual offenders and sexual predators.

H.7. Public Hearing RE: Brevard County HOME Investment Partnerships Program Consortium Five Year Consolidated Plan 2022-2026 and Fiscal Year 2022-2023 Annual Action Plan

H.8. Amendment to Brevard County Code Chapter 2, Article VIII, Section 2-247(2) Requiring a Majority Plus One Vote for Non-Competitive Leases or Sales of County Property of Nominal Value

I. UNFINISHED BUSINESS

J. NEW BUSINESS

Miscellaneous

J.1. Item moved to Public Hearing

J.2. Resolution calling for a Referendum of Bond Issue for Environmentally Endangered Lands

Add Ons

K. PUBLIC COMMENTS

L. BOARD REPORTS

- L.1. Frank Abbate, County Manager
- L.2. Christine Schrevak, Interim County Attorney
- L.3. Rita Pritchett, Commissioner District 1
- L.4. John Tobia, Commissioner District 3
- L.5. Curt Smith, Commissioner District 4, Vice Chair
- L.6. Kristine Zonka, Commissioner District 5, Chair

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 BCC-97 Section G.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 pink card asking to be heard. Any speaker not heard during the first thirty minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first and second public comment period. 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 or request a staff report.

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

Resolution/Award/Presentation

E.1.

8/2/2022

Subject:

Resolution acknowledging Maddox Scott Jurgensen has achieved the rank of Eagle Scout

Fiscal Impact:

None

Dept/Office:

District 4

Requested Action:

It is requested that the Board approve a Resolution recognizing Maddox Jurgensen as a recipient of the rank of Eagle Scout

Summary Explanation and Background:

We recognize and congratulate Maddox for his outstanding achievements with the Boy Scouts of America and wish him the best in his future endeavors with the United States Coast Guard

Clerk to the Board Instructions:

Please Frame one Resolution

Resolution

WHEREAS, Maddox Scott Jurgensen has achieved the rank of Eagle Scout, the highest rank awarded to a Boy Scout, by completing the demanding requirements of personal development, leadership, and community service; and

WHEREAS, Maddox started Cub Scouts at five years of age, crossed over to Boy Scouts at age 11, earned 55 Merit Badges, held several leadership positions including Senior Patrol Leader, spent 100 nights camping, participated in Scouting for Food, beach clean-ups, attended the 24th World Scout Jamboree in West Virginia, volunteered his time towards other scouts' Eagle projects, and met his goal of earning Eagle Scout at the age of 17 years; and

WHEREAS, only about six percent of all Boy Scouts earn the Eagle Scout Rank, a performance-based achievement with standards that have been well-maintained over the years; and

WHEREAS, Maddox is an Edgewood Junior-Senior High School Class of 2022 graduate, where he completed Honors and Advanced Placement classes, maintaining a 3.0 GPA, earned high school Varsity letters in Track and Field and Soccer in high school, competed in club-level soccer, was involved in Key Club, Sources of Strength, Student Government, Fellowship of Christian Athletes; and

WHEREAS, Maddox's Eagle projects raised over \$1200 in donations and led 38 adults and youth to feed 200 on-duty Brevard County and Municipal City First Responders lunch, ranging between State Road 520 and State Road 192, a project totaling 480 service hours; and

WHEREAS, the lessons learned by obtaining the Eagle Scout rank are essential to not only the life of the Scout but also the enhancement of the Nation's leadership.

NOW, THEREFORE BE IT RESOLVED THAT THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS does hereby unanimously recognize and commend

Maddox Scott Jurgensen

For his outstanding efforts in obtaining his Eagle Scout rank through Boy Scouts of America, Troop 337, and offers congratulations and best wishes for a successful future as he joins the United States Coast Guard this fall.

DONE, ORDERED AND ADOPTED, in regular session, this 2nd day of August 2022.



Agenda Report

2725 Judge Fran Jamieson
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Viera, FL 32940

Resolution/Award/Presentation

E.2.

8/2/2022

Subject:

Resolution Honoring Ms. Myra Igo Haley

Fiscal Impact:

N/A

Dept/Office:

D3 Commission Office

Requested Action:

It is requested that the Board pass the attached resolution honoring the life of Ms. Myra Igo Haley

Summary Explanation and Background:

Ms. Myra Igo Haley had a significant positive impact on Brevard county through her highly successful business ventures and philanthropic activities. The District 3 office would like to honor her life through the passage of this resolution.

Clerk to the Board Instructions:

Frame one copy

Resolution 22 - _____

A RESOLUTION ON BEHALF OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS COMMEMORATING MS. MYRA IGO HALEY

WHEREAS, Ms. Myra Igo Haley was born in Indiana and moved to Brevard County in 1992; and

WHEREAS, after moving to Brevard Ms. Haley formed a corporation with her father known as Suntree Partners which contributed significantly to the Suntree area reaching its current level of prosperity; and

WHEREAS, having an exceptional business mind, Ms. Haley fulfilled her dream of being involved in her community and had extensive success developing the area; and

WHEREAS, in addition to her legacy as a successful businesswoman Ms. Haley was also the quintessential philanthropist; and

WHEREAS, Ms. Haley quietly made numerous charitable donations to organizations such as John Hopkins University, the Mayo Clinic, Brevard County Health First, Brevard Cultural Alliance, Junior Achievement, The Haven for Children, Meals on Wheels, and Habitat for Humanity of Brevard; and

WHEREAS, in addition to financial contributions, Ms. Haley also donated her time and knowledge by serving as a member of the Health First Founder's Society, Director of the Health First Foundation Board, on the Board of Trustees for Eastern Florida State College, and on the Board of Directors for the King Center for Performing Arts; and

WHEREAS, Ms. Haley served her community well by being an integral part in Eastern Florida State College's growth and success, as well as the prosperity of secondary education through her time serving as Chairperson on Holy Trinity's Board of Trustees; and

WHEREAS, for all of her hard work and dedication to Brevard, Ms. Haley was recognized as the Outstanding Philanthropist of 2012 by the Local Chapter of the Association of Fundraising Professionals; and

WHEREAS, her unexpected passing is cause for great sadness, by not only her family, but the community as a whole.

NOW, THEREFORE, BE IT RESOLVED THAT, the beacon of light that Ms. Haley was for Brevard County will shine for many decades to come, and her business ventures and philanthropic work will continue to have positive impacts in Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 2nd day of August, 2022.

ATTEST:

RACHEL SADOFF, CLERK

KRISTINE ZONKA, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FL



Agenda Report

2725 Judge Fran Jamieson
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Consent

F.1.

8/2/2022

Subject:

Natural Resources Management Department, Stormwater Program Interlocal Agreement with the City of West Melbourne

Fiscal Impact:

Revenue \$50,000 (City of West Melbourne) Stormwater Management Program Business Area 1110 CC 30331 GL 3490001.

Dept/Office:

Natural Resources Management

Requested Action:

It is requested that the Board authorize the Chair to sign the Stormwater Program Interlocal Agreement.

Summary Explanation and Background:

Since 1999 the City of West Melbourne has partnered with the County to help implement a regional stormwater management approach to stormwater issues, to provide greater water quality and flood protection to the residents.

The interlocal agreement allows the County to continue to administer and manage the City of West Melbourne's Stormwater Program, consistent with the policies, procedures, and practices of the County's Natural Resources Management Department Stormwater Program. The City is billed annually for the administration of the City's stormwater fee, inspections, outreach and associated services further detailed in the agreement. The administrative cost is based on a flat annual rate of \$50,000, recalculated annually by adding the consumer price index to the base fee. Additionally, the City will pay direct labor and related costs for special services such as any Stormwater Fee increases and coordination and documentation required to complete the Department of Environmental Protection (DEP) National Pollutant Discharge Elimination System (NPDES) audit. The cost of administering the program is borne by the Town through the payment of the yearly fee as indicated in the agreement.

Section 22 (Duration of Agreement) stipulates the agreement duration for three (3) years from the date of execution with two potential one-year extensions for a total of five years.

Clerk to the Board Instructions:

Please have two original agreements signed and returned to the Natural Resources Management Department.

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

CONTRACT REVIEW AND APPROVAL FORM

SECTION I - GENERAL INFORMATION

1. Contractor: City of West Melbourne		2. Amount:
3. Fund/Account #: 1110/260070	4. Department Name: Natural Resources Management Department	
5. Contract Description: Stormwater Program Inter Local Agreement		
6. Contract Monitor: Carolina Alvarez	8. Contract Type:	
7. Dept/Office Director:	SERVICES	
9. Type of Procurement: Other		

SECTION II - REVIEW AND APPROVAL TO ADVERTISE

APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Carlos Cuevas <small>Digitally signed by Carlos Cuevas Date: 2022.06.22 13:55:46 -04'00'</small>
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	_____
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	_____
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	_____

SECTION III - REVIEW AND APPROVAL TO EXECUTE

APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carlos Cuevas <small>Digitally signed by Carlos Cuevas Date: 2022.06.22 13:56:04 -04'00'</small>
Purchasing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bowers, Mary <small>Digitally signed by Bowers, Mary Date: 2022.07.21 07:52:40 -04'00'</small>
Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wilson, Shannon <small>Digitally signed by Wilson, Shannon Date: 2022.07.20 13:41:03 -04'00'</small>
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Balser, Heather <small>Digitally signed by Balser, Heather Date: 2022.06.23 07:45:53 -04'00'</small>

SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

CM DATABASE REQUIRED FIELDS	Complete ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status, Title, Type, and Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date, Effective Date, and Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Contract Form with County Attorney/ Risk Management/ Purchasing Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>

**NATURAL RESOURCES MANAGEMENT DEPARTMENT, STORMWATER PROGRAM
INTERLOCAL AGREEMENT
WEST MELBOURNE**

THIS INTERLOCAL AGREEMENT (hereinafter the “Agreement”) is made and entered by and between the BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS a political subdivision of the State of Florida (hereinafter referred as “County”) and the CITY of WEST MELBOURNE, a municipality incorporated under the laws of Florida, (hereinafter referred as the “City”).

WITNESSETH:

WHEREAS, the County currently operates and manages a Stormwater Program under the authority of Chapters 403 and 197, Florida Statutes; and

WHEREAS, the City currently operates and manages a Stormwater Program under the authority of Chapters 403 and 197, Florida Statutes; and

WHEREAS, the County and the City recognize there are mutual benefits associated with a more efficient regional approach to the management of stormwater issues; and

WHEREAS, the Board of County Commissioners has authorized the expansion of the County’s Stormwater Program for administration and operation of municipality adopted benefit zones; and

WHEREAS, the City Council of West Melbourne, Florida has determined that the County’s administration of the city’s Stormwater Program will best serve the interest of its citizens; and

WHEREAS, this agreement is authorized pursuant to Section 163.01, Florida Statutes, as an Interlocal agreement; and

NOW THEREFORE, in consideration of the premises and covenants herein contained, it is mutually agreed between the parties as follows:

SECTION 1. STATUTORY AUTHORITY

This agreement is entered into under the authority vested in the parties by Section 163.01, Florida Statutes, whereby an interlocal agreement is an agreement entered into by political subdivisions to allow local government units to provide services or facilities to another local government unit or public

agency on a basis of mutual advantage and cooperation for the betterment of the local community needs in the public interest.

SECTION 2. PROGRAM ADMINISTRATION

The County shall administer and manage the City's Stormwater Program consistent with the policies, procedures, and practices of the County's Natural Resources Management Department Stormwater Program in effect on the effective date of this agreement. For the purposes of this agreement the authority to make minor adjustments in procedures and practices not affecting policy is hereby delegated to the County Manager and the City Manager, provided that said amendments do not vary the specific terms and conditions of this agreement or any applicable City or County ordinances. Procedural amendments shall be in writing executed by the County Manager and City Manager. Administration of the City's Stormwater Program includes but is not necessarily limited to:

- Management of the parcel database including coordination with the County Property Appraiser, Tax Collector, and Information Technology offices.
- Administration of the Credit Policy Program.
- Drafting of required Ordinances, Rate Resolutions, and annual assessment rolls as necessary. All such actions must be reviewed by the City Manager and approved by the City Attorney. All such actions shall be adopted by the City Council, as required by law.
- Review and adjustment of Stormwater Assessment bills, when appropriate, through the Error and Insolvency process.
- Coordination with the City Council and staff to identify and select capital improvement projects which are consistent with County policies and procedures and have benefit to the West Melbourne Stormwater Management Benefit Area (WMSMSBA).
- Providing information and coordination related to billing inquiries to the citizens within the WMSMSBA.
- Management of technical staff employed by the County's Stormwater Program.
- Educational activities for the public and/or City staff to meet the minimum NPDES requirements.
- Activities related to the coordination of the City of West Melbourne Stormwater Management Program (SWMP) required under the Generic Permit for Discharge of Stormwater Phase II, Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) permit.
- Participation in the Stormwater Education and Outreach Interlocal Agreement, as long as the Lagoon Loyal program remains in effect.

- Investigation of environmental or water management concerns (illicit discharges) other than yearly compliance inspections.
- Yearly compliance inspections of stormwater management systems receiving stormwater credit.
- Preparation of activities directly related to the NPDES generic permit, including:
 - Collection of documentation related to annual reporting,
 - Preparation of the annual report.
 - Preparation of the permit renewal Notice of Intent (NOI),
 - Responses to requests for additional documentation by the FDEP Stormwater Section,
 - Any other documentation request as deemed necessary to meet the NPDES permit requirements.
- The Brevard County Property Appraiser incurs administrative costs maintaining the expanded use code system. The rate of compensation for administrative costs has been set at \$0.60 per parcel for fiscal year 2022-23.
- Compensation for Information Technology Department services at the rate of \$1.00 per parcel.

SECTION 3. ASSESSMENT REVENUE

Special assessment revenues as budgeted by City Council and collected within the City for the Stormwater Program will be used for administering, planning, constructing, operating, and maintaining stormwater management systems benefiting the City. The City may utilize up to fifty percent (50%) of the total funds available for maintenance of and/or capital improvements to the City's existing stormwater system as further specified in Section 11.

SECTION 4. CUSTODIAN OF FUNDS

During the period covered by this Interlocal Agreement, the City shall be the custodian of funds generated within the WMSMSBA.

SECTION 5. ADJUSTMENTS OF ASSESSMENTS AND EXPENDITURE OF COST

In the event that an adjustment or individual calculation of an annual Stormwater Assessment is required, The County's Natural Resources Management Department Director (Director) or his/her designee shall have the authority to make such adjustment in accordance with County policies and procedures. Any appeals related to credit issuance, exemptions from, or adjustments to, any stormwater assessment will be resolved utilizing the County Stormwater Program Appeals Committee and Appeals Committee procedure as outlined in Chapter 110, Article V, Section 110-373(c) of

Brevard County Code. The City shall be given notice of any request for adjustment and/or appeal and has the right, but not the obligation, to participate in any hearing requesting and adjustment or an appeal.

All expenditures of funds pursuant to this agreement which are collected within the WMSMSBA shall require the approval of the Director and the City Manager. In the event of a disagreement as to the approval of expenditure, the decision of the City Manager shall prevail. It is recognized that during the period covered by this Interlocal Agreement, services of City Departments/Divisions, such as purchasing, financial, or legal services, may require reasonable compensation, and if required, will be set forth in the annual program operating budget.

SECTION 6. PURCHASING AND FINANCIAL PRACTICES

During the period covered by this Interlocal Agreement, purchasing and financial processes shall be in accordance with the City's policies and procedures, as amended from time to time.

SECTION 7. ADMINISTRATIVE COSTS

The City shall pay an annual fee for its share of the County Stormwater Program's administrative costs. The City and County agree that the City's share of the administrative costs for the 2022-23 fiscal year is \$50,000. The annual fee reflects administrative costs incurred by the City for County provided services and staff billable rates. The City's share of the administrative costs shall be recalculated annually hereafter, by adding the consumer price index (CPI), for all average prices as calculated by the Bureau of Labor Statistics for the prior year, to the administrative cost. The City shall be billed yearly on the anniversary date of this agreement. County provided Administrative services are listed in Section 2 Program Administration.

The proposed annual budget, including the yearly adjustment to account for the CPI increase, will be coordinated with the City for review and approval. In the event of a disagreement the City manager and Director shall meet and resolve the disagreement.

SECTION 8 - DIRECT COSTS FOR SPECIAL SERVICES

The City will pay direct labor and related costs incurred for special services pre-approved in scope and budget by the City. These services shall include but are not limited to the City's Stormwater Fee increases and coordination and documentation required to complete the DEP NPDES Audit. Costs for these services will be charged on an hourly rate, to be submitted to and approved by the City, and

shall also include associated costs of supplies and expenses, and capital equipment. The County will maintain appropriate records in a format acceptable to the City to support these charges.

SECTION 9. REMMITANCE OF ADMINISTRATIVE COSTS

The City will remit to the County the annual fee for administrative costs upon receipt of invoice from the County. Invoicing shall be done on the first quarter at the beginning of the fiscal year.

SECTION 10. LEGAL SERVICES

During the period covered by this agreement, the City agrees that any claims or suits involving operation of the stormwater program within the City limits will be defended by and at the expense of the City. However, the County, pursuant to a separate agreement if entered into, and at the request of the City, may defend the City against all claims arising out of decisions relating to adjustments or credit to an individual fee; or appeals to or from the Stormwater Program Appeals Committee as set forth in Section 5, including actual reasonable attorney fees incurred by the County Attorney's Office. For internal control and audit purposes, time records will be kept by the County Attorney's Office for all time charged against City stormwater assessments. Time records will include who performed the individual task [e.g.-draft letters, research], date tasks performed, time expended for each task expressed in tenth of an hour, and total amount billed. Costs of such defense shall be paid from the stormwater assessment imposed by the City.

SECTION 11. SELECTION OF PROJECTS

The County Stormwater Program staff will work with the City's staff and the City Council to select projects which benefit the WMSMSBA. Projects shown in the City's Stormwater Needs Assessment Plan shall be considered during the project selection process. It is recognized that, in general, program operation costs, capital improvements, and the maintenance of capital improvements constructed by the program are the primary uses allowable for revenue collected. However, where the City determines that projects relating to the maintenance of and/or capital improvement to the City's existing stormwater system are necessary to protect the public health, safety and welfare, the City may utilize up to fifty percent (50%) of the total available funds for such projects related to the existing stormwater system. In addition, it is recognized the parties will endeavor to apply the funds identified for capital improvement projects that would equally benefit and improve both water and flood control.

SECTION 12. CONTINUING CONSULTANTS

The City shall have available for its use the services of continuing consultants as selected by the County under the Competitive Consultant Negotiation Act (CCNA).

SECTION 13. REPRESENTATIONS OF THE CITY

The City makes the following representations to the County:

- a) The City is duly organized and in good standing under the laws of the State of Florida, and is duly qualified and authorized to carry on the governmental functions and operations set forth in this Agreement.
- b) The City has the power, authority, and legal right to enter into and perform the obligations set forth in this Interlocal Agreement, and the execution, delivery, and performance thereof by the City (i) has been duly authorized by the City of West Melbourne; (ii) does not constitute a default under, or result in the creation of any lien, charge, encumbrance or security interest upon the assets of the City, except as otherwise provided herein.

SECTION 14. REPRESENTATIONS OF THE COUNTY

The County makes the following representations to the City of West Melbourne:

- a) The County is duly organized and in good standing under the laws of the State of Florida, and is duly qualified and authorized to carry on the governmental functions and operations under the laws of the State of Florida, and is duly qualified and authorized to carry on the governmental functions and operations set forth in this Interlocal Agreement.
- b) The County has the power, authority, and legal right to enter into and perform the obligations set forth in this Interlocal Agreement, and the execution, delivery, and performance thereof by the County (i) has been duly authorized by the Board of County Commissioners of Brevard County; (ii) does not constitute a default under, or result in the creation of any lien, charge, encumbrance or security interest upon the assets of the County, except as otherwise provided herein.

SECTION 15. RECORDS REVIEW

It is hereby specifically agreed that any record, document, computerized information and program, audio or video tape, photograph, or other writing of the County's Stormwater Program relating to this Agreement shall be deemed to be a "Public Record," whether in the possession or control of the County's Stormwater Program or one of its consultants, as defined in Section 119.011, Florida Statutes. Said record, document, computerized information and program, audio or video tape,

photograph, or other writing shall be subject of the provisions of Chapter 119, Florida Statutes. Upon request by the City and without posing an exemption to the City's rights set forth in Section 119.07(1), Florida Statutes, the County shall permit inspection of the foregoing public records by the City, and the City may obtain copies of said public records. All books, cards, registers, receipts, documents, and other papers in connection with this Agreement shall at any and all reasonable times during the normal working hours of the County be open and freely exhibited by the County for the purpose of examination and/or audit by the City.

SECTION 16. NOTICE

All notices, demands, annual renewals, or other writings in this Agreement are to be given, made or sent, or which may be given, made or sent, by either party through this Agreement to the other, shall be deemed to have been given, made or sent when made in writing and deposited in the first-class United States mail, certified, return receipt requested and postage prepaid, and addressed as follows:

TO COUNTY: **Director
Natural Resources Management Department
Brevard County Government Center
Building "A", Suite 219
2725 Judge Fran Jamieson Way
Viera, FL 32940**

with a copy to: **County Manager
Brevard County Government Center
Building "C"
2725 Judge Fran Jamieson Way
Viera, FL 32940**

TO CITY: **City Manager
City of West Melbourne
2240 Minton Rd.
West Melbourne, FL 32904**

With a copy to: **City Clerk
City of West Melbourne
2240 Minton Rd.
West Melbourne, FL 32904**

The person or address to which any notice or other writing may be given, made or sent, as above provided, may be unilaterally changed by written notice given as above provided.

SECTION 17. THIRD-PARTY BENEFICIARIES; PARTNERSHIPS

- (a) No Third-Party Beneficiaries. It is expressly agreed to by the parties, and it is the expressed intent of the parties that there are no intended or unintended, expressed or incidental, third-party beneficiaries of this Agreement. Consequently, this Agreement may NOT be relied upon by any person or entity other than the County or the City.
- (b) Partnership. The County and the City shall not be deemed to be partners or co-joint ventures of one another by virtue of this Agreement.

SECTION 18. DEFAULT

(a) It is expressly agreed between the parties hereto that in the event the City determines the County, or the County determines the City, to be in default of any of the conditions, covenants, or agreements of this Agreement, the Manager of the party hereto alleging a default will provide written notice thereof to the Manager of the party hereto alleged to be in default. Default with regard to any provision hereof shall be construed as a material breach of this Agreement, the intent of the parties being that all terms of this Agreement are material. The party alleged to be in default shall, within fifteen (15) days of the receipt of such notice, initiate action to correct such default and promptly and diligently prosecute such corrective action to completion; provided, however, that during said fifteen (15) day period if the Manager of the entity alleged to be in default disagrees with the determination of the entity alleging a default, then in such event both Managers shall meet and discuss the alleged default and possible correction thereof. In the event the two Managers cannot agree on whether or not a default exists or how to resolve the default, they shall present an agreed upon statement of the issue(s) outstanding to their respective governing bodies, together with alternatives proposed by both Managers for any corrective action to be undertaken. At this point, both parties shall immediately coordinate with one another to simultaneously satisfy the requirements of subsection (b) and Section 164.103, Florida Statutes, in a prompt manner.

(b) If the governing body of the entity alleging a default determines no default to have occurred, no further action by the entity claimed to be in default shall be necessary.

(c) If the governing body of the entity alleging a default determines a default to have occurred, but the governing body of the entity alleged to be in default determines no default to have occurred, then the entity alleging a default shall retain all legal and equitable rights and remedies available, but unless otherwise terminated by either party, this Agreement shall continue in full force and effect

during any judicial proceeding initiated by the entity alleging a default. If the governing body of the entity alleging a default is dissatisfied with the remedy elected by the party alleged to be in default or the progress in remedying the default, the entity alleging a default shall retain all legal and equitable rights and remedies available.

(d) If a majority vote of each of the governing bodies determines a default to have occurred and agrees upon a method for the prosecution of corrective action and appropriate corrective action, the entity in default shall initiate corrective action within fifteen (15) days of the date of final determination of such default by both governing bodies and promptly and diligently prosecute such corrective action to completion. Thereafter, the parties to this Agreement shall retain all legal rights and remedies available to them, but unless otherwise terminated by either party hereto, this Agreement shall continue in full force and effect during any judicial proceeding initiated by either party.

(e) Remedies and Waiver. All remedies conferred on either party shall be deemed cumulative, and no one remedy is exclusive of the other or of any other remedy conferred by law. Waiver by the City or the County, or failure of the City or the County to take action with respect to, any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of such term, covenant, or condition, or subsequent breach of the same, or any other term, covenant, or condition herein contained. In no event shall the County be deemed liable for the costs, damages, or attorney's fee incurred as a result of services provided herein.

SECTION 19. SEVERABILITY

If any part of this Interlocal Agreement is found invalid, unconstitutional, or unenforceable by any court, such invalidity or unenforceability shall not affect other parts of this Interlocal Agreement if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be accomplished. This agreement shall be enforced and interpreted as if such invalid, unenforceable, or unconstitutional provision did not exist.

SECTION 20. ENTIRETY

This Interlocal Agreement, including exhibits, if any, represents the understanding and agreement of the parties in its entirety. There shall be no amendments to this Interlocal Agreement unless such amendments are in writing, signed by all the parties, and filed with the Brevard County Clerk of the Circuit Court.

SECTION 21. TERMINATION

This agreement shall remain in effect until date specified in Section 22 of this Agreement or upon termination by either party. Either the City or the County may serve written notice to the other party to terminate the contract upon no less than one hundred twenty (120) days notice. The City shall be responsible for all outstanding costs as permitted by this agreement.

SECTION 22. DURATION OF THE AGREEMENT

This agreement shall remain in full force for a period of three (3) years after its date of execution by both parties, unless this agreement is terminated as otherwise provided herein. In addition, this agreement may be extended by both parties in one (1) year increments for up to two (2) years beyond the initial three (3) year period of agreement. Annual extensions shall be made by mutual written consent by both parties and as authorized by the Director and the City Manager, and proper notification per Section 16.

SECTION 23. EFFECTIVE DATE

The effective date of this Interlocal Agreement shall be the date on which this fully executed agreement has been filed with the Brevard County Clerk of the Circuit Court.

SECTION 24. GOVERNING LAW

The laws of the State of Florida shall govern the validity and interpretation of this Interlocal Agreement.

SECTION 25. VENUE

Venue for legal action brought by any party to this Agreement to interpret, construe or enforce this agreement shall be in a court of competent jurisdiction in and for Brevard County, Florida, and ANY TRIAL SHALL BE NON-JURY.

SECTION 26. E-VERIFY

The Parties:

- (a) Shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired during the term of the Agreement; and
- (b) Shall expressly require any contractors or subcontractors performing work or providing services pursuant to this Agreement to likewise utilize the U.S. Department of Homeland

Security's E-Verify system to verify the employment eligibility of all new employees hired by a contractor or subcontractor during the term of this Agreement; and

- (c) Agree to maintain records of participation in and compliance with the E-Verify program, including participation by its contractors or subcontractors as provided above, and to make such records available upon request.

Compliance with the terms of this Section is made an express condition of this Agreement and either party may treat a failure to comply as a material breach of this Agreement.

A Party who registers with and participates in the E-Verify program may not be barred or penalized under this Section if, as a result of receiving inaccurate verification information from the E-Verify program, the Party hires or employs a person who is not eligible for employment.

Nothing in this Section may be construed to allow intentional discrimination of any class protected by law.

Section 27. COUNTERPARTS

This First Amendment and Renewal may be executed in counterparts and, in such case, together shall constitute one complete agreement.

REMAINDER OF PAGE LEFT BLANK. SIGNATURES TO FOLLOW.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement on the respective dates of their duly authorized signatures affixed hereto.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk

By: _____
Kristine Zonka, Chair

Date: _____

(As approved by Board on: _____,
2022)

Reviewed for legal form and content
for Brevard County, Florida:

Heather A. Balser
Heather A. Balser, Assistant County Attorney

ATTEST:

CITY OF WEST MELBOURNE

Cynthia Hanscom
Cynthia Hanscom, City Clerk

Hal J. Rose
Hal J. Rose, Mayor
(As approved by the City Council on
July 19, 2022)



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.2.

8/2/2022

Subject:

Approval of Resolution and Real Estate Contract for Sale of Property In County-Owned Commerce Park in Titusville

Fiscal Impact:

Net proceeds from the sale would be deposited into a North Brevard Economic Development Zone account for use on park-related expenditures only, as per Ordinance No. 2013-08.

Dept/Office:

Management Services & Community Services/County Manager's Office

Requested Action:

The North Brevard Economic Development Zone formally requests that the Board of County Commissioners approve a Resolution and Real Estate Contract permitting the sale of approximately 2.7 acres of land in the county-owned Spaceport Commerce Park in Titusville for \$121,500.00 (or \$45,000.00 per acre) to the company known as Scientific Lightning Solutions, Limited Liability Company, and authorize the Board of County Commissioners Chair to execute all documents in connection thereof.

Summary Explanation and Background:

Scientific Lightning Solutions, LLC is a manufacturing and engineering company that designs and produces lightning detection and surveillance equipment and sensors for commercial and industrial customers; the company also provides products for use by firms in the aerospace industry, particularly those involved in launch control systems.

Over the last few years, Scientific Lightning Solutions' customer base has grown enough to justify a larger manufacturing and R&D facility. It currently leases nearly 5,000 square feet in a multi-tenant industrial complex in Titusville. The company has identified a lot in the Spaceport Commerce Park in Titusville as a suitable location for the construction of a 10,000 to 15,000 square foot (approximately) building, one that is expected to house a workforce of 15 people, with an average annual wage of \$60,000.00.

The North Brevard Economic Development Zone, acting as the County's authorized agent for developing and/or inducing the development of lots within that county-owned business park, formally received and reviewed the company's offer to purchase the land. The North Brevard Economic Development Zone approved a purchase offer from the company for \$45,000 an acre at its October 8, 2021, board of directors' meeting. The North Brevard Economic Development Zone requests that the Board of County Commissioners approve the sale as presented, and permit the real estate transaction to go forward, per Ordinance No. 2013-08.

Clerk to the Board Instructions:

Provide signed copy of adopted resolution and real estate contract to the County Attorney's Office and the North Brevard Economic Development Zone.

CONTRACT FOR SALE AND PURCHASE

Seller: Board of County Commissioners, Brevard County, Florida
2725 Judge Fran Jamieson Way, Viera, Florida, 32940

Buyer: Scientific Lightning Solutions, LLC, a Delaware limited liability company
1419 Chaffee Drive, Unit 1, Titusville, Florida 32780

Legal description of property being transferred: A parcel containing approximately 2.7 acres (more or less), and located within Parcel "E" of the Enterprise Park Plat, recorded at Brevard County Official Plat Records Book 32, Page 74, more particularly described in Exhibit "A" attached hereto and incorporated herein, with the final legal description to be based upon a survey of the exact parcel completed and approved by Seller and Buyer prior to the expiration of the Inspection Period (hereinafter the "Property"), as more particularly provided for in Addendum 1, Section B.

Terms: Seller agrees to sell, and Buyer agrees to purchase the Property pursuant to the terms and conditions set forth in this Contract for Sale and Purchase, Addendum 1 (Standards for Real Estate Transactions), Addendum 2, Exhibit "A" Legal Description, and Exhibit "B" Restrictive Covenants.

Purchase price: \$ 45,000 (Forty-Five Thousand Dollars and no/100) per acre for a total price to be determined based upon the acreage determined by a survey of the Property prior to closing.

Deposit: \$ 3,000.00 (Three Thousand Dollars and no/100) to be paid by Buyer to Dean Mead et al. to be held in escrow and disbursed pursuant to the terms hereof.

August 31
Time for acceptance of offer; effective date; facsimile: If this offer is not executed by and delivered to all Parties OR FACT OF EXECUTION communicated in writing between the parties on or before July 31, 2022, the deposit(s) shall, at Seller's or Buyer's option, be returned and this offer withdrawn. The date of Contract ("Effective Date") will be the date when the last one of the Buyer and Seller has signed this offer as indicated herein. An electronic copy of this Contract and any signatures hereon shall be considered for all purposes as originals.

Title evidence: During the Inspection Period, Buyer may at Buyer's option obtain a) title search and/or b) title insurance commitment (with legible copies of instruments listed as exceptions attached thereto) and, after closing, an owner's policy of title insurance. See Addendum 1, Standards of Real Estate Transactions (A) for additional requirements.

Closing Date: This transaction shall be closed and the deed and other closing papers delivered within 90 days of the Effective Date of this Contract, unless modified or extended by other provisions contained in this Contract (hereinafter the "Closing" or "Closing Date").

Warranties and Brokers: The following representations and warranties are made and shall survive closing.

- a. SELLER warrants that there are no parties in occupancy other than SELLER.
- b. BUYER hereby acknowledges that no real estate broker or agent has been involved as a representative of the BUYER, and that no real estate commission fee is due from SELLER. BUYER warrants that the person signing this Contract on behalf of BUYER has all necessary authority to sign and bind BUYER.
- c. BUYER is a limited liability company duly organized, validly existing and in good standing under the laws of the state of its formation. BUYER's representatives are duly authorized and have the legal right, power and authority to enter into this Contract for Sale and Purchase, and to perform all of its obligations hereunder. The BUYER's performance under this Contract will not conflict with, or result in a breach of, any of the terms, conditions and provisions of its limited liability company operating agreement, or of any law, statute, rule, regulation, order, judgment, writ, injunction or decree of any court or governmental instrumentality, or any contract, agreement or instrument to which BUYER is a party or by which is bound.
- d. The provisions of this warranty section shall survive the Closing Date.

Inspections: The BUYER shall have 60 days after written notice to Buyer that the Brevard County Board of County Commissioners has executed the contract within which to complete physical inspection and evaluation of the property for environmental, hazardous materials, suitability for development, access, drainage and subsurface conditions (hereinafter the "Inspection Period"). In the event a Phase I environmental assessment meeting ASTM standards is prepared and environmental issues objectionable to BUYER are detected, SELLER shall 1) take all steps necessary to remove BUYER'S objections prior to the expiration of the 60-day inspection period, if possible or 2) if acceptable to BUYER, SELLER shall allow an additional 90 days to provide adequate time to conduct a Phase II assessment meeting ASTM standards. If the Phase I assessment reveals contamination objectionable to Buyer for any reason this agreement may be terminated by BUYER, and BUYER may decline to allow SELLER to clean up or to proceed to a Phase II assessment. Likewise, if the Phase II assessment reveals contamination objectionable to BUYER, BUYER may terminate this agreement. Alternatively, BUYER may grant SELLER an additional 90 days to clean up the site after the Phase II assessment, but BUYER is not required to do so. SELLER shall allow the BUYER or its agents reasonable right of entry upon the property for inspection purposes. Before the expiration of the initial 60-day inspection period or the additional 90-day extension for a Phase II assessment, BUYER shall have the right to terminate this agreement with a full refund of any deposits, should the results of the inspections be objectionable to Buyer for any reason whatsoever. If clean up after a Phase II assessment is attempted but unacceptable to BUYER, in BUYER's sole and absolute discretion, the BUYER shall have the right to termination of this Contract and receive a full refund of its deposit.

Special Clauses: X See attached Addendum 1, Standards for Real Estate Contract, and Addendum 2.

IN WITNESS WHEREOF, the Parties have caused this instrument to be executed by their duly authorized representatives.

**BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA**

ATTEST:

BY: _____
Kristine Zonka, Chair

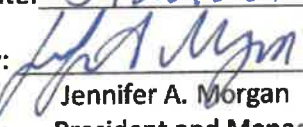
Rachel Sadoff, Clerk

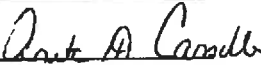
Date: _____
As Approved by the Board: _____

Approved As to Legal Form & Content:



Asst. County Attorney

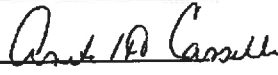
BUYER: Scientific Lightning Solutions, LLC, a Delaware limited liability company
Tax Identification Number: 47-2306170

Date: 5/20/22
By: 
Jennifer A. Morgan
Its: President and Manager

Signed by Witness: 
Anita M. Cassella
Print Name of Witness

Date: 5/20/22

Date: 5/20/22
By: 
Mark Morgan
Its: Secretary, Treasurer & Manager

Signed by Witness: 
Anita M. Cassella
Print Name of Witness

Date: 5/20/22

ADDENDUM 1 - STANDARDS FOR REAL ESTATE TRANSACTIONS

A. EVIDENCE OF TITLE: (Applicable in the event Buyer opts to obtain a title commitment). A title insurance commitment issued by a Florida licensed title insurer agreeing to issue to Buyer, upon recording of the deed to Buyer, an owner's policy of title insurance in the amount of the purchase price insuring Buyer's title to the Real Property, subject only to liens, encumbrances, exceptions or qualifications set forth in this Contract and those which shall be discharged by Seller at or before Closing. Seller shall convey marketable title subject only to liens, encumbrances, exceptions or qualifications specified in this Contract. Marketable title shall be determined according to applicable Title Standards adopted by authority of The Florida Bar and in accordance with law. Buyer shall have 10 days from date of receiving evidence of title to examine it. If title is found defective, Buyer shall within 3 days thereafter, notify Seller in writing specifying defect(s). Seller will have 30 days from receipt of notice to remove the defects, failing which Buyer shall, within five (5) days after expiration of the thirty (30) day period, deliver written notice to Seller either: (1) extending the time for a reasonable period not to exceed 120 days within which Seller shall use diligent effort to remove the defects; or (2) requesting a refund of deposit(s) paid which shall immediately be returned to Buyer. If Buyer fails to so notify Seller, Buyer shall be deemed to have accepted the title as it then is. Seller shall use diligent effort to correct defect(s) in the title within the time provided therefor. If Seller is unable to remove the defects within the times allowed therefor, Buyer shall either waive the defects or receive a refund of deposit(s), thereby releasing Buyer and Seller from all further obligation under this Contract.

B. SURVEY: Seller, at Seller's expense, shall have the Real Property surveyed and certified by a registered Florida surveyor. If survey shows encroachment on Real Property or that improvements located on Real Property encroach on setback lines, easements, lands of others or violate any restrictions, covenants or applicable governmental regulation, the same shall constitute a title defect.

C. TIME PERIOD: Time is of the essence in this Contract. Calendar days shall be used in computing time periods. Any time period provided for in this Contract that shall end or occur on a Saturday, Sunday, or a national legal holiday (5 U.S.C. 6103) shall extend to 5:00pm (where the property is located) of the next business day.

D. DOCUMENTS FOR CLOSING: Seller shall furnish, as applicable, the deed, bill of sale, construction lien affidavit, owner's possession affidavit, assignments of leases, tenant and mortgagee estoppel letters and corrective instruments. Buyer shall furnish the closing statement.

E. EXPENSES: Seller shall pay any recording of corrective instruments. Buyer will pay for the cost of recording the deed, documentary stamps on the deed, any costs associated with the title insurance or property lien searches, and any settlement or closing fee.

F. PRORATIONS; CREDITS: THERE IS NO TAX PRORATION ON THIS PROPERTY.

G. SPECIAL ASSESSMENT LIENS: Certified, confirmed and ratified special assessment liens as of date of closing (not as of Effective Date) are to be paid by Seller. Pending liens as of date of closing shall be assumed by Buyer. If the improvement has been substantially completed as of Effective Date, any pending lien shall be considered certified, confirmed or ratified and Seller shall, at

closing, be charged an amount equal to the last estimate of assessment for the improvement by the public body.

H. PROCEEDS OF SALE; CLOSING PROCEDURE: The deed shall be recorded upon clearance of funds. If abstract of title has been furnished, evidence of title shall be continued at Buyer's expense to show title in Buyer, without any encumbrances or change which would render Seller's title unmarketable from the date of the last title evidence. Proceeds of the sale shall be held in escrow by Seller's attorney or by another mutually acceptable escrow agent for a period of not more than five (5) days after closing date. If Seller's title is rendered unmarketable, through no fault of Buyer, Buyer shall, within the 5-day period, notify Seller in writing of the defect and Seller shall have 30 days from date of receipt of such notification to cure the defect. If Seller fails to timely cure the defect, all deposit(s) and closing funds shall, upon written demand by Buyer and within five (5) days after demand, be returned to Buyer and, simultaneously with such repayment, Buyer shall return the Personal Property, vacate the Real Property and reconvey the Property to Seller by special warranty deed and bill of sale. If Buyer fails to make timely demand for refund, Buyer shall take title as is, waiving all rights against Seller as to any intervening defect except as may be available to Buyer by virtue of warranties contained in the deed or bill of sale. The escrow and closing procedure required by this Standard shall be waived if title agent insures adverse matters pursuant to Section 627.7841, Florida Statutes (1993), as amended.

I. FAILURE OF PERFORMANCE: If Buyer fails to perform this Contract within the time specified, including payment of all deposit(s), the deposit(s) paid by Buyer and deposit(s) agreed to be paid, may be retained by or for the account of Seller as agreed upon liquidated damages, consideration for the execution of this Contract and in full settlement of any claims; whereupon, Buyer and Seller shall be relieved of all obligations under this Contract; or Seller, at Seller's option, may proceed in equity to enforce Seller's rights under this Contract. If for any reason other than failure of Seller to make Seller's title marketable after diligent effort, Seller fails, neglects or refuses to perform this Contract, the Buyer may seek specific performance or elect to receive the return of Buyer's deposit(s) without thereby waiving any action for damages resulting from Seller's breach. In the event of any litigation arising out of this contract, each party shall bear its own attorney's fees and costs. **THE PARTIES AGREE TO A WAIVER OF ANY RIGHT TO JURY TRIAL AND THAT ANY TRIAL SHALL BE NON-JURY.**

J. CONVEYANCE: Seller shall convey title to the Real Property by County's deed, and shall state that the conveyance includes all interests in subsurface phosphate, minerals, metals and petroleum pursuant to section 270.11(3), Florida Statutes, as amended.

K. OTHER AGREEMENTS: No prior or present agreements or representations shall be binding upon Buyer or Seller unless included in this Contract. No modification to or change in this Contract shall be valid or binding upon the parties unless in writing and executed by the party or parties intended to be bound by it.

L. APPLICABLE LAW AND VENUE: This Contract shall be construed in accordance with the laws of the State of Florida and venue for resolution of all disputes, whether by mediation or litigation, shall lie in Brevard County, Florida.

M. ACCESS TO PROPERTY TO CONDUCT APPRAISALS, INSPECTIONS, AND WALK-THROUGH: Seller shall, upon reasonable notice, provide access to Property for appraisals, inspections, and walk-throughs prior to Closing.

ADDENDUM 2 TO CONTRACT FOR SALE AND PURCHASE

1. BUYER shall purchase the property in AS-IS condition. BUYER ACKNOWLEDGES AND AGREES THAT THE PROPERTY IS ACCEPTED BY BUYER IN ITS PRESENT CONDITION AS IS, WHERE IS, AND WITH ALL FAULTS, AND THAT NO PATENT OR LATENT PHYSICAL CONDITIONS, WHETHER OR NOT KNOWN OR DISCOVERED, SHALL AFFECT THE RIGHTS OF EITHER PARTY HERETO.
2. BUYER agrees to abide by all covenants and restrictions existing on the Spaceport Commerce Park for the development of the property in the Official Records Book (ORB) of Brevard County, Florida, including but not limited to those at ORB 2460, page 2995-3008; ORB 2508, Page 2917; ORB 6395, Page 2380, and Plat Book 32, Page 74, also more particularly identified under Exhibit "B."
3. BUYER shall have no right to assign this Agreement without SELLER's prior written consent, which consent may be granted or withheld in SELLER's sole discretion. Except as provided below, BUYER shall have no right to assign this Contract without SELLER's prior written consent, which consent may be granted or withheld in SELLER's sole discretion. Notwithstanding anything stated to the contrary hereinabove, BUYER shall have the right prior to closing, without the prior written consent of SELLER, to assign the rights and duties of the Contract on a one-time basis to a newly created Florida business entity, which shall (A) Control, (B) be under the Control of, or (C) be under common Control with BUYER. "Control" (including with correlative meanings, such as "Controlling," "Controlled by" and "under common Control with") means, as applied to any entity, the possession, directly or indirectly, of the power to direct or cause the direction of the management and operations of such entity, whether through the ownership of voting securities or other ownership interests, by contract or otherwise.
4. BUYER further agrees to initiate upon the property the construction of a building a minimum of 10,000 square feet within two (2) years of transfer of title from SELLER to BUYER. Failure to proceed with the construction of the 10,000 square foot building, as evidenced by receipt of a building permit from the City of Titusville and the pouring upon the property of a concrete foundation equal to the building footprint specified above within said two (2) year period shall entitle the SELLER to the right to reacquire the property at the same consideration paid by BUYER.
5. BUYER and SELLER agree the Parties intent is that the property transferred in the location shown at Exhibit "A" be a parcel approximately 2.7 acres. The purchase price shall be adjusted at closing depending on the exact acreage shown by boundary survey based on a value of \$45,000.00 (Forty-Five Thousand Dollars and no/100) per acre.
6. PROPERTY TAX DISCLOSURE SUMMARY: BUYER SHOULD NOT RELY ON SELLER'S CURRENT PROPERTY TAXES AS THE AMOUNT OF PROPERTY TAXES THAT BUYER MAY BE OBLIGATED TO PAY IN THE YEAR SUBSEQUENT TO PURCHASE. A CHANGE OF OWNERSHIP OR PROPERTY IMPROVEMENTS TRIGGERS REASSESSMENTS OF THE PROPERTY THAT COULD RESULT IN HIGHER PROPERTY TAXES. IF YOU HAVE ANY QUESTIONS, CONTACT THE COUNTY PROPERTY APPRAISER'S OFFICE FOR INFORMATION.

7. DISCLOSURES: (a) SELLER extends and intends no warranty and makes no representation of any type, either express or implied, as to the physical conditions or history of the Property; (b) SELLER has received no written or verbal notice from any governmental entity or agency as to a currently uncorrected building, environmental or safety code violation; (c) SELLER has no knowledge of any improvements to the property (property is vacant land).

BUYER's Initials, Acknowledging and Agreeing to Addendum:

Scientific Lightning Solutions, LLC a Delaware limited liability company

By: 
Jennifer Morgan
President & Manager


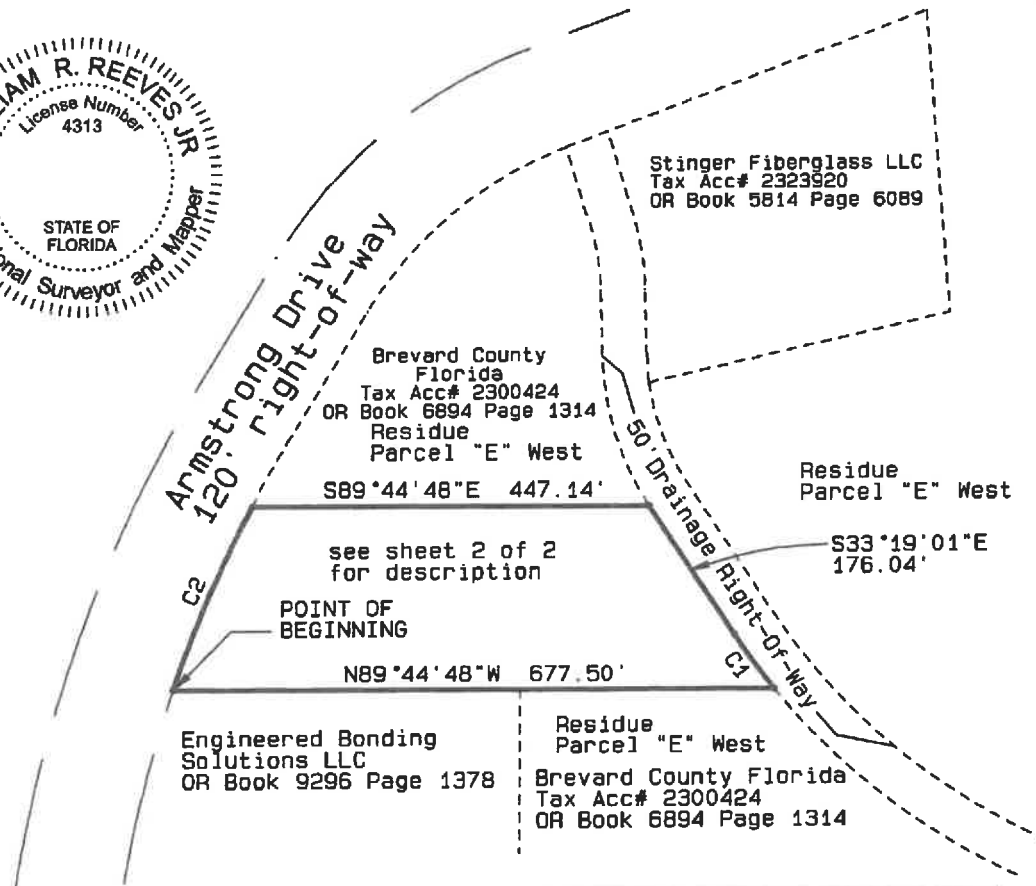
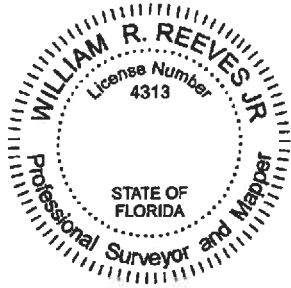
By: 
Mark Morgan
Secretary, Treasurer, & Manager

EXHIBIT "A"

This is not a survey and is not valid without signature, seal and sheet 2 of 2



CURVE	ARC	RADIUS	DELTA	CHORD BEARING	CHORD
C1	76.59'	775.00'	5°39'44"	S36°08'53"E	76.56'
C2	226.20'	1442.72'	8°58'59"	N23°03'37"E	225.97'

SURVEYOR'S STATEMENT

The seal appearing on this sketch & description was authorized by William R. Reeves, Jr., LS#4313 on January 28, 2022, and conforms to the Standard of Practice for professional surveyors and mappers as outlined in Chapter 5J-17 F.A.C.

**SKETCH & DESCRIPTION
PART OF PARCEL "E" WEST
SECTION 4 TOWNSHIP 23 SOUTH RANGE 35 EAST
BREVARD COUNTY, FLORIDA
SHEET 1 OF 2
FOR: NORTH BREVARD ECONOMIC DEVELOPMENT ZONE**



918 S WASHINGTON AVE
TITUSVILLE FL 32780
LIC. NO. LB8144

GRAPHIC SCALE 1"=200'



This is not a survey and is not valid without signature, seal and sheet 1 of 2

DESCRIPTION

A parcel of land in Section 4, Township 23 South, Range 35 East, Brevard County, Florida and being a Part of Parcel "E" West, described in OR Book 6894 Page 1314 and is in fact a portion of Parcel E, Enterprise Park according the Plat thereof recorded in Plat Book 32 Page 74 in the Public Records of Brevard County, Florida, described as follows:

Bearings are based on the westerly right-of-way of Armstrong Drive as indicated on the aforesaid Plat of Enterprise Park.

Beginning at the Northeast Corner of a Parcel of Land described in OR Book 9296 Page 1378, a point on the easterly right-of-way of Armstrong Drive and run northerly along said right-of-way and a curve concave to the East 226.20 feet, radius 1442.72 feet, chord North 23°03'37" East 225.97 feet to a point; thence leaving said right-of-way, South 89°44'48" East 447.14 feet to a point on the westerly side of a 50 foot drainage right-of-way; thence with said right-of-way, South 33°19'01" East 176.04 feet to a point; thence continue along said right-of-way and a curve concave to the East, 76.59 feet, radius 775.00 feet, chord South 36°08'53' East 76.56 feet to a point; thence leaving said right-of-way, North 89°44'48' West 677.50 feet to the Point of Beginning and containing 2.70 Acres.



918 S WASHINGTON AVE
TITUSVILLE FL 32780
LIC. NO. LB8144

SKETCH & DESCRIPTION
PART OF PARCEL "E" WEST
SECTION 4 TOWNSHIP 23 SOUTH RANGE 35 EAST
BREVARD COUNTY, FLORIDA
SHEET 2 OF 2
FOR: NORTH BREVARD ECONOMIC DEVELOPMENT ZONE

EXHIBIT "B"

Modifications of Restrictive Covenants for the area
Platted as Enterprise Park and also known as Gateway Industrial
Park and now known as Spaceport Commerce Park

The Board of County Commissioners of Brevard County, Florida is the owner, (hereinafter referred to as "Owner") of certain real property located within the plat at Plat Book 32, Page 74 entitled Enterprise Park formerly known as Gateway Center Industrial Park and now known as Spaceport Commerce Park and hereinafter referred to as the "Property".

WHEREAS, Brevard County, Florida as the owner of the platted property imposed at said Official Records Book 2460, Page 2995 "Restrictive Covenants Gateway Center Industrial Park" amended at Official Records Book 2508, Page 2917; and

WHEREAS, the Owner desires to amend the restrictions upon the use and development of the Property located within Spaceport Commerce Park formally known as Enterprise Park and Gateway Center Industrial Park for the mutual benefit and protection of itself and the persons who may hereafter purchase and/or lease the said Property or any portion thereof; and

NOW, THEREFORE, the Owner does hereby declare the Property contained in the Enterprise Park at Plat Book 32, Page 74 also known as Gateway Center Industrial Park and (hereinafter Spaceport Commerce Park) to be subject to the following conditions, restrictions, standards, and reservations binding upon every person or corporation who shall hereafter become the purchaser or lessee of the said Property therein:

1. **Use:** The use policy for the Property within the Spaceport Commerce Park shall be for light, high technology industrial and related commercial and office operations, where such uses exhibit only those operational characteristics having low nuisance values with respect to dust, smoke, odors, gases, noise, fumes, heat, vibration and other traits associated with light, high technology industrial and related commercial and office operations. The specific uses identified below are allowed:

Permitted Principal Uses: Light High Technology

- (a.) Wholesaling distribution centers and associated warehousing and storage.**
- (b.) Research and design laboratories.**
- (c.) Exhibition and nonretail showroom centers/ trade or convention centers.**
- (d.) Manufacturing including manufacturing, compounding, processing, packaging, storage, treatment or assembly of products utilizing preprocessed materials within a structure that does not require exterior storage.**
- (e.) Technology and research centers including fabrication or production of technical/ scientific products and materials within an enclosed structure.**
- (f.) Printing, publishing or similar establishments.**
- (g.) Service establishments catering to commerce and industry including but not limited to restaurants, coffee shops and cafeterias, outlets for business supplies, sales of prescriptions and personal care products, newsstands and similar establishments.**
- (h.) Business and professional offices.**
- (i.) Vocational, technical, trade or industrial schools and similar uses.**
- (j.) Freight movers.**
- (k.) Medical clinic in connection with industrial activity.**
- (l.) Packaging and delivery express service.**
- (m.) Employee credit unions.**
- (n.) Retail sales incidental to manufacturing or product floor area. Such retail sales shall be located within the principal buildings.**
- (o.) Heliports or landing pads.**

Accessory Use:

- (a.) Uses and structures which are on the same lot and of a nature customarily incidental and subordinate to the principal building structure or use.
- (b.) Uses and structures which are in keeping with the character of the district.
- (c.) No residential facilities shall be permitted except for watchmen or caretakers whose work requires residence on the premises or for employees who will be temporarily quartered on the premises.

Conditional Use:

(a.) Child care facility.

(1.) No certificate of occupancy shall be issued until a license has first been obtained from the state department of health and rehabilitative services and any other permitting agency as required by law including the provisions of these regulations.

(2.) A landscape buffer in accordance with Section 35-38 shall be required on nonstreet property lines.

(3.) Such facility shall provide a passenger dropoff zone adjacent to the facility providing clear ingress and egress from parking and other areas.

(4.) All structures, playgrounds, and outdoor recreation areas be setback minimum of fifty (50) feet from any abutting residential zoning district or residential use.

(b.) Motion pictures, radio and television broadcasting facilities and transmission towers.

(1.) Towers shall be located on the site so as to provide a minimum distance equal to the height of the tower front all property lines.

(c.) Multi-use buildings consisting of two or more permitted and/or conditional uses.

(d.) Health studio spa and similar establishments.

(e.) Banks and financial institutions (with drive-in facilities).

(1.) Each drive-in stacking lane must be clearly defined and designed as to not conflict or interfere with other traffic utilizing the site.

(2.) A bypass lane shall be provided if one way traffic flow pattern is utilized.

Prohibited uses shall include churches, K-12 private or public schools, and other schools unrelated to manufacturing and "high tech" industries. In no way shall this use policy be construed to imply the Property can be used for heavy manufacturing, hotel or motel, establishments serving food or beverages for the employees or guests of the facility. The latter may be permitted where the establishment is part of a light, high technology industrial and related commercial or office operation functioning as a company cafeteria, lunch room, day care, etc. solely for the use of its employees and guests. The Owner, its successors or assigns, shall not be obligated to grant their consent to any industrial, commercial or office use, and shall have the right, as a condition to any consent, to impose limitations and requirements as it may deem to be in the best interests of the area and to the objectives of the Spaceport Commerce Park. Any consent may be revoked if at any time a consented use is found to be inconsistent with the use policy as stated herein, and/or is found to be an unreasonable and uncorrectable nuisance in spite of limitations or requirements.

Anything herein to the contrary notwithstanding, this amendment shall only apply to those properties located within the Plat of Enterprise Park recorded in Plat Book 32, Page 74, Public Records of Brevard County, Florida. Should additional properties outside the Plat of Enterprise Park be encumbered by the initial restrictions to Spaceport Commerce Park f/k/a Gateway Central Industrial Park f/k/a Enterprise Park recorded in Official Records Book 2460, Page 2295, Public Records of Brevard County,

Florida, this amendment shall not apply to such property. In addition, one property owner within the Spaceport Commerce Park had an existing daycare use not included within this paragraph 1 as a permitted use on the date of recording this amendment. That parcel with a partial inconsistent use is identified at Official Records Book 5996, Page 1770. The inconsistent or nonconforming use is located on 3600 square feet out of 14,000 square feet shall be entitled to continue to have such uses upon the property, for as long as that use shall be continuously maintained and is not abandoned for more than one year.

2. **Review:** The Owner sells or leases the Property subject to the expressed condition that the purchaser or tenant shall assure that any future user purchasing, leasing, or subleasing the Property from the purchaser or tenant shall meet the use restrictions set forth in paragraph 1. Use: of the Restrictive Covenants. Such assurance shall take the form of a clause in the lease instrument of deed requiring compliance. The lease instrument or deed shall be submitted to the Spaceport Commerce Park Authority, or its successors or assigns, prior to sale, lease or sublease of the Property so that the Spaceport Commerce Park Authority may verify the imposition of such condition and restriction.

The Board of County Commissioners, through the Spaceport Commerce Park Authority, shall have the right to approve the intended use of such subsequent owner or tenant, which approval will be based on the permitted uses described in the Restrictive Covenants. The intended use will be deemed approved if not rejected in writing within ten (10) days of the request for approval.

3. **Limitations:** No illegal trade, business or activity shall be permitted on the said Property. No operations shall be conducted on said Property which will cause an emission of offensive dust, smoke, odors, gases, noise, fumes, heat vibrations or other industrial traits which may be or become a nuisance or an unreasonable annoyance to other property within the Spaceport Commerce Park, except for temporary periods of construction and repairs of buildings, parking areas and other improvements.

4. **Lot Restrictions:** The minimum size of a lot shall be two and one-half (2½) acres. However, minimum lot sizes shall be subject to reduction to not less than one (1) acre lots in forty percent (40%) of the platted area of Enterprise Park, now known as Spaceport Commerce Park; no more than one hundred thirty and a half (130.5) acres may be reduced to less than two and a half (2.5) acre lots. In addition, no lot abutting Shepherd Drive shall be less than 2 ½ acres in size. Structural coverage, including outside storage areas, shall not exceed fifty (50) percent of the lot.

5. **Building Material and Architectural Standards:** No wooden frame, metal or pre-engineered metal buildings shall be constructed or placed on the property. No building shall have a metal roof without written permission of the Owner. Metal or pre-engineered metal buildings may be considered as viable construction alternatives if such buildings are designed with a façade that completely disguises the metal construction characteristics of the building's front and the first twenty-five (25) feet of each side. The Owner reserves the right to reject any architectural design if so recommended by the Spaceport Commerce Park Authority. Except for metal or pre-engineered metal buildings as provided for herein, all exterior walls of buildings shall be of exposed, concrete-aggregate, stucco, glass, terrazzo, natural stone, brick, or wood siding. All buildings shall be finished by painting, staining or other processes. An Architectural Elevations and Building Materials Statement shall be submitted to the Spaceport Commerce Park Authority.

6. **Signs and Lighting:** No lighted signs with neon lights, intermittent, or flashing lights or LED lights shall be allowed.

7. **Utilities:** The Purchaser or Lessee shall make arrangements with applicable utility providers for securing electrical and telephone services to said property.

8. **Water and Sanitary Sewer Systems and Solid Waste:** Water Distribution lines are located in easements or street rights-of-way. The Purchaser or Lessee shall be responsible for constructing water line extensions to the building site. The Purchaser or Lessee shall be required to obtain approval (permits) from the City of Titusville.

The Purchaser or Lessee shall be responsible for the design and construction of sanitary sewer extensions to the building site from the existing sanitary sewer system, designed to collect effluents at the property line. The Purchaser or Lessee shall be responsible for obtaining permit approval from the City of Titusville and The State of Florida Department of Environmental Protection for the construction of sanitary sewer extensions. Special requirements may be imposed on the industrial user to limit or control problems which could occur at the treatment site as a result of heavily loaded industrial waste discharge. The State of Florida Department of Environmental Protection shall govern the quality of sewage discharge of the Purchaser or Lessee. No septic tanks shall be used for the treatment of industrial effluent.

9. **Maintenance:** The Purchaser or Lessee of any lot shall at all times keep the premises, buildings, and improvements in a safe and clean condition, and comply in all respects with government health and policy requirements. All landscaping and exterior portions of structures shall be maintained in order to keep an attractive appearance.

10. **Waiver:** The Owner, its successors or assigns, shall have the right in writing to waive minor variances of any of the restrictions or requirements herein set forth.

11. **Enforcement of Restrictive Covenants:** These restrictive covenants herein are made for the benefit of the Owner, its successors or assigns, and all persons who shall hereafter occupy the Property as Purchasers or Lessees to the Owner. Any person or persons for whose benefit these covenants have been made may pursue any suit or action necessary to enforce them for breach or refusal to conform to the specific requirements thereof or any action lawfully taken thereunder, or to seek injunctive relief or enforcement of assessments or damages, as the case may be, in any court of competent jurisdiction.

12. **Invalidation and Termination:** Invalidation of any restrictive covenant shall not affect the validity of any other covenant, but the same shall remain in full force and effect.

Any covenant herein above may be altered or rescinded by the recording of a document among the Public Records of Brevard County, Florida, and signed by the Owner, together with other Purchasers or Lessees owning and controlling three-fourths in area of the property within the Spaceport Commerce Park.

13. The Owner, its successors or assigns, shall adhere to all applicable local, state and federal laws.

14. Attorneys Fees In any suit to enforce the Restrictive Covenants, each party shall bear its own attorneys fees.

IN WITNESS WHEREOF, the Owner has executed these Covenants and Restrictions by the undersigned executive officer, and has caused its seal to be affixed, attested by its undersigned Clerk, all pursuant to lawful authority, as of the 3 day of August, 2010.

ATTEST:

STATE OF FLORIDA
COUNTY OF BREVARD

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

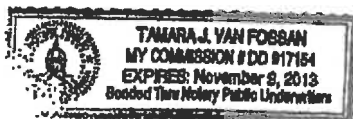
This is to certify that the foregoing is a true and correct copy of the original and official seal of the Board of County Commissioners of Brevard County, Florida, as approved by the Board on: AUG 03 2010

Scott Ellis, Clerk

SCOTT ELLIS
Clerk Circuit Court
D.C.

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared MARY BOLIN and SCOTT ELLIS, to me known and known to be the person(s) described in and who executed the foregoing Restrictive Covenants as CHAIRMAN and CLERK, respectively, of the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, and severally acknowledged the execution thereof to be their free act and deed as such officers for the uses and purposes therein mentioned, and that they affixed thereto the official seal of said Board.

WITNESS my hand and official seal in the State and County last aforesaid this 3 day of Aug 2010.



Tamara J. Van Fossan
Notary Public Tamara J. Van Fossan

Advanced Electrical Installations, Inc.

WITNESS

Matthew E. Gass, President
Owner of 2.74 acres or ____% of platted
area.

(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this ____ day of _____, 2010
by _____ who is personally known to me or who has produced
_____ as identification and who did/did not take an oath.

NOTARY PUBLIC

Type or Print Name

Commission No.: _____

Commission Expires: _____

City of Titusville

Debra S. Denman
Debra S. Denman
witness

Wanda F. Wells
WITNESS

Wanda F. Wells
(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

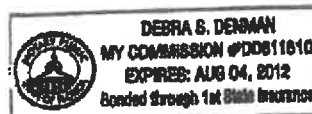
The foregoing instrument was acknowledged before me this 24 day of August, 2010
by Mark Ryan who is personally known to me or who has produced
personally known as identification and who did/did not take an oath.

Debra S. Denman
NOTARY PUBLIC

Debra S. Denman
Type or Print Name

Commission No.: DD811610

Commission Expires: Aug. 4, 2012



WITNESS

(Print or Type Name)

WITNESS

(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 11th day of March, 2010 by Mary J. Cianfagna who is personally known to me or who has produced driver's license as identification and who did/did not take an oath.



WITNESS

(Print or Type Name)

WITNESS

(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this day of , 2010 by who is personally known to me or who has produced as identification and who did/did not take an oath.

Mary J. Cianfagna, as Successor
Trustee of the Louis V. Cianfagna Trust
U/A/D July 11, 2008

Mary J. Cianfagna, as Successor
Trustee

Owner of 4.76 acres or % of platted
area

NOTARY PUBLIC

Type or Print Name

Commission No.:

Commission Expires: 10/27/13

Knight Enterprises, LLC

C. Reed Knight, Jr., Managing Member
Owner of 11.96 acres or % of platted
area

NOTARY PUBLIC

Type or Print Name

Commission No.:

Commission Expires:

WITNESS

(Print or Type Name)

WITNESS

(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this _____ day of _____, 2010
by _____ who is personally known to me or who has produced
_____ as identification and who did/did not take an oath.

Cartridge Source America, Inc.

Joseph R. Hurston, President
Owner of 5.15 acres or ____% of platted
area

NOTARY PUBLIC

Type or Print Name

Commission No.:

Commission Expires:

WITNESS

(Print or Type Name)

WITNESS

(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 13 day of December, 2010
by Scott Rittenhouse who is personally known to me or who has produced
Drivers License as identification and who did/did not take an oath.

Transport Refrigeration Parts Exchange,
Inc.

Scott Rittenhouse, President

Owner of 2.46 acres or ____% of platted a
area



NOTARY PUBLIC

Type or Print Name

Commission No.:

Commission Expires:

Karen L Shelley
WITNESS
Karen L Shelley
(Print or Type Name)
Meagan O'Connor
WITNESS
Meagan O'Connor
(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 13 day of December 2010 by Angela D. Heyne who is personally known to me or who has produced drivers license as identification and who did ~~not~~ take an oath.



H.I.S. Painting, Inc.

Angela D. Heyne
Angela D. Heyne, President
Owner of 5.01 acres or % of platted area

Brittany Ray
NOTARY PUBLIC
Brittany Ray
Type or Print Name
Commission No.: DD936475
Commission Expires: 10/27/13

Karen L Shelley
WITNESS
Karen L Shelley
(Print or Type Name)
Meagan O'Connor
WITNESS
Meagan O'Connor
(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 13 day of December 2010 by Angela D. Heyne who is personally known to me or who has produced drivers license as identification and who did ~~not~~ take an oath.



H.I.S. Painting, Inc.

Angela D. Heyne
Angela D. Heyne, President
Owner of 5.00 acres or % of platted area

Brittany Ray
NOTARY PUBLIC
Brittany Ray
Type or Print Name
Commission No.: DD936475
Commission Expires: 10/27/13

Susan Schriker
WITNESS

Susan Schriker
(Print or Type Name)

Brittany Ray
WITNESS

Brittany Ray
(Print or Type Name)

Stinger Fiberglass, LLC

Arthur Schriker
Arthur Schriker, President

Owner of 2.58 acres or ___% of platted area

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 3 day of December, 2010 by Arthur Schriker who is personally known to me or who has produced drivers license as identification and who did/did not take an oath.



Brittany Ray
NOTARY PUBLIC

Brittany Ray
Type or Print Name
Commission No.: DD936475
Commission Expires: 10/27/13

WITNESS

(Print or Type Name)

WITNESS

(Print or Type Name)

David Hofius

Shirley Hofius

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this ___ day of _____, 2010 by _____ who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

NOTARY PUBLIC

Type or Print Name
Commission No.:
Commission Expires:

WITNESS

(Print or Type Name)

WITNESS

(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this day of , 2010
by who is personally known to me or who has produced
 as identification and who did/did not take an oath.

Millsource, Inc.

Dale Barry, President
Owner of 10 acres or % of platted area

NOTARY PUBLIC

Type or Print Name
Commission No.:
Commission Expires:

Allied Industries, LLC

Stuart C. Anders, Managing Member
Owner of 2.5 acres or % of platted
area

WITNESS

(Print or Type Name)

WITNESS

(Print or Type Name)

STATE OF ~~FLORIDA~~ ^{Wisconsin} §
COUNTY OF ~~Duval~~ ^{Dane} §

The foregoing instrument was acknowledged before me this day of March, 2010
by Stuart C. Anders who is personally known to me or who has produced
 as identification and who did/did not take an oath.

NOTARY PUBLIC

Type or Print Name
Commission No.:
Commission Expires: 11/06/11

Mary D. Jimenez
mary D. Jimenez

Kimberly J. Buschke
WITNESS

Kimberly J. Buschke
(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 2nd day of November, 2010
by Michael D. Powell who is personally known to me or who has produced
known as identification and who did/did not take an oath.



Michael D. Powell
WITNESS

Kenneth P. Richard
(Print or Type Name)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 2nd day of February, 2010
by Kenneth P. Richard who is personally known to me or who has produced
as identification and who did/did not take an oath.



Titusville-Cocoa Airport Authority

Michael Powell
, President
Owner of 52.092 acres or ___% of platted
area

Mary D. Jimenez
NOTARY PUBLIC
Mary D. Jimenez
Type or Print Name
Commission No.:
Commission Expires:

Petroleum Resources and
Development, Inc.

Robert Griner
Robert Griner, President
Owner of 4.74 acres or ___% of platted
area

Jesse Richard
NOTARY PUBLIC
Jesse Richard
Type or Print Name
Commission No.: DD 702189
Commission Expires: 8-6-11

Regulation Type	Planned Industrial Park Zoning	Restricted Covenants	Comments
Land Use	Warehousing, wholesale Laboratories Manufacturing Technology, Research Printing Service establishments Offices Vocational Trade Schools Freight Movers Packaging & Delivery Employee Credit Unions Retail Sales (incidental)	Light Industrial High Technology Office (incidental) Commercial (incidental) Light Manufacturing	Similar goals. PID has broader use language, but the intent is very similar City removed assembly (convention centers and trade shows) from the PID in 2005
Lot Size	Five acres for development site 30,000 square feet (.69 acres) for minimum lot size within the development	2.5 acres	The PID facilitates smaller industries
Lot Width	150 feet	None	Inconsistent
Min. Lot Coverage	None	50 percent	Inconsistent
Height	None, except over fifty feet shall provide 1 foot additional setback for each additional foot in height.	60 feet	Inconsistent, either one could be considered more flexible
Setbacks	Front: 50 feet for building, 25 feet for parking Side: 35 feet for building, 15 feet for parking Side Corner: 50 feet with parking permitted Rear: 25 feet	Front: 50 feet (states from ROW, assuming front), 30 feet for parking Side: 25 feet Side Corner: 50 feet Rear: 25 feet	Inconsistent
Landscaping	Must have theme Underground irrigation on ROW Curbed Islands 20 feet buffer	Must have plan No specific requirements	PID is much more stringent
Loading areas	Must have 100% opaqueness from ROW with landscaping/build Cannot be in front yard or within 10 feet of side or rear property line	Must be in rear or side of building Must have screen of 6' masonry wall	PID more flexible.
Parking	1 space for each 500 sq ft of space for first 10,000, then 1 space for each 1,000 sq ft	1.5 spaces per 500 sq ft OR 2 spaces for every 3 employees	Inconsistent

RESOLUTION NO. 2022 - ____

**A RESOLUTION AUTHORIZING CONVEYANCE OF REAL PROPERTY
INTEREST IN A PARCEL WITHIN THE SPACEPORT COMMERCE PARK
TO SCIENTIFIC LIGHTNING SOLUTIONS, LLC**

WHEREAS, Brevard County, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as the COUNTY, owns certain real property described as an approximately two and seven-tenths (2.7)-acre parcel preliminarily described and depicted as “Exhibit A;” and,

WHEREAS, pursuant to chapter 82-264, Laws of Florida, for the purpose of industrial development, Brevard County is authorized to sell or otherwise dispose of county-owned property within specific boundaries of the Gateway Center Industrial Park by private sale without compliance with section 125.38, Florida Statutes; and,

WHEREAS, the property described above is located within specific boundaries of the Gateway Center Industrial Park (now known as “Spaceport Commerce Park”) and the sale promotes industrial development; and,

WHEREAS, the Brevard County Board of Commissioners created the North Brevard Economic Development Zone (NBEDZ) Dependent Special District under the powers vested in the Board under Chapter 125, Florida Statutes, Chapter 189, Florida Statutes and section 200.065(1), Florida Statutes; and,

WHEREAS, the Board approved Ordinance No. 2013-08, establishing the NBEDZ as the county’s authorized agent for negotiating and executing contracts for the private sale or private lease of county-owned land within the boundaries of the Spaceport Commerce Park; and,

WHEREAS, in accordance with Ordinance No. 2013-18, on October 8, 2021, the NBEDZ Board of Directors approved a purchase offer for a two and seven-tenths (2.7)-acre parcel, more or less, tendered by a company known as Scientific Lightning Solutions, LLC, a Delaware Limited Liability Company, at the price of \$45,000.00 per acre, with the exact acreage to be determined by a final survey; and,

WHEREAS, the NBEDZ believes that this project, with its plan to build a new 10,000-to-15,000 square foot manufacturing and engineering design and research, thereby enabling an increase in employment at the company, will further assist in the economic revival of an area still in need of a diverse mix of industry in order to offset its dependence upon a single industry sector; and,

WHEREAS, the NBEDZ further believes that the sale of this industrially-zoned property will aid future development of additional lots in the Spaceport Commerce Park by evidencing the viability of this business park.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA agree as follows:

1. The foregoing recitations are true and correct and by this reference incorporated;
2. The sale of this parcel promotes industrial development;
3. Upon completion of a survey of the property, to transfer ownership of an approximately 2.7-acre parcel described generally in the attached "Exhibit A" to Scientific Lightning Solutions, LLC, at the offering price of \$45,000.00 per acre, with the total price to be determined based upon the acreage determined by a survey prior to closing, and
4. To empower the Chair, Board of County Commissioners, to execute all necessary documents related to this real estate transaction.

DONE, ORDERED, and ADOPTED, in regular session, this _____ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on _____



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.3.

8/2/2022

Subject:

Legislative intent and permission to advertise an amendment to the Brevard County Code of Ordinances modifying Section 110-141, pertaining to refunds and fees.

Fiscal Impact:

Annual increase to Department's sewer fund per year is estimated \$126,000

Dept/Office:

Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners authorize legislative intent and permission to advertise an amendment to the Brevard County Code of Ordinances, modifying Section 110-141 to no longer provide refunds for sewer capacity reservation fees.

Summary Explanation and Background:

The Utility Services Department requires that any development seeking to reserve capacity at any of its six wastewater treatment plants must pay a sewer capacity reservation fee. This fee is paid at the time when development engineering plans are submitted to the Florida Department of Environmental Protection (FDEP) or at the time of approval of a building permit, if no FDEP review was required. The capacity reservation fee is typically paid by the developer (\$160 per single family unit and indexed each year per Rate Resolution 22-01, 22-008 and 22-009). When the contractor applies for the Certificate of Occupancy, it is then the connection fees are paid. However, per County Ordinance 110-141(b) the developer is entitled to a credit in the amount of the capacity reservation fee pro-rated for the year. This credit is applied to the wastewater connection fee. The Countywide connection fee is \$2,257 and Barefoot Bay connection fee is \$1,400.

As stated above, the sewer capacity reservation fee is indexed annually. However, connection fees were not indexed in the Utility Services rate resolution updates. As a result, the margin of connection fee to capacity reservation fee has gotten smaller each year. This causes the connection fund reserve, used for increasing the capacity of treatment plants and pipes, to decrease over time.

It is the request from this Department to amend County Ordinance 110-141 to no longer provide refunds for sewer capacity reservation charges (see attachment for proposed changes to this Ordinance).

Clerk to the Board Instructions:

E-mail Clerk Memo to karina.perez@brevardfl.gov <<mailto:karina.perez@brevardfl.gov>> and mail original documents to Utility Services Department.

**AN ORDINANCE AMENDING BREVARD COUNTY CODE OF
ORDINANCES CHAPTER 110, DIVISION 3, SUBDIVISION I,
AMENDING SECTION 110-141. REFUND OF FEES; PROVIDING
FOR CONFLICTING PROVISIONS AND SEVERABILITY.**

WHEREAS, the Brevard County Utility Services Department provides sewer services throughout Brevard County; and

WHEREAS, any development builder seeking to reserve sewer capacity at any of Brevard County's six wastewater treatment plants must pay a sewer capacity reservation charge; and

WHEREAS, under the current refund ordinance, the development builder is entitled to a refund credit in the amount of the sewer capacity reservation charge, which is applied toward the balance of the wastewater connection fee; and

WHEREAS, the sewer capacity reservation charge is indexed annually, but connection fees are not, causing the refund credit to grow larger in proportion to the connection fee every year; and

WHEREAS, the current state of the refund credit is adversely affecting the connection fund reserve, which is used for increasing the capacity of treatment plants and pipes; and

WHEREAS, maintaining and expanding Brevard County's wastewater treatment system as the County's population grows is essential to the health, safety, and welfare of the citizens of Brevard County; and

WHEREAS, the Board of County Commissioners now desires to eliminate the refund credit so that the connection fund reserve can receive adequate funding.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. Section 110-141. entitled **Refund of fees.** is hereby amended to read as follows:

Sec. 110-141. - Refund of fees.

(a) For application and connection fees paid in accordance with Ordinance No. 83-10 prior to its amendment by this subdivision, the application and connection fees may, at the written request of the applicant, be refunded ~~only upon the occurrence of one or more of the following:~~ if (1) ~~the~~ the fee was paid for a development which requires a DER/DEP

collection system permit and DER/DEP refuses or fails to issue the permit, and the applicant notifies the director of such refusal or failure within 30 days of its occurrence.

~~(2) The applicant has otherwise failed to obtain a building permit or to commence construction. In making refunds, pursuant to this subsection (2), the board of county commissioners shall retain an amount equal to 15 percent of the connection fee for each year or portion thereof after application was made.~~

All other application fees, permit fees and connection fees shall be nonrefundable. Any person who has received a refund pursuant to this section shall lose all priority for sewer service and shall be required to file a new application, which application shall be assigned a priority based upon the date it is submitted to the director.

~~(b) There shall be no refunds of application and connection fees paid under this subdivision. Upon payment of the connection fee, unused sewer capacity reservation charges shall be refunded based upon the number of full months remaining until the end of the one year period for which the sewer capacity reservation charge was paid. If an applicant is unable to obtain approval from DER/DEP, the sewer capacity reservation charges shall be refunded based upon the number of full months remaining until the end of the one year period for which the sewer reservation charge was paid. Otherwise, all sewer capacity reservation charges shall be retained by the board of county commissioners.~~

SECTION 2. Conflicting provisions. In the case of direct conflict between any provision of this Ordinance and a portion or provision of any other appropriate federal, state, or county law, rule, code or regulation, the more restrictive shall apply.

SECTION 3. Severability. The provisions of this Ordinance are declared to be severable. If any section, paragraph, sentence, clause, or phrase herein, is, for any reason, held to be invalid or unconstitutional, by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, paragraphs, sentences, clauses, or phrases. Such remaining sections, etc. shall remain in effect, it being the intent that this ordinance shall remain in effect notwithstanding the invalidity of any part.

SECTION 4. Codification. The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Brevard County, Florida and that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word or phrase to incorporate this Ordinance into the Code.

SECTION 5. Area encompassed. This Ordinance shall take effect in the unincorporated area of Brevard County, Florida.

SECTION 6. Effective date. This Ordinance shall take effect immediately upon its adoption and filing as provided by law. A certified copy of this Ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten (10) days of enactment.

DONE, ORDERED AND ADOPTED in Regular Session, this ____ day of _____, 2022.

Attest:

OF BREVARD COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS

Rachel M. Sadoff, Clerk

Kristine Zonka, Chair

(As approved by the Board on _____, 2022)



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

8/2/2022

Subject:

Approval of Resolution for Termination of Resolution 2000-033 - Reclaimed Water Infrastructure Credit

Fiscal Impact:

Annual increase to Department's reclaimed water service fee funds per year is \$120,000

Dept/Office:

Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners approve attached Resolution for the rescission of Resolution 2000-033 effective at the date of this Board meeting.

Summary Explanation and Background:

In 2000, the Board of County Commissioners approved Resolution 2000-033 to provide an incentive for single family homes to connect to reclaimed water. However, this incentive is not necessary because Brevard County Ordinance 85-34 allows the Board to approve resolutions to create reclaimed water districts. Once created, any development within the district must extend and connect to reclaimed water.

As a result, to the Resolution 2000-033, this allows any single-family home connecting to reclaimed water to receive a \$250 credit after they pay their \$200 reclaimed water service installation fee. Thus, for every reclaimed water connection made at a single-family home this Department is issuing a \$50 payment to the home builder. This prevents this Department from funding a dedicated reclaimed water reserve for reclaimed water Capital Improvement Projects. Thus, any reclaimed water project undertaken is funded through the water and sewer user fees.

In addition, it is estimated the administrative and field time needed to inspect and process for the reclaimed water credit on an annual average that this Department spends over \$200,000 per year.

Per Clause 7 of above referenced resolution it states "The Reclaimed Water Infrastructure Credit shall remain in effect until modified or terminated by the Board".

Clerk to the Board Instructions:

E-mail Clerk Memo and to karina.perez@brevardfl.gov <<mailto:karina.perez@brevardfl.gov>> and mail original documents to Utility Services Department.

RESOLUTION 22-____

A RESOLUTION OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS RESCINDING RESOLUTION 2000-03; PROVIDING FOR AN EFFECTIVE DATE AND FOR OUTSTANDING APPLICATIONS; PROVIDING FOR SEVERABILITY.

WHEREAS, on February 1, 2000, the Brevard County Board of County Commissioners adopted Resolution 2000-033, creating a reclaimed water infrastructure credit in the amount of \$250 for single family residential dwellings; and

WHEREAS, the Utility Services Department applies the reclaimed water infrastructure credit against the \$200 connection charge for single family residential dwellings; and

WHEREAS, currently, for every single family residential dwelling connecting to reclaimed water, the Department is issuing a net credit of \$50; and

WHEREAS, this credit prevents the Utility Services Department from funding a dedicated reserve for Capital Improvement Projects pertaining to reclaimed water, thus any reclaimed water project undertaken is currently funded through water and sewer user fees; and

WHEREAS, the Brevard County Board of County Commissioners finds that adequately funding reclaimed water services benefit the health, safety, and welfare of Brevard County citizens; and

WHEREAS, the Brevard County Board of County Commissioners now desires to eliminate the reclaimed water infrastructure credit by rescinding Resolution 2000-033.

NOW, THEREFORE, BE IT RESOLVED THAT THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, does hereby RESCIND Resolution 2000-033 as follows:

Section 1. Recitals. The recitals set forth above are adopted by the Board as the findings of the County and are incorporated herein.

Section 2. Rescission. Resolution 2000-033 is hereby rescinded.

Section 3. Effective Date and Outstanding Applications. This Resolution shall take effect immediately upon its execution and filing pursuant to law. Any current outstanding

application for a single family dwelling that is determined to be eligible for the reclaimed water infrastructure credit by the Utility Services Department shall be issued the credit; however, no new applications for the credit shall be accepted.

Section 4. Severability. If any one or more of the provisions of this Resolution shall for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provision contained herein.

DONE, ORDERED AND ADOPTED, in regular session, this 2nd day of August, 2022.

ATTEST: **Brevard County Board of County Commissioners**

Rachel Sadoff, Clerk

BY: _____
Kristine Zonka, Chair

(Approved by the Board on August 2, 2022)

RESOLUTION NO. 2000-033

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY FLORIDA, AMENDING RESOLUTION NO. 93-288 (SCHEDULE OF RATES, FEES AND CHARGES FOR WATER, SEWER AND RECLAIMED WATER), SPECIFICALLY CREATING EXHIBIT B, A RECLAIMED WATER INFRASTRUCTURE CREDIT, ESTABLISHING AN EFFECTIVE DATE, INCLUDING SYSTEMS LOCATED IN THE SOUTH BEACHES, MERRITT ISLAND, NORTH BREVARD, PORT ST. JOHN AND THE SOUTH CENTRAL MAINLAND SERVICE AREA.

WHEREAS, Chapter 153.11, Laws of Florida, 1999, prescribes the procedure for the fixing of a schedule of rates, fees and charges for the use of the services provided by the water, sewer and reclaimed water system of Brevard County and for revising said schedule of rates, fees and charges; and

WHEREAS, on January 20, 2000, a notice was published in the FLORIDA TODAY NEWSPAPER setting forth the proposed amendment; and

WHEREAS, on February 1, 2000, a Public Hearing was conducted at the Government Center Board Meeting Room, 2725 Judge Fran Jamieson Way, Melbourne Florida, for the purpose of amending the schedule of rates, fees and charges, and

WHEREAS, the use of reclaimed water for residential landscape irrigation is recognized as an effective method of conserving Florida's limited water supply, and

WHEREAS, the use of reclaimed water for residential irrigation will reduce the need for other, more costly and less beneficial methods of effluent disposal, and

WHEREAS, the Brevard Board of County Commissioners wishes to promote the increased use of reclaimed water for residential irrigation, and

WHEREAS, the most economic time to install reclaimed water lines is during the construction of subdivision infrastructure, and

WHEREAS, the Board of County Commissioners wishes to encourage the installation of reclaimed water lines in new and existing subdivisions by providing a financial incentive for their construction.

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

1. Resolution No. 93-288 is hereby amended to create an "Exhibit B", a Reclaimed Water Infrastructure Credit in the amount of \$250.
2. The credit shall apply only to single family residential dwellings.
3. The Credit shall be valid in a) subdivisions constructing and dedicating to the County reclaimed water distribution infrastructure and b) receiving Final Engineering Approval after the effective date of this Resolution. To qualify for the credit, all infrastructure to be dedicated must comply with the Construction Criteria for Water and Wastewater, as may be revised from time to time.
4. The credit shall be applied against the Connection Charge of single family residential dwelling units served with reclaimed water service at the time that the Certificate of Occupancy is issued.
5. In residential subdivisions constructing reclaimed water systems under the Brevard County's MSBU procedure, the Water Resources Department shall provide a per single family unit contribution to the


project fund in an amount equal to the reclaimed water assessment, up to a maximum of the \$250 per unit credit.

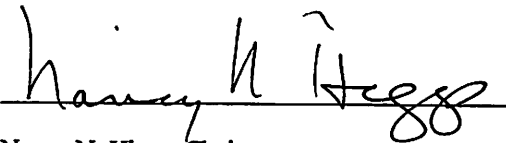
6. Individual properties outside of subdivisions described in Section 2 (above) and individual properties abutting existing reclaimed water distribution and transmission lines are not eligible for the Reclaimed Water Infrastructure credit.
7. The Reclaimed Water Infrastructure Credit shall remain in effect until modified or terminated by the Board.

DONE ORDERED AND ADOPTED IN REGULAR SESSION THIS 1st DAY OF FEBRUARY, 2000.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY FLORIDA


Sandy Crawford, Clerk


Nancy N. Higgs, Chairman
As approved by the Board on 2/1/00

STATE OF FLORIDA
COUNTY OF BREVARD

This is to certify that the foregoing is a
true and correct copy of Resolution
No 2000-033 witness my hand
and official seal this 2nd day of

February 2000

SANDY CRAWFORD

Clerk Circuit Court

BY E. McElroy D.C.

RECEIVED

OCT 31 1985

ENVIRONMENTAL SERVICES

ORDINANCE NO. 85-14

AN ORDINANCE RELATING TO WASTEWATER REUSE
ESTABLISHING DESIGN AND CONSTRUCTION STANDARDS
FOR THE RECLAIMED WATER SYSTEM; RESTRICTING
CERTAIN WATER USES; PROVIDING ESTABLISHMENT
OF REUSE DISTRICTS; PROVIDING FOR PENALTIES;
AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the waters in Brevard County are among the County's
basic resources; and

WHEREAS, present supplies of potable water are being wasted
on uses whose demand can be met with waters of a much lower
quality; and

WHEREAS, water reuse, that is, using reclaimed water from a
wastewater treatment facility, is a means of converting what has
traditionally been considered a waste product into a valuable
resource; and

WHEREAS, wastewater reuse, as an integral part of water a
management program, can encourage the use of water of the lowest
acceptable quality for that particular purpose intended; and

WHEREAS, the continued withdrawal of ground water would
significantly induce salt water intrusion; and

WHEREAS, it is the declared policy of the Board of
Commissioners of Brevard County, Florida, to promote the
conservation, development and proper utilization of surface and
ground waters in a manner consistent with their resource limitations;
and

WHEREAS, implementation of a water reuse program will relieve
the pressure on limited and diminishing supplies of fresh water
so they can be used to meet the future demands of a growing
population; and

WHEREAS, the Appendix B, Subdivisions, Code of Brevard
County, Florida, does not presently contain the requirements and
regulations to fully implement a program for the use of reclaimed

water; and

WHEREAS, the Brevard County Board of Commissioners has determined that the adoption of the necessary rules and regulations are essential for the implementation and operation of the reclaimed water system; and

WHEREAS, a delay in adopting the necessary requirements and regulations could seriously delay and jeopardize the implementation of a reclaimed water system.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA AS FOLLOWS:

Section 1. Definitions.

For the purpose of this Ordinance, the following terms shall have the meaning set forth in this section. When consistent with the context, words used in the present tense include the future, words in the future tense include the present, words in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not merely directive.

1. BILLING: the charge made for reclaimed water service. The charge may be made on a separate invoice or may be included on the monthly sewer bill.
2. CENTRAL WATER SUPPLY: shall mean a water system owned by the public; or a private franchise operating under permit of the Public Utilities Commission.
3. CERTIFICATE OF OCCUPANCY: shall mean that certificate issued by the Brevard County Building and Construction Department subsequent to final inspection that all improvements have been completed in conformity with the requirements of the Brevard County Code and the approved construction plans and specifications.
4. COMMERCIAL ESTABLISHMENT: shall mean any enterprise that is involved with the retail of goods or services.
5. COMMISSION: refers to the Board of County Commissioners of Brevard County, Florida.
6. CROSS-CONNECTION: any physical connection or

arrangement which could allow the movement of contaminants or fluids between any non-potable water system, such as the reclaimed water system, and a potable water system.

7. COUNTY: refers to Brevard County, Florida.
8. CUSTOMER: shall mean the actual user of the reclaimed water.
9. DEVELOPMENT: A material change in the use or character of the land including, but not limited to, the placement of any structure on the land or substantial alteration to the site.
10. DISCONTINUATION OF SERVICE: shall mean cessation of a service by physical separation from the system's service lines to insure that no service can be received.
11. DISTRIBUTION MAINS: shall mean those conduits used to supply reclaimed water to service lines from trunk mains.
12. DIVISION: shall mean the Environmental Services Division of Brevard County.
13. DOMESTIC CONSUMPTION: shall mean water used in direct human contact for drinking, cooking, bathing and cleaning purposes inside a residential or commercial establishment.
14. DUAL CHECK DEVICE: shall mean a device composed of two single independently active check valves.
15. IMPROVEMENTS: Buildings, street pavements, water mains, sanitary sewers, reclaimed water mains, or any other physical betterment required by any governmental entity.
16. INDIVIDUAL: shall mean any person, firm, corporation or other legal entity, whether public or private.

17. IRRIGATION: shall mean the method by which water is artificially supplied to land surfaces.
18. LOT: A parcel of land shown on a recorded plat or on the Brevard County Property Appraiser's map, or any piece of land described by deed in the Official Record Books of Brevard County.
19. MASTER CONTROL VALVE: shall mean the manually operated valve which controls total reclaimed water flow to the customer's property located at the point where the reclaimed service line crosses the property line.
20. NEW BUILDING: refers to any proposed construction for which a valid building permit has not been issued, prior to the effective date of this Ordinance.
21. PVC: polyvinyl chloride.
22. RATES: shall mean those charges set by the Board of County Commissioners, from time to time, for costs of providing service.
23. RECLAIMED WATER: is effluent from the Brevard County Wastewater Treatment Plant supplied through the reclaimed water distribution system.
24. SERVICE LINE: shall mean that conduit for reclaimed water from the distribution main to the property line.
25. TRUNK MAINS: shall mean those conduits used to supply reclaimed water from the pumping station or treatment plant to the distribution mains.
26. WASTEWATER: refers to the combination of the liquid or water carried wastes removed from residences, institutions, and commercial and industrial establishments.
27. WATER-SOURCE AIR CONDITIONERS: includes reverse cycle heat pumps and any other equipment for heating or cooling which requires the use of flowing water for heat transfer.
28. WELL: means any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise

constructed when the intended use of such excavation is for the location, acquisition, development or artificial recharge of ground water.

29. WELL WATER: refers to the water which is used as a source for drinking, bathing, cooking, irrigation, or cleaning.

Section 2. Purpose and Authority. The purpose of this Ordinance is to establish a reclaimed water use program. The establishment of a reclaimed water system is a vital step in the progress of conserving potable water. As the general welfare, health, safety and convenience of the community are thereby directly affected by the use of reclaimed water, it is in the interest of the public that the reclaimed water system is designed and developed in accordance with sound rules and proper minimum standards.

The purpose and intent of this Ordinance is as follows:

- (1) To establish standards for the reclaimed water system design and construction that will protect the health and welfare of the citizens of Brevard County and encourage the use of reclaimed water;
- (2) To provide public facilities and utilities that will have a sufficient capability to support the service areas.
- (3) To insure protection of the environment and promotion of the general welfare through the coordination of the furnishing and establishment of reclaimed water transmission lines in an orderly planned manner.
- (4) To prevent the pollution of streams and ponds; to safeguard the water table; and to encourage the wise use and management of the natural resources of Brevard County.

Section 3. Implementation.

It shall be unlawful for any individual to use well water or water from a central water supplier for irrigation of lawns, trees or shrubbery at any residential, commercial, or agricultural establishment if reclaimed water is available.

Section 4. Area of Operation; Exemptions.

- (1) The provisions of this Ordinance shall apply to the

following real property located within the unincorporated areas of Brevard County which have been designated as Reuse Districts by resolution of the Commission:

- (a) All undeveloped property; and
- (b) All public and private rights-of-way and easements; and
- (c) All developed or partially developed property where there is an intensification of land use which affects or will affect the lot or the land involved.

(2) The provisions of this Ordinance shall not apply to real property for which any application for a duplex, attached or detached single or multi-family residential building permit or site development plan has been properly submitted to Brevard County, and all applicable fees have been paid to the appropriate department or agency, on or prior to the effective date of this Ordinance.

(3) The area served by the reclaimed water system shall conform with the following provisions:

(a) All wells in existence upon adoption of this Ordinance shall be registered as determined by the Division.

(b) Upon adoption of this Ordinance all new wells shall be registered as determined by the Division.

Section 5. Development of Service Area.

(1) It shall be unlawful for any individual to submit a plat for subdivision of land for site plan review, or Planned Unit Development within the reclaimed water system service area, to the Clerk of the Circuit Court, or his representative, for the purpose of recording such plat in the Office of the Clerk of the Circuit Court of Brevard County, Florida, until said plan has been approved by the Commission, under the provisions of this Ordinance.

(2) There are three stages of review for plat approval: the pre-application conference, the preliminary plat review and the final plat approval.

(a) Pre-application conference: The first stage is the

pre-application conference. This stage is not compulsory for the applicant but allows the applicant to solicit comments from governmental agency staffs on the proposed alteration prior to application for formal plat review.

(b) Preliminary Plat Review: The second stage is the preliminary plat review. This stage is mandatory of all applicants and commences when the applicant makes formal application for plat review to the agency staffs and Commission. At this stage, all applicants shall address the use of reclaimed water, including lines and check valves, and locations.

(c) Final Plat Approval: The third stage is final plat approval. This stage follows the preliminary plat review and is the final stage prior to recording a plat. After preliminary plat approval, the applicant may receive final plat approval by constructing the improvements to his real property in accordance with the approved construction plans for the preliminary plat or by providing the Commission adequate security that the improvements shall be constructed in accordance with the approved plans for the subdivision.

Section 6. General Provisions.

(1) Availability of Service. Reclaimed water service shall be provided for properties located within the service area which comply with the provisions for such service as set forth in this section.

(a) The existence of a reclaimed water system main in the service area does not guarantee service to all real property; service is subject to availability of reclaimed water.

(b) No taps shall be permitted to the reclaimed water system unless specifically approved by the Environmental Services Coordinator or his designee.

(c) Reclaimed water system extensions or improvements shall be accepted by Brevard County upon receipt of approval of the Coordinator of the Environmental Services Division; or proper Federal officials; or proper State officials.

(d) No reclaimed water facilities shall be installed

under the provisions outlined herein and accepted by Brevard County for maintenance unless it is located in a dedicated right-of-way or easement that has been accepted by the Commission. Any new easement shall have a minimum width of twenty-five (25) feet. No obstruction of any kind shall be planted, built or otherwise created within the limits of the easement or right-of-way without permission of the Commission or its designee.

(2) Ownership. When all reclaimed water facilities and appurtenances, other than on-site irrigation systems, are accepted by Brevard County they shall become and remain the property of Brevard County. No person shall by payment of any charges provided herein, or by causing any construction of facilities accepted by Brevard County, acquire any interest or right in any of these facilities, or any portion thereof, other than the privilege of having their property connected thereto for reclaimed water services in accordance to this Ordinance and any amendments thereof.

(3) Unauthorized work on system. No unauthorized person shall tamper with, work on, or in any way alter or damage any county facility without written permission of the Coordinator of the Environmental Services Division or his designee. This shall include the opening and closing of valves, turning on or off of hydrants, or causing any water to flow from the system. No unauthorized person shall cut into or make any connection to the system. The offending person shall pay the cost of all charges attributable to such tampering, including legal expenses.

(4) Right to Refuse Service. No payment of any costs, submittal of any petition or any other act to receive reclaimed water reuse service shall guarantee such service. Brevard County shall have the right, at all times, to refuse to extend services on the basis that a use is detrimental to the system; there is an inadequate supply of reclaimed water; lack of payment of required fees; or for any other reason which, in the judgment of the Coordinator, or his designee, will cause the extension not to be to the benefit of Brevard County.

(5) Maintenance by the Customer. The property owner and customer shall be responsible for the maintenance of all facilities, including irrigation lines and appurtenances, on property served by Brevard County. Brevard County reserves the right to disconnect the service to any property that does not maintain its system. In addition, should the customer require reclaimed water service at different pressures, or in any way different from that normally supplied by Brevard County, the customer shall be responsible for the necessary devices to make these adjustments and for obtaining approval from the Coordinator, or his designee, to make these adjustments.

(6) Service Interruption. Brevard County reserves the right to temporarily discontinue service to the entire reclaimed water system or any portion thereof, as deemed necessary by the Coordinator or his designee for public health or safety purposes.

Section 7. Design Standards.

(1) Reclaimed Water Systems. All new subdivision, commercial, industrial, agricultural and Planned Unit Developments shall install a reclaimed water lines in such a manner as to provide service to the entire property of the development. The distribution mains shall be extended across the total property frontage to facilitate future extensions. The system will be designed, signed and sealed by an engineer, registered in the State of Florida in accordance with regulations of Brevard County and the Florida Department of Environmental Regulation.

(1) The reclaimed water system shall be sized and configured in accordance with the applicable sections of all applicable Brevard County regulations.

(2) Brevard County has established the route for the major trunk and distribution mains of the reclaimed water system. Developments within the service area that abut any public easement or right-of-way shall install the service lines in an appropriate easement. A map depicting the location of the trunk main routes is on file in the Environmental Services Division.

2. Pipe Materials. Pipe materials used for reclaimed water systems will be in accordance with County and State regulations.

3. Identification. All PVC pipe and other approved pipe materials accepted into the existing system shall be adequately identified by color coding to assure correct connection. The color may be characteristic of the pipe material, or added after manufacture of the pipe by a coloring agent. For all new construction the identifying colors shall be:

(1) Potable Water. All PVC pipe shall be either of a solid blue color or white with blue lettering as per lettering specifications listed below.

(2) Sewer Gravity Lines. All PVC pipe shall be either of a solid brown color or white with brown lettering as per the specifications below.

(3) Reclaimed Water Lines. All PVC pipe shall be either of a solid green color or white with green lettering as per the specifications below.

(4) Lettering Specifications. All lettering shall appear on three (3) sides of the pipe, shall be a minimum 3/4" in height and shall appear one or more times every 21" along the entire length of the pipe. The lettering must be permanently impregnated into the PVC and may not be simply stenciled to the pipe surface.

4. Minimum Sized Reclaimed Water Mains. The minimum size of mains installed in Prevard County shall be four (4) inches in diameter, with the following exceptions:

(1) Reclaimed Water Service Line. Service line size shall be required by the property served, but shall in no case be less than three-fourths (3/4) inch in diameter. Size of service line required by an applicant is subject to approval by the Coordinator, or his designee.

(2) Sizing. The listing of minimum sizes shall not, in any way, be construed as the allowable size. The sizing, design, and material used in main extensions shall be subject to the approval of the Commission or their designee.

5. Irrigation Systems. Irrigation systems using reclaimed water

shall be permanently installed, underground, and consist only of sprayhead, underground irrigation and the like. Above ground hose connections and faucets for reclaimed water are prohibited.

6. Sprayheads. Sprayheads used for residential locations shall be of low trajectory-large droplet type and be approved by the Division.

7. Backflow Regulators. All service connections to a potable water supply system on property adjacent to a reclaimed water trunk main, distribution main, or service line, shall have a backflow prevention device approved by the Division to prevent the flow of reclaimed water into the potable water distribution system.

8. Cross Connection: The Reclaimed Water System shall not be connected to any well source or surface body source, or potable water system or any similar source.

Section 8. Fees.

Fees shall be paid in accordance to the schedule established and approved by the Commission. Charges and fees for service are authorized by resolution from the Board of County Commissioners.

Section 9. Penalties.

Any person violating this Ordinance, shall, upon conviction be fined not more than Five Hundred Dollars (\$500.00) or imprisonment in the County jail for a period not to exceed sixty (60) days, or both fine and imprisonment. Each day such a violation occurs shall constitute a separate offense.

Section 10. Alternate Remedies.

In addition to other remedies, whether civil or criminal, for any violation of this Ordinance by any person, owner, contractor, or any other individual, the proper authorities of Brevard County may institute any appropriate action or proceeding including injunction, to prevent such violation by a court of competent jurisdiction. Further, Brevard County is hereby authorized to enforce the provisions of this Ordinance, and violations thereof, pursuant to the provisions of Chapter 15 1/2, Code of Brevard County, Florida.

Section 11. Withholding of Certificates.

Where a reuse line is required under the provisions of this Ordinance, issuance of a Certificate of Occupancy may be withheld by appropriate officials until the provisions of this Ordinance, including any conditions of any permits issued hereunder, have been fully met.

Section 12. Conflicting Regulations.

In the case of direct conflict between any provision of this Ordinance and any part or provision of any other applicable federal, state or local regulation, the more restrictive provision shall apply.

Section 13. Prohibitions.

It shall be unlawful for any individual to violate any provisions of this Ordinance.

Section 14. Severability.

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment is rendered.

Section 15. Policies, Procedures by Resolution.

The Board of County Commissioners of Brevard County, Florida is hereby authorized to establish, from time to time, by resolution, such policies and procedures as deemed necessary to implement the provisions of this Ordinance.

Section 16. Effective Date.

This Ordinance shall take effect upon adoption and filing pursuant to law.

DONE AND ADOPTED in regular session this 8th day of October, 1985.

ATTEST:


R.C. Winstead, Jr., Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 
Thad Altman, Chairman



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.5.

8/2/2022

Subject:

Item moved to Public Hearing

Fiscal Impact:

Dept/Office:

Requested Action:

Summary Explanation and Background:

Clerk to the Board Instructions:

None



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.6.

8/2/2022

Subject:

Confirmation, Re: New Member to Board of Directors of Golf Brevard, Inc. (District 3)

Fiscal Impact:

There is no fiscal impact.

Dept/Office:

Parks and Recreation

Requested Action:

It is requested the Board of County Commissioners confirm a new member to the Board of Directors of Golf Brevard, Inc.

Summary Explanation and Background:

On April 24, 2018 the Board of County Commissioners executed an agreement with Golf Brevard, Inc. to operate the two County owned golf courses, Habitat and Spessard Holland Golf courses. Section 20.1 (a) of the Agreement states "Each member of Golf Brevard's board of directors shall be subject to confirmation by Brevard County Board of County Commissioners."

William Crudo has expressed an interest in joining the Golf Brevard, Inc. Board of Directors.

Mr. Crudo moved to Brevard in 2004. He is a marketing major graduate of the University of Vermont and entered the Army after graduation as a Medical Service Corps Officer. His army experience spring boarded his civilian career as a healthcare administrator in New York, Michigan, and Vermont. After being Vice President at a major academic medical center, Bill was founder and President of a multi-site sports medicine practice. During the latter part of his career, Bill did extensive healthcare management consulting work working with orthopedic groups in the development of ancillary income opportunities such as surgery centers, imaging centers, and new facility development. Two of Bill's latest clients include the University of Vermont Medical Center and Beth Israel/Deaconess Medical Center in Boston. Bill lives in unincorporated Melbourne with his wife of 46 years and had been an active volunteer with the Daily Bread, The Habitat for Humanity, and a past Director of Golf Brevard, Inc.

Golf Brevard, Inc. would like confirmation of William Crudo as a Board member of Golf Brevard, Inc.

Clerk to the Board Instructions:

Please send Clerk to the Board Memorandum to Mary Ellen Donner Maryellen.donner@brevardfl.gov
<<mailto:Maryellen.donner@brevardfl.gov>>



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.7.

8/2/2022

Subject:

Resolution, Re: Calling for Referendum Election to Consider a Charter Amendment Amending Term Limits for Barefoot Bay Recreation District Board of Trustees.

Fiscal Impact:

NONE. Barefoot Bay Recreation District will pay for all costs associated with the required notice of referendum election, Supervisor of Election costs for conducting the referendum election, and notice of the proposed ordinance amending the charter if the referendum is approved.

Dept/Office:

Barefoot Bay Recreation District Board of Trustees

Requested Action:

It is requested that the Board of County Commissioners approve the attached Resolution calling a referendum election for the electors of Barefoot Bay Recreation District to consider an amendment to the Barefoot Bay Recreation District Charter amending term limits for members of the Board of Trustees.

Summary Explanation and Background:

In the 2022 Legislative Session, the Florida Legislature approved HB 535 (Chapter 2022-234, Laws of Florida) authorizing amended term limits for members of the Barefoot Bay Recreation District Board of Trustees and authorizing standards for staggering the election cycle for said Trustees, subject to approval of the registered electors of the District at a referendum election.

On May 12, 2022, the Barefoot Bay Recreation District authorized the calling of a referendum election to be held on November 8, 2022, subject to approval by the Board of County Commissioners. The attached Resolution calls for a referendum election on November 8, 2022. If approved by the electors of Barefoot Bay Recreation District, the County Commission would then subsequently notice and adopt an Ordinance amending the Barefoot Bay Recreation District Charter to amend the term limits for members of the Board of Trustees from a maximum of three two-year terms to a maximum of two successive complete three-year terms, and then stagger the election cycle. This amendment would not increase the total term that may be served by any individual trustee. The proposed Ordinance is attached as Exhibit "B" to the Resolution.

Contact: John Cary, General Counsel
Barefoot Bay Recreation District
(321) 324-3530
jcary@voselaw.com

Clerk to the Board Instructions:

Return Signed Copy of the Resolution to the Supervisor of Elections, the County Attorney's Office and the County Manager's Office

RESOLUTION 22-_____

A RESOLUTION OF BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, CALLING A REFERENDUM ELECTION ON NOVEMBER 8, 2022 ON THE QUESTION OF WHETHER THE CHARTER OF THE BAREFOOT BAY RECREATION DISTRICT SHOULD BE AMENDED TO LIMIT THE NUMBER OF TERMS OF MEMBERS OF THE BOARD OF TRUSTEES OF THE DISTRICT TO NO MORE THAN TWO (2) CONSECUTIVE THREE (3) YEAR TERMS; PROVIDING STANDARDS FOR STAGGERING THE ELECTION CYCLE FOR THE TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY FOR RESOLUTION. This resolution is adopted pursuant to the authority of the **BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA**, pursuant to Section 418.30, Florida Statutes, Section 101.161, Florida Statutes, and Section 100.342, Florida Statutes regarding amendment of the charter of a Mobile Home Recreation District, and any other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby found and determined as follows:

A. A Charter has been adopted for the Barefoot Bay Recreation District entitled "Charter of the Barefoot Bay Recreation District" (Brevard County Ordinance 84-05, which has been subsequently been amended by Ordinance 96-53, Ordinance 08-03, Ordinance 12-01, and Ordinance 18-22 adopted by the Board of County Commissioners of Brevard County).

B. The Barefoot Bay Recreation District Board of Trustees has proposed certain amendments to the "Charter of the Barefoot Bay Recreation District;"

C. Section 418.30, Florida Statutes requires proposed amendments to a recreation district charter to be approved by a vote of the electors of the District and subsequently incorporated into an ordinance of the county or municipality which established said District;

D. The general election to be held on November 8, 2022, is an appropriate and desirable date for the conduct of a concurrent referendum election;

E. All things required to be done prior to the calling of a referendum election on the question of amending the Charter of the Barefoot Bay Recreation District have been done and it is now desirable to call the necessary referendum election.

F. House Bill No. 535, passed during the 2022 regular session of the Florida Legislature, and signed by Governor DeSantis on June 24, 2022, authorizes an amendment to the Charter of the Barefoot Bay Recreation District, subject to approval of the electors of the District, to limit the number of terms of members of the Board of Trustees of the District to no more than two (2) successive complete three (3) year terms.

SECTION 3. REFERENDUM ELECTION. A referendum election is hereby called and ordered to be held concurrently with the general election to be held on November 8, 2022, to determine whether or not the amendment recited in Section 6 below to the Charter of the Barefoot Bay Recreation District shall be approved.

SECTION 4. NOTICE OF REFERENDUM ELECTION. This resolution shall be published twice in full as part of the Notice of Referendum Election, together with a notice in substantially the form attached hereto as Exhibit "A," in *Florida Today*, a newspaper of general circulation in the Barefoot Bay Recreation District. The publication shall be made by the Clerk to the Barefoot Bay Recreation District Board of Trustees at least thirty (30) days prior to the election; once in the fifth week and once in the third week prior to the week in which the election is to be held.

SECTION 5. PLACES OF VOTING, INSPECTORS, CLERKS. The polls will be open at the voting places on the date of such referendum election during the hours prescribed by law. All qualified electors shall be entitled and permitted to vote at such referendum election on the proposition provided below. The places of voting and the inspectors and clerk for the referendum election shall be those designated by the Supervisor of Elections of Brevard County, Florida.

SECTION 6. OFFICIAL BALLOT. The ballots to be used in the referendum election shall contain one question describing the proposed amendment to the Charter of the Barefoot Bay Recreation District, and shall be in substantially the following form:

BALLOT

Barefoot Bay Recreation District, Brevard County, Florida

NO. 2

**BAREFOOT BAY RECREATION DISTRICT CHARTER AMENDMENT ARTICLE V
TERM LIMITS**

Shall the Barefoot Bay Recreation District Charter be amended to limit the number of terms of members of the Board of Trustees of the District to no more than two (2) successive complete three (3) year terms and to provide standards for staggering the election cycles for Trustees?

YES (for approval)

NO (for rejection)

SECTION 7. CHARTER AMENDMENT. The full text of the amendments shall be as follows:

A. Attached draft proposed ordinance amending Barefoot Bay Recreation District

Charter hereby incorporated as Exhibit "B."

- B. The above amendments shall take effect upon the adoption of an Ordinance of the Board of County Commissioners of Brevard County, Florida, incorporating those amendments to the Charter of the Barefoot Bay Recreation District as approved by the electorate

SECTION 8. PAYMENT OF REFERENDUM ELECTION EXPENSES. The Barefoot Bay Recreation District shall pay all lawful expenses associated with conducting the referendum election.

SECTION 9. VOTER REGISTRATION BOOKS. The Supervisor of Elections for Brevard County is hereby authorized and requested to furnish to the inspectors and clerks at each place where the votes are to be cast in such referendum election, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors.

SECTION 10. ELECTION ADMINISTRATION. The referendum election shall be held and conducted in the manner prescribed by law and shall, as soon as practicable, be returned and canvassed in the manner prescribed by law. The result shall show the number of qualified electors who voted at such referendum election and the number of votes cast respectively for and against approval of the amendment. Upon certification in the manner prescribed by law, the results shall be recorded in the minutes of the Board of County Commissioners of Brevard County, Florida.

SECTION 11. ELECTION RESULTS. If the majority of the votes cast at such a referendum election shall be "Yes (for approval)", the amendment shall pass.

SECTION 12. SEVERABILITY. In the event that any work, phrase, clause, sentence or paragraph hereof shall be held invalid by any court or competent jurisdiction, such holding shall not affect any other word, clause, sentence or paragraph hereof.

SECTION 13. REPEALING CLAUSE. All resolutions or other actions of the Board of Trustees of Barefoot Bay Recreation District which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

SECTION 14. EFFECTIVE DATE. This resolution shall take effect immediately upon adoption.

Done and Adopted in Regular Session of the Board of County Commissioners of Brevard County, Florida, this 2nd Day of August, 2022.

BAREFOOT BAY RECREATION DISTRICT

By: _____
KRISTINE ZONKA, CHAIR

EXHIBIT "A"

**NOTICE OF REFERENDUM ELECTION ON
AMENDMENTS TO CHARTER OF THE BAREFOOT BAY RECREATION DISTRICT**

Notice is hereby given that a referendum election shall be held to consider certain amendments to the Charter of the Barefoot Bay Recreation District. The referendum election shall be held on November 8, 2022, at which the questions described in the following resolution number 22-_____ adopted by the Board of County Commissioners of Brevard County, Florida, on the 2nd day of August, 2022, shall be submitted to the electors:

[RECITE RESOLUTION]

EXHIBIT “B”

DRAFT PROPOSED ORDINANCE

ORDINANCE NO. 22-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 84-05 WHICH CREATED THE CHARTER OF THE BAREFOOT BAY RECREATION DISTRICT; SPECIFICALLY AMENDING ARTICLE V TO LIMIT THE NUMBER OF TERMS OF MEMBERS OF THE BOARD OF TRUSTEES OF THE DISTRICT TO NO MORE THAN TWO (2) SUCCESSIVE COMPLETE THREE (3) YEAR TERMS; PROVIDING STANDARDS FOR STAGGERING THE ELECTION CYCLE FOR THE TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 1983 Florida Legislation has authorized the creation of independent special districts known as "mobile home park recreation districts" by the enactment of Sections 34 through 38 of Chapter 83-204, Laws of Florida; and

WHEREAS, the residents of Barefoot Bay, a mobile home subdivision located in Brevard County, Florida, petitioned the Board of County Commissioners of Brevard County to establish such a mobile home park recreation district for the said Barefoot Bay subdivision; and

WHEREAS, the formation of such a mobile home park recreation district for Barefoot Bay enabled the residents thereof to acquire, by and through the trustees of the district, ownership and operation of certain recreation facilities and common areas located within Barefoot Bay; and

WHEREAS, the Board of County Commissioners of Brevard County created such a district for Barefoot Bay by way of Ordinance 84-05, which was approved of by a majority of the electors residing in the proposed district, and has since been amended by way of Ordinances 96-53, 08-03, 2012-01, and 18-22; and

WHEREAS, Barefoot Bay, as described herein, is a "mobile home park" under Chapter 83-204, Laws of Florida; and

WHEREAS, the Board of Trustees has recently voted to propose to the electors of the District certain amendments to the District Charter; and

WHEREAS, the electors have approved of certain amendments to the Charter so proposed in the general election held on November 8, 2022; and

WHEREAS, the Legislature of the State of Florida has recently passed HB 535 which provides authority for the amendments approved by the electors of the district;

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

Section 1. ARTICLE V of the Charter of the Barefoot Bay Recreation District as established by Ordinance 84-05 and as amended by Ordinances 96-53, 08-03, 2012-01, and 18-22, shall be amended to read as follows:

ARTICLE V

BOARD OF TRUSTEES

1. **General Powers and Duties.** The governing body of the Barefoot Day Recreation District shall be known as the Board of Trustees. The Board of Trustees shall exercise all of the powers of the district set forth in Article IV above, and shall have all duties useful and necessary to the exercise of such powers. Except as otherwise provided in this Charter, no action of the Board of Trustees shall be taken except upon the vote of a majority of the entire membership of the board. A majority of the board shall also constitute a quorum for the official conduct of business by the board.

2. **Composition and Qualifications.** The Board of Trustees shall consist of five (5) members elected by the electors of the district. Each member of the Board of Trustees shall be a resident of the district and shall be a qualified elector of the district.

3. **Elections of Trustees.**

(a) Qualified persons desiring to have their names placed on the ballot for election as trustees of the Barefoot Bay Recreation District shall present a written petition to the Supervisor of Elections of Brevard County not less than sixty (60) days prior to the date of each election, which petition shall be signed by the applicant and not less than twenty-five (25) other electors of the district.

(b) Elections for the Board of Trustees shall be held annually on the first Tuesday after the first Monday of November, beginning in 1984. Notice of an election setting forth the names of the persons who have qualified as candidates for the Board of Trustees shall be given by the Supervisor of Elections by mail addressed to each qualified elector not less than fifteen (15) days before the date of the election, and shall also be published one time at least ten days prior to such election in a newspaper of general circulation in Brevard County. Notwithstanding the provisions of Section 101.20, Florida Statutes, the publication of a sample ballot shall not be

required. The Supervisor of Elections shall be entitled to a reasonable reimbursement for conducting each election, payable out of the general funds of the district.

(c) Beginning with the election held in November, ~~2008,~~ 2023, qualified candidates may run for the Board of Trustees with the ~~candidate~~ candidate receiving the highest number of votes ~~in descending order filling three (3) vacant seats for a two-year term~~. ~~For the election of November 2009, the qualified candidates receiving the highest number of votes in descending order shall be elected to fill the respective two (2) vacant seats for a two-year term.~~ shall be elected to serve a term of 3 years and the candidate receiving the second highest number of votes shall be elected to serve a term of 2 years. In the election held in November 2024, the candidates receiving the highest and second highest number of votes shall each be elected to serve a term of 3 years and the candidate receiving the third highest number of votes shall be elected to serve a term of 2 years. In each subsequent election, candidates elected to serve as members of the Board of Trustees shall each be elected to serve a term of 3 years. Thereafter, elections for the Board of Trustees shall be held annually as specified in Section 3 (b) of this Article, with the qualified candidates receiving the highest number of votes in descending order filling any vacant seats for ~~two-year~~ three-year terms or until their successors are duly qualified. Any trustee may succeed himself in office.

4. Vacancies on the Board of Trustees. Any vacancy on the Board of Trustees shall be filled for the unexpired term by the appointment by the remaining trustees of a successor from among the qualified electors of the district.

5. Removal of Trustees. Any trustee who fails to discharge his duties may be removed for cause by the remaining members of the Board of Trustees after due notice and an opportunity to be heard upon charges of malfeasance or malfeasance.

6. Organization Of Board. The Board of Trustees shall organize itself within fourteen (14) days next after each election by electing from its number a chairman, two vice-chairmen, a secretary and a treasurer.

7. Compensation for Services. The trustees shall not receive any compensation their services, but shall be entitled to be reimbursed from funds of the district for any authorized disbursements they may properly incur on behalf of the district.

8. Surety Bonds. Each trustee authorized to sign checks of the district or otherwise designated by the Board of Trustees to handle its funds shall, before he enters upon such duties, execute to the Governor of the State for the benefit of the district, a good and sufficient bond approved by a circuit judge of Brevard County in the sum of Ten Thousand Dollars (\$10,000.00)

with the qualified corporate surety conditioned to faithfully perform the duties of his office and to account for all funds which may come into his hands as such trustee. All premiums for such surety on such bonds shall be paid from the funds of the district.

9. Conduct of Business. As a public body, the Board of Trustees collectively, and each individual member of the Board of Trustees, shall conduct their business as a public body and shall be subject to all laws of the State of Florida relating to open government, financial disclosure, avoidance of conflict of interest, and ethics.

10. Indemnity for Trustees. A trustee who is not guilty of malfeasance or misfeasance in office shall be relieved of any personal liability for acts done by him while holding office. Any trustee who is made a party to any action, suit or proceedings solely by reason of his holding office in the district shall be indemnified by the district against reasonable expenses, including attorney's fees incurred by him in defending such suit, action or proceeding, except with respect to matters wherein it is adjudged that such trustee is liable for gross negligence or misconduct in the performance of his duties.

11. Term Limits. Members of the Board of Trustees of the District shall serve no more than ~~two~~three (3) successive complete ~~three~~two (2) year terms. A Trustee may not serve more than 6 consecutive years. Beginning with the election to be held in November 2023, if any potential candidate's election to a 3-year term would result in the candidate serving as a Trustee for more than 6 consecutive years, the candidate may not be qualified for election to the Board of Trustees. A member of the Board of Trustees to whom this limitation applies may serve no sooner than 3 years after the expiration of the Member's last successive complete term; ~~however, term-limited Trustees may serve again two (2) years after the Trustee's last successive complete term.~~ This limitation shall not apply to the portion of any unexpired term served by appointment to fill a vacant seat pursuant to Sec. 418.302(5), Florida Statutes. This provision shall apply prospectively to the terms of Trustees elected after the effective date of this Ordinance.

Section 2. The above amendments were submitted to and approved by the electors of the district at a special election held on the 8th day of November, 2022.

Section 3. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared severable.

Section 4. This ordinance shall take effect immediately upon its adoption as provided by law.

[Signatures to Follow]

DONE AND ADOPTED in Regular Session, this _____ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF BREVARD
COUNTY, FLORIDA

Rachel Sadoff, Clerk

By: _____
Kristine Zonka, Chair
As approved by the Board on: _____

CHAPTER 2022-234

House Bill No. 535

An act relating to Barefoot Bay Recreation District, Brevard County; authorizing an amendment to the district charter, subject to approval by a vote of the electors of the district, to increase the length of terms and stagger the election cycle for the members of the Board of Trustees of the Barefoot Bay Recreation District; providing exceptions to general law; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Notwithstanding s. 418.302(3), Florida Statutes, or any law to the contrary, the Brevard County Commission may amend the Charter of the Barefoot Bay Recreation District, subject to approval by a vote of the electors of the district pursuant to s. 418.30, Florida Statutes, to increase the length of terms and stagger the election cycle for the members of the Board of Trustees of the Barefoot Bay Recreation District. If approved by the electors of the district voting in a referendum election in November 2022, the members of the board of trustees shall be elected as follows:

(1) In the election held in November 2023, the candidate receiving the highest number of votes shall be elected to serve a term of 3 years and the candidate receiving the second highest number of votes shall be elected to serve a term of 2 years.

(2) In the election held in November 2024, the candidates receiving the highest and second highest number of votes shall each be elected to serve a term of 3 years and the candidate receiving the third highest number of votes shall be elected to serve a term of 2 years.

(3) In each subsequent election, candidates elected to serve as members of the board of trustees shall each be elected to serve a term of 3 years.

Section 2. Notwithstanding s. 418.302(3), Florida Statutes, or any law to the contrary, if the referendum election referenced in section 1 of this act is approved by the electors of the district in the election of November 2022, the Board of County Commissioners of Brevard County shall amend the Charter of Barefoot Bay Recreation District to limit the number of terms of the members of the board of trustees of the district to no more than 3 successive complete 2-year terms or 2 successive complete 3-year terms. A trustee may not serve more than 6 consecutive years. Beginning with the election to be held in November 2023, if any potential candidate's election to a 3-year term would result in the candidate serving as a trustee for more than 6 consecutive years, the candidate may not be qualified for election to the board of trustees. A member of the board of trustees to whom this limitation applies may serve no sooner than 3 years after the expiration of the member's last successive complete term. This limitation shall not apply to

the portion of any unexpired term served by appointment to fill a vacant seat pursuant to s. 418.302(5), Florida Statutes. If the referendum referenced in section 1 of this act is approved by the electors of the district in the election of November 2022, this section shall supersede and replace section 1 of chapter 2017-202, Laws of Florida, otherwise section 1 of chapter 2017-202, Laws of Florida, shall remain in full force and effect.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 24, 2022.

Filed in Office Secretary of State June 24, 2022.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.8.

8/2/2022

Subject:

Resolution, Re: Calling for Referendum Election to Consider a Charter Amendment Amending the Barefoot Bay Recreation District Board of Trustees' Spending Limit for the Acquisition of Real and Personal Property.

Fiscal Impact:

NONE. Barefoot Bay Recreation District will pay for all costs associated with the required notice of referendum election, Supervisor of Election costs for conducting the referendum election, and notice of the proposed ordinance amending the charter if the referendum is approved.

Dept/Office:

Barefoot Bay Recreation District Board of Trustees

Requested Action:

It is requested that the Board of County Commissioners approve the attached Resolution calling a referendum election for the electors of Barefoot Bay Recreation District to consider an amendment to the Barefoot Bay Recreation District Charter amending the Board of Trustees' spending limit for real and personal property acquisition.

Summary Explanation and Background:

In the 2007 Legislative Session, the Florida Legislature approved HB 1157 (Chapter 2007-293, Laws of Florida) authorizing an increased spending limit for real and personal property acquisition to \$125,000 for the Barefoot Bay Recreation District Board of Trustees, subject to approval of the registered electors of the District at a referendum election. The Barefoot Bay Recreation District Board of Trustees' resolution would increase the spending limit to \$50,000, which is less than the current \$25,000 limit when the \$25,000 limit originally passed, when adjusted for inflation.

On May 12, 2022, the Barefoot Bay Recreation District authorized the calling of a referendum election to be held on November 8, 2022, subject to approval by the Board of County Commissioners.

The attached Resolution calls for a referendum election on November 8, 2022. If approved by the electors of Barefoot Bay Recreation District, the County Commission would then subsequently notice and adopt an Ordinance amending the Barefoot Bay Recreation District Charter to amend the spending limit from \$25,000 to \$50,000 for the acquisition of real and personal property. The proposed Ordinance is attached as Exhibit "B" to the Resolution

Contact: John Cary, General Counsel
Barefoot Bay Recreation District
(321) 324-3530

jcary@voselaw.com

Clerk to the Board Instructions:

Return a signed copy to the Supervisor of Elections, the County Attorney's Office and the County Manager's office.

RESOLUTION 22-_____

A RESOLUTION OF BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, CALLING A REFERENDUM ELECTION ON NOVEMBER 8, 2022 ON THE QUESTION OF WHETHER THE CHARTER OF THE BAREFOOT BAY RECREATION DISTRICT SHOULD BE AMENDED TO AUTHORIZE THE BAREFOOT BAY RECREATION DISTRICT BOARD OF TRUSTEES TO ENTER INTO CONTRACTS INVOLVING THE PURCHASE, LEASE, CONVEYANCE, OR OTHER MANNER OF ACQUISITION OF COMMON, REAL, OR TANGIBLE PERSONAL PROPERTY WHERE THE COST, PRICE, OR CONSIDERATION FOR SUCH ACQUISITION DOES NOT EXCEED \$50,000 WITHOUT A TWO-THIRDS VOTE OF THE BOARD OF TRUSTEES AND REFERENDUM APPROVED BY THE ELECTORS OF THE DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY FOR RESOLUTION. This resolution is adopted pursuant to the authority of the **BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA**, pursuant to Section 418.30, Florida Statutes, Section 101.161, Florida Statutes, and Section 100.342, Florida Statutes, regarding amendment of the charter of a Mobile Home Recreation District, and any other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby found and determined as follows:

A. A Charter has been adopted for the Barefoot Bay Recreation District entitled "Charter of the Barefoot Bay Recreation District" (Brevard County Ordinance 84-05, which has subsequently been amended by Ordinance 96-53, Ordinance 08-03, Ordinance 12-01, and Ordinance 18-22 adopted by the Board of County Commissioners of Brevard County).

B. The Barefoot Bay Recreation District Board of Trustees has proposed certain amendments to the "Charter of the Barefoot Bay Recreation District."

C. Section 418.30, Florida Statutes, requires proposed amendments to a recreation district charter to be approved by a vote of the electors of the District and subsequently incorporated into an ordinance of the county or municipality which established said District.

D. The general election to be held on November 8, 2022, is an appropriate and desirable date for the conduct of a concurrent referendum election.

E. All things required to be done prior to the calling of a referendum election on the question of amending the Charter of the Barefoot Bay Recreation District have been done and it is now desirable to call the necessary referendum election.

F. Chapter 2007-293 (House Bill No. 1157) authorizes the Board of Trustees of Barefoot Bay Recreation District to call for a referendum election for the purpose of proposing an amendment to Article IV, Section 13 of the Charter of the Barefoot Bay Recreation District to the registered electors of Barefoot Bay Recreation District.

SECTION 3. REFERENDUM ELECTION. A referendum election is hereby called and ordered to be held concurrently with the general election to be held on November 8, 2022, to determine whether or not the amendment recited in Section 6 below to the Charter of the Barefoot Bay Recreation District shall be approved.

SECTION 4. NOTICE OF REFERENDUM ELECTION. This resolution shall be published twice in full as part of the Notice of Referendum Election, together with a notice in substantially the form attached hereto as Exhibit "A," in *Florida Today*, a newspaper of general circulation in the Barefoot Bay Recreation District. The publication shall be made by the Clerk to the Barefoot Bay Recreation District Board of Trustees at least thirty (30) days prior to the election; once in the fifth week and once in the third week prior to the week in which the election is to be held.

SECTION 5. PLACES OF VOTING, INSPECTORS, CLERKS. The polls will be open at the voting places on the date of such referendum election during the hours prescribed by law. All qualified electors shall be entitled and permitted to vote at such referendum election on the proposition provided below. The places of voting and the inspectors and clerk for the referendum election shall be those designated by the Supervisor of Elections of Brevard County, Florida.

SECTION 6. OFFICIAL BALLOT. The ballots to be used in the referendum election shall contain one question describing the proposed amendment to the Charter of the Barefoot Bay Recreation District, and shall be in substantially the following form:

BALLOT

Barefoot Bay Recreation District, Brevard County, Florida

NO. 1

BAREFOOT BAY RECREATION DISTRICT CHARTER AMENDMENT ARTICLE IV.

SECTION 13.

Shall the Barefoot Bay Recreation District Charter be amended to increase the Board of Trustees' common, real, or tangible personal property acquisition spending limit from \$25,000.00 to \$50,000.00?

YES (for approval)

NO (for rejection)

SECTION 7. CHARTER AMENDMENT. The full text of the amendments shall be as follows:

- A. Attached draft proposed ordinance amending Barefoot Bay Recreation District Charter hereby incorporated as Exhibit "B."

- B. The above amendments shall take effect upon the adoption of an Ordinance of the Board of County Commissioners of Brevard County, Florida, incorporating those amendments to the Charter of the Barefoot Bay Recreation District as approved by the electorate.

SECTION 8. PAYMENT OF REFERENDUM ELECTION EXPENSES. The Barefoot Bay Recreation District shall pay all lawful expenses associated with conducting the referendum election.

SECTION 9. VOTER REGISTRATION BOOKS. The Supervisor of Elections for Brevard County is hereby authorized and requested to furnish to the inspectors and clerks at each place where the votes are to be cast in such referendum election, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors.

SECTION 10. ELECTION ADMINISTRATION. The referendum election shall be held and conducted in the manner prescribed by law and shall, as soon as practicable, be returned and canvassed in the manner prescribed by law. The result shall show the number of qualified electors who voted at such referendum election and the number of votes cast respectively for and against approval of the amendment. Upon certification in the manner prescribed by law, the results shall be recorded in the minutes of the Board of County Commissioners of Brevard County, Florida.

SECTION 11. ELECTION RESULTS. If the majority of the votes cast at such a referendum election shall be "Yes (for approval)", the amendment shall pass.

SECTION 12. SEVERABILITY. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court or competent jurisdiction, such holding shall not affect any other word, clause, sentence or paragraph hereof.

SECTION 13. REPEALING CLAUSE. All resolutions or other actions of the Board of Trustees of Barefoot Bay Recreation District which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

SECTION 14. EFFECTIVE DATE. This resolution shall take effect immediately upon adoption.

Done and Adopted in Regular Session of the Board of County Commissioners of Brevard County, Florida, this 2nd Day of August, 2022.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS OF BREVARD
COUNTY, FLORIDA**

By: _____
RACHEL SADOFF, CLERK

By: _____
KRISTINE ZONKA, CHAIR
As approved by the Board on: _____

EXHIBIT "A"

**NOTICE OF REFERENDUM ELECTION ON
AMENDMENTS TO CHARTER OF THE BAREFOOT BAY RECREATION DISTRICT**

Notice is hereby given that a referendum election shall be held to consider certain amendments to the Charter of the Barefoot Bay Recreation District. The referendum election shall be held on November 8, 2022, at which the questions described in the following resolution number 22-_____ adopted by the Board of County Commissioners of Brevard County, Florida, on the 2nd day of August, 2022, shall be submitted to the electors:

[RECITE RESOLUTION]

EXHIBIT “B”

DRAFT PROPOSED ORDINANCE

ORDINANCE NO. 22-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, AMENDING ORDINANCE NO. 84-05 WHICH CREATED THE CHARTER OF THE BAREFOOT BAY RECREATION DISTRICT; SPECIFICALLY AMENDING ARTICLE IV TO AUTHORIZE THE BOARD OF TRUSTEES OF THE DISTRICT TO ENTER INTO CONTRACTS INVOLVING THE PURCHASE, LEASE, CONVEYANCE OR OTHER MANNER OF ACQUISITION OF COMMON REAL OR TANGIBLE PERSONAL PROPERTY WHERE THE COST, PRICE, OR CONSIDERATION FOR SUCH ACQUISITION DOES NOT EXCEED \$50,000 WITHOUT A TWO-THIRDS VOTE OF THE BOARD OF TRUSTEES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 1983 Florida Legislation has authorized the creation of independent special districts known as "mobile home park recreation districts" by the enactment of Sections 34 through 38 of Chapter 83-204, Laws of Florida; and

WHEREAS, the residents of Barefoot Bay, a mobile home subdivision located in Brevard County, Florida, petitioned the Board of County Commissioners of Brevard County to establish such a mobile home park recreation district for the said Barefoot Bay subdivision; and

WHEREAS, the formation of such a mobile home park recreation district for Barefoot Bay enabled the residents thereof to acquire, by and through the trustees of the district, ownership and operation of certain recreation facilities and common areas located within Barefoot Bay; and

WHEREAS, the Board of County Commissioners of Brevard County created such a district for Barefoot Bay by way of Ordinance 84-05, which was approved of by a majority of the electors residing in the proposed district, and has since been amended by way of Ordinances 96-53, 08-03, 2012-01, and 18-22; and

WHEREAS, Barefoot Bay, as described herein, is a "mobile home park" under Chapter 83-204, Laws of Florida; and

WHEREAS, the Board of Trustees has recently voted to propose to the electors of the District certain amendments to the District Charter; and

WHEREAS, the electors have approved of certain amendments to the Charter so proposed in the general election held on November 8, 2022; and

WHEREAS, the 2007 Legislature of the State of Florida passed HB 1157 which provides authority for the amendments approved by the electors of the district;

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

Section 1. ARTICLE IV of the Charter of the Barefoot Bay Recreation District as established by Ordinance 84-05 and as amended by Ordinances 96-53, 08-03, 2012-01, and 18-22, shall be amended to read as follows:

ARTICLE IV

BOARD OF TRUSTEES

13. To enter into contracts involving the purchase, lease, conveyance, or other manner of acquisition of common real or tangible personal property. In any instance when the cost, price, or consideration for such acquisition exceeds ~~Twenty-five Thousand Dollars (\$25,000.00)~~ Fifty Thousand Dollars (\$50,000), including all obligations proposed to be assumed in connection with such acquisition, such purchase, lease, conveyance, or acquisition shall not be approved unless and until:

- (a) The trustees, by two-thirds (2/3) vote, have approved the terms and conditions of such acquisition by written resolution;
- (b) Within not less than thirty (30) nor more than sixty (60) days after the date of the resolution, the trustees certify the resolution to the Supervisor of Elections of Brevard County for a referendum election;
- (c) A majority of the qualified electors of the district approve the resolution by referendum election.

Section 2. The above amendments were submitted to and approved by the electors of the district at a special election held on the 8th day of November, 2022.

Section 3. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared severable.

Section 4. This ordinance shall take effect immediately upon its adoption as provided by law.

[Signatures to Follow]

DONE AND ADOPTED in Regular Session, this _____ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF BREVARD
COUNTY, FLORIDA

Rachel Sadoff, Clerk

By: _____
Kristine Zonka, Chair
As approved by the Board on: _____

House Bill No. 1157

An act relating to the Barefoot Bay Recreation District, Brevard County; authorizing an amendment to the district charter, subject to approval by a vote of the electors of the district, to decrease the number of members of the board of trustees of the district; authorizing an amendment to the charter, subject to approval by a vote of the electors of the district, to allow an increase in the minimum cost price or consideration of contracts involving the acquisition of real or tangible personal property that would require a two-thirds vote of district trustees and a referendum election; providing exceptions to general law; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Notwithstanding section 418.302, Florida Statutes, the Brevard County Commission may amend the Charter of the Barefoot Bay Recreation District, subject to approval by a vote of the electors of the district pursuant to section 418.30, Florida Statutes, to require the transition of the governing body of the Barefoot Bay Recreation District from a nine-member board of trustees to a five-member board of trustees elected by the electors of the district.

Section 2. Notwithstanding section 418.304(13), Florida Statutes, the Brevard County Commission may amend the Charter of the Barefoot Bay Recreation District, subject to approval by a vote of the electors of the district pursuant to section 418.30, Florida Statutes, to allow the Board of Trustees of the Barefoot Bay Recreation District to enter into contracts involving the purchase, lease, conveyance, or other manner of acquisition of common, real, or tangible personal property; however, in any instance when the cost, price, or consideration exceeds \$125,000, including all obligations proposed to be assumed in connection with such acquisition, then such a contract may be entered into only if:

(1) The trustees by a two-thirds vote have approved the terms and conditions of such acquisition by written resolution;

(2) Within not less than 30 days nor more than 60 days after the date of the resolution, the trustees certify the resolution to the supervisor of elections for the county for a referendum election; and

(3) The resolution is approved by a majority vote of the qualified electors of the district voting in a referendum called for the purpose of considering the resolution.

Section 3. This act shall take effect upon becoming a law.

Became a law without the Governor's approval June 26, 2007.

Filed in Office Secretary of State June 26, 2007.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.9.

8/2/2022

Subject:

Acceptance and Approval of Internal Audit Reports.

Fiscal Impact:

No fiscal impact.

Dept/Office:

County Manager's Office

Requested Action:

It is requested that the Board of County Commissioners acknowledge and approve the Internal Auditors' Reports.

Summary Explanation and Background:

The Internal Auditors completed the following Audit Reports:

- Public Records Request Function
- American Rescue Plan Act Grant

These reports were reviewed by the Internal Audit Committee on July 13, 2022.

Clerk to the Board Instructions:

N/A



**Internal Audit Committee of
Brevard County, Florida**

**Internal Audit of
The American Rescue Plan Act Grant**

**Prepared By:
Internal Auditors
June 29, 2022**



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Transmittal Letter

June 29, 2022

The Audit Committee of
Brevard County, Florida
2725 Judge Fran Jamieson Way
Viera, Florida 32940-6699

Pursuant to the approved 2021/2022 internal audit plan, we hereby submit our internal audit of the American Rescue Plan Act ("ARPA") Grant. We will be presenting this report to the Audit Committee at the next scheduled meeting on July 13, 2022.

Our report is organized in the following sections:

Executive Summary	This provides a summary of the observations and testing results related to our internal audit of the ARPA grant.
Background	This provides a general overview of the ARPA grant.
Objectives Approach and Results	The internal audit objectives and focus are expanded upon in this section as well as a review of the various phases of our approach and the results of our audit procedures.

We would like to thank all those involved in assisting the Internal Auditors in connection with the internal audit of the ARPA grant.

Respectfully Submitted,

Carr, Riggs & Ingram, L.L.C.

INTERNAL AUDITORS

Executive Summary

Overview

The American Rescue Plan Act of 2021 is a \$1.9 trillion coronavirus rescue package designed to facilitate the United States' recovery from the devastating economic and health effects of the COVID-19 pandemic. Brevard County was allocated \$116,920,177, and received its initial tranche of funding in the amount of \$58,460,088.50 on May 18, 2021 and the remainder of the funding was received on June 9, 2022.

These funds may be used for four categories:

1. Public health emergency with respect to Coronavirus Disease or its negative economic impacts
2. Premium pay to eligible workers
3. Revenue replacement for the provision of government services to the extent of the reduction in revenue of the county
4. Investments in water, sewer, or broadband infrastructure

The Treasury's final ruling detailing the final compliance requirements was published on January 6, 2022.

Objective, Approach and Results

The primary purpose of the internal audit of the ARPA grant function was to test the accuracy and compliance of the lost revenues calculation for 2021 and the quarterly project and expenditure report due April 30, 2022.

We obtained support for the lost revenues calculation and recalculated the lost revenue based on the formula and other grant specifications. See results noted below.

Additionally, we noted that the County has expended funds during this quarter under four clean water projects, and we agreed the expenditure amount in the report to the general ledger detail without exception for the programs totaling \$1,360,297.40.

Summary of Results (See within for expanded results)		
Internal Audit Period February 1, 2022– May 31, 2022		
Lost Revenues Calculation (October 1, 2020 – September 30, 2021) To be submitted on the next Quarterly report in July 2022	Quarterly Project and Expenditure Report (January 1, 2022- March 31, 2022) Submitted: April 26, 2022	Project Allocations
All aspects of the calculation appeared accurate.	The report was reviewed and submitted on time.	All of the proposed projects approved through March 31, 2022 were allowable projects based upon the category assignment.

Background

Overview:

ARPA activities are initiated and developed at the local level based upon a community's perceptions of its local needs and priorities. Each entitlement grantee receiving ARPA funds is free to determine what activities it will fund as long as certain requirements are met.

Allowable Activities and Unallowable Activities:

Allowable activities fall under one of four categories:

1. Public Health and Negative Economic Impacts caused by the Public Health Emergency
2. Premium Pay for Essential Workers
3. Water and Sewer and Broadband Infrastructure Improvements
4. Replace lost public sector revenues

Unallowable activities include:

1. Contributions to Pension Plans
2. Debt Payments
3. Contributions for Reserve Funds
4. Paying Settlements of Judgments
5. Programs with requirements that undermine CDC Guidance

Lost Revenues

The lost revenues calculation is detailed in the interim final ruling, and expanded options were allowed for by Treasury's final ruling issued January 6, 2022.

The rate of growth is determined as the higher of either 5.2% standard rate or the actual rate of the county. The actual growth rate is calculated using the average annual revenue growth in the last full three fiscal years prior to COVID -19 public health emergency.

The counterfactual revenue is then calculated for each year utilizing either a fiscal or calendar year for 2020, 2021, 2022, and 2023, utilizing the formula below.

$$\text{base year revenue} \times (1 + \text{growth adjustment})^{\frac{n}{12}}$$

The counterfactual revenue is then compared to the actual revenue, and the difference is the lost revenues for the period.

Background – continued

Schedule of Funding and Period of Performance:

The County received \$58,460,088.50 on May 18, 2021, and received the remaining \$58,460,088.50 on June 9, 2022. The funds can be used for expenditures from March 3, 2021 through December 31, 2026. Any funds expended January 1, 2025 - December 31, 2026 must be obligated by December 31, 2024 and can only be spent on what was obligated. Any funds not spent on what was obligated by December 31, 2026 must be returned to the U.S. Department of Treasury.

Procurement:

The procurement guidelines are the same as all other federal grants. Purchases must be made following the requirements in 2 CFR §200.318 through 200.327. Purchases above the simplified acquisition threshold (currently at \$250,000), must be bid or noncompetitive procurement methods should be documented. Quotes should be obtained for small purchases (purchases between the simplified acquisition threshold and the micro-purchases threshold (currently at \$10,000)).

Prior to entering in to subawards or contracts with award funds, the County must verify that contractors and/ or subrecipients are not suspended, debarred, or otherwise excluded pursuant to 31 CFR §19.300.

Reporting:

The County has a population that exceeds 250,000 residents; therefore, is subject to the following reporting requirements.

- 1) Interim Report - due August 31, 2021
- 2) Recovery Plan Performance Report - due August 31, 2021
- 3) Project and Expenditure reports - due quarterly 30 days after the end of each quarter, beginning with January 31, 2022
- 4) FFATA reporting is being done by the Treasury on behalf of all recipients. The threshold is increased to \$50,000 for subawards, and this information is included in the Project and Expenditure reports for the Treasury to perform the reporting.

The Recovery Plan Performance report is required to be publicly accessible.

Subrecipient Monitoring:

Subrecipients need to be monitored to ensure they are in compliance with the terms and conditions of the subaward and use the funds for authorized purposes. For any subaward agreements, the County would need all the required information in the contracts pursuant to 2 CFR §200.332. Currently, the County does not have any subrecipients for the ARPA grant.

Staffing

Key personnel involved the ARPA grant include:

Name	Title
Jill Hayes	Budget Director
Fazie Khan	Special Project Coordinator IV
Kathy Wall	Central Services Director
Anthony Hagan	Grant Manager

Objectives and Approach

Objectives

The objectives of this internal audit included the following:

- Test the accuracy and compliance of the lost revenues calculation for 2021.
- Test the accuracy and compliance of the quarterly project and expenditure report, due April 30, 2022.
- Determine if approved projects are allowable.

Approach

Our internal audit approach consisted of three phases:

Planning

During the first phase, we discussed with the Budget Office the options they had selected in calculating the lost revenues calculation. Management provided their preliminary planned projects for ARPA spending which consisted of the vaccine incentive program, water and sewer infrastructure, and revenue replacement projects.

Testing

Our procedures included obtaining an understanding of how the lost revenues calculation was performed, testing the accuracy of the calculation and discussing any elections to ensure proper compliance. Our procedures also included reviewing a draft of the project and expenditure report due on April 30, 2022 prior to submission.

Reporting

At the conclusion of our analysis, we summarized the results of our procedures into a report and conducted exit interviews with the Budget Office and the County Manager to discuss the details of our results.

Results

Procedures and Results

1. Lost Revenues Calculation

Initially, the County calculated the lost revenue based upon the fiscal year 2021 utilizing the same assumptions selected for fiscal year 2020 (as required by the Department of the Treasury).

The Actual revenue calculated was \$731,993,242 compared to the counterfactual revenue of \$758,753,881 resulting in lost revenues of \$26,760,639 for fiscal year 2021.

All aspects of the calculation appeared accurate.

The amounts will be reported in the next quarterly report as the calculation was prepared in May 2022 after the 2nd quarterly report was due.

2. Quarterly Reporting and Expenditures

Management prepared the second project and expenditure report that was due April 30, 2022 prior to the due date. The County has expended funds under four projects during the quarter, and we agreed the expenditure amount for the quarter ended March 31, 2021 in the report to the general ledger detail without exception, and recalculated the cumulative expenditure amounts reported for each project. All projects listed in the report were in the proper category based upon their descriptions.

The report was prepared by the Special Project Coordinator IV and then reviewed and submitted by the Budget Director, ensuring proper internal controls over the compliance for reporting.

Further, the portal only prompted the County to enter information regarding the 2021 lost revenues. Per the Treasury's reporting guide, this information only had to be reported in the April 2021 report if the information was available. It was not available for the County to perform the calculation until May 2022. The County properly noted in the comment box that the information was not available and that is why actual and counterfactual revenues were noted at \$0. This will be updated in subsequent reports based on fiscal year 2021 financials.

3. Project Allocations

We reviewed all of the projects that were approved by the Commission at various meetings through January 31, 2022. All of the proposed projects were allowable projects based upon the category assignment. There were no new projects listed in the project expenditure report submitted on April 26, 2022.

See the table below for approved projects as of January 31, 2022. Funds can be obligated through December 31, 2024.

Category	Approved Project Totals
1. Public Health and Negative Economic Impacts caused by the Public Health Emergency	\$2 million for vaccine incentive
2. Premium Pay for Essential Workers	\$0 No projects have been approved for this category.
3. Water and Sewer and Broadband Infrastructure Improvements	\$44 million for various water sewer infrastructure projects
4. Replace lost public sector revenues	\$1.7M for various nonprofits \$8.5M for Fire Rescue operations and equipment



**Internal Audit Committee of
Brevard County, Florida**

**Internal Audit of
The Public Records Request Function**

**Prepared By:
Internal Auditors**



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Carr, Riggs & Ingram, LLC
215 Baytree Drive
Melbourne, Florida 32940
(321) 255-0088
(321) 259-8648 (fax)
www.cricpa.com

Transmittal Letter

June 29, 2022

The Audit Committee of
Brevard County, Florida
2725 Judge Fran Jamieson Way
Viera, Florida 32940-6699

Pursuant to the approved 2021/2022 internal audit plan, we hereby submit our internal audit of the Public Records Request function. We will be presenting this report to the Audit Committee at the next scheduled meeting on July 13, 2022.

Our report is organized in the following sections:

Executive Summary	This provides a summary of the observations and results related to our internal audit of the Public Records Request function.
Background	This provides an overview of the Public Records Request function including select statistics and benchmarking with other Florida Counties.
Objectives and Approach	The internal audit objectives and focus are expanded upon in this section as well as a review of our approach.
Observations Matrix	This section provides the results of our internal audit procedures, including our recommended actions and management's responses for both the Current and Future States (i.e. current and future Public Records Request systems).

We would like to thank all those involved in assisting the Internal Auditors in connection with the internal audit of the Public Records Request function.

Respectfully Submitted,

Carr, Riggs & Ingram, L.L.C.

INTERNAL AUDITORS

Executive Summary

Overview

Pursuant to Chapter 119 of the Florida Statutes (“F.S.”), records created by County official business are public and are available for inspection unless specifically exempted by Florida Statute. Public citizens can request documentation and records from the County through a “Public Records Request”. It is the responsibility of the County to coordinate a public records request and ensure all requests comply with Chapter 119 F.S., also known as the “Public Records Act.” To date, a comprehensive audit of the County’s policies and procedures in administering public records requests has not taken place. Risks to the County include improper dissemination of information and failure to comply with Chapter 119 F.S. The County has an obligation to responsibly administer public records, make records available to the public, and protect exempt information.

Objective

The primary objective of this audit was to assess the design and effectiveness of internal controls over the Public Records Request (“PRR”) function and related processes, and to assess the County’s compliance with certain laws, rules and applicable County policies and procedures (“Current State”). During the audit the County decided to procure new PRR software. As such, the objective of our audit also included identifying PRR controls and processes that should be factored in to the implementation of the new PRR software in the process of being procured (“Future State” or “Next Request”).

Observations/Recommendations

Observation ratings are a subjective evaluation of the severity of the concern and the potential impact on the operations. An observation rating of “High” represents an issue of immediate concern and could cause significant operational issues if not addressed soon. A “Moderate” rating is an issue that may also cause operational issues and does not require immediate attention but should be addressed as soon as possible. Observations given a “Low” rating could escalate into operational issues but can be addressed through the normal course of conducting business. The following is a summary of observations noted related to the current PRR system (“PRRT” or Current State”).

Observation	Risk Rating
1. Entering Public Records Request	Moderate
2. Closing Public Records Request	Moderate
3. Public Records Request Consultations with County Attorney Office	Moderate
4. Monitoring Open Public Records Request	Moderate
5. Public Records Request Accessibility	Low

The following represents our Observations related to the Future State. Since they are related to the implementation and configuration of the new software, each have the same level of priority.

Observation
1. Implementation and Configuration of New Public Records Request Software
2. Public Records Request – Online Layout/Configuration

Background

Overview

The County Attorney's mission is "to act as legal advisor to the Board of County Commissioners and Brevard County's Records Management Liaison Officer for the State of Florida. In addition, the County Attorney's Office ("CAO") tracks public records requests and assists department records custodians with responses."*

"As the County's Records Management Liaison Office for the State of Florida Records Management Program, the County Attorney provides advice on records management activities for all County Departments maintaining such activities. In addition, the CAO continues to experience large numbers of Public Records Requests involving many hours of researching, compiling reports and responding to the requests."*

There were approximately 2,047 PRRs processed and closed by the County in fiscal year 2021 compared to 1,577 in fiscal year 2020 for an increase of 470 - about 30% (unaudited data provided by the CAO).

The County's current PRR application ("PRRT") was developed by the County's IT Department and modified in September 2020 and June 2021. During the course of our audit, the CAO determined to procure a new commercial PRR application from a 3rd party vendor (*Next Request*).

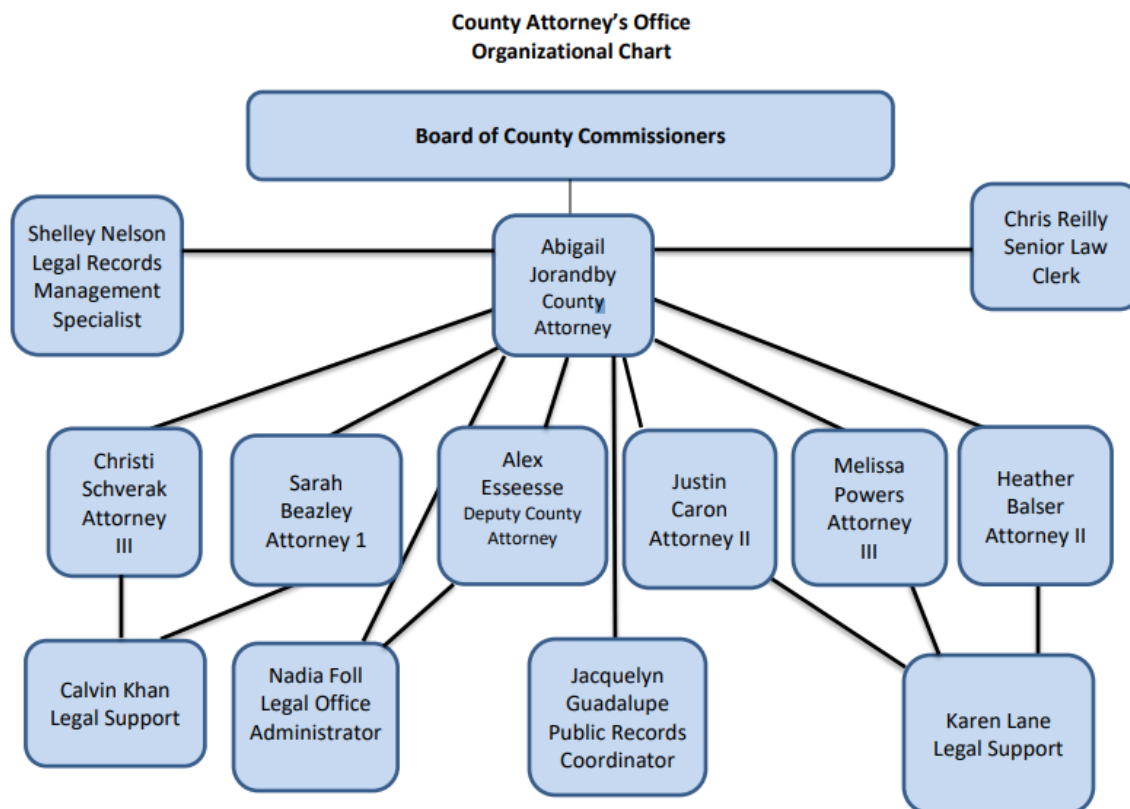
Staffing

Key personnel from the CAO and the Department of Information Technology (IT) that were involved in our internal audit of the Public Records Request function include:

Name	Title
Abigail Jorandby	County Attorney
Jessica Bayne	Legal Office Administrator, Legal Support
Nadia Foll	Legal Support, Public Records Coordinator
Melissa Powers	Attorney III
Robin Rogers	Attorney II
Alex Essesse	Attorney III
Lois Boisseau	Assistant Director, IT
Vicki Rose	Business Analyst II, IT

*Source: (Annual Operating and Capital Budget Adopted FY 2021-2022 | BREVARD COUNTY).

Background - continued



Line represents who the individual reports to and/or supports.

During June 2022, Nadia Foll became the Legal Office Administrator upon Jessica Bayne's departure and Jacquelyn Guadalupe became the Public Records Coordinator.

PRR Policy and Process

The Board of County Commissioners Policy and Procedures to facilitate the County's compliance with Florida Statute Chapter 119, also known as the "Public Records Act" is included in the Brevard County Board of Commissioners Policy No. 22 - *Records Management Program* (BCC-22) and fully addressed in Administrative Order No. 47 – Coordination of Public Records Requests (AO-47) respectively.

The purpose of BCC-22 is "to establish a records management program that provides efficient, economical, and effective control over the creation, utilization, preservation, protection, storage, **public access** and final disposition of agency records." [Bold, italics - Internal Auditors].

"Brevard County is committed to the requirements set forth in Chapter 119, Florida Statutes, governing access to public records, also known as the Public Records Law. The purpose of this Administrative Order is to provide guidelines and procedures for all County administrative personnel, department directors and staff to assure compliance and uniformity with regard to the handling of requests for inspection and copies of public records not exempted by State law" (AO-47).

The County as a whole is responsible to comply with the *Public Records Act* while the County Attorney, or his or her designee, is identified and defined as the *Records Management Liaison Officer* who is "responsible for directing and administering the County's Records Management Program" (BCC-22).

Background - continued

PRR Policy and Process – cont.

AO-47 defines key definitions relative to the PRR process:

Public Records - all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business of any agency. This includes electronic records, such as any data files or databases, word processing files, spreadsheets, digital photos, voice and video recordings, electronically generated or maintained documents relating to County business and any other electronic messages relating to County business, including text messages, tweets, written communication on social networking websites and email.

Records Custodian – an employee appointed by the director of each county department to oversee the management, retention and timely disposition of their records whether maintained on-site, offsite, in electronic systems or stored at the Records Management Center; and assists in carrying out the [PRR] requirements of Section 119.07, Florida Statutes.”

Records Coordinator – the individual appointed by the County Attorney to coordinate the County’s response to public records requests in conjunction with the Records Custodians from each department.

Requestor – the person requesting to inspect and/or receive copies of public records.

Redacting – to electronically conceal or manually black out from a copy of an original public record any information deemed confidential or exempt from disclosure by statute.

Public records include (but are not limited to):

- Records (paper or electronic) relating to County business whether generated on work or home computers, phones, or other electronic devices including, but not limited to email, text, and voicemail.
- All materials made or received by the County in connection with official business which are used to perpetuate, communicate or formalize knowledge.
- Draft documents, whether on paper or electronic, once they have been sent to or circulated to another person or persons.

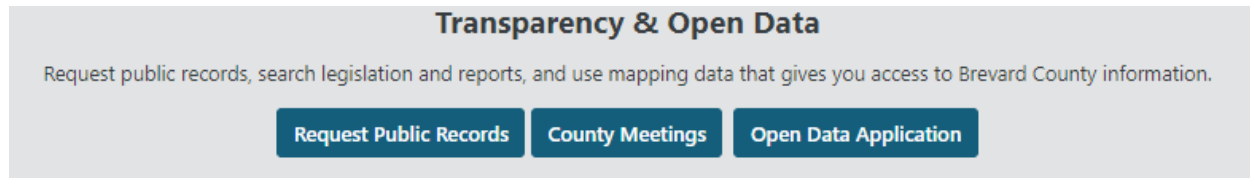
Public records do not include (but are not limited to):

- Personal emails, text messages, social media messages, or substantially similar communications that do not involve official business of the County
- Draft documents that have not been circulated to another person or persons.
- Personal notes concerning County business unless they are circulated or sent to others or if they were taken with the intention to perpetuate, communicate, or formalize knowledge.

Background - continued

PRR Policy and Process – cont.

To facilitate “Transparency & Open Data” the County includes a link on the County website homepage: brevardfl.gov:

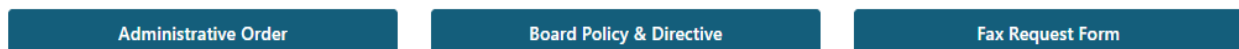


Clicking “Request Public Records” takes the requestor to the following page:

Welcome to the Brevard County Board of County Commissioners Public Records Request page. In accordance with Chapter 119, Florida Statutes, the County hereby designates the County Attorney’s Office as the custodian of public records for entities under the jurisdiction of the Brevard County Board of County Commissioners. You can make a verbal request for public records by calling the Public Records Request Coordinator at (321) 633-2071, or by emailing your request to PublicRecordsRequest@BrevardFL.gov. Under Florida law, you are not required to identify yourself or to submit a public records request in writing. To make an anonymous public records request, please call the County Attorney’s Office at the number above and ask for the Public Records Coordinator, who will process your request through the County’s Public Records Request Tracking System. However, depending on the nature of a request, certain fees and/or costs may need to be collected before a request can be fulfilled. Therefore, a point of contact may be required.

As an alternative, you can use the online form on this page when requesting records maintained by Brevard County Board of County Commissioners ONLY. In order for the County to successfully respond to your request via the online form, a complete description of the records needed and current contact information such as a telephone number OR email address is requested to complete your online request.

THE ONLINE FORM SHOULD NOT BE USED IF YOU WANT RECORDS FROM THE CLERK OF THE COURT, PROPERTY APPRAISER, SCHOOL BOARD, SHERIFF’S OFFICE, SUPERVISOR OF ELECTIONS, TAX COLLECTOR, OR OTHER LOCAL OR MUNICIPAL OFFICIALS. These entities have their own public records custodians because they are separate legal entities independent of the Brevard County Commission and its departments.



The following agencies (not the Brevard County Board of County Commissioners) are the custodians of the public records identified below:

Clerk of the Circuit Court	Civil Cases, Criminal Cases, Case Searches, Marriage Licenses, Jury Duty, Payment of Citations, Official Records (Recorded Documents) etc.
Property Appraiser	Property Research, Map Searches, Homestead Exemption; Tax Facts, Recent Sales, etc.
Tax Collector	Online Forms, Driver Licenses & Registration, Disabled Parking Permits, Pay Taxes Online, etc.
Sheriff’s Office	Case Reports, Arrest Reports, Crime Line, Etc.
Supervisor of Elections	Voter Education, Voter Registration, Election Results, Statistics, Precinct Maps

Further, as indicated above, the County website lists other agencies (including a link) with guidance for the types of public records requests that do not fall under the Brevard County Board of County Commissioners’ (BOCC) jurisdiction.

To provide further guidance as to the BOCC’s PRR policy and processes, the website includes links to BCC-22 and AO-47.

If the requestor does not have online access or prefers not to utilize the online feature on the website, the requestor can make a PRR by email, telephone, or in person.

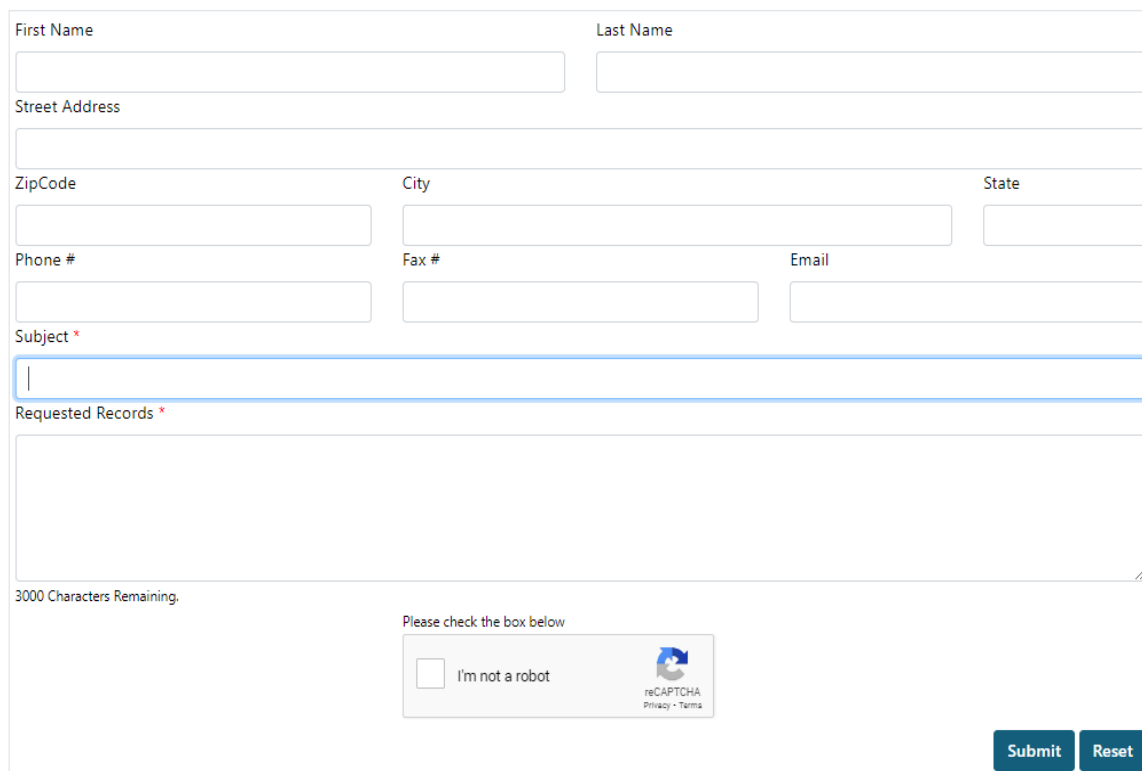
Background - continued

PRR Policy and Process – cont.

As indicated on the prior page above, the County website provides guidance and instructions as to the requestor's rights under the Florida Public Records Act and how to submit a PRR to the BOCC.

The online form is included on the website for the requestor to make the PRR using the County's online Public Records Request Tracking application ("PRRT"):

Public Records Request Form



The form contains the following fields:

- First Name
- Last Name
- Street Address
- ZipCode
- City
- State
- Phone #
- Fax #
- Email
- Subject *
- Requested Records *

Below the form, there is a reCAPTCHA section with the text "Please check the box below" and a checkbox labeled "I'm not a robot". To the right of the checkbox is the reCAPTCHA logo and the text "reCAPTCHA Privacy - Terms".

At the bottom right of the form are two buttons: "Submit" and "Reset".

Source: <https://brevardfl.gov/publicrecordsrequest>

If the requester submits a PRR online using the above form, the PRR goes directly to the CAO Records Coordinator in the PRRT application. The CAO Records Coordinator goes into PRRT and routes the PRR request to the applicable department(s) Records Custodian to fulfill the request.



The Notifications section displays a list of departments with checkboxes for selection:

- ☐ Board Of County Commissioners
- ☐ County Attorney
- ☐ Fire Rescue Department
- ☐ Information Technology Department
- ☐ Mosquito Control Department
- ☐ Parks And Recreation Department
- ☐ Public Works Department
- ☐ Tourism Development Office
- ☐ Ufl/Brevard County Extension Services Office
- ☐ Budget Office
- ☐ County Managers Office
- ☐ Housing And Human Services Department
- ☐ Library Services Department
- ☐ Natural Resources Management
- ☐ Planning And Development Department
- ☐ Socio/Communications Office
- ☐ Transit Services Department
- ☐ Utility Services Department
- ☐ Central Services Office
- ☐ Emergency Management Office
- ☐ Human Resources Office
- ☐ Mira Office
- ☐ North Brevard Economic Development Zone
- ☐ Public Safety Services Office
- ☐ Solid Waste Department
- ☐ Transportation Planning Office
- ☐ Valkearia Airport Office

At the bottom right of the list are two buttons: "Cancel" and "Add Departments".

Background - continued

PRR Process – Key Steps – Current Process

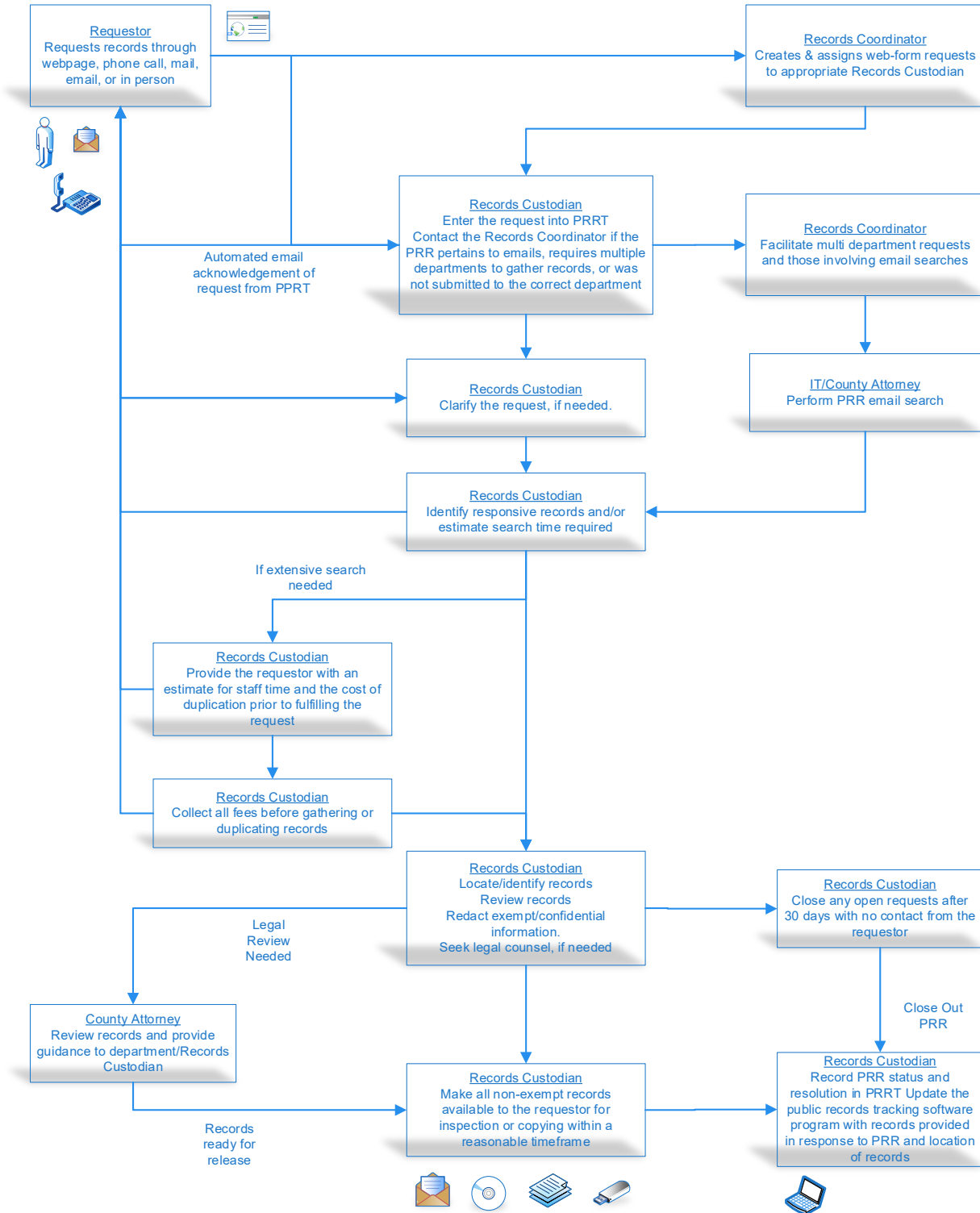
AO-47 details the steps/responsibilities in *V. Responding to a Public Records Request*.

The following represents a summary of the key steps in the PRR Process:

- Public records are received by email, telephone, mail, online, or walk-ins.
- All requests are entered into the public records request tracking system and the responsive department is added to the request.
- An acknowledgment email is sent to the requester with the public records request tracking number and AO-47.
- If the request takes extensive staff time, the department or records coordinator will provide a cost estimate/invoice to the requester.
- If a cost estimate/invoice is not needed the department begins fulfilling the request.
- When the full payment is received, the Department is notified and begins fulfilling the request.
- If payment is not received within 30 days, the request is closed.
- If additional time to fulfill the request was needed, the requester will receive an invoice for the difference, once that payment is received the requester will be provided the records. If there is no additional cost, the department custodian or the records coordinator will provide the responsive records to the requester electronically via email or via email with a share file link that contains the responsive records. After the response is provided to the requester, the responsive docs and/or relating emails are uploaded into the public records tracking system and the request is closed.

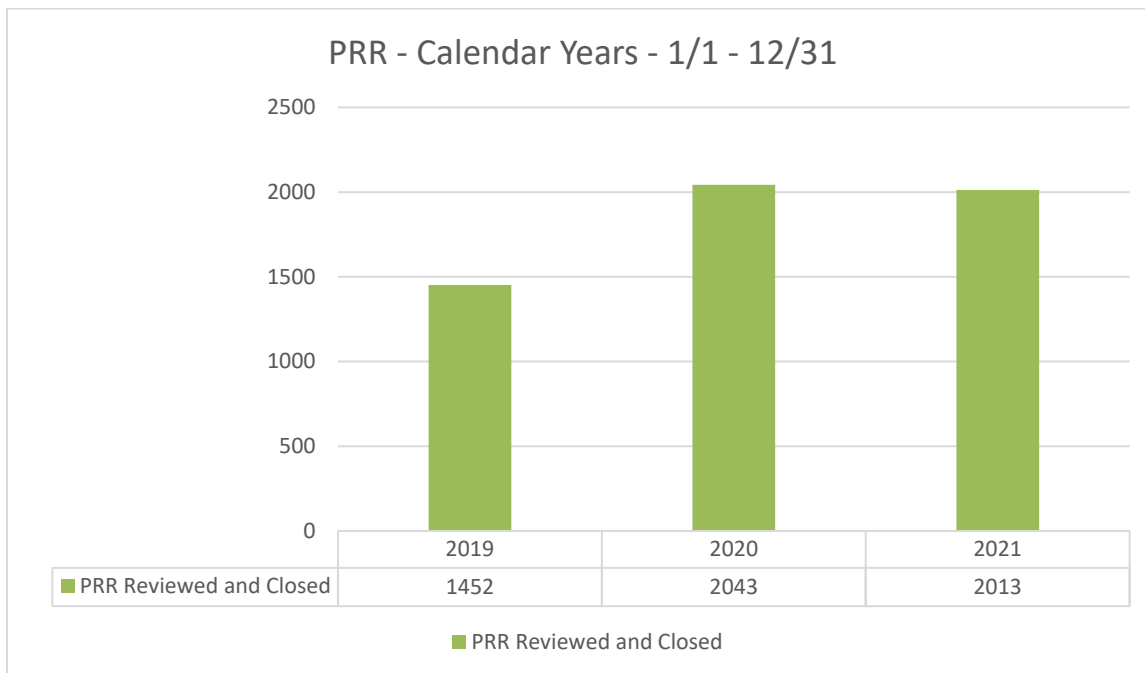
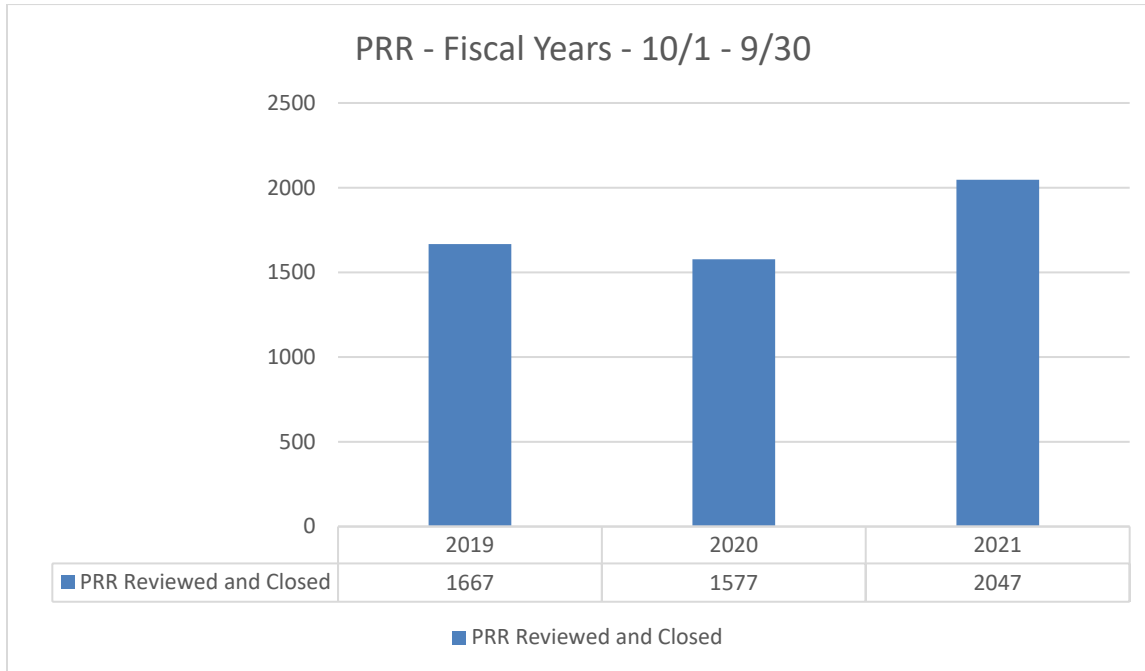
PRR Process – cont.

Public Records Request Process Flow



Background – selective statistics

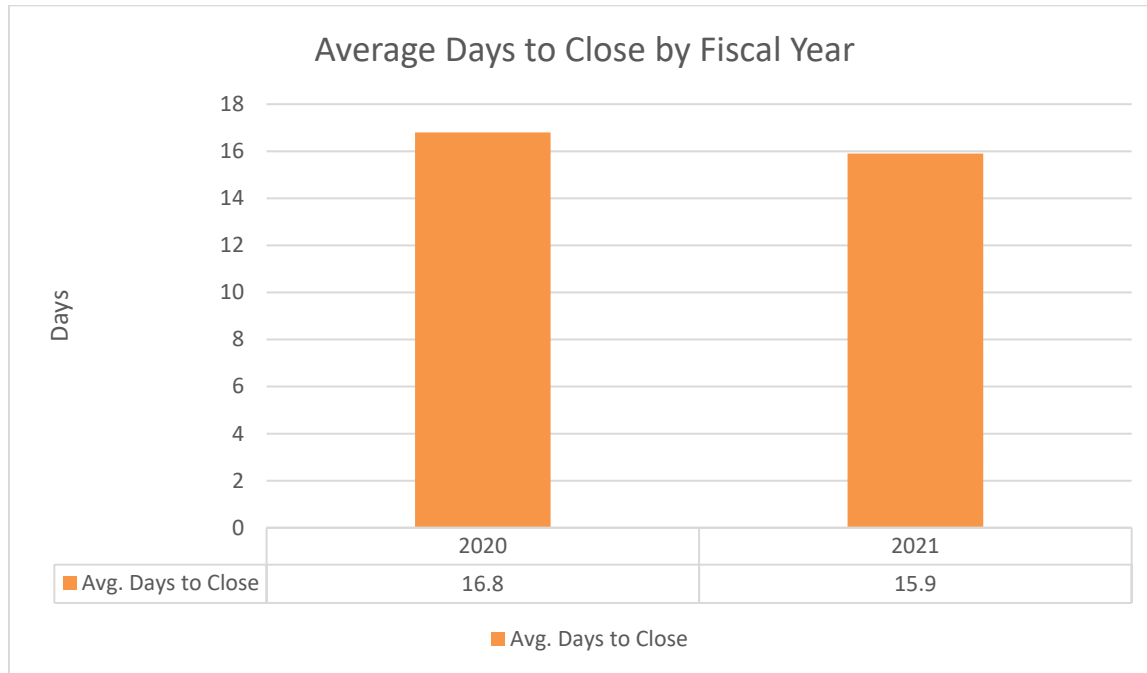
Brevard County of Commissioners



Source: CAO – unaudited.

Background – selective statistics – cont.

Brevard County of Commissioners



Brevard County Compared with Other Florida Counties

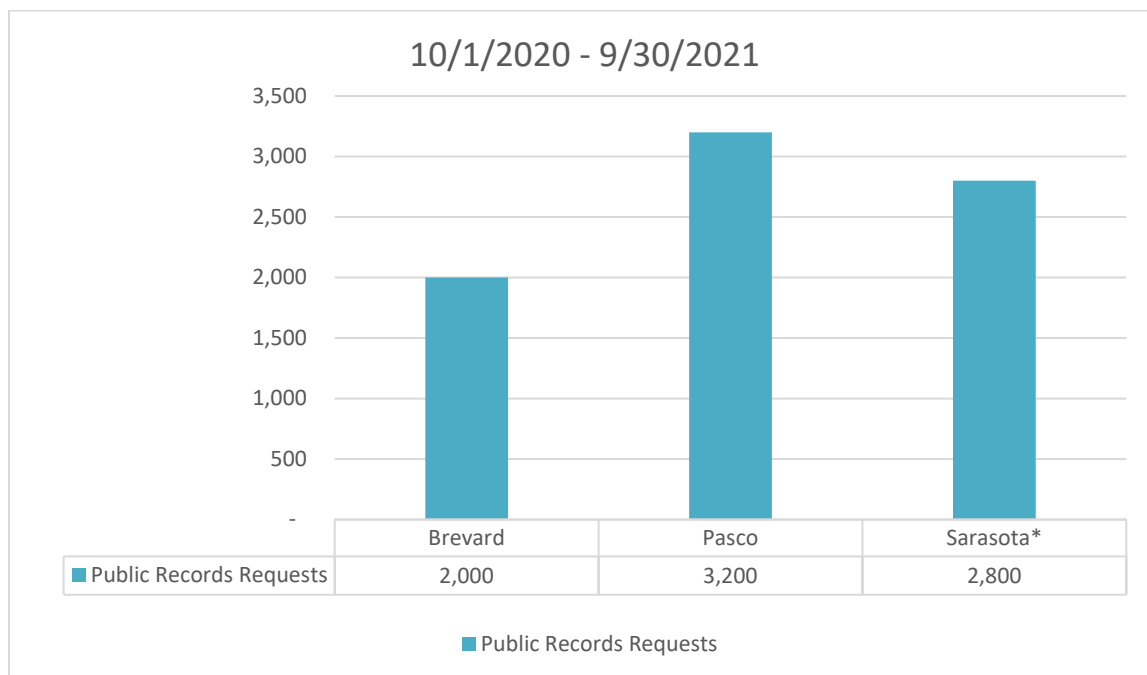


Chart Data Source: Obtained from respective counties (unaudited) – rounded to nearest one-hundred.
 Populations for Counties (2020 census): Brevard: 607K, Pasco: 562K, Sarasota: 434K (source: U.S. Census Bureau).
 *Sarasota: PRRs amount provided was a range of 2500 to 3000.

Objectives and Approach

Objectives

The objective of this audit was to assess the design and effectiveness of internal controls in place over the Public Records Request function and related processes, and to assess the County's compliance with certain laws, rules and applicable County policies and procedures. Additionally, during the audit process, the County determined to procure new PRR software. As such, the objective of our audit also included identifying potential PRR controls and processes that should be factored in to the configuration and utilization of the new PRR software that the County is in the process of purchasing (*Next Request*).

Approach

Our approach consisted of four phases:

Phase One – Assessment and Understanding

We held an entrance conference with key personnel involved with the PRR function to discuss the scope and objectives of the internal audit work, obtain preliminary data, and establish working arrangements. We reviewed Florida Statutes, administrative orders, County policies/procedures, and other relevant resources.

Phase Two – Process and Controls Analysis/Documentation

We gained an understanding and documented the current PRR process. We conducted interviews with management and staff and documented their respective roles in the processes. We updated our understanding of the processes and relevant controls. We obtained PRR data from PRRT to obtain an understanding of the volume and type of PRRs processed by the County including the average days to process the requests from submission to fulfillment. See Background section.

Since the County is in the process of purchasing the *Next Request* application, we also included process observations/recommendations (Observations – Current State section) based on our internal audit of another Florida public sector entity that utilizes the *Next Request* for PRR processing.

Phase Three - Benchmarking

We reviewed and compared other Florida public sector entities to gain an understanding of how these entities are managing PRRs while complying with applicable Florida laws and administrative rules. Benchmarking results for certain metrics are summarized in the Background section.

Phase Four – Reporting and Recommendations

At the conclusion of our procedures, we documented our understanding of the Public Records Request function and summarized our observations related to this function for both the Current and Future States. We conducted an exit conference with management and have incorporated management's responses into our report. We prepared our report and related observations and provided copies to appropriate County personnel.

Observations Matrix – Current State/ PRRT Software

Internal Audit Report

Rating	Observation	Recommended Action	Management Response
Moderate	1. Entering Public Records Request		
	<p>Based on our interviews and walkthroughs with CAO management and staff, we noted the following:</p> <p>PRRs submitted via telephone, in-person, or via email were not always entered into PRRT by the respective department Records Custodians as required by AO-47.</p>	<p>We recommend that CAO management perform the following to facilitate compliance with AO-47 that requires all PRRs to be entered into the PRRT software for tracking/monitoring:</p> <ol style="list-style-type: none"> Circulate an email to all the department directors and Records Custodians reminding them of the requirement to enter all PRRs into the PRRT with AO-47 attached. Circulate an email to all County employees reminding them of their responsibility under AO-47 to assure compliance and uniformity with regard to the handling of requests for inspection and copies of public records not exempted by State law and to notify their applicable Records Custodian to ensure any PRR received is entered into the PRRT system in accordance with AO-47. 	<p>Response:</p> <ol style="list-style-type: none"> We concur and we will circulate an email reminder to all the department directors and Records Custodians reminding them of the requirement to enter all PRRs into the PRRT (referencing AO-47). We concur and will circulate an email to all County employees on an annual basis reminding them of their public records responsibilities under AO-47. <p>Responsible party: County Attorney</p> <p>Estimated completion date:</p> <ol style="list-style-type: none"> August 2022 October 2022

Observations Matrix – Current State/PRRT Software

Internal Audit Report

Rating	Observation	Recommended Action	Management Response
Moderate	2. Closing Public Records Requests		
	<p>Based on our interviews and walkthroughs with CAO management and staff, we noted the following:</p> <p>PRRT has an automated control requiring an entry into the comments field prior to PRR closure. However, anything typed in the “Comments” field allows the PRR to be closed. No pull-down menus/templates with the most common responses are utilized.</p>	<p>We recommend that CAO management perform the following:</p> <p>Work with the IT department to determine whether the PRRT can be configured to add a Drop-down menu to include the most common responses to the requester. Alternatively, if this is not feasible, take this into consideration in the implementation of <i>Next Request</i>.</p> <p>Note: Based on our experience with <i>Next Request</i>, it has pull-down templates and/or menus available to facilitate the above.</p>	<p>Response:</p> <p>Our plan is to include pull-down menus/templates as part of our implementation of <i>Next Request</i> if feasible.</p> <p>Responsible party:</p> <p>County Attorney</p> <p>Estimated completion date:</p> <p>January 2023</p>

Observations Matrix – Current State/ PRRT Software

Internal Audit Report

Rating	Observation	Recommended Action	Management Response
Moderate	<p>3. Public Record Request Consultations with CAO</p> <p>Based on our interviews and walkthroughs with CAO management and staff, we noted the following:</p> <p>In accordance with AO-47, upon request by any County Employee responding to a PRR, the CAO provides guidance for fulfilling PRRs in compliance with the Florida Public Records Act. Based on our discussions with the CAO, this direction is most commonly communicated to the County employee via email. Depending on the nature of the request for guidance, and if asked via phone, the CAO would sometimes provide guidance orally as well.</p> <p>If any records are redacted or exempted, the PRR response provided to the requester must include the relevant Public Records F.S. citation. According to the CAO, the most common statement used when records are redacted is similar to: “Your requested documents are enclosed, and have been redacted pursuant to section 17.325(3) of the FL Statutes.” (Per CAO staff).</p>	<p>To facilitate consistency relative to redacted and exempt records, we recommend that management perform the following:</p> <ul style="list-style-type: none"> • Provide standard wording to the Records Custodians for redacted public records to ensure consistency. For example: <i>Your requested documents are enclosed, and have been redacted pursuant to section 17.325(3) of the F.S.</i> • Provide standard language for any PRR’s that have exempt records while citing the appropriate section of the F.S. 	<p>Response: We concur and will develop standard wording for both redacted and exempt records citing the applicable F.S.</p> <p>Responsible party: County Attorney</p> <p>Estimated completion date: August 2022</p>

Observations Matrix – Current State/ PRRT Software

Internal Audit Report

Rating	Observation	Recommended Action	Management Response
Moderate	4. Monitoring Open Requests		
	<p>Based on our interviews and walkthroughs with CAO management and staff, we noted the following:</p> <ul style="list-style-type: none"> One of the assistant county attorney's we interviewed who was part of the PRR process indicated that she regularly monitored the outstanding PRRs in the PRRT to identify any "older" outstanding requests to ensure that they are addressed in a timely manner. However, she indicated that there is no formal documented monitoring process in place. Presently, the CAO Records Coordinator has access to close any of the PRR requests in PRRT. At times, the CAO Records Coordinator has to close previously fulfilled PRR's that have been noted as fulfilled in PRRT, but not closed by the respective Records Custodian. All but a few of the PRRs were fulfilled by County departments/offices other than the CAO. The respective Records Custodians for each department have access to close the open requests that appear in their respective cue. 	<p>We recommend that management perform the following:</p> <ol style="list-style-type: none"> Develop and document a formal, monitoring process in keeping with current practice to address open PRRs on at least a weekly basis. Formally designate the CAO Records Coordinator, in keeping with current practice, to perform and/or to oversee this monitoring process to help ensure that open requests are addressed and closed in a timely manner. 	<p>Response:</p> <ol style="list-style-type: none"> We concur and will formally document a monitoring process in keeping with our current practice and amend BCC-22 and/or AO-47 as needed. We concur and will formally designate the CAO Records Coordinator in keeping with current practice to perform and/or to oversee this monitoring process to help ensure that open requests are addressed and closed in a timely manner. We will amend BCC-22 and/or AO-47 as needed. <p>Responsible party: County Attorney</p> <p>Estimated completion date: October 2022</p>

Observations Matrix – Current State/ PRRT Software

Internal Audit Report

Rating	Observation	Recommended Action	Management Response
Low	5. Public Records Request Accessibility		
	<p>During our interviews and walkthroughs with CAO management and staff, we noted the following:</p> <p>The County website in the PRR section does not include the CAO's physical location (i.e. address, building & suite number) for requestors that want to submit their requests by mail or in-person.</p>	<p>We recommend that management add the physical location of the CAO's to the website where the PRR section is currently located (i.e. address, building & suite) to facilitate accessibility for requestors that want to submit a PRR in-person or by mail.</p>	<p>Response: We concur and will have the IT Department add the physical address to the PRR section of the website (including building & suite) to facilitate accessibility for requestors that want to submit a PRR in-person or by mail.</p> <p>Responsible party: County Attorney IT Director</p> <p>Estimated completion date: August 2022</p>

Observations Matrix – Future State (*Next Request*)

Internal Audit Report

Observation / Recommended Action	Management Response
<p>1. Implementation and Configuration of New Public Records Request Software</p> <p>Based on walkthroughs of the Current State and our previous experience with the <i>Next Request</i> application, management should consider the following in the implementation and configuration of the <i>Next Request</i> application (as available and applicable in the County's <i>Next Request</i> software):</p> <p><u>General:</u> Use this implementation of a new PRR software as an opportunity to improve the PRR process with as many automated processes and controls as applicable, rather than implementing the software to accommodate existing practices.</p> <ul style="list-style-type: none"> a. Ensure users have training prior to implementation and train periodically on the system and public records law. b. Implement automated workflows for process efficiencies and documentation of appropriate review and approvals – can include the CA or designate ACA for responding to and documenting any consultation as applicable. c. Create and maintain public records in digital formats as much as possible. d. Utilize pull-down menus: <ul style="list-style-type: none"> ○ Assignments ○ Type of Record(s) Requested ○ F.S. citation to support exempted or redacted records ○ Resolution – most common types e. Utilize system tools to increase efficiency and gather key data including: <ul style="list-style-type: none"> ○ Message templates ○ Due date tracking ○ Email automation ○ Timekeeping/time tracking ○ Digital Redaction vs. Manual ○ Invoicing f. Use the data collected in the system to periodically self-assess and identify trends/opportunities for improved service/efficiency – i.e. identify departments that may need more support/staffing/resources/digitized documents for timely response, commonly requested records (use of self-service portal would be good for these types of records), etc. g. Attach documented support for records exempted or redacted. h. Emphasize to the Records Custodians the requirement to enter all PRRs into the PRR software. i. Document CAO consultation in <i>Next Request</i>. j. Restrict access to <i>Next Request</i> as appropriate. 	<p>Response:</p> <p>As we implement the <i>Next Request</i> application, we will take into account the items recommended based on the capability of the software package purchased, subject to the County's ADA requirements.</p> <p>Responsible party:</p> <p>County Attorney</p> <p>Estimated completion date:</p> <p>January 2023</p>

Observations Matrix – Future State (*Next Request*) - continued

Internal Audit Report

Observation / Recommended Action	Management Response
<p>2. Public Records Request – Online Layout/Configuration</p> <p>We reviewed and compared the County’s PRR online layout to those of various other Florida Counties and Cities. We noted opportunities to improve the County’s PRR online layout to provide for enhanced clarity, guidance and transparency as it relates to which types of records are maintained by the BOCC vs. other agencies.</p> <p>Key items to consider as the County implements <i>Next Request</i> and reconfigures the PRR online access accordingly, include:</p> <ul style="list-style-type: none"> a. The link for requesting a PRR is included on the County homepage next to two other links (County Meetings and Open Data Application) with little guidance as to the purpose and use of these other links. b. The County’s PRR guidance and instructions regarding the process for making a request, including contact information (phone number, email, etc.) the Public Records law requirements, costs where applicable are all described in one continuous narrative. c. The County’s current online form for a PRR does not provide step by step instructions for completing the request to facilitate completeness and specificity to facilitate greater efficiency and accuracy in fulfilling the request. <p>We recommend that management review the PRR online website layouts of the other Florida Counties and Cities to assist management in configuring the PRR online access to make the process more “user friendly” for the requestor, including, but not limited to:</p> <ul style="list-style-type: none"> a. Include all links and related guidance for the PRR process on the same webpage including links to records maintained by other agencies as well as common records already made available online. b. Delineate/separate out the guidance and instructions such as contact information, Public Records law rights/requirements, costs, etc., using separate “call out” boxes. c. Provide step by step instructions to complete PRRs online. 	<p>Response: We will consider implementing the recommended items subject to the County’s ADA requirements.</p> <p>Responsible party: County Attorney</p> <p>Estimated completion date: January 2023</p>



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.10.

8/2/2022

Subject:

Bill Folder

Fiscal Impact:

N/A

Dept/Office:

Commission Office

Requested Action:

Acknowledge the Receipt.

Summary Explanation and Background:

Exhibit 1 District 1 Purchasing Card Reconciliation Report Closing 07/04/2022

Exhibit 2. District 4 Dex Imaging Statement

Exhibit 3. District 1 ODP Business Solutions Invoice

Exhibit 4 - District 2 Commission Office, DEXimaging Invoice 07192022]

Clerk to the Board Instructions:

Include with the meeting minutes of the August 2, 2022 Regular Board Meeting.

EXHIBIT "B"
BREVARD COUNTY PURCHASING CARD MONTHLY RECONCILIATION REPORT

PAGE 1 of 1

Cardholder's Name: Suzette M. Maners

Cardholders
 Phone # (321) 607-6901 Cardholders Personnel #: 11010006

Cardholder's Department/Office: District 1 Commissioner

Closing Date: 07/04/2022

Date Purchased or Ordered	Date Received	Vendor Name	Description of Item Purchased	Amount Billed (For quoted items, handwrite "Q" by the amount)	Fund # (4 digits)	Cost Center # (6 digits)	General Ledger Account # (7 digits)	Internal / Work Order # (6 or 7 digits)
06/14/2022	06/14/2022	Fine Line Printing	Business Cards	\$75.00	0001	200010	5520000	

\$0.00 ADD'L PAGE(S) SUBTOTAL

\$75.00 GRAND TOTAL (ALL PAGES)

(MUST AGREE TO FIGURE BELOW)

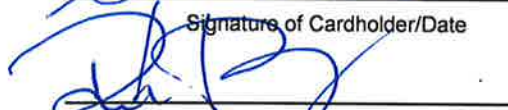
I (Cardholder) have complied with the Purchase Card Administrative Order (AO-41) and have retained all required approvals for restrictive uses and a quote log for purchases with a value in excess of \$1000 and an expected life of more than one-year such as automobiles and furniture; and computer equipment valued in excess of \$750.

SUMMARY OF FUND / COST CENTERS / G.L. ACCOUNT TO BILL

FUND	COST CTR	G.L. ACCT.	INT. ORDER	Amount
0001	200010	5520000		\$75.00



 Signature of Cardholder/Date



 Signature of Approving Official/Date

SUZETTE M MANERS
FL BREVARD COUNTY BOC
XXXX-XXXX-XXXX-7610
June 05, 2022 - July 04, 2022

Purchasing Card

Cardholder Activity

Account Information	Payment Information	Account Summary
Mail Billing Inquiries to: BANKCARD CENTER PO Box 660441 Dallas, TX 75266-0441 TTY Hearing Impaired: Dial "711" Outside the U.S.: 1.509.353.6656 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 07/04/22 Credit Limit \$1,000 Cash Limit \$0 Days in Billing Cycle 30 Total Activity \$75.00 THIS IS NOT A BILL - DO NOT PAY	Credits \$0.00 Cash \$0.00 Purchases \$75.00 Other Debits \$0.00 Cash Fees \$0.00 Other Fees \$0.00 Total Activity \$75.00 Accounting Code: 0001 / 200010

Important Messages

Global Card Access – your card information whenever, wherever and however you need it. From the dashboard, you can quickly check your credit limit, balance, available credit and recent card activity. Other features like View PIN, Change PIN, Lock Card and Alerts help you keep your card secure. For added convenience, you can easily view or download your current statement up to 12 months of past statements. Visit www.bofa.com/globalcardaccess to register your card and start using Global Card Access today.

Transactions						
Posting Transaction						
Date	Date	Description	Reference Number	MCC	Charge	Credit
06/14	06/13	FINE LINE PRINTING TITUSVILLE FL	24327432164380700354839	7333	75.00	

RECEIVED
JUL 11 2022
D-1 COUNTY COMMISSION

00000000 00000000 00000000 4715292417217610

Account Number: XXXX-XXXX-XXXX-7610
June 05, 2022 - July 04, 2022

|||||
BANK OF AMERICA
PO BOX 15731
WILMINGTON, DE 19886-5731

|||||
SUZETTE M MANERS
FL BREVARD COUNTY BOC
DISTRICT 1 COMMISSIONER OFFICE
7101 S US HIGHWAY 1
TITUSVILLE, FL 32780-8102

**N0003671

Total Activity \$75.00

 7/11/22
 Cardholder Signature Date

 Manager Signature Date

FINELINE

PRINTING & GRAPHICS

3700 S. Hopkins Avenue, Suite E

Titusville, FL 32780

Phone: 321-267-9294 Fax: 321-267-9297

Invoice

Date	Invoice #
6/10/2022	22-1483

Bill To
Brevard County Commissioners 2725 Judge Fran Jamieson Way Viera, Florida 32940

Ship To
County Manager's Office 2725 Judge Fran Jamieson Way Bldg. C, room 303 Viera, FL 32940

P.O. No.	Terms	titusville@finelineprint.com FinelinePrint.com		Ship Date	FOB
				6/10/2022	
Qty	Item	Memo	Rate	Amount	
250	Printing	Business Cards on 14 pt. 4/0 for Suzette Maners	0.07	17.50	
250	Printing	Business Cards on 14 pt. 4/0 for Cecilia Quist	0.07	17.50	
250	Printing	Business Cards on 14 pt. 4/0 for Melinda Burdette	0.07	17.50	
500	Printing	Business Cards on 14 pt. 4/0 for Rita Pritchett Ordered by Suzette Maners	0.045	22.50	

			Total	\$75.00
--	--	--	--------------	---------

Signature

FINE LINE PRINTING
3700 S HOPKINS AVE STE F
TITUSVILLE FL 32780
321-267-9294

Ref #: 0005

Sale

XXXXXXXXXXXX7610

VISA Entry Method: Chip

Total: \$ 75.00

06/13/22 14:25:01
Inv #: 000005 Appr Code: 094173
Transaction ID: 462164663014405
Apprvd: Online Batch#: 000016

VISA CREDIT
AID: A0000000031010
TSI: E800
TVR: 0000088000

Customer Copy

THANK YOU



Post Office Box 17299 Clearwater, FL 33762-0299
P: 800-995-4468 F: 813-288-0223

RECEIVED

JUL 20 2022

DISTRICT 4
COMMISSION OFFICE

CONTRACT INVOICE

Invoice Number: AR7978247

Invoice Date: 7/19/2022

Bill To: Brevard County
Accounts Payable
2725 Judge Fran Jamieson Way
Viera, FL 32940

Customer: Brevard County
2725 Judge Fran Jamieson Way
Viera, FL 32940

Account No	Payment Terms	Due Date	Invoice Total	Balance Due
BC18-NAOS	60 DAYS	9/17/2022	\$36.39	\$36.39

Invoice Remarks

Contract Number	Contact	Contract Amount	P.O. Number	Start Date	Exp. Date
1500097795LeaseK&S-NAOS-01		\$36.39	4500104021	5/16/2018	6/1/2023

Contract Remarks

Summary:

Contract base rate charge for this billing period \$0.00
Contract overage charge for the 6/16/2022 to 7/15/2022 overage period \$36.39**
**See overage details below \$36.39

Detail:

Equipment included under this contract

2725 Judge Fran Jamieson
District 4 Commission C

Canon/iRC3525i

Number	Serial Number	Base Adj.	Location
401311	XTK03094	\$0.00	Brevard County 2725 Judge Fran Jamieson Way Viera, FL 32940 District 4 Commission Office

Meter Type	Meter Group	Begin Meter	End Meter	Total	Covered	Billable	Rate	Overage
B/W	black meter	33,183	33,859	676	0	676	0.011590	\$7.83
Color	color meter	27,885	28,602	717	0	717	0.039830	\$28.56
								\$36.39

Date Received: 7/20/22
PO# 4500111891
Vendor # 16062
Date: 5/10/22
Signature: 5105665674
Date Completed:

Great News! You can now make your payments online! Make a one-time payment or enroll today
using the link below to view your account balance, make payments or review payment history
<https://www.deximaging.com/service/#online-payment>

Did you know you can place your supply order online?

Try <http://www.deximaging.com> and click on "Order Supplies".

Invoice SubTotal	\$36.39
Tax:	\$0.00
Invoice Total	\$36.39
Balance Due:	\$36.39





ODP Business Solutions, LLC
PO BOX 7241
SIOUX FALLS SD
57117-7241

ORIGINAL INVOICE

10068

THANKS FOR YOUR ORDER

IF YOU HAVE ANY QUESTIONS
OR PROBLEMS, JUST CALL US

FOR CUSTOMER SERVICE ORDER: (888) 263-3423
FOR ACCOUNT: (800) 721-6592

FEDERAL ID:86-2161688

INVOICE NUMBER 250592650001	AMOUNT DUE 49.27	PAGE NUMBER Page 1 of 2
INVOICE DATE 15-JUL-22	TERMS Net 30	PAYMENT DUE 15-AUG-22

BILL TO:

ATTN: ACCTS PAYABLE
DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102

SHIP TO:

DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102



ACCOUNT NUMBER		BLANKET PO		SHIP TO ID		ORDER NUMBER		ORDER DATE		SHIPPED DATE	
27327334		4500111262		DISTRICT 1 OFFICE		250592650001		14-JUL-22		15-JUL-22	
BILLING ID		ACCOUNT MANAGER		RELEASE		ORDERED BY		FLOOR/BUILDING		COST CENTER	
32516						SUZETTE MANERS		1/1			
CATALOG ITEM #/ MANUF CODE				DESCRIPTION/ CUSTOMER ITEM #		U/M	QTY ORD	QTY SHF	QTY B/O	UNIT PRICE	EXTENDED PRICE
771985 12433				INDEX,DIVIDERS,TRANSLUCE 771985		PK	1	1	0	44.090	44.09
581985 WOTAPP4D-WHI				TAPE,CORRECTION 581985		PK	1	1	0	5.180	5.18

RECEIVED

JUL 22 2022

D-1 COUNTY COMMISSION

X

Suzette Maners

PO# 4500113915
Vendor# 18045
Doc # 5105666243

We have exciting changes happening in the next few months! As part of our evolution into a B2B-focused company, Office Depot Business Solutions Division is becoming ODP Business Solutions™ to serve customers like you even better. You'll be seeing our new brand look, a new website and more! Please stay tuned for more information and visit us at www.odpbusiness.com or contact us at 888-2-OFFICE if you have any questions.

To ensure timely and accurate application of your payment, please include the following on your remittance: account number, invoice number, and the amount you are paying for each invoice.

CONTINUED ON NEXT PAGE...



ODP Business Solutions, LLC
PO BOX 7241
SIOUX FALLS SD
57117-7241

ORIGINAL INVOICE

10068

THANKS FOR YOUR ORDER

IF YOU HAVE ANY QUESTIONS
OR PROBLEMS. JUST CALL US

FOR CUSTOMER SERVICE ORDER: (888) 263-3423
FOR ACCOUNT: (800) 721-6592

FEDERAL ID:86-2161688

INVOICE NUMBER	AMOUNT DUE	PAGE NUMBER
250592650001	49.27	Page 2 of 2
INVOICE DATE	TERMS	PAYMENT DUE
15-JUL-22	Net 30	15-AUG-22

BILL TO:

ATTN: ACCTS PAYABLE
DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102

000391-000008

SHIP TO:

DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102



ACCOUNT NUMBER		BLANKET PO		SHIP TO ID		ORDER NUMBER		ORDER DATE		SHIPPED DATE	
27327334		4500111262		DISTRICT 1 OFFICE		250592650001		14-JUL-22		15-JUL-22	
BILLING ID	ACCOUNT	MANAGER		RELEASE		ORDERED BY		FLOOR/BUILDING		COST CENTER	
32516						SUZETTE MANERS		1/1			
CATALOG ITEM #/ MANUF CODE				DESCRIPTION/ CUSTOMER ITEM #		U/M TAX	QTY ORD	QTY SHP	QTY B/O	UNIT PRICE	EXTENDED PRICE

SUB-TOTAL	49.27
DELIVERY	0.00
SALES TAX	0.00
TOTAL	49.27

All amounts are based on USD currency

To return supplies, please repack in original box and insert our packing list, or copy of this invoice. Please note problem so we may issue credit or replacement, whichever you prefer. Please do not ship collect. Please do not return furniture or machines until you call us first for instructions. Shortage or damage must be reported within 5 days after delivery.

000391-000008

DETACH HERE

CUSTOMER NAME	BILLING ID	INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT ENCLOSED
DISTRICT 1 COMMISSION OFFICE	32516	250592650001	15-JUL-22	49.27	

FL0 000325167 2505926500014 00000004927 1 8

Please
Send Your
Check to:

ODP Business Solutions, LLC
PO Box 1413
Charlotte NC 28201-1413

Please return this stub with your payment to
ensure prompt credit to your account.

Please DO NOT staple or fold. Thank You.

000391-000008

00002/00006



*** PACKING LIST ***

ODP Business Solutions, LLC
 1-888-2OFFICE
 1801 CYPRESS LAKE DR
 ORLANDO FL 32837
 Order Number: 250592650-1

Order Summary

Shipping Address

00412
 DISTRICT 1 COMMISSION OFFICE
 7101 S US HIGHWAY 1
 TITUSVILLE FL 32780-8102

Customer Information

Customer#: 27327334
 Contact: SUZETTE MANERS
 Phone#: 321-607-6901

Carton Counts

Repack / Split Case 1
 Full Case 0
 Bulk 0
 Secondary Warehouse 1
 Total 2

Additional Information

BLK 4500111262 D1 FY 21-22
 FLR/ 1/1
 Route/Stop/Door: 0612/000/009
 Order Date: 14-Jul-2022
 Delivery Date: 15-Jul-2022

* Note: Your order contains
 additional cartons of merch.
 from secondary Warehouse

Item Details

Line	Quantity Ordered Shipped Back Ordered			Item Number Mfgr Code Customer Code	Description	Units	Unit Price	Total	Carton ID
1	1	1	0	AVE12433	INDEX,DIVIDERS,TRANSLUCENT	PK	44.090	44.09	*
2	1	1	0	581985 WOTAPP4D-WHI	TAPE,CORRECTION 4-PACK,WE	PACK	5.180	5.18	45436001

Please visit ODPBusiness.com for all
 order information including re-orders,
 invoice re-prints, parts replacement and
 quick easy returns.

RECEIVED

JUL 15 2022

D-1 COUNTY COMMISSION

Merchandise Total 49.27
 Small Order Handling Fee 0.00
 Subtotal 49.27
 Sales Tax (Exempt) 0.00
 Order Total 49.27
 Balance Due 0.00

Terms: Acct Bill



ODP Business Solutions, LLC
PO BOX 7241
SIOUX FALLS SD
57117-7241

ORIGINAL INVOICE

10068

THANKS FOR YOUR ORDER

IF YOU HAVE ANY QUESTIONS
OR PROBLEMS, JUST CALL US

FOR CUSTOMER SERVICE ORDER: (888) 263-3423
FOR ACCOUNT: (800) 721-6592

FEDERAL ID:86-2161688

INVOICE NUMBER	AMOUNT DUE	PAGE NUMBER
251559782001	6.39	Page 1 of 2
INVOICE DATE	TERMS	PAYMENT DUE
12-JUL-22	Net 30	15-AUG-22

BILL TO:

ATTN: ACCTS PAYABLE
DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102

SHIP TO:

DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102



ACCOUNT NUMBER		BLANKET PO		SHIP TO ID		ORDER NUMBER		ORDER DATE		SHIPPED DATE	
27327334		4500111262		DISTRICT 1 OFFICE		251559782001		08-JUL-22		12-JUL-22	
BILLING ID		ACCOUNT MANAGER		RELEASE		ORDERED BY		FLOOR/BUILDING		COST CENTER	
32516						SUZETTE MANERS		1/1			
CATALOG ITEM #/ MANUF CODE				DESCRIPTION/ CUSTOMER ITEM #		U/M	QTY ORD	QTY SHF	QTY B/O	UNIT PRICE	EXTENDED PRICE
7054322 GJO10318				CUP,PAPER,HOT,PRINTED,12 7054322		PK	1	1	0	6.390	6.39

RECEIVED
JUL 25 2022
DISTRICT 1 COMMISSION

X *[Signature]*

PO# 4500113915
Vendor# 18045
Doc# 5105666 298

CONTINUED ON NEXT PAGE...



ODP Business Solutions, LLC
PO BOX 7241
SIOUX FALLS SD
57117-7241

ORIGINAL INVOICE

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FEDERAL ID:86-2161688

INVOICE NUMBER	AMOUNT DUE	PAGE NUMBER
251559782001	6.39	Page 2 of 2
INVOICE DATE	TERMS	PAYMENT DUE
12-JUL-22	Net 30	15-AUG-22

BILL TO:

ATTN: ACCTS PAYABLE
DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102

SHIP TO:

DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102



ACCOUNT NUMBER		BLANKET PO		SHIP TO ID		ORDER NUMBER		ORDER DATE		SHIPPED DATE	
27327334		4500111262		DISTRICT 1 OFFICE		251559782001		08-JUL-22		12-JUL-22	
BILLING ID		ACCOUNT MANAGER		RELEASE		ORDERED BY		FLOOR/BUILDING		COST CENTER	
32516						SUZETTE MANERS		1/1			
CATALOG ITEM #/ MANUF CODE				DESCRIPTION/ CUSTOMER ITEM #		U/M TAX	QTY ORD	QTY SHP	QTY B/O	UNIT PRICE	EXTENDED PRICE

SUB-TOTAL	6.39
DELIVERY	0.00
SALES TAX	0.00
TOTAL	6.39

All amounts are based on USD currency

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DETACH HERE

CUSTOMER NAME	BILLING ID	INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT ENCLOSED
DISTRICT 1 COMMISSION OFFICE	32516	251559782001	12-JUL-22	6.39	

FL0

000325167 2515597820013 00000000639 1 7

Please
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ODP Business Solutions, LLC
PO Box 1413
Charlotte NC 28201-1413

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Please DO NOT staple or fold. Thank You.



ODP Business Solutions, LLC
PO BOX 7241
SIOUX FALLS SD
57117-7241

ORIGINAL INVOICE

10068

THANKS FOR YOUR ORDER

IF YOU HAVE ANY QUESTIONS
OR PROBLEMS. JUST CALL US

FOR CUSTOMER SERVICE ORDER: (888) 263-3423
FOR ACCOUNT: (800) 721-6592

FEDERAL ID:86-2161688

INVOICE NUMBER 251530745001	AMOUNT DUE 17.43	PAGE NUMBER Page 1 of 2
INVOICE DATE 12-JUL-22	TERMS Net 30	PAYMENT DUE 15-AUG-22

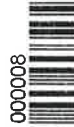
BILL TO:

ATTN: ACCTS PAYABLE
DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102

000391-000008

SHIP TO:

DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102



ACCOUNT NUMBER 27327334		BLANKET PO 4500111262		SHIP TO ID DISTRICT 1 OFFICE		ORDER NUMBER 251530745001		ORDER DATE 08-JUL-22		SHIPPED DATE 12-JUL-22	
BILLING ID 32516		ACCOUNT MANAGER RELEASE		ORDERED BY SUZETTE MANERS		FLOOR/BUILDING 1/1			COST CENTER		
CATALOG ITEM #/ MANUF CODE		DESCRIPTION/ CUSTOMER ITEM #		U/M	QTY ORD	QTY SHP	QTY B/O	UNIT PRICE		EXTENDED PRICE	
4510771 5000358238		MCCAFE,PREM,ROAST,30OZ,C 4510771		EA	1	1	0	7.050		7.05	
282737 83035		SUGAR,ORGANIC,RAW,200BX, 282737		BX	1	1	0	10.380		10.38	

NOISSIWMOC YLTUOC 1-D

JUL 25 2022

RECEIVED

RECEIVED

JUL 25 2022

D-1 COUNTY COMMISSION

X

PO# 4500113915

Vender# 18045

Doc# 5105666295

000391-000008

CONTINUED ON NEXT PAGE...



ODP Business Solutions, LLC
PO BOX 7241
SIOUX FALLS SD
57117-7241

ORIGINAL INVOICE

10068

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IF YOU HAVE ANY QUESTIONS
OR PROBLEMS. JUST CALL US
FOR CUSTOMER SERVICE ORDER: (888) 263-3423
FOR ACCOUNT: (800) 721-6592

FEDERAL ID:86-2161688

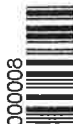
INVOICE NUMBER	AMOUNT DUE	PAGE NUMBER
251530745001	17.43	Page 2 of 2
INVOICE DATE	TERMS	PAYMENT DUE
12-JUL-22	Net 30	15-AUG-22

BILL TO:

ATTN: ACCTS PAYABLE
DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102

SHIP TO:

DISTRICT 1 COMMISSION OFFICE
7101 S US HIGHWAY 1
TITUSVILLE FL 32780-8102



ACCOUNT NUMBER		BLANKET PO		SHIP TO ID		ORDER NUMBER		ORDER DATE		SHIPPED DATE	
27327334		4500111262		DISTRICT 1 OFFICE		251530745001		08-JUL-22		12-JUL-22	
BILLING ID		ACCOUNT MANAGER		RELEASE		ORDERED BY		FLOOR/BUILDING		COST CENTER	
32516						SUZETTE MANERS		1/1			
CATALOG ITEM #/ MANUF CODE				DESCRIPTION/ CUSTOMER ITEM #		U/M TAX	QTY ORD	QTY SHIP	QTY B/O	UNIT PRICE	EXTENDED PRICE

SUB-TOTAL	17.43
DELIVERY	0.00
SALES TAX	0.00
TOTAL	17.43

All amounts are based on USD currency

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DETACH HERE

CUSTOMER NAME	BILLING ID	INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT ENCLOSED
DISTRICT 1 COMMISSION OFFICE	32516	251530745001	12-JUL-22	17.43	

FL0 000325167 2515307450010 00000001743 1 5

Please
Send Your
Check to:

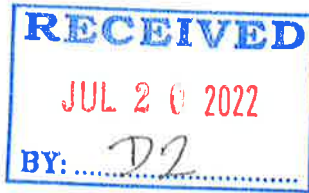
ODP Business Solutions, LLC
PO Box 1413
Charlotte NC 28201-1413

Please return this stub with your payment to
ensure prompt credit to your account.

Please DO NOT staple or fold. Thank You.



Post Office Box 17299 Clearwater, FL 33762-0299
P: 800-995-4468 F: 813-288-0223



CONTRACT INVOICE

Invoice Number:

AR7978229

Invoice Date:

7/19/2022

Bill To: Brevard County
Accounts Payable
2725 Judge Fran Jamieson Way
Viera, FL 32940

Customer: Brevard County
2725 Judge Fran Jamieson Way
Viera, FL 32940

Account No	Payment Terms	Due Date	Invoice Total	Balance Due
BC18-NAOS	60 DAYS	9/17/2022	\$5.29	\$5.29
Invoice Remarks				

Contract Number	Contact	Contract Amount	P.O. Number	Start Date	Exp. Date
1500097792LeaseK&S-NAOS-01		\$5.29	4500097792	4/23/2018	6/1/2023
Contract Remarks					

Contract Lease Charge is the Quarterly billing for Lease.

Summary:

Contract base rate charge for this billing period	\$0.00
Contract overage charge for the 6/23/2022 to 7/22/2022 overage period	\$5.29 **
	\$5.29

**See overage details below

Detail:

Equipment included under this contract

2575 N. Courtenay Park

Canon/iRC5540i

Number	Serial Number	Base Adj.	Location
401139	XUP01019	\$0.00	Brevard County - District II Commission Office 2575 N. Courtenay Parkway Merritt Island, FL 32953

Meter Type	Meter Group	Begin Meter	End Meter	Total	Covered	Billable	Rate	Overage
B/W	black meter	59,317	59,567	250	0	250	0.011590	\$2.90
Color	color meter	14,854	14,914	60	0	60	0.039830	\$2.39
								\$5.29

PO # 4500111889
Cost Center # 200020
Doc # 5105665834

Great News! You can now make your payments online! Make a one-time payment or enroll today using the link below to view your account balance, make payments or review payment history

<https://www.deximaging.com/service/#online-payment>

Did you know you can place your supply order online?

Try <http://www.deximaging.com> and click on "Order Supplies".

Invoice SubTotal	\$5.29
Tax:	\$0.00
Invoice Total	\$5.29
Balance Due:	\$5.29





Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.11.

8/2/2022

Subject:

Appointment(s) / Reappointment(s)

Fiscal Impact:

N/A

Dept/Office:

County Manager's Office

Requested Action:

It is requested the Board of County Commissioners approve the District appointment(s) / reappointment(s).

Summary Explanation and Background:

Clerk to the Board Instructions:



BOARD OF COUNTY COMMISSIONERS

COMMISSIONER JOHN TOBIA, DISTRICT 3

2539 Palm Bay Road, NE

Suite 4

Palm Bay, FL 32905

John.Tobia@Brevardfl.gov

FROM THE DISTRICT 3 COMMISSION OFFICE

ADVISORY COMMITTEE APPOINTMENT CANDIDATE

Name of Committee: Board of Adjustment

Name of Appointee: Robert Dale Rhodes

Home Address: 855 Daytona Dr. NE

Palm Bay, FL 32905

Cell Number: (321) 917-6596

Home Number:

Email Address: rdrmanofhonor@gmail.com

Reappointment: Yes () or No (X)

Replacing: vacancy

Term of Appointment: 8/2/2022-8/2/2023

Office Contact: Bethany Iliff

Date of Request: 8/2/2022

A waiver of the term limit is recommended due to difficulty to fill the appointment? Yes () or No (X)



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.12.

8/2/2022

Subject:

County Manager's Agreement

Fiscal Impact:

Dept/Office:

D3 Commission Office

Requested Action:

It is requested that the Brevard County Board of County Commissioners consider and approve the updated County Manager's Agreement.

Summary Explanation and Background:

The recent acceptance of a new County Attorney's Agreement prompted the reconsideration of the County Manager's Agreement.

On Tuesday, July 19th, 2022, the Board agreed that an updated agreement for the County Manager was appropriate.

The proposed updated agreement includes an annual salary of \$249,000.00 as well as updating other benefits. Updated statutory references were also included.

Clerk to the Board Instructions:

AGREEMENT

THIS AGREEMENT, made and entered into by and between the **COUNTY OF BREVARD, FLORIDA**, hereinafter called the "County", by its **BOARD OF COUNTY COMMISSIONERS**, hereinafter called the "Board", and **FRANK ABBATE**, hereinafter called the "Employee", both of whom understand as follows:

WITNESSETH:

WHEREAS, the County desires to retain the services of said Employee as the County Manager of Brevard County, Florida, as provided in the Brevard County Charter; and

WHEREAS, it is the desire of the Board of County Commissioners to provide certain benefits, set certain conditions of employment, and to establish a procedure for the termination of employment by the Board and the Employee; and

WHEREAS, Employee desires to accept employment as County Manager of said County; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. DUTIES

The County herein agrees to employ said Employee as County Manager of said County to perform the functions and duties specified in the Brevard County Charter and other applicable laws and ordinances and to perform such other legally permissible and proper duties and functions as the Board shall time to time assign.

SECTION 2. TERMS

A. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Board to terminate the services of Employee at any time, subject only to the provisions set forth in Section 3, paragraphs A, B, and C and D of this Agreement.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his position with the County, subject only to the provisions set forth in Section 3, paragraph D, of this Agreement.

C. Employee agrees to remain in the exclusive employ of the County and will not become employed by another employer until termination is effected as hereinafter provided or as otherwise mutually agreed by both parties.

SECTION 3. TERMINATION AND SEVERANCE PAY

A. Termination Hearing: The Board and Employee recognize the position of County Manager is the head of the executive branch of County Government for Brevard County.. The Employee must maintain the confidence of the Board and discharge fully and properly the duties of his position. The employee shall serve at the will and pleasure of the Board. The Board may terminate the Employee at any time for the convenience of the County but only if a majority of the Board agrees. The Board may terminate the Employee for good cause (as defined in paragraph C, below) if, in a public meeting, a majority of the Board votes to terminate the Employee; however, the Employee shall then be afforded a written notice setting forth the reasons for termination and the Employee shall have ten (10) days from the receipt of said written notice to request a hearing before the Board of County Commissioners of Brevard County, Florida.

B. Termination for the Convenience of the County: In the event Employee is either terminated by the Board for the convenience of the County or is forced to resign during such time that Employee is willing and able to perform the duties of County Manager, then and in that event the County agrees to pay Employee a lump sum severance cash payment equal to twenty (20) weeks of compensation. As consideration for such severance pay, Employee shall, prior to receipt thereof, execute and deliver to the County a general release of the County, the Board, its officers, agents, and employees, for all acts and actions during his employment with the County (whether accrued or subsequently accruing) from the beginning of time until the date of release. "For the convenience of the County" as used in this Agreement means where the Employee is terminated by the Board without good cause; where a majority of the Board has lost confidence in the Employee performing the duties of his position; where termination of the Employee is in the best interests of the County as determined solely by the Board; or for any other reason the Board deems appropriate.

C. Termination for Good Cause: In the event the Employee is terminated by the Board for good cause, then and in that event the County shall have no obligation to pay the aggregate severance sum designated in Section 3, paragraph B. "Good cause" as used in this Agreement means misconduct, as defined in Section 443.036, Florida Statutes; removal from office pursuant to Section 112.51, Florida Statutes; insubordination, the violation of section 82-15 of the Code of Ordinances of Brevard

County, Florida or the provisions of Policy XII of the Merit System Policies or nonfeasance, misfeasance, or malfeasance in the performance of the County Manager's job duties and responsibilities; or the conviction of, or a plea of guilty or no contest to, a felony crime or any crime involving dishonesty, moral turpitude, or which brings the County into disrepute, whether adjudication is withheld or not. The standard for good cause for dismissal may be established by measuring the conduct and performance of the Employee against the conduct and performance of other County Managers considering contemporary standards of employee conduct and performance.

D. Voluntary Resignation: In the event the Employee voluntarily resigns his position with the County, the Employee shall give the Board sixty (60) days' notice in advance, unless the parties agree otherwise.

SECTION 4. DISABILITY

If (a) the Employee is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity, or health for a period of three (3) months and (b) no reasonable accommodation is possible, to the extent required by state or federal law, the Board shall have the option to terminate this Agreement subject to the payment of the aggregate severance sum designated in Section 3, paragraph B. Employee shall be compensated for any accrued sick leave, vacation, holidays, and compensatory time, and shall be entitled to the same disability benefits as extended to other County employees.

SECTION 5. SALARY AND EVALUATION

A. The County agrees to pay Employee for his services rendered pursuant hereto an annual base salary of two hundred forty nine thousand dollars and no cents (\$249,000), payable in installments at the same time as the other employees of the County are paid, commencing September 5, 2022. Cost of living increases shall be equal to those percentages as approved by the Board for County employees.

B. In addition, the County may increase said base salary and other benefits of Employee in such amounts and to such extent as the Board may determine that it is desirable to do so based on a performance evaluation of the County Manager. Such evaluation shall be in such form as the Commission deems appropriate.

C. Nothing in this Section shall require the County to increase the base salary or other benefits of the County Manager. Furthermore, the County's failure to conduct any

of the scheduled evaluations shall not constitute non-compliance with a material provision of this Agreement.

SECTION 6. ANNUAL AND SICK LEAVE

The Employee's prior service with FRS employers shall be credited towards his years of service with Brevard County when determining the annual and sick leave that he will receive from the County. The Employee will accrue annual and sick leave under the same rules as other career and appointive service employees under the Board generally receive. The Employee must use at least half his annual leave every year and may carry over the remainder. All accumulated annual time will be paid to the Employee when he leaves the County. The Employee will be reimbursed for 50% of unused sick leave.

SECTION 7. AUTOMOBILE AND CELL PHONE

The County shall provide a car allowance for the Employee's use of his personal vehicle. The annual allowance shall equal 65% of the average cost to own and operate a new car (15k mi/yr) as published by AAA, and shall be payable in monthly installments. The Employee may request that the car allowance be adjusted once per year upon publication of the updated AAA study for such year. The County shall provide fifty dollars (\$50.00) per month for use of his personal cell phone for County business or be provided a County cell phone, at his discretion.

SECTION 8. DUES AND SUBSCRIPTIONS

The County agrees to pay dues and subscriptions on behalf of the Employee as are approved in the County's annual budget (on a line item basis) or as authorized separately by the County Commission.

SECTION 9. PROFESSIONAL DEVELOPMENT

The County agrees to pay registration fees and customary travel and meal expenses for the Employee's travel to and attendance at the Florida Association of County's Annual Conference and the Florida County and City Management Association's annual conference. The County may choose to pay for the Employee's attendance at other seminars, conferences and committee meetings as it deems appropriate and as approved by Commission actions.

SECTION 10. COUNTY RESIDENCY

The Employee agrees to maintain residence within the corporate limits of the County throughout the term of this Agreement.

SECTION 11. INDEMNIFICATION

A. County shall defend, save harmless, and indemnify Employee against any action for any injury or damage suffered as a result of any act, event, or omission of action that Employee reasonably believes to be in the scope of his duties or function, unless he acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. The County may compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon. The County shall not be liable for the acts or omissions of Employee committed while acting outside the course and scope of his agreed duties or committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. In such instance, Employee shall reimburse the County for any legal fees and expenses the County has incurred or otherwise paid, for or on his behalf, in connection with the charged conduct.

B. Said indemnification shall extend beyond the termination of employment and the expiration of this Agreement to provide protection for any such acts undertaken or committed in his capacity as County Attorney, regardless of whether the notice of claim or filing of a lawsuit occurs during or following employment with the County.

SECTION 12. BONDING

The County agrees to bear the full cost of any fidelity or other bonds required of the Employee as County Manager under any policy, regulation, ordinance or law.

SECTION 13. CODE OF ETHICS

The "Code of Ethics; promulgated by ICMA is incorporated herein, and by this reference made a part hereof. Said "Code of Ethics" shall furnish principles to govern the Employee's conduct and actions as County Manager of Brevard County.

SECTION 14. OTHER TERMS AND CONDITIONS OF EMPLOYMENT

A. The Board shall fix, after consultation with Employee, any such other terms of employment, as it may determine desirable from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the County Charter, the laws of Florida, or any other applicable law.

B. County shall contribute, on Employee's behalf, the employer's share for Employee to participate as a Senior Management Service Class member in the Florida Retirement System ("FRS"). Employee shall pay the employee share.

C. All provisions of law and regulations and rules of County relating to vacation and sick leave, life insurance, disability benefits, retirement and pension system contributions, holidays and other fringe benefits as they now exist or hereafter may be amended, also shall apply to Employee as they would to other employees of County, in addition to said benefits enumerated specifically for the benefit of Employee, except as otherwise provided herein.

SECTION 15. GENERAL PROVISIONS

A. The text herein shall constitute the entire agreement between the parties.

B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.

C. This Agreement shall become effective commencing September 5, 2022.

D. Florida law shall govern this Agreement and any litigation that may arise from this Agreement, shall be filed and litigated in Brevard County, Florida.

E. If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

F. This Agreement may not be modified or changed in any way whatsoever except by written agreement of the parties, unless otherwise provided herein.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly
executed this ____ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk

By: _____
Kristine Zonka, Chair
As approved by the Board on _____

EMPLOYEE

Frank Abbate



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.13.

8/2/2022

Subject:

Permission to Advertise for a Public Hearing to consider application for the FY21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, JAG-Countywide (JAGC) Solicitation

Fiscal Impact:

This U.S. Department of Justice grant provides funding in the amount of \$144,504.00 and does not require a local match.

Dept/Office:

Brevard County Sheriff's Office

Requested Action:

It is requested that the Board of County Commissioners grant permission for Brevard County Sheriff's Office to advertise for a public hearing to consider the FY2021 Edward Byrne Memorial Justice Assistance Grant (JAGC) application

Summary Explanation and Background:

The Florida Department of Law Enforcement (FDLE) recently notified Brevard County of the Edward Byrne Memorial Justice Assistance Grant (JAGC) program, Countywide solicitation. Brevard County is slated to receive \$144,504.00 in FY 2022 that must be used to fund law enforcement programs.

For the last 20 years, the countywide Prisoner Transportation program has provided coordinated transportation of arrestees to the county jail from the field by Brevard's Law Enforcement agencies. The program allows law enforcement agencies who find it difficult to transport arrestees to the County Jail Complex the ability to have arrestees picked up by the Sheriff's Office, leaving more time for safety patrol functions.

As a condition of the grant, Brevard County and Brevard cities must come to a consensus on how the funds are to be used and provide FDLE with letters of support for that use. The Sheriff's Office has communicated the desire to continue use of JAGC funds for the Prisoner Transport Program and coordinated the support effort among our municipalities, receiving the required 51% letters of support.

Therefore, the Sheriff's Office is requesting permission to advertise a public hearing for the Board of County Commissioners to consider the grant in the Florida Today newspaper. The cost of the advertisement will be the responsibility of the Sheriff's Office.

Contact: Bill Spinelli : Phone/e-mail: (321) 264-5206, bill.spinelli@bcso.us

Clerk to the Board Instructions:

Please e-mail and mail a copy of the Board Memo to Joann.Elmiger@bsco.us <<mailto:Joann.Elmiger@bsco.us>>
, 700 S. Park Ave, Titusville, FL 32780



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.14.

8/2/2022

Subject:

Resolution recognizing the Marine Corps League Brevard County Detachment #513.

Fiscal Impact:

N/A

Dept/Office:

D3 Commission Office

Requested Action:

It is requested that the Board approve the attached resolution.

Summary Explanation and Background:

Brevard County Detachment #513 of the Marine Corps League has reached its 40th anniversary. Throughout its existence, the Brevard County Detachment has served veterans and the community and maintained its mission of demonstrating the values of the Marine Corps.

Clerk to the Board Instructions:

Frame 1 copy

Resolution 22 - _____

A RESOLUTION ON BEHALF OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS RECOGNIZING THE MARINE CORPS LEAUGE BREVARD COUNTY DETACHMENT #513

WHEREAS, the Marine Corps League is the only congressionally chartered United States Marine Corps-related veteran's organization in the United States; and

WHEREAS, their mission is to promote the interest and preserve the traditions of the United States Marine Corps; and

WHEREAS, they also strengthen the fraternity of Marines and their families; and

WHEREAS, Detachment #513 serves Marines and FMF-qualified Navy personnel who wear or have worn the Eagle, Globe, and Anchor; and

WHEREAS, this organization fosters the ideals of Americanism and patriotic volunteerism; and

WHEREAS, the Marine Corps League Detachment #513 is the local Brevard County representation for the Marine Corps League; and

WHEREAS, in addition to supporting Marines and qualified Navy Personnel, Detachment #513 also engages in extensive service including Toys for Tots, Funeral Services for deceased Marines and other service members, Marine Corp Scholarship program, Semper Fi Fund, Navy Marine Corps Relief Society, and Marine for Life Program; and

WHEREAS, Detachment #513 was chartered on August 15th, 1982; and

WHEREAS, August 15th, 2022 is the 40th anniversary of the organization.

NOW, THEREFORE, BE IT RESOLVED THAT, after 40 years of service to the veterans of the community, the Marine Corps League Brevard County Detachment #513 be recognized for their outstanding work and dedicated service.

DONE, ORDERED AND ADOPTED, in regular session, this 2nd day of August, 2022.

ATTEST:

RACHEL SADOFF, CLERK

KRISTINE ZONKA, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FL



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.1.

8/2/2022

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easements- 2490 Sweetwater Court - "Sweetwater Downs"
Plat Book 35, Page 81 - Mims - Francis J. Sidoti - District 1

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacating's.

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of two public utility & drainage easements, "Sweetwater Downs" in Section 16, Township 21 South, Range 34 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lots 1 & 2, and is requesting the vacating of a portion of two 10.00 ft. wide public utility & drainage easements lying between Lots 1 & 2, to allow for the construction of a single-family home. Easement to be vacated contains 5507.00 square feet, more or less. The property is located in Mims South of Highway 46 and West of Interstate 95.

July 18, 2022, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice.

Resolution 2022 -

Vacating a portion of two public utility & drainage easements in plat "Sweetwater Downs" Subdivision, Mims, Florida, lying in Section 16, Township 21 South, Range 34 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Francis J. Sidoti** with the Board of County Commissioners to vacate two public easements in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 2nd day of August, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on:
August 2, 2022

Brevard County Property Appraiser Detail Sheet

Account 2100790

Owners SIDOTI, FRANCIS J

Mailing Address 6480 GREENWOOD AVE COCOA FL 32927

Site Address 2490 SWEETWATER CT MIMS FL 32754

Parcel ID 21-34-16-50-*-1

Property Use 0010 - VACANT RESIDENTIAL LAND (SINGLE FAMILY, PLATTED)

Exemptions NONE

Taxing District 1300 - UNINCORP DISTRICT 1

Total Acres 2.05

Subdivision SWEETWATER DOWNS

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0035/0081

Land Description SWEETWATER DOWNS LOTS 1 & 2

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$44,000	\$40,000	\$40,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$44,000	\$19,160	\$17,420
Assessed Value School	\$44,000	\$40,000	\$40,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$44,000	\$19,160	\$17,420
Taxable Value School	\$44,000	\$40,000	\$40,000

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/08/2020	\$51,000	WD	Vacant	8714/1989
05/03/2004	--	QC	--	5278/1352
09/24/2002	--	QC	--	4692/2342

Vicinity Map

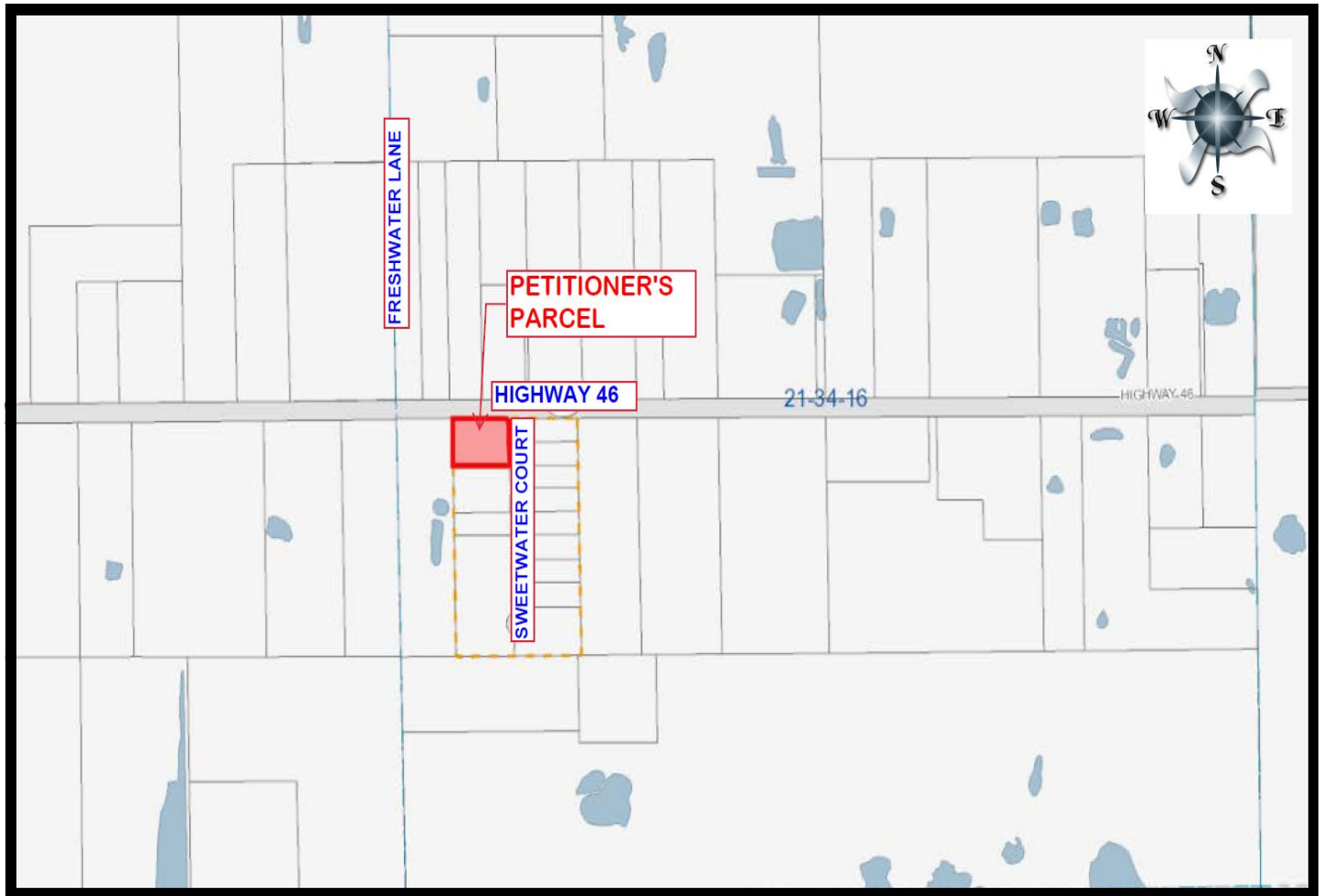


Figure 1: Map of Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Francis J. Sidoti – 2490 Sweetwater Court –
Mims, FL, 32754 – Lots 1 & 2, plat of
“Sweetwater Downs” – Plat Book 35, Page 81
– Section 16, Township 21 South, Range 34
East – District 1 – Proposed Vacating of a
portion of two 10.0 ft. Wide Public Utility &
Drainage Easements

Aerial Map



Figure 2: Aerial Map of Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Francis J. Sidoti – 2490 Sweetwater Court –
Mims, FL, 32754 – Lots 1 & 2, plat of
“Sweetwater Downs” – Plat Book 35, Page 81
– Section 16, Township 21 South, Range 34
East – District 1 – Proposed Vacating of a
portion of two 10.0 ft. Wide Public Utility &
Drainage Easements

Plat Reference

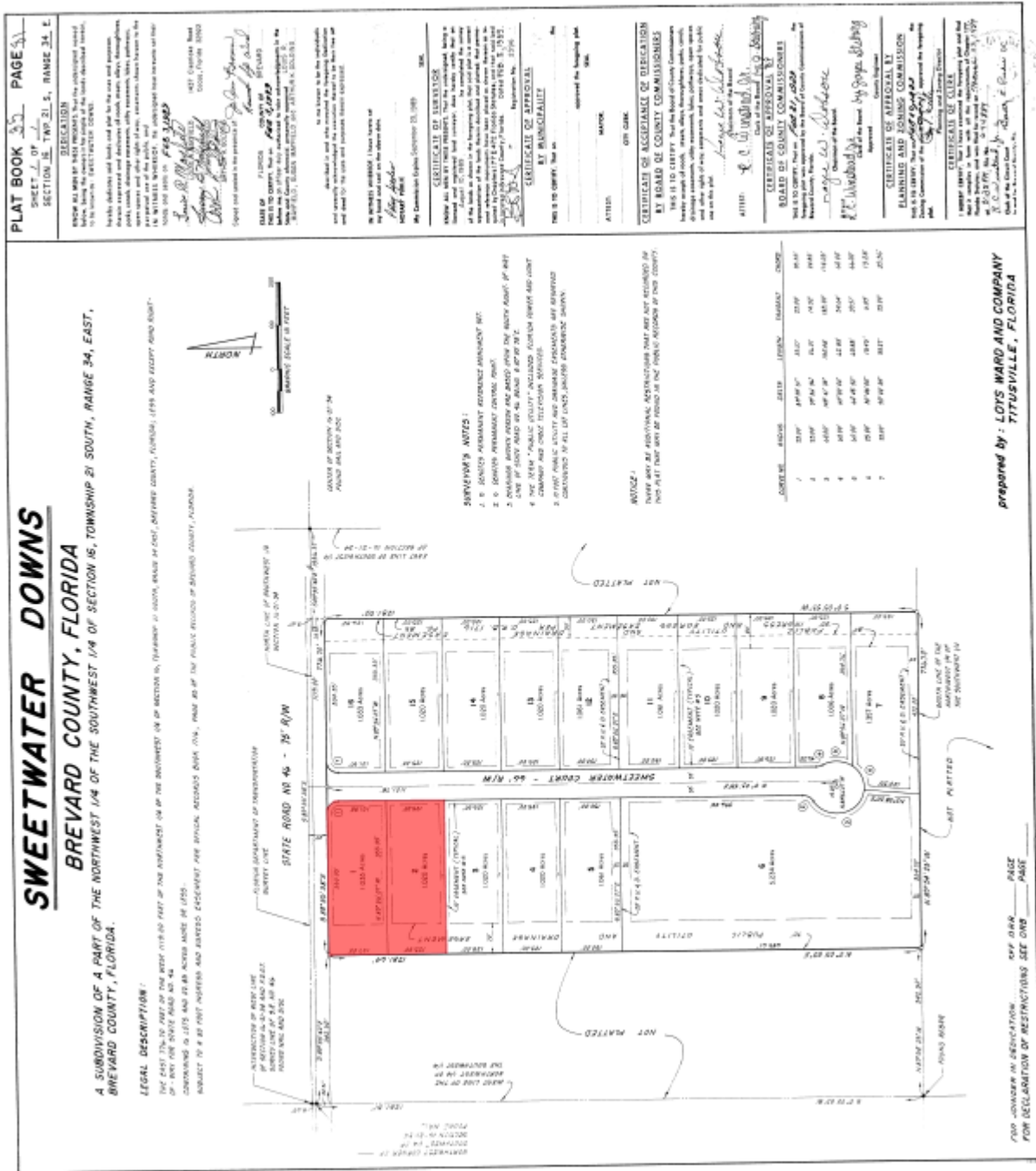


Figure 3: Copy of plat map "Sweetwater Downs" dedicated to Brevard County February 21, 1989.

Petitioner's Sketch & Description Sheet 1 of 2

J.O.# 37007-1

SKETCH AND DESCRIPTION: (FOR VACATING OF EASEMENT)

SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

SECTION 16, T.21S., R.34E.
PETITIONER'S PARCEL ID NO. 21-34-16-50-*1
PREPARED FOR: FRANCIS J. SIDOTI

LEGAL DESCRIPTION:

THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF.

CONTAINING 5507 SQUARE FEET MORE OR LESS

THIS CERTIFIES THAT THE FOREGOING SKETCH AND LEGAL DESCRIPTION MEET THE APPLICABLE MINIMUM STANDARDS ESTABLISHED PURSUANT TO FLORIDA STATUTES 472.027 AND ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND DOES NOT REPRESENT A FIELD SURVEY, BUT ARE BASED ON INFORMATION FROM PUBLIC RECORDS WHICH MAY DIFFER.

THIS IS NOT A SURVEY

LEGAL DESCRIPTION REVISED AS PER BREVARD COUNTY --- 05/28/22
DRAWING REVISED --- 05/31/22

04/17/22
JOHN T. HOLLEY, P.S.M. # 5050
("NOT VALID WITHOUT THE ORIGINAL SIGNATURE
AND RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER")



SHEET 1 OF 2 NOT VALID
WITHOUT SHEET 2

HOLLEY & ASSOCIATES INC.
REGISTERED LAND SURVEYORS L.B.#4595
1846 ROBIN HOOD AVE., TITUSVILLE, FL.
P.O. BOX 1975, 32781
321-267-6113

Figure 4: Legal Description. Sheet 1 of 2. Section 16, Township 21 South, Range 34 East. Parcel ID number: 21-34-16-50-*1.

J.O.# 37007-2

**SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1**

**SHEET 2 OF 2 NOT VALID
WITHOUT SHEET 1**

168

J.O.#36444-29556



Survey illustrates the existing vacant lots and proposed single family home all lying within Lots 1 & 2, Sweetwater Downs, 2490 Sweetwater Court, Mims, Florida, 32754.

Comment Sheet

Applicant: Sidoti

Updated by: Amber Holley 20220628 at 15:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20220608	20220608	Yes	No objections
FL Power & Light	20220608	20220628	Yes	No objections
At&t	20220608	20220628	Yes	No comment
Charter/Spectrum	20220608	20220609	Yes	No objections
City of Titusville	20220608	20220620	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20220608	20220620	Yes	No Objections
Land Planning	20220608	20220621	Yes	No objections
Utility Services	20220608	20220608	Yes	No objections
Storm Water	20220608	20220624	Yes	No Objections
Zoning	20220608	20220621	Yes	No objections

Public Hearing Legal Advertisement

Ad#5327829

7/18/2022

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SWEETWATER DOWNS" IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 34 EAST, MIMS, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by FRANCIS J. SIDOTI with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF. CONTAINING 5507 SQUARE FEET MORE OR LESS. PREPARED BY: JOHN T. HOLLEY, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on August 2, 2022 at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Figure 7: Copy of public hearing advertisement as published on July 18, 2022. See next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "SWEETWATER DOWNS" IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 34 EAST, MIMS, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **FRANCIS J. SIDOTI** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE SOUTH LINE OF LOT 1 AND THE 10.00-FOOT-WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON THE NORTH LINE LOT 2, SWEETWATER DOWNS, AS RECORDED IN PLAT BOOK 35, PAGE 81, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. LESS AND EXCEPT THE WEST 70.00 FEET AND THE EAST 10.00 FEET THEREOF. CONTAINING 5507 SQUARE FEET MORE OR LESS. PREPARED BY: JOHN T. HOLLEY, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **5:00 P.M. on August 2, 2022** at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

8/2/2022

Subject:

Petition to Vacate, Re: Public Utility Easements- 1751 N. Carpenter Road - "Sherwood Estates Unit Number 4"
Plat Book 19, Page 67 - Titusville - Nicholas S. Townsend - District 1

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacating's.

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of two public utility easements, "Sherwood Estates Unit Number 4" in Section 19, Township 21 South, Range 35 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns part of Lots 3 & 4, Block 4 and is requesting the vacating of a portion of two 5.00 ft. wide public utility easements lying between Lots 3 & 4, Block 4, to allow for the existing single-family home to be removed as an encroachment. Easement to be vacated contains 1150.00 square feet, more or less. The property is located in Titusville South of Highway 46 and West of Interstate 95.

July 18, 2022, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice.

Resolution 2022 -

Vacating a portion of two public utility easements in plat "Sherwood Estates Unit Number 4" Subdivision, Titusville, Florida, lying in Section 19, Township 21 South, Range 35 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **NICHOLAS S. TOWNSEND** with the Board of County Commissioners to vacate two public easements in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easements are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 2nd day of August, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on:
August 2, 2022

Brevard County Property Appraiser Detail Sheet

Account 2104403
 Owners TOWNSEND, NICHOLAS S
 Mailing Address 203 BRANT CREEK CIR SAINT MARYS GA 31558
 Site Address 1751 N CARPENTER RD TITUSVILLE FL 32796
 Parcel ID 21-35-19-53-4-3
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions NONE
 Taxing District 1300 - UNINCORP DISTRICT 1
 Total Acres 0.23
 Subdivision SHERWOOD ESTATES UNIT 4
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0019/0067
 Land Description SHERWOOD ESTATES UNIT 4 N 20 FT OF LOT 3,
 ALL LOT 4 EX N 4 FT BLK 4

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$194,280	\$173,440	\$171,980
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$190,780	\$173,440	\$158,450
Assessed Value School	\$194,280	\$173,440	\$171,980
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$190,780	\$173,440	\$158,450
Taxable Value School	\$194,280	\$173,440	\$171,980

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/10/2013	\$142,500	WD	--	6921/1345
09/25/2001	\$90,000	WD	--	4430/0710
01/01/1987	--	PR	--	2765/1041

Vicinity Map

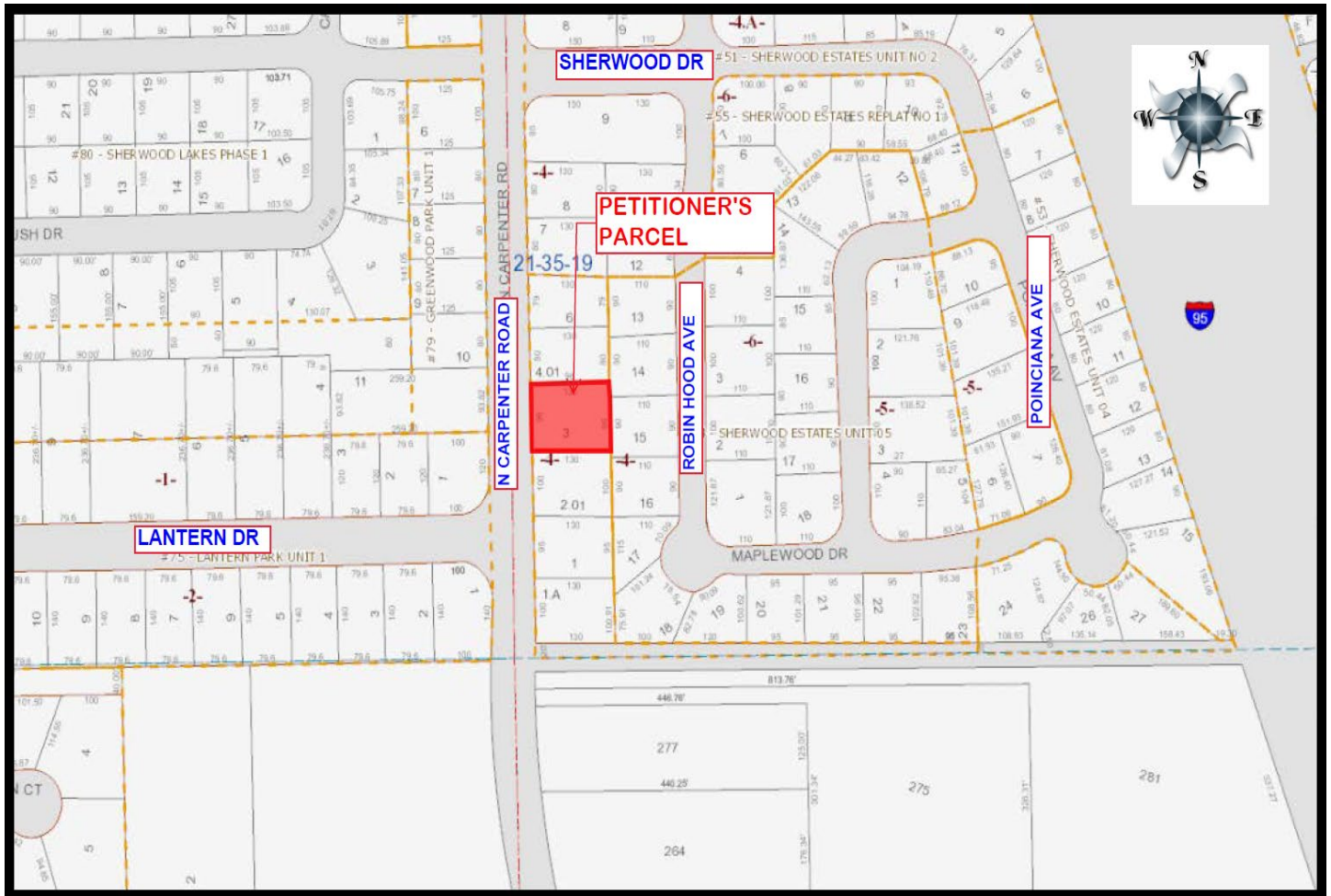


Figure 1: Map of Lots 3 & 4, Block 4, Sherwood Estates Unit Number 4, 1751 N. Carpenter Rd, Titusville, Florida, 32796.

Nicholas S. Townsend – 1751 N. Carpenter Road – Titusville, FL, 32796 – Part of Lots 3 & 4, Block 4, plat of “Sherwood Estates Unit Number 4” – Plat Book 19, Page 67 – Section 19, Township 21 South, Range 35 East – District 1 – Proposed Vacating of a portion of two 5.0 ft. Wide Public Utility Easements

Aerial Map

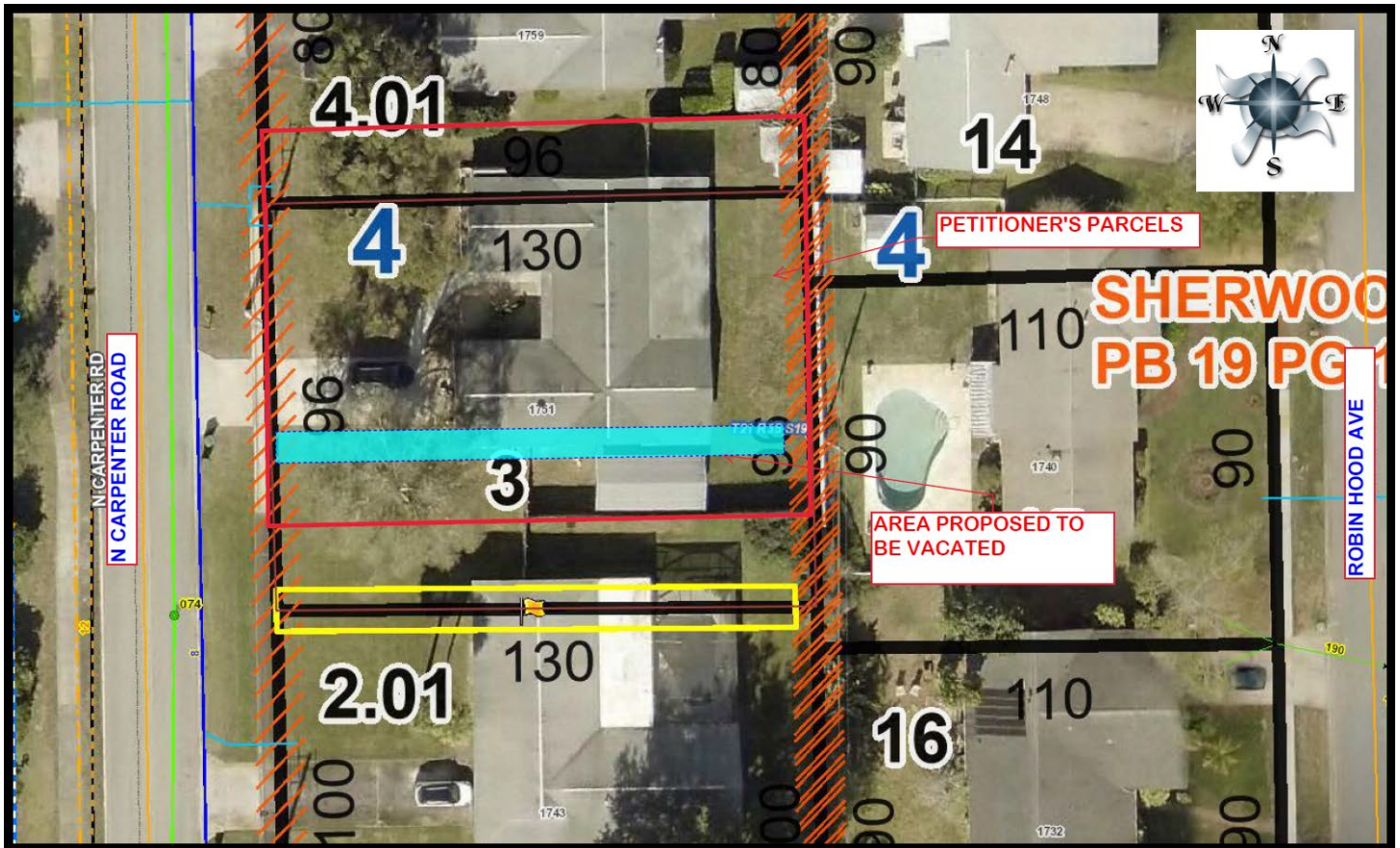


Figure 2: Aerial Map of Lots 3 & 4, Block 4, Sherwood Estates Unit Number 4, 1751 N. Carpenter Rd., Titusville, Florida, 32796.

Nicholas S. Townsend – 1751 N. Carpenter Road – Titusville, FL, 32796 – Part of Lots 3 & 4, Block 4, plat of “Sherwood Estates Unit Number 4” – Plat Book 19, Page 67 – Section 19, Township 21 South, Range 35 East – District 1 – Proposed Vacating of a portion of two 5.0 ft. Wide Public Utility Easements

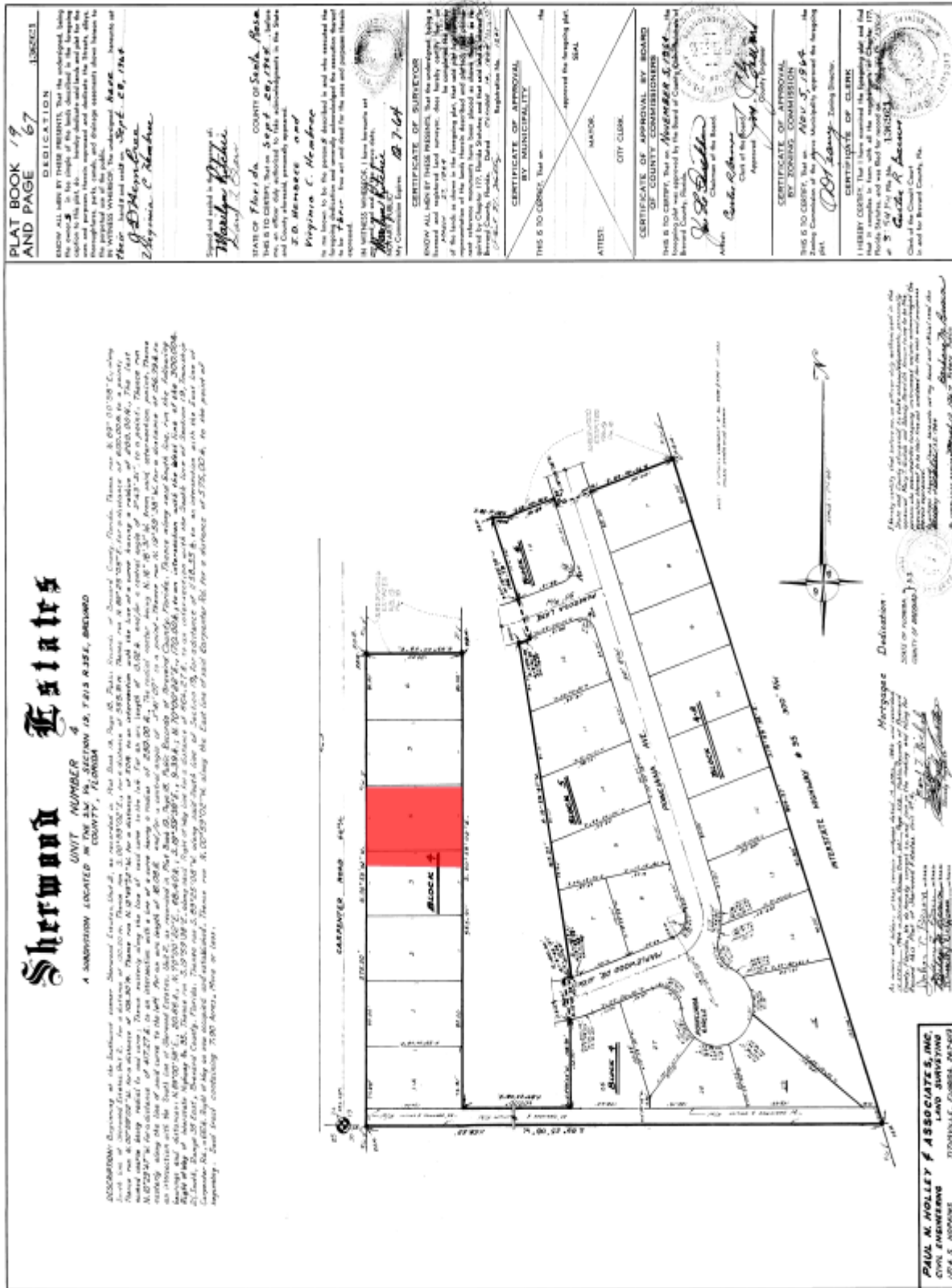


Figure 3: Copy of plat map "Sherwood Estates Unit Number 4" dedicated to Brevard County November 5, 1964.

179

Boundary Survey with Proposed Garage

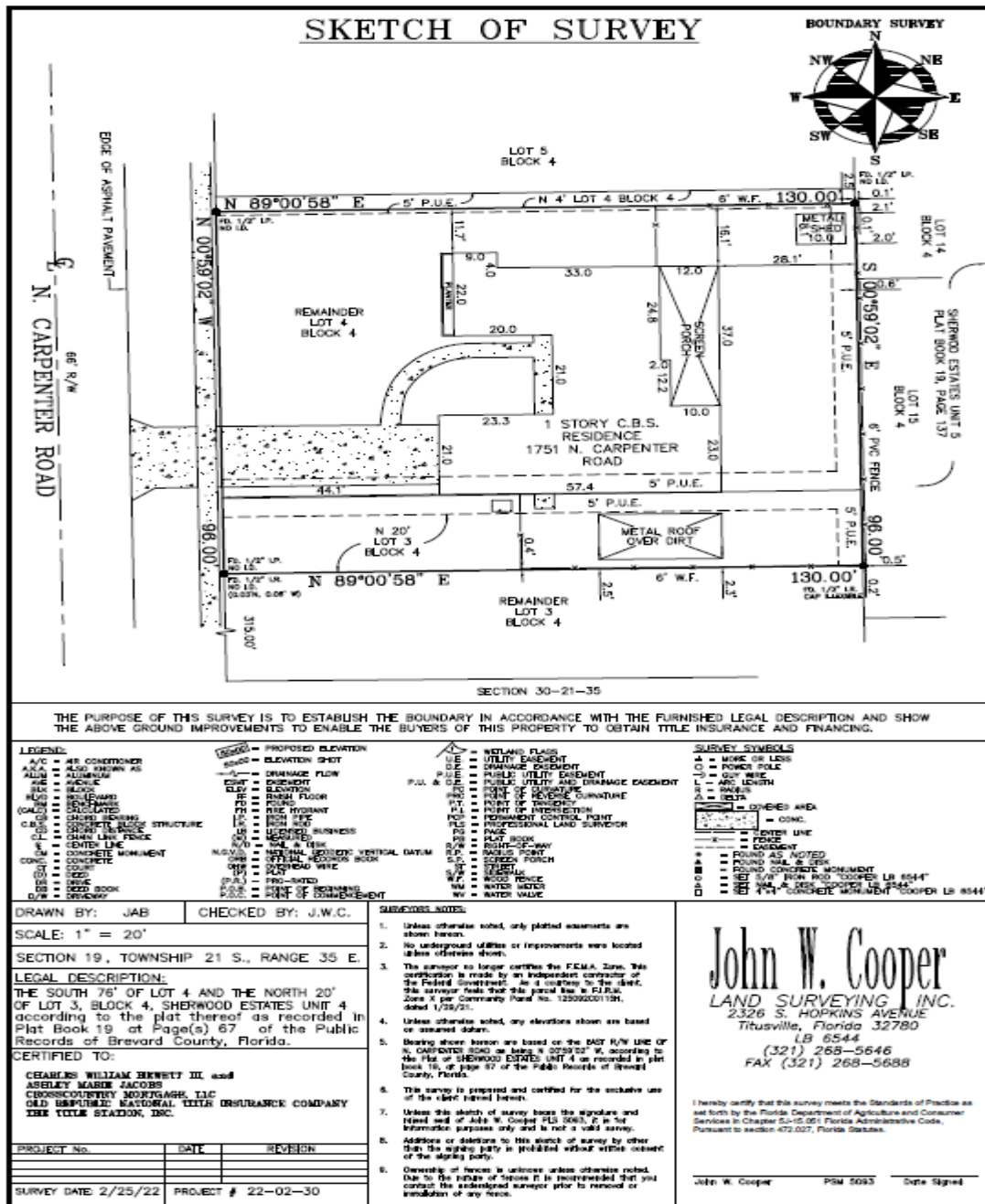


Figure 6: Boundary Survey.

Survey illustrates the existing single-family home all lying within Lots 3 & 4, Sherwood Estates Unit Number 4, 1751 N. Carpenter Road, Titusville, Florida, 32796.

Comment Sheet

Applicant: Townsend

Updated by: Amber Holley 20220713 at 15:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20220701	20220713	Yes	No objections
FL Power & Light	20220701	20220707	Yes	No objections
At&t	20220701	20220706	Yes	No objections
Charter/Spectrum	20220701	20220706	Yes	No objections
City of Titusville	20220701	20220706	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20220701	20220707	Yes	No Objections
Land Planning	20220701	20220708	Yes	No objections
Utility Services	20220701	20220706	Yes	No objections
Storm Water	20220701	20220713	Yes	No Objections
Zoning	20220701	20220708	Yes	No objections

Public Hearing Legal Advertisement

Ad#5338588

7/18/2022

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 5.0 FT. WIDE PUBLIC UTILITY EASE- MENTS, PLAT OF "SHERWOOD ESTATES UNIT NUMBER 4" IN SECTION 19, TOWNSHIP 21 SOUTH, RANGE 35 EAST, TITUSVILLE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **NICHOLAS S. TOWNSEND** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE TEN (10) FOOT PUBLIC UTILITY EASEMENT LYING FIVE (5) FEET ON EACH SIDE OF THE COMMON BOUNDARY LINE BETWEEN LOTS 3 & 4, BLOCK 4, LESS AND EXCEPT THE EAST FIVE (5) FEET THEREOF, AND LESS AND EXCEPT THE WEST TEN (10) FEET THEREOF, SHERWOOD ESTATES UNIT NUMBER 4, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED AT PLAT BOOK 19, PAGE 67, IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. (1150 SQ.FT.) PREPARED BY: JOHN W. COOPER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **5:00 P.M. on August 2, 2022** at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Figure 7: Copy of public hearing advertisement as published on July 18, 2022. See next page for full text.

Legal Notice Text

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 5.0 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "SHERWOOD ESTATES UNIT NUMBER 4" IN SECTION 19, TOWNSHIP 21 SOUTH, RANGE 35 EAST, TITUSVILLE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **NICHOLAS S. TOWNSEND** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE TEN (10) FOOT PUBLIC UTILITY EASEMENT LYING FIVE (5) FEET ON EACH SIDE OF THE COMMON BOUNDARY LINE BETWEEN LOTS 3 & 4, BLOCK 4, LESS AND EXCEPT THE EAST FIVE (5) FEET THEREOF, AND LESS AND EXCEPT THE WEST TEN (10) FEET THEREOF, SHERWOOD ESTATES UNIT NUMBER 4, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORD AT PLAT BOOK 19, PAGE 67, IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. (1150 SQ.FT.) PREPARED BY: JOHN W. COOPER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **5:00 P.M. on August 2, 2022** at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

8/2/2022

Subject:

Petition to Vacate, Re: Public Utility & Drainage Easement- 912 Harbor Pines Drive - "Harbor Pines" Plat Book 35, Page 26 - Merritt Island - Shawn & Jody Overdorf - District 2

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacating's.

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility and drainage easement, "Harbor Pines" in Section 06, Township 25 South, Range 37 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner's own Lot 3, and are requesting the vacating of a 5.00 ft. portion of 10.00 ft. wide public utility and drainage easement on Lot 3, to allow for the construction of a pool. Easement to be vacated contains 300.00 square feet, more or less. The property is located in Merritt Island South of Highway 520 and East of Newfound Harbor Drive.

July 18, 2022, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating. All pertinent county agencies and public utility companies have been notified. At this time, no objections have been received.

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public hearing notice and the proof of publication of the adopted resolution notice.

Resolution 2022 -

Vacating a portion of a public utility & drainage easement in plat "Harbor Pines" Subdivision, Merritt Island, Florida, lying in Section 06, Township 25 South, Range 37 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **SHAWN & JODY OVERDORF** with the Board of County Commissioners to vacate a public easement in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public easement(s) will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said public easement(s) are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 2nd day of August, 2022 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

Rachel Sadoff, Clerk

Kristine Zonka, Chair

As approved by the Board on:
August 2, 2022

Brevard County Property Appraiser Detail Sheet

Account 2514830

Owners OVERDORF, SHAWN; OVERDORF, JODY

Mailing Address 912 HARBOR PINES DR MERRITT ISLAND FL 32952

Site Address 912 HARBOR PINES DR MERRITT ISLAND FL 32952

Parcel ID 25-37-06-05-*3

Property Use 0110 - SINGLE FAMILY RESIDENCE

Exemptions HEX1 - HOMESTEAD FIRST

HEX2 - HOMESTEAD ADDITIONAL

Taxing District 2200 - UNINCORP DISTRICT 2

Total Acres 0.18

Subdivision HARBOR PINES

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0035/0026

Land Description HARBOR PINES LOT 3

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$292,560	\$254,790	\$255,090
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$244,770	\$241,400	\$235,980
Assessed Value School	\$244,770	\$241,400	\$235,980
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$194,770	\$191,400	\$185,980
Taxable Value School	\$219,770	\$216,400	\$210,980

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/21/2021	\$414,000	WD	--	9371/2303
03/27/2018	\$272,500	WD	--	8126/2553
10/01/2010	\$180,000	WD	--	6252/2356

Vicinity Map

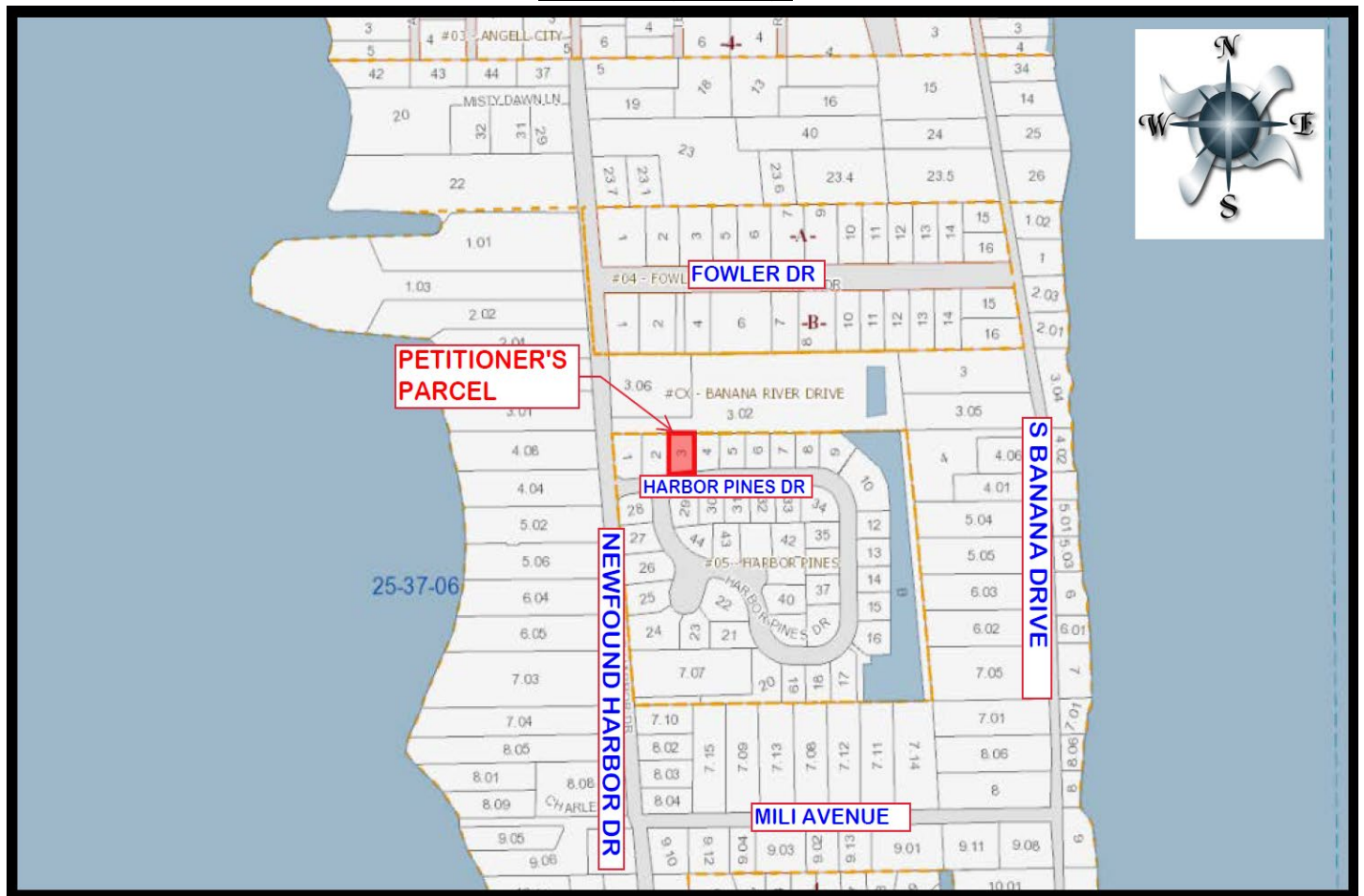


Figure 1: Map of Lot 3, Harbor Pines, 912 Harbor Pines Drive, Merritt Island, Florida, 32952.

Shawn & Jody Overdorf – 912 Harbor Pines Drive – Merritt Island, FL, 32952 – Lot 3, plat of “Harbor Pines” – Plat Book 35, Page 26 – Section 06, Township 25 South, Range 37 East – District 2 – Proposed Vacating of a 5.0 ft. portion of a 10.0 ft. Wide Public Utility & Drainage Easement

Aerial Map

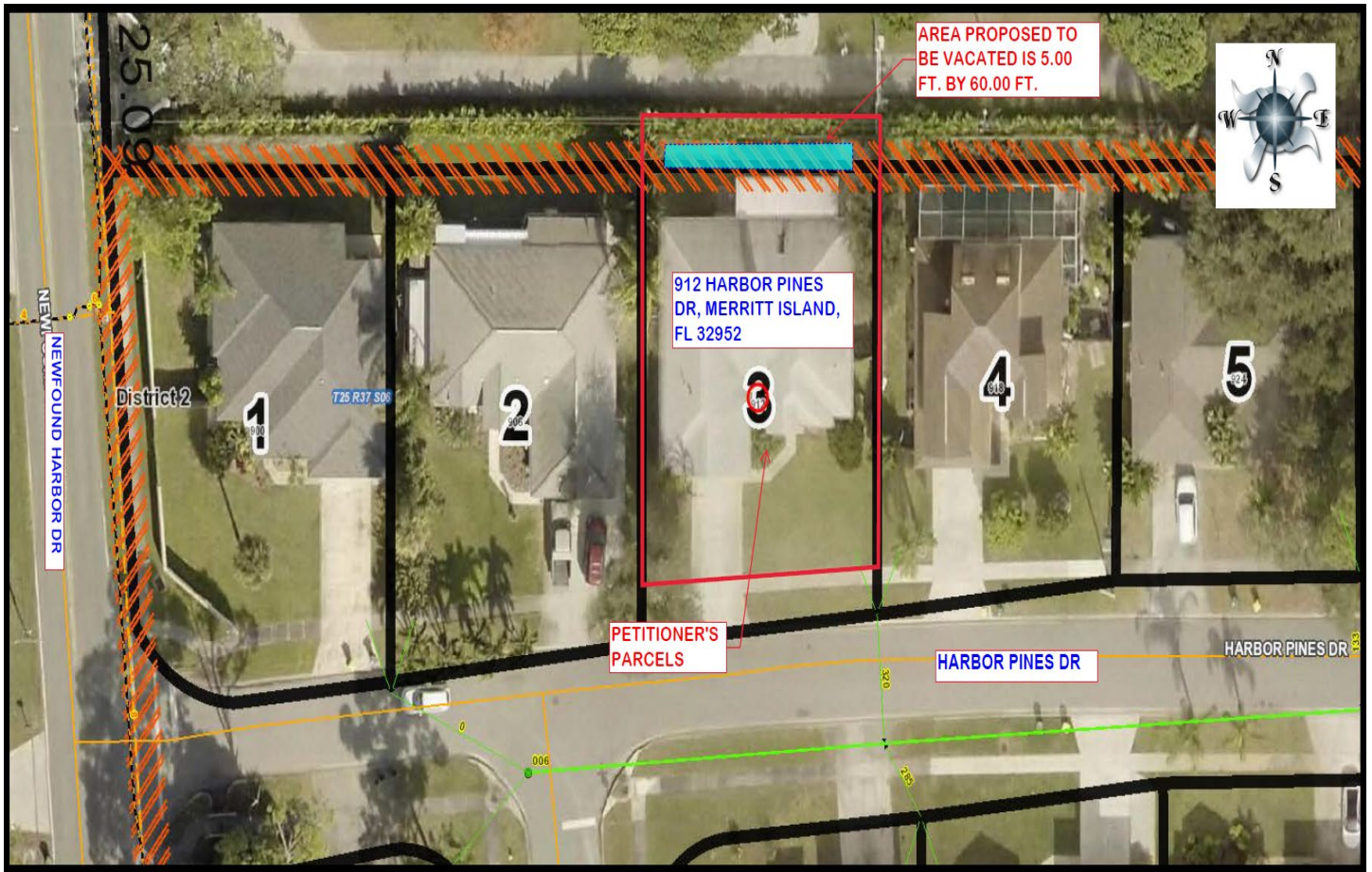


Figure 2: Aerial Map of Lot 3, Harbor Pines, 912 Harbor Pines Drive, Merritt Island, Florida, 32952.

Shawn & Jody Overdorf – 912 Harbor Pines Drive – Merritt Island, FL, 32952 – Lot 3, plat of “Harbor Pines” – Plat Book 35, Page 26 – Section 06, Township 25 South, Range 37 East – District 2 – Proposed Vacating of a 5.0 ft. portion of a 10.0 ft. Wide Public Utility & Drainage Easement

[illegible]

Petitioner's Sketch & Description Sheet 1 of 2


<u>LEGAL DESCRIPTION</u>		SHEET 1 OF 2 NOT VALID WITHOUT SHEET 2 OF 2 <u>THIS IS NOT A SURVEY</u>
PARENT PARCEL ID#: 25-37-06-05-*--3 SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA		
PURPOSE: VACATING PORTION OF UTILITY & DRAINAGE EASEMENT IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.		
<u>LEGAL DESCRIPTION:</u> (PREPARED BY SURVEYOR)		
THAT PORTION OF A 10 FOOT UTILITY & DRAINAGE EASEMENT LYING IN LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:		
THE SOUTH 5.00 FEET OF THE NORTH 10.00 FEET OF SAID LOT 3, LESS AND EXCEPT THE EAST 7.50 FEET AND THE WEST 7.50 FEET.		
<u>SURVEYORS NOTES:</u>		
1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. 2. THIS SKETCH IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES. 3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN. 4. BEARINGS ARE BASED ON AN ASSUMED BEARING OF SOUTH 89°59'58" EAST FOR THE NORTH LINE OF LOT 3, HARBOR PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 26, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.		
PREPARED FOR: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS	<div style="text-align: center;">  DANIEL D. GARNER, PLS 6189 PROFESSIONAL LICENSED SURVEYOR </div>	
PREPARED BY: AAL LAND SURVEYING SERVICES, INC. 3970 MINTON ROAD, WEST MELBOURNE, FL 32904 PHONE: (321)768-8110 FAX: (321)952-9771 EMAIL: frontdesk@aalsurvey.com LICENSED BUSINESS #6623		
DRAWN BY: DOUG W. GUARE	CHECKED BY: ANDREW W. POWSHOK	REVISION: _____ REVISION: _____ REVISION: COUNTY COMMENTS 06-16-22
DATE: 06-09-22	PROJECT # 47188	SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST

Figure 4: Legal Description. Sheet 1 of 2. Section 06, Township 25 South, Range 37 East.

Petitioner's Sketch & Description Sheet 2 of 2

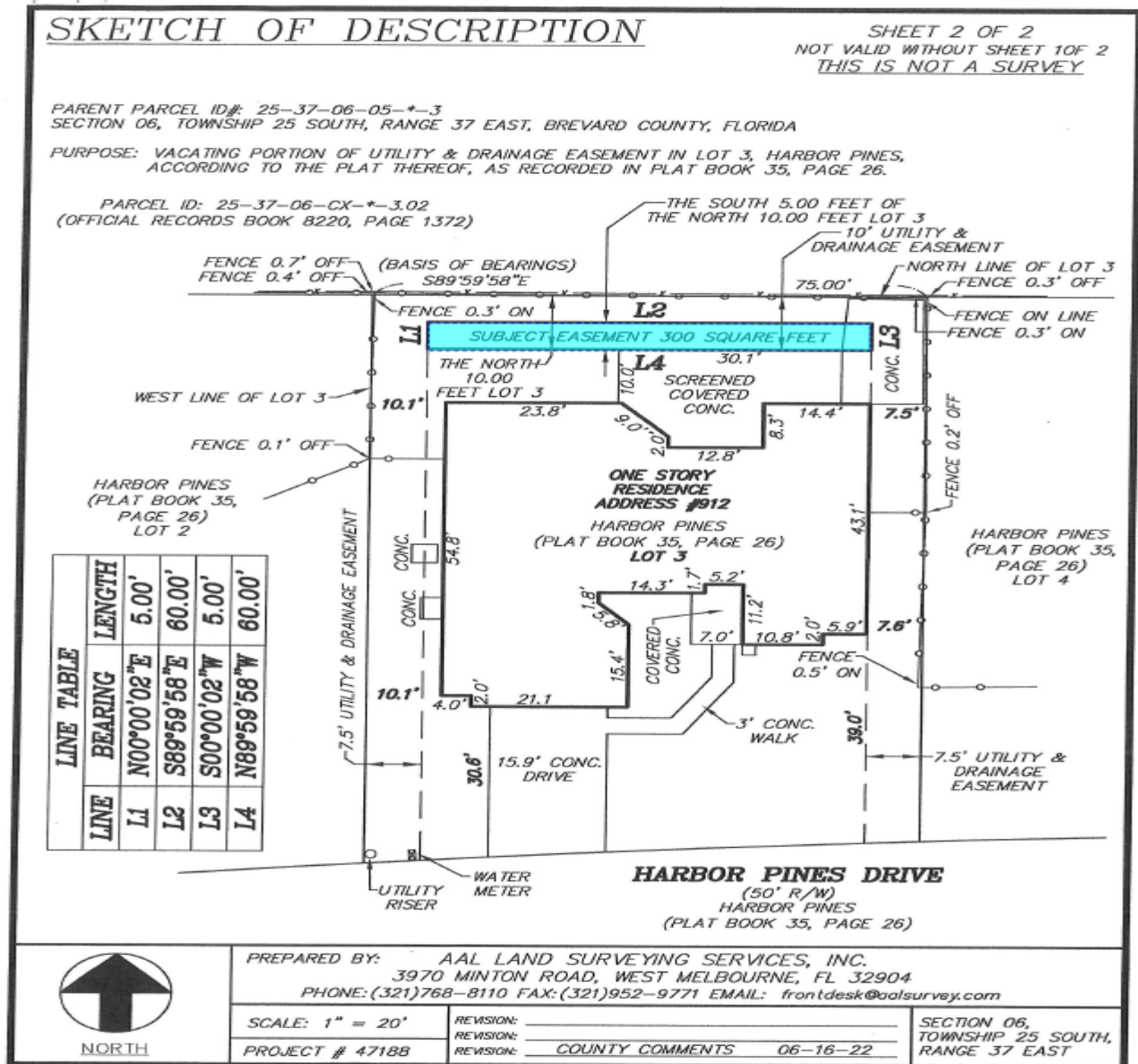


Figure 5: Sketch of description. Sheet 2 of 2. Section 06, Township 25 South, Range 37 East.

Sketch illustrates a 5.00-foot portion of a 10.00-foot wide public utility and drainage easement on Lot 3, Harbor Pines, Merritt Island, Florida. The coordinate of the North line depicted is as follows. North boundary – North 89°59'58" East 60.00'; East boundary – South 00°00'02" West 5.00'; South boundary – North 89°59'58" West 60.00'; West boundary – North 00°00'02" East 5.00'. Prepared by: Daniel D. Garner, Project NO: 47188.

Boundary Survey with Proposed Pool

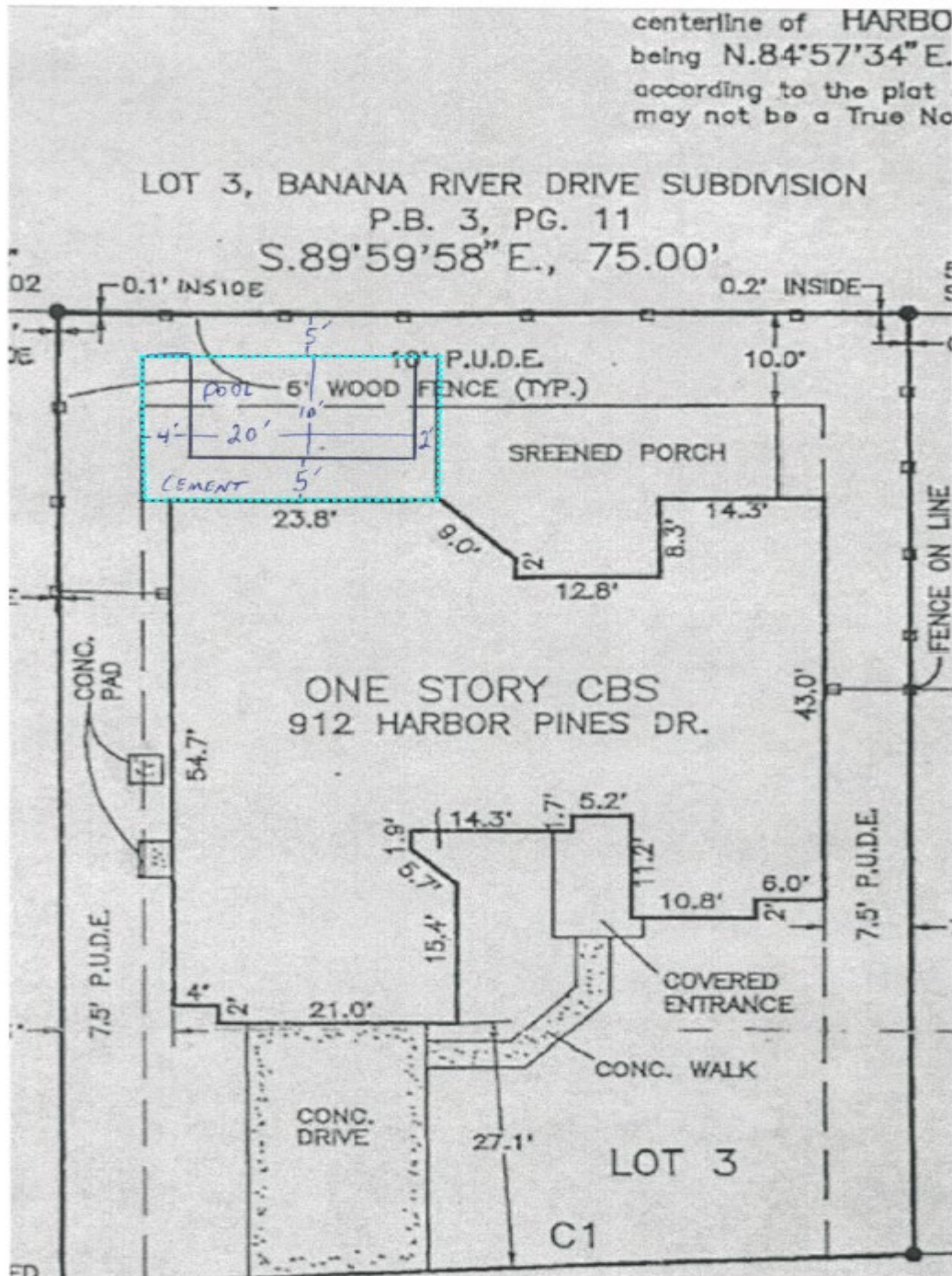


Figure 6: Boundary Survey.

Survey illustrates the existing single-family home and proposed pool all lying within Lot 3, Harbor Pines, 912 Harbor Pines Drive, Merritt Island, Florida, 32952.

Comment Sheet

Applicant: Overdorf

Updated by: Amber Holley 20220708 at 15:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20220622	20220622	Yes	No objections
FL Power & Light	20220622	20220627	Yes	No objections
At&t	20220622	20220706	Yes	No objections
Charter/Spectrum	20220622	20220706	Yes	No objections
City of Cocoa	20220622	20220629	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20220622	20220707	Yes	No Objections
Land Planning	20220622	20220627	Yes	No objections
Utility Services	20220622	20220623	Yes	No objections
Storm Water	20220622	20220708	Yes	No Objections
Zoning	20220622	20220627	Yes	No objections

Public Hearing Legal Advertisement

Ad#5336433

7/18/2022

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF A 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS, PLAT OF "HARBOR PINES" IN SECTION 06, TOWNSHIP 25 SOUTH, RANGE 37 EAST, MERRITT ISLAND, FL.

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by SHAWN & JODY OVERDORF with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

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The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 5:00 P.M. on August 2, 2022 at the Brevard County Government Center Board Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting / hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Figure 7: Copy of public hearing advertisement as published on July 18, 2022. See next page for full text.

Legal Notice Text

LEGAL NOTICE

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The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.4.

8/2/2022

Subject:

Extension of Temporary Moratorium on New Applications of Biosolids to Lands within Brevard County - Public Hearing.

Fiscal Impact:

FY 21/22: Advertising Costs

Dept/Office:

Natural Resources Management

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing on adopting an extension of the moratorium on any new applications of biosolids to lands within Brevard County for 365 days.

Summary Explanation and Background:

The moratorium was initially in response to a blue-green cyanobacteria, *Dolichospermum circinale*, bloom in Lake Washington in July 2019, which generated questions about the safety of a primary drinking water supply for Brevard County. Toxin levels measured during the 2019 bloom were low and did not indicate human health concerns. Additional blooms producing toxic microcystins, still below thresholds for human health concerns, were documented in September 2020, March 2021, December 2021, January 2022, and March 2022.

Based on available data at the time of the initial moratorium, largest likely contributors to harmful blooms were nutrients from the land application of biosolids and/or commercial fertilizer on agricultural lands upstream and west of the lake, state water management projects upstream of the lake, or commercial/industrial and residential development and septic systems east of the lake. Additional studies by multiple agencies after the 2019 bloom provide increased evidence that the land application of biosolids is the most significant source of increasing phosphorus concentrations and associated risk of toxic blooms in Lake Washington.

State biosolids rule revisions adopted in 2020 are expected to reduce phosphorus pollution but not prevent it. Funding was provided to the St. Johns River Water Management District for biosolids research on the continuing impacts under the new rule and to inform future rule revisions and potential mitigation measures. This research is underway with completion expected by mid-2025.

History:

On October 8, 2019, in regular session, the Brevard County Commission approved Ordinance 19-20, a 180-day moratorium on any new permits that would expand the application of biosolids to lands in Brevard County.

The moratorium was in response to a blue-green cyanobacteria, *Dolichospermum circinale*, bloom in Lake Washington in the summer of 2019, which generated questions about the safety of a primary drinking water supply for Brevard County. Toxin levels measured during the 2019 bloom were low and did not indicate human health concerns, but to ensure public safety, the Board directed staff to sample potential causes or contributing factors of lake pollution and report back to the Board in six months.

County staff collaborated with the University of Florida, United States Department of Agriculture's Natural Resources Conservation Service, Brevard Soil and Water Conservation District, Florida Department of Environmental Protection, and St. Johns River Water Management District to develop a sampling plan. A multi-agency team collaborated to collect 50 soil samples from the ranch while Applied Ecology, Inc., with supervision from county and University of Florida staff, collected 11 water samples, and 3 grass tissue samples. Samples were tested for multiple forms of nitrogen and phosphorus, and other contaminants of emerging concern at Deer Park Ranch, upstream of and within Lake Washington, and in residential drainage canals entering Lake Washington from the east.

The soil and water samples both indicated that elevated levels of phosphorus from state-permitted land application of biosolids to cattle pastures leave Deer Park Ranch and enter the St. Johns River during periods of heavy rain. Soil data indicated that a long history of land applying biosolids on the ranch has exceeded the capacity of most pasture soils to hold all the phosphorus. The resultant release of excess phosphorus contributes to altered nitrogen to phosphorus concentration ratios in local surface waters and associated increased risk of harmful algal blooms in Lake Washington, an important source of local drinking water.

No elevated levels of contaminants of concern for human health were found leaving Deer Park Ranch. While a few pharmaceuticals were found in plant tissue samples on the ranch, these were not found in water leaving the site. Metals leaving the site were low concentrations, below drinking water threshold values, assuming typical hardness values for local surface waters. The Water Sampling Report and Soil Sampling Results are attached.

The Board of County Commissioners voted in favor of 180-day extensions of the temporary biosolids moratorium in April and October of 2020, in March and August of 2021, and again in February 2022, as Ordinances 2020-05, 2020-18, 2021-07, 2021-20 and 2022-04 respectively.

Biosolids legislation in Senator Mayfield's Clean Waterways Act (Senate Bill 712) was approved by the Legislature on March 12, 2020. This legislation directed the Department of Environmental Protection (FDEP) to revise its rules to reduce the impacts of biosolids on water quality and allows for the extension of county biosolids moratoria adopted prior to November 1, 2019. On June 21, 2021, Governor DeSantis signed House Bill 1309 allowing the FDEP to move forward with rule adoption without review by the Environmental Regulation Commission. As of July 1, 2022, FDEP requires biosolids land application sites to be enrolled in Florida Department of Agriculture and Consumer Services Best Management Practices program and prohibits land application on soils with a seasonal high water table within six inches of the soil surface or depth of biosolids placement.

Clerk to the Board Instructions:

If adopted, please return a certified copy of the ordinance to Natural Resources.

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA AUTHORIZING AN EXTENSION OF TEMPORARY COUNTY-WIDE MORATORIUM FOR 365 DAYS FROM THE EFFECTIVE DATE; PROHIBITING THE LAND APPLICATION OF CLASS B BIOSOLIDS EXCEPT EXISTING PERMITTED ACTIVITIES; PROVIDING FOR EXHAUSTION OF ADMINISTRATIVE REMEDIES; AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING PROVISIONS, RESOLUTION OF CONFLICTING PROVISIONS; AREA ENCOMPASSED AND AN EFFECTIVE DATE.

WHEREAS, as provided in Article VIII, Section 1 of the Florida Constitution and Chapter 125, Florida Statutes, counties have broad home rule powers to enact ordinances, not inconsistent with general or special law, for the purpose of protecting the public health, safety and welfare of the residents of the county; and

WHEREAS, Class B biosolids are solid, semi-solid, or liquid materials resulting from the treatment of domestic waste from sewage treatment facilities that contain nutrients such as phosphorus and nitrogen; and

WHEREAS, Elevated levels of phosphorus and nitrogen have been a point of concern for estuaries and watersheds across the state, as correlative connections have been observed between elevated levels of phosphorus and nitrogen, algal blooms, and the growth of noxious vegetation; and

WHEREAS, the land application of biosolids has been identified as a potential explanation for toxic algae blooms that occurred in Blue Cypress Lake in 2018 and Lake Washington in 2019¹; and

WHEREAS, Lake Washington provides water supply for the City of Melbourne's potable water utility that supplies drinking water to approximately 170,000 residents in

¹ St. Johns Water Management District Update to the Biosolids Technical Advisory Committee, January 23, 2018. Patterns in Surface Water Phosphorus Concentrations and Biosolids Utilization in the Upper St. Johns River: January 2019 Update.

Melbourne, West Melbourne, Palm Shores, Satellite Beach, Indian Harbour Beach, Indialantic, Melbourne Beach and portions of unincorporated Brevard County; and

WHEREAS, preliminary analysis of available ambient water quality data by St. Johns River Water Management District indicates a potential, but not conclusive, relationship between the cumulative amount of phosphorus applied to land in biosolids and increasing phosphorus concentrations in downstream waters¹; and

WHEREAS, preliminary analysis by St Johns River Water Management District of available ambient water quality data for watersheds with lower levels of biosolids application do not indicate similar trends of increasing phosphate concentrations²; and

WHEREAS, watersheds receiving biosolids and experiencing increasing phosphorus concentrations in downstream waters are not showing increased turbidity or total suspended solids, reducing the likelihood that erosion is the source of increasing phosphorus concentrations¹; and

WHEREAS, watersheds receiving biosolids and experiencing increasing phosphorus concentrations in downstream waters are not showing increased total organic carbon, reducing the likelihood that natural export processes are the source of increasing phosphorus concentrations¹; and

WHEREAS, watersheds receiving biosolids and experiencing increasing phosphorus concentrations in downstream waters are not showing significant changes in land use, reducing the likelihood that development is the source of increasing phosphorus concentrations²; and

¹ St. Johns Water Management District Update to the Biosolids Technical Advisory Committee, January 23, 2018. Patterns in Surface Water Phosphorus Concentrations and Biosolids Utilization in the Upper St. Johns River: January 2019 Update.

² St. Johns Water Management District Update to the Biosolids Technical Advisory Committee, November 28, 2018. Patterns in Surface Water Phosphorus Concentrations and Biosolids Utilization in the Upper St. Johns River.

WHEREAS, the most prevalent land use within the watersheds at issue is agriculture and there are few other known sources of phosphorus loading large enough to potentially explain the increasing phosphate level trends in the Upper Basin of the St Johns River, including Brevard³ and;

WHEREAS, other possible sources of increasing phosphorus in Lake Washington include septic systems on the east side of Lake Washington; water coming from flooded water management areas south of Highway 192 in Brevard and Indian River Counties that used to be crop land; and phosphorus applied to homeowner yards; and

WHEREAS, biosolids from Brevard County-operated wastewater treatment plants are safely disposed of in the lined County landfill while biosolids from multiple cities in Brevard are land applied; and

WHEREAS, biosolids being applied to land in Brevard County and neighboring counties are primarily from South Florida where landfill costs are higher than the cost to truck biosolids to the Upper Basin of the St Johns River, with only 11% of biosolids applied within the Upper Basin produced by utilities within the Upper Basin³; and

WHEREAS, biosolids application in the Upper Basin tripled in 2013, continuing thereafter, in response to when rule revisions to protect the Everglades became fully effective³; and

WHEREAS, the land application of biosolids has been restricted in neighboring counties and ecosystems to the south, such as the St. Lucie River watershed and the Lake Okeechobee watershed and a temporary moratorium in Indian River County, leaving the St. Johns River watershed in and adjacent to Brevard County as the next closest alternative up the east coast for the disposal and land application of Class B biosolids generated in South Florida; and

³ St. Johns Water Management District Update to the Biosolids Technical Advisory Committee, November 28, 2018. Patterns in Surface Water Phosphorus Concentrations and Biosolids Utilization in the Upper St. Johns River.

WHEREAS, phosphate concentrations are may continue to trend upward under new state rules with increasing tonnage coming from outside the County but being applied in the Upper Basin of the St Johns River, adjacent to our drinking water supply⁴; and

WHEREAS, increasing phosphate levels increase the risk of algal blooms, especially taxa that produce toxins such as microcystins and saxitoxins⁴; and

WHEREAS, Lake Washington and large portions of the Upper Basin of the St. Johns River are classified by the Florida Department of Environmental Protection as Class I surface waters with a designated use for potable water supplies⁴; and

WHEREAS, portions of the Upper Basin of the St Johns River have been designated as impaired and local jurisdictions including Brevard County and its taxpayers are required to reduce total phosphorus loading from the sum of sources by as much as 52%⁵; and

WHEREAS, approximately \$250 million has been invested in state and federal Upper Basin restoration work to restore historic flows and levels⁴; and

WHEREAS, the land application activities of Class B biosolids is currently being conducted on property in Brevard County, within the watershed of the St. Johns River; and

WHEREAS, adding to the present nutrient levels in the St. Johns River Basin may further inflict damage to the local economy as well as the health, safety, and welfare of humans and wildlife in Brevard County and the State of Florida; and

⁴ St. Johns Water Management District Update to the Biosolids Technical Advisory Committee, November 28, 2018. Patterns in Surface Water Phosphorus Concentrations and Biosolids Utilization in the Upper St. Johns River.

⁵ Florida Department of Environmental Protection TMDL Report: Nutrient and DO TMDLs for the St. Johns River above Lake Poinsett (WBID 2893L), Lake Hell n' Blazes (WBID 2893Q), and St Johns River above Sawgrass Lake (WBID 2893X), April 2006

WHEREAS, in 2018 the Department of Environmental Protection created a Biosolids Technical Advisory Committee to evaluate the current management practices and explore opportunities to better protect Florida's water resources and the Committee agreed to a list of recommendations in January 2019; and

WHEREAS, in 2019 the Florida Legislature considered several bills to address concerns regarding biosolids and implement recommendations of the Technical Advisory Committee; and

WHEREAS, the Department of Environmental Protection considered the recommendations of the Technical Advisory Committee to draft rule revisions ratified during the 2021 Legislative session; and

WHEREAS, the new biosolids rules ratified by the Legislature in 2021 increase water quality protections but still allow more phosphorus to be land applied per year than the amount of phosphorus anticipated to be removed by the harvest of crops; and

WHEREAS, the Board of County Commissioners ("Board") finds that the proper regulation of the land application of Class B biosolids is necessary and appropriate to protect potable water supplies as well as guide the future use, development, and protection of the land and natural resources in Brevard County; and

WHEREAS, the Board has determined that the temporary moratorium on new or expanding biosolids application is needed to protect water quality in Lake Washington, the St. Johns River watershed and surrounding water bodies, from adverse impacts potentially caused by the land application of Class B biosolids; and

WHEREAS, the owners of agricultural properties currently permitted to land apply Class B biosolids in Brevard County have implemented nutrient management plans and installed systems to collect drainage water and reuse it for irrigation, capturing and reusing excess nutrients draining from the farmland; and

WHEREAS, applying biosolids to pastureland amends the soils and recycles organic nutrients that are removed from the land each year by cattle and the harvest of sod; and

WHEREAS, the use of biosolids as fertilizer reduces the need for landfill space; and

WHEREAS, research has shown that organic sources of fertilizer such as biosolids are much less water soluble than commercial chemical fertilizer⁶; however, soil and water sampling indicate that the pasture land where Class B biosolids have been applied has exceeded its capacity to hold phosphorus and phosphorus is leaving those pasture lands and entering the St. Johns River during heavy rains⁷; and

WHEREAS, the Board enacted Ordinance 2019-20 imposing a 180-day temporary moratorium on any new Class B biosolids applications on October 8, 2019; and

WHEREAS, Section 403.0855(6), Florida Statutes (2020) allows for the extension of county moratoriums on the land application of Class B biosolids which were adopted prior to November 1, 2019; and

WHEREAS, The Board enacted Ordinance 2020-05 imposing a 180-day extension of the temporary biosolids moratorium on April 7, 2020; and

WHEREAS, The Board enacted Ordinance 2020-18 imposing a 180-day extension of the temporary biosolids moratorium on October 6, 2020; and

WHEREAS, The Board enacted Ordinance 2021-07 imposing a 180-day extension of the temporary biosolids moratorium on March 9, 2021; and

⁶ Silveira, M.L., G.A. O'Connor, Y. Lu, J. E. Erickson, C. Brandani and M. M. Kohmann, 2019. Runoff and Leachate Phosphorus and Nitrogen Losses from Grass-Vegetated Soil Boxes Amended with Biosolids and Fertilizer. *Journal of Environmental Quality*. doi; 10.2134/jeq2019.03.0106

⁷ Brevard County Sampling Report for the Land Application of Biosolids on Deer Park Ranch and Other Potential Impacts to Lake Washington Water Quality. Final Report 03-11-2020, Prepared by Applied Ecology, Inc.

WHEREAS, The Board enacted Ordinance 2021-20 imposing a 180-day extension of the temporary biosolids moratorium on August 24, 2021; and

WHERE, The Board enacted Ordinance 2022-04 imposing a 180-day extension of the temporary biosolids moratorium on February 8, 2022; and

WHEREAS, the Board specifically finds that this extension to the temporary moratorium on the land application of Class B biosolids is necessary and appropriate to protect the public health safety and welfare of the citizens of Brevard County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA THAT:

Section 1. Recitals Adopted

Each of the recitals set forth above is hereby adopted and incorporated herein.

Section 2. Enactment Authority.

Article VIII, Section 1 of the Florida Constitution and Chapter 125, Florida Statutes, vest broad home rule powers in counties to enact ordinances, not inconsistent with general or special law, for the purpose of protecting the public health, safety and welfare of the residents of the County. The Board specifically determines that the enactment of this Ordinance is necessary to protect the health, safety and welfare of the residents of Brevard County.

Section 3. Temporary Moratorium.

Beginning on the effective date of this Ordinance and continuing for a period of 365 days, a moratorium is hereby imposed upon all properties within Brevard County on the land application of Class B biosolids, excepting existing permit holders and where determined to be preempted by state law or regulation.

Section 4. Expiration of Temporary Moratorium.

The temporary moratorium imposed by Section 3 of this Ordinance expires 365 days from the effective date of this Ordinance. The moratorium may be extended or terminated early by adoption of an ordinance or resolution of the Brevard County Board of County Commissioners.

Section 5. Exhaustion of Administrative Remedies.

A property owner claiming that this Ordinance, as applied, constitutes or would constitute a temporary or permanent taking of private property or an abrogation of vested rights shall not pursue such claim in court unless all administrative remedies have been exhausted.

Section 6. Severability.

If any part of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected by such holding and shall remain in full force and effect.

Section 7. Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. Resolution of Conflicting Provisions.

In the case of a direct conflict between any provision of this Ordinance and a portion or provision of any other appropriate federal, state or county law, rule, code or regulations, the more restrictive shall apply.

Section 9. Area Encompassed.

This Ordinance shall take effect COUNTYWIDE, within the municipal and unincorporated areas of Brevard County, Florida.

Section 10. Effective Date.

This Ordinance shall become effective upon adoption by the Board of County Commissioners and filing with the Department of State. A certified copy of the Ordinance shall be filed with the State, within ten days of enactment.

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DONE, ORDERED AND ADOPTED in Regular Session, this _____ day of _____, 2022.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

Kristine Zonka, Chair

(As approved by the Board on _____, 2022)

MARCH 11, 2020



BREVARD COUNTY SAMPLING REPORT
FOR THE LAND APPLICATION OF
BIOSOLIDS ON DEER PARK RANCH AND
OTHER POTENTIAL IMPACTS TO LAKE
WASHINGTON WATER QUALITY

TASK ORDER # 215260-20-001-01



APPLIED ECOLOGY, INC.
122 Fourth Ave, Suite 104 Indialantic, FL 32903

EXECUTIVE SUMMARY

Lake Washington is an important source of drinking water to numerous cities and towns in the Melbourne region. Between July and August of 2019, Lake Washington experienced an algal bloom of the toxin producing cyanobacteria *Dolichospermum circinale*. Links between biosolid applications and harmful algal blooms have been investigated elsewhere in Florida. On October 8th, 2019, the Brevard County Commission voted to place a six-month moratorium on the expanded application of biosolids. In support of Brevard County's Biosolid Moratorium, Brevard County Natural Resources Management (BCNRM) contracted with Applied Ecology, Inc. to conduct a limited survey to determine levels of nutrients, metals, and emerging contaminants in water and vegetation in and around Lake Washington, including the Deer Park Ranch. Results from this present study will be used by the Commission to guide further regulatory action.

In total eleven locations were sampled for surface water between December 18-19, 2019, including five residential sampling locations east of Lake Washington, one location in Lake Washington, one location in the St. Johns River between Sawgrass Lake and Lake Washington and two locations southwest (upstream) of Lake Washington near where Class B biosolid applications have occurred and two locations in Jane Green swamp upstream of where biosolids have not been applied. In addition, three sites in the Deer Park Ranch were selected to sample plant tissue for pharmaceuticals.

For metals, none of the samples exceeded the drinking water standards. Arsenic, copper, molybdenum, nickel and zinc results ranged between < 0.5 to 2.4 parts per billion (ppb), <0.93 to 4.2 ppb, <0.5 to 3.1 ppb, <0.62 to 0.71 ppb, and <4.3 to 10.8 ppb, respectively. The highest copper values were observed near the ranch, while the highest arsenic and molybdenum values were observed in drainage canals east of Lake Washington.

For nutrients, ammonia, total kjeldhal nitrogen, nitrate-nitrite, total nitrogen, orthophosphate, and total phosphorous concentrations ranged between < 0.035 to 0.18 parts per million (ppm), 0.64 to 1.7 ppm, <0.33 to 0.15 ppm, 0.64 to 1.8 ppm, 0.0043 to 1.9 ppm and 0.028 to 2.2 ppm, respectively. The highest total nitrogen (TN) values were observed within Lake Washington; however, none of the discrete samples exceeded the numeric nutrient criteria (NNC) applicable to this segment of the St. Johns River. The highest total phosphorus (TP) values were observed in waters flowing off the ranch. Additionally, individual TP samples above the annual geometric means of the NNC (0.12 ppm) were observed at two ranch sites and one canal site east of Lake Washington. Low TN to TP ratio, which may favor nitrogen-fixing cyanobacteria over other algae, were observed at the two Deer Park Ranch sites (ratios of 0.6 and 0.9). These ratios were markedly lower than all other sites (ratio ranges of 4.5 to 16.9).

In addition to nutrients and metals, three sites east of Lake Washington, one site in Lake Washington, one location in the St. Johns River between Sawgrass Lake and Lake Washington, and two ranch sites were tested for a full suite of perfluoroalkyl substances (PFAS). PFAS make up a large group of persistent anthropogenic chemicals used in industrial processes and

commercial products over the past 60 years. Two of the PFAS compounds tested under this study (PFOS and PFOA) have been identified as having potential human health and/or environmental impacts. Although all sites had detectable levels of PFAS, only one site located east of Lake Washington had quantifiable levels of PFOS. The PFOS concentration at this site (40 parts per trillion or ppt) exceeded the provisional Perfluorooctanesulfonic acid (PFOS) FDEP Human Health Surface Water Screening Levels (4 ppt). However, no samples exceeded the EPA Lifetime Drinking Water Health Advisory nor the FDEP Ecological Surface Water Screening Levels for Perfluorooctanoic acid (PFOA) or PFOS.

Concentrations of 58 pharmaceuticals and personal care products (PPCPs) were also analyzed in two water samples and three plant tissue samples from the ranch. No PPCPs were detected in any of the water samples. In plant tissues, one of the samples had no PPCPs detected, while two samples had quantifiable concentrations of the anti-inflammatory drug Naproxen (0.322 and 0.713 ppb) and the antibiotic Ciprofloxacin (9.84 and 35.6 ppb). Additionally, one of the plant tissue samples had quantifiable levels of Triclocarban (an anti-microbial) and quantifiable levels of Norfloxacin (an antibiotic).

PROJECT BACKGROUND

Lake Washington is an important source of drinking water to numerous cities and towns in the Melbourne region including Melbourne, Melbourne Beach, West Melbourne, Indian Lake, Indian Harbour Beach, Satellite Beach, Palm Shores, Melbourne Village, and other parts of unincorporated Brevard County. Between July and August of 2019, Lake Washington experienced an algal bloom of the cyanobacteria *Dolichospermum circinale*. During this bloom event, water samples from the lake had Saxitoxin/Paralytic Shellfish Toxins between 0.06 - 0.11 ppb, below the drinking water guidelines of 3 ppb. Associations between biosolid application and harmful algal blooms (HAB) have been made in other areas along the St. Johns River (SJR).

Blue Cypress Lake, located in Indian River County, experienced a prolonged HAB during 2018. The lake, like other areas in the SJR Basin, saw an increase in Class B biosolid application after 2013 when such applications were banned from Lake Okeechobee, St. Lucie River and Caloosahatchee River basins. Blue Cypress Lake also experienced an increase in phosphorus levels in the surface water.

The land application of biosolids as a fertilizer for agricultural land provides Total Nitrogen (TN) and Total Phosphorus (TP) at a different ratio than most crops require. This can lead to the overapplication and accumulation of phosphorus and increased leaching into surrounding waterbodies. This is partially mitigated by a nutrient management plan as required in Chapter 62-640, F.A.C. An imbalance in the TN:TP ratio in surface waters can lead to the proliferation of

nitrogen-fixing, and potential HAB forming, cyanobacteria (Downing and McCauley, 1992; Dolman *et al.*, 2012).

In addition to nutrients, biosolids can be a potential source of metals (Wuana and Okieimen, 2011). For this reason, Chapter 62-640.700(5)(a), F.A.C. regulates biosolids for maximum concentrations of arsenic (75 mg/kg), copper (4,300 mg/kg), molybdenum (75 mg/kg), nickel (420 mg/kg) and zinc (7,500 mg/kg) as well as four other metals that commonly occur in Class B biosolids.

PFAS make up a large group of persistent anthropogenic chemicals used in industrial processes and commercial products over the past 60 years. As a result of concerns for these emergent compounds, recommended health advisory levels and provisional screening values for perfluorooctanesulfonic acid (PFOS) and/or perfluorooctanoic acid (PFOA) have been developed by the EPA and FDEP. PFAS have been found in biosolids worldwide (Bossi *et al.*, 2008; Chen *et al.*, 2012). Despite ceases in production of many PFAS-containing products, their concentrations in biosolids do not appear to have decreased (Vankatesan and Halden, 2013).

Like PFAS, pharmaceuticals and personal care products (PPCPs) are persistent chemicals which can bioaccumulate and cause deleterious effects on human and ecosystem health (Xia *et al.*, 2005; Richmond *et al.*, 2017). PPCPs have also been found in biosolids across the world, and special focus has been given to the potential for these compounds to bioaccumulate (Wu *et al.*, 2015). Unlike PFAS, there are currently no guidelines or health advisory levels for PPCPs.

Deer Park Ranch is a major (3,270 acres) permitted site which has been accepting land application of biosolids for 25 years, having accepted about 7,484 tons of biosolids in 2018. Part of the ranch's runoff enters into the St. Johns River, which flows north into Lake Washington. On October 8th, 2019, the Brevard County Commission voted to place a six-month moratorium on the expanded application of biosolids. In support of Brevard County's Biosolid Moratorium, Brevard County Natural Resources Management (BCNRM) contracted with Applied Ecology, Inc. to conduct a limited survey to determine levels of nutrients, metals, and emerging contaminants in water and vegetation in and around Lake Washington, including the Deer Park Ranch. In addition to the study by Applied Ecology, Inc., BCNRM collaborated with the University of Florida's Institute of Food and Agricultural Sciences (hereafter called UF), St. Johns River Water Management District, Brevard Soil & Water Conservation District, United States Department of Agriculture's Natural Resources Conservation Service, and Florida Department of Environmental Protection to conduct a study of phosphorus concentrations in soils on the Deer Park Ranch property. This soil study included the sampling and analysis of 50 soil samples within 11 pastures receiving different levels of biosolids application within the ranch, including two control samples. Results from this soil study will also be used by the Commission to guide further regulatory action.

METHODS

In early December 2019, Applied Ecology, Inc. worked closely with County staff to determine sampling locations to analyze potential nutrient and pollutant contributions to Lake Washington from biosolid applications along Deer Park Ranch as well as residential areas east of Lake Washington (Figures 1 and 2).

In total eleven locations were sampled for surface water between December 18-19, 2019, including five residential sampling locations east of Lake Washington, one location in Lake Washington, one location in the St. Johns River between Sawgrass Lake and Lake Washington and two locations southwest (upstream) of Lake Washington near where Class B biosolid applications have occurred and two locations in Jane Green swamp upstream of where biosolids have not been applied. In addition, three sites in the Deer Park Ranch were selected to sample plant tissue for pharmaceuticals. It should be noted that there was a significant (more than 1 inch) rainfall event the day prior to the sampling event.

In addition to common water quality parameters (pH, temperature, specific conductance and dissolved oxygen), additional analytes tested included metals (arsenic, copper, molybdenum, nickel, and zinc), nutrients (ammonia, total kjeldhal nitrogen, nitrate-nitrite, total nitrogen, orthophosphate and total phosphorous), 24 different perfluoroalkyl substances (PFAS), and 58 different pharmaceuticals and personal care products (PPCPs).

On or near the Deer Park Ranch (Figure 1), two of the locations (Site 1 and 2) were receiving water from natural land use areas. These sites were sampled from the same creek and were analyzed for nutrients and metals. Another two locations (Sites 3 and 4) were located in separate drainage canals near fields used for cattle pasture and sod farming, which received high biosolid loadings and flow out of the ranch during high rainfall conditions. These sites were analyzed for nutrients, metals, PFAS, and PPCPs. Also, within the Deer Park Ranch, three locations in fields (Plant Tissue 1, 2, and 3) had vegetative tissues sampled for PPCPs. Downstream of the Deer Park Ranch, on the St. Johns River (SJR), one site (Site 12) downstream of Highway 192 was sampled for nutrients, metals, and PFAS. Due to flooded roads and lack of accessibility, Site 10 was not able to be sampled and thus dropped from the analysis.

East of Lake Washington (Figure 2), all samples were taken from unnamed canals, including one site located upstream (Site 6) and another downstream (Site 5) of treatment ponds (and firefighting training facility). Site 5 was analyzed for nutrients, metals, and PFAS, while Site 6 was analyzed for nutrients and metals. Three sites (Sites 7, 8, and 9) were also located on canals draining residential areas. Sites 7 and 8 were analyzed for nutrients, metals, and PFAS, while Site 9 was analyzed for nutrients and metals. One site (Site 11) was taken in Lake Washington, south of the Melbourne Water Treatment Plant uptake near where the canal from Site 8 empties. This site was sampled for nutrients, metals, and PFAS.

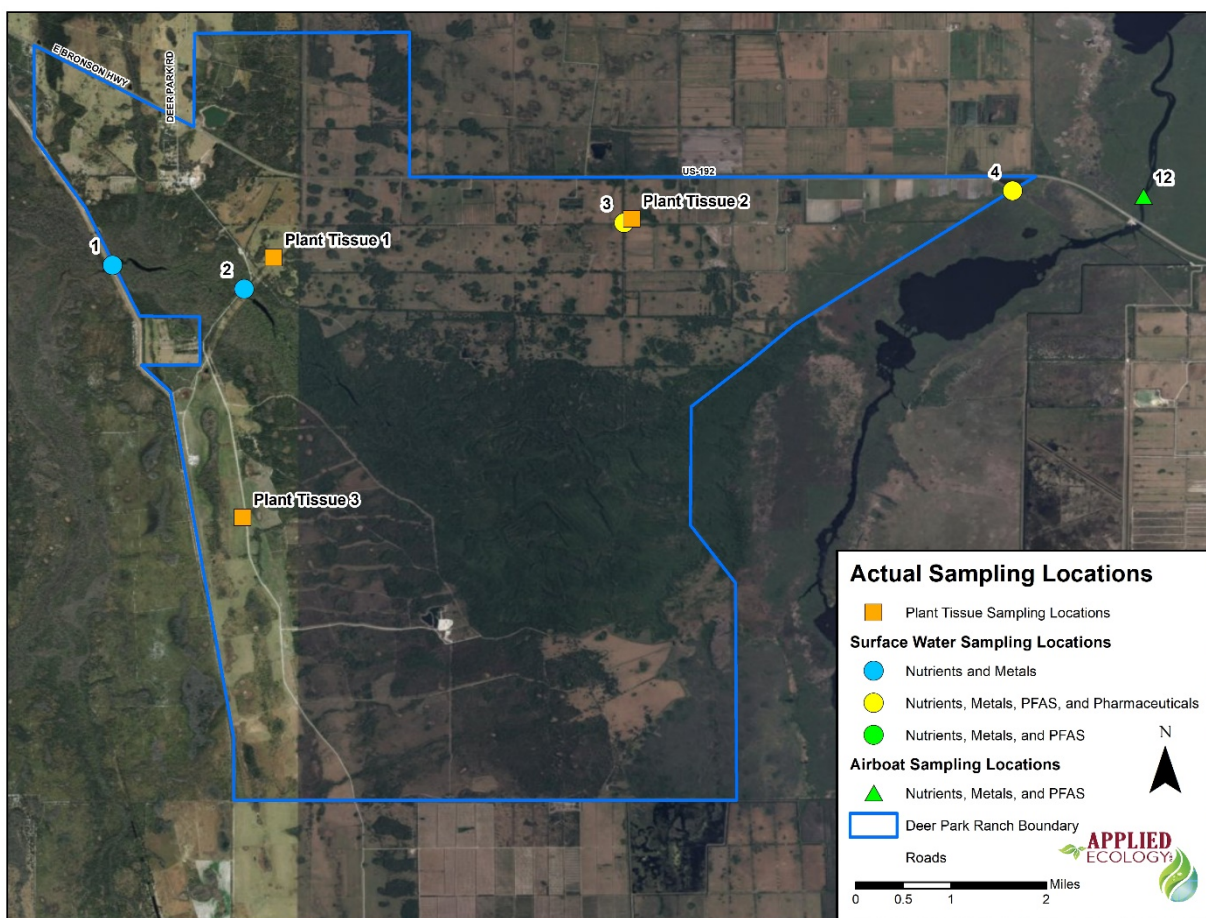


Figure 1. Site locations and parameters analyzed at five water quality and three plant tissue sites near the Deer Park Ranch where biosolids have been used for the last 25 years.



Figure 2. Sample locations and parameters analyzed at five water quality sites draining residential areas near Lake Washington and one site within Lake Washington.

All water quality sampling followed Florida Department of Environmental Protection (FDEP) Standard Operating Procedures (SOPs) FS 1000 and FS 2100. Water quality parameters measure *in situ* for Sites 1-4 were taken with a calibrated YSI, and Sites 5-12 were taken with a calibrated Ultrameter. All grab samples were collected using a peristaltic pump except for Site 2, which required a Van Dorn Sampler. For all sampling, precautions for cross-contamination were used, including for PFAS the use of new High-Density Polyethylene (HDPE) tubing to purge and collect surface water samples at each site as well as (for PFAS and PPCPs) a field blank.

Ammonia, Total Kjeldahl Nitrogen, Nitrate/Nitrite, and Total Phosphorus were collected in a 250 mL laboratory-provided container with sulfuric acid as preservative. Orthophosphate was collected in a 250 mL laboratory-provided container without preservative. Metals were collected in a 250 mL laboratory-provided container with nitric acid as preservative. Nutrient and metal samples were sent to Pace Analytical Services laboratory (Ormond Beach, FL) to process the following analytic measurements:

Nutrients

- EPA 350.1 - Ammonia
- EPA 351.2 - Total Kjeldahl Nitrogen (TKN)
- EPA 353.2 - Nitrate/Nitrite
- EPA 365.3 - Total Phosphorus (TP)
- EPA 365.1 - Orthophosphate

Metals

- EPA 200.8 – Arsenic (As), Copper (Cu), Molybdenum (Mo), Nickel (Ni) and Zinc (Zinc)

To sample for PFAS, two 125-mL aliquots were collected in a laboratory-provided container with no preservative, sealed, labeled, packed in ice, and shipped under chain-of-custody protocol to SGS Laboratories (Orlando, FL) for analysis of PFAS, including PFOA, PFOS, and 22 additional compounds using a modified EPA Method 537Mod.

To sample for PPCPs in water, two 500 mL aliquots were collected in a laboratory-provided container. For plant tissues, 40 to 50 g of vegetative tissue (Bahia grass at Site 1 and 3 and *Hemarthria* grass at Site 2) was collected in a laboratory-provided container. The samples were with no preservative, sealed, labeled, packed in ice, and shipped under chain-of-custody protocol to SGS Laboratories (Sidney, Canada) for analysis of 58 pharmaceuticals and personal care products using AXYS Method MLA-075 (modified EPA Method 1694).

See Appendix A for additional information regarding the sampling sites.

RESULTS

Surface Water Grabs

Applied Ecology, Inc. (AEI) went to 11 sites for surface water sampling. Field parameters collected *in situ* include the depth the sample/readings were taken in meters, air and water temperature (°C), the pH (SU), the dissolved oxygen percentage (DO), the specific conductance (µS/cm), total dissolved solids and oxidation-reduction potential, which are provided in Table 1. Complete corresponding field and calibration logs are included in Appendix B. The water was circumneutral with temperatures ranging between 17°C and 20.2°C. Specific conductance and total dissolved solids (TDS) ranged between 0.175-1.089 µS/cm and 371.7-765.3, respectively. The highest specific conductance and TDS were observed at Site 9 and may have been elevated at all spots due to precipitation preceding the sampling event.

Table 1. Field parameters measured during the surface water sampling for the Brevard County Biosolids Monitoring.

Site ID	Sample Date	Total Depth of Water (m)	Air Temp (°C)	Water Temp (°C)	pH (SU)	DO (%)	Specific Conductance (µS/cm)	Total Dissolved Solids (ppm)	Oxidation Reduction Potential (mV)	Sample Depth (m)
1	12/18/2019	> 2	17.6	20	7.76	22.3	0.1757	NA	NA	0.5
2	12/18/2019	> 2	16.6	20.2	7.07	37.1	0.1784	NA	NA	0.5
3	12/18/2019	0.3	14.5	19.9	7.24	56.5	0.3670	NA	NA	0.15
4	12/18/2019	NA	13.5	19.9	7.31	33.4	0.8460	NA	NA	0.5
5	12/19/2019	1.5	13.5	16.5	7.99	NA	0.9208	642.3	67	0.5
6	12/19/2019	1	19.5	19.5	7.48	NA	0.6889	471.1	102	0.5
7	12/19/2019	NA	18.8	19.4	7.77	NA	0.6605	451.4	112	0.5
8	12/19/2019	1	18.8	19	7.42	NA	0.9272	643.5	61	0.5
9	12/19/2019	0.25	18	17.1	7.47	NA	1.089	765.3	54	0.15
11	12/19/2019	>2	16.3	17	7.69	NA	0.7202	496.3	73	0.5
12	12/19/2019	>2	17.8	18.1	7.80	NA	0.5463	371.7	160	0.5

Metals

Applied Ecology, Inc. sampled 11 sites for metals (arsenic, copper, molybdenum, nickel, and zinc) and compared results to the applicable surface water criteria defined in Chapter 62-302, F.A.C. Hardness was not measured concurrently with metals, so low and high hardness values of 25 and 400 mg/L calcium carbonate (CaCO_3) as outlined in 62.302-530[1] were presented in Table 2 for illustrative purposes. For quality assurance, a field reagent blank was also collected, which exhibited concentrations below laboratory MDL values for all five metals. Complete laboratory analytical results from the one-time sampling for metals can be found in Appendix C.

No metals were detected at Site 1 (Table 2). Site 2 only had detectable levels of zinc, but it had the highest observed zinc concentrations (24.0 $\mu\text{g/L}$), more than twice as much as the next highest levels observed at Site 3 and Site 9 (10.8 $\mu\text{g/L}$). Site 3 had detectable values of all analytes except for nickel, with quantifiable levels of molybdenum (1.8 $\mu\text{g/L}$), zinc (10.8 $\mu\text{g/L}$), and the highest value of copper (4.2 $\mu\text{g/L}$). Although this copper value is above the low hardness criteria of 2.85 $\mu\text{g/L}$, it is unlikely to be an exceedance due to the historically high hardness values observed in other waterbodies in the area. All residential sites (Sites 5-9) had quantifiable values of molybdenum, which does not have applicable water quality standards. Additionally, residential sites 7-11 had quantifiable levels of arsenic (1.3 to 2.4 $\mu\text{g/L}$) well below the drinking water quality standard of 10 $\mu\text{g/L}$. In fact, all samples had metal concentration values below the drinking water quality standards in Chapter 62-550, F.A.C. assuming high water hardness values.

Table 2. Metal results (in µg/L) for the eleven sites sampled for the Brevard County Biosolids Moratorium Monitoring as well as the applicable FDEP criteria target levels (in µg/L) for each analyte as defined in Chapter 62-302, F.A.C. Samples with concentration values above the minimum detection level (MDL) but below the practical quantitation limit (PQL) are italicized, values above the PQL are bolded, and values above the applicable FDEP criteria target levels (in µg/L) are highlighted in grey.

Metals	Site 1	Site 2	Site 3	Site 4	Site 5	Site 6	Site 7	Site 8	Site 9	Site 11 ⁴	Site 12 ⁴	FDEP Class I Criteria (Low)	FDEP Class I Criteria (High)	FDEP Class III FW Criteria (Low)	FDEP Class III FW Criteria (High)
Arsenic	0.50 U ¹	0.50 U ¹	0.64 I ²	0.54 I ²	0.76 I ²	0.67 I ²	1.80	2.00	2.40	1.30	0.52 I ²	10	10	50	50
Copper	0.93 U ¹	0.93 U ¹	4.20 5	0.93 U ¹	0.93 U ¹	1.00	0.93 U ¹	1.80	0.93 U ¹	1.40	0.93 U ¹	2.85	30.5	2.85	30.5
Molybdenum	0.50 U ¹	0.50 U ¹	1.80	0.50 U ¹	2.50	2.30	3.10	1.30	1.80	1.60	0.98 I ²	NA	NA	NA	NA
Nickel	0.62 U ¹	0.62 U ¹	0.62 U ¹	0.62 U ¹	0.62 U ¹	0.62 U ¹	0.62 U ¹	0.62 U ¹	0.62 U ¹	0.71 I ²	0.62 U ¹	16.1	168.5	16.1	168.5
Zinc	4.30 U ¹	24.0	10.8	4.30 U ¹	4.30 U ¹	5.30	4.30 U ¹	9.10	10.8 0	5.20	4.30 U ¹	37.0	387.8	37.0	387.8

¹ "U" qualified values indicate the analytical concentration is below laboratory MDLs; limits vary depending on parameter and sample

² "I" qualified values indicate the analytical concentration is greater than or equal to the MDL, but less than the PQL

³ Values from Chapter 62-304.530 F.A.C. Copper, nickel, and zinc are hardness based with "Low" being set to a hardness of 25 mg/L of CaCO₃ and "High" set to 400 mg/L of CaCO₃

⁴ Class I waters

⁵ Value could be above Class I most stringent criteria if hardness is considered low onsite (less than 25 mg/L of CaCO₃)

Nutrients

Applied Ecology, Inc. sampled 11 sites for the following nutrients: ammonia, total kjeldhal nitrogen, nitrate-nitrite, total nitrogen (TN), orthophosphate, and total phosphorous (TP). Results are summarized in Table 3. Complete laboratory analytical results from the one-time sampling for nutrients can be found in Appendix C.

The highest orthophosphate (1.9 mg/L and 0.86 mg/L) and TP (2.2 mg/L and 0.95 mg/L) values were observed at Site 3 and 4 respectively. The highest ammonia (0.18 mg/L) values were observed at Site 9, while Site 11 (within Lake Washington) had the highest values of TN (1.8 mg/L), total kjeldahl nitrogen (1.7 mg/L) and nitrate-nitrite (0.15 mg/L). Based on only two data points (Sites 6 and 5), the stormwater treatment ponds may be decreasing, TN, ammonia, total kjeldhal nitrogen, nitrate-nitrite, orthophosphate and TP by as much as 26.4%, 49.3%, 16.9%, 67.0%, 53.8%, and 26.3%, respectively.

Table 3. Nutrient results (in mg/L) for the eleven sites sampled for the Brevard County Biosolids Moratorium Monitoring and applicable FDEP criteria (in mg/L) for each analyte. Samples with concentration values above the applicable criteria are highlighted in grey.

Nutrient Analyte	Site 1	Site 2	Site 3	Site 4	Site 5	Site 6	Site 7	Site 8	Site 9	Site 11	Site 12	FDEP NNC for Lake Washington	FDEP NNC for Streams
Total Nitrogen	0.980	1.000	1.300	0.820	0.640	0.870	0.860	0.970	1.200	1.800	1.300	1.91	1.54
Ammonia	0.035 U ¹	0.035 U ¹	0.060	0.035 U ¹	0.035 U ¹	0.069	0.035 U ¹	0.068	0.180	0.081	0.035 U ¹	NA	NA
Total Kjeldahl Nitrogen	0.980	1.000	1.300	0.800	0.640	0.770	0.860	0.830	1.200	1.700	1.300	NA	NA
Nitrate-Nitrite	0.033 U ¹	0.033 U ¹	0.058	0.033 U ¹	0.033 U ¹	0.100	0.033 U ¹	0.140	0.060	0.150	0.033 U ¹	NA	NA
Ortho-phosphate	0.035	0.028	1.900	0.860	0.004	0.009	0.007	0.086	0.055	0.050	0.077	NA	NA
Total Phosphorus	0.063	0.059	2.200	0.950	0.028	0.038	0.053	0.130	0.100	0.110	0.120	0.16	0.12
Nitrogen to Phosphorus Ratio (TN:TP)	15.6	16.9	0.6	0.9	22.9	22.9	16.2	7.5	12.0	16.4	10.8	NA	NA

¹ "U" qualified values indicate the analytical concentration is below laboratory minimum detection limits (MDLs); limits vary depending on parameter and sample

PFAS

Applied Ecology, Inc. (AEI) sampled seven sites for PFAS and compared the surface water PFOA and PFAS laboratory measured results to the 0.070 µg/L EPA lifetime drinking water health advisory (LDWHA) for PFOA and PFOS (Table 4). Additionally, AEI compared the results to FDEP provisional screening values for Human Health in Surface Water (HHSW) and Ecological Health in Surface Water (EHSW). For quality assurance, a field reagent blank was also collected, which exhibited concentrations below laboratory MDL values for all 24 PFAS compounds. Complete laboratory analytical results from the one-time sampling for PFAS can be found in Appendix D.

All sites had detectable levels of PFAS, with Perfluorobutanesulfonic acid (PFBS) and Perfluorobutanoic acid (PFBA) detected at all seven sites analyzed for PFAS. However, only four sites had quantifiable levels of PFAS. Sites 3 and 4, which are on Deer Park Ranch in canals that receive runoff from high biosolid loading areas, had quantifiable levels of PFBA (0.0164 and 0.0210 µg/L, respectively), Perfluoropentanoic acid (0.0230 and 0.0130 µg/L, respectively), Perfluorohexanoic acid (0.0121 and 0.0081 µg/L, respectively) and PFBS (0.0520 and 0.0360 µg/L, respectively). Even though many of the PFAS do not have current recommended health advisories or screening health advisories, there are recent toxicological studies that do indicate potential of other PFAS besides PFOA and PFOS, such as PFBS having development, thyroid, and kidney effects in adult and developing rats (Feng *et al.*, 2017). Site 8, which was in a canal that receives runoff from residential areas, had quantifiable levels of Perfluoropentanoic acid (0.0084 µg/L). Site 5, located downstream of the treatment ponds that also receives runoff from the Brevard County Fire Rescue Drill Yard and potentially other commercial and industrial land uses, had quantifiable levels of four PFAS: PFBA (0.0183 µg/L), Perfluorohexanoic acid (0.0095 µg/L), Perfluorohexanesulfonic acid (0.0377) and PFOS (0.0398 µg/L). This site was the only site to have quantifiable values of Perfluorohexanesulfonic acid and PFOS and was also the only site to exceed the provisional FDEP HHSW for PFOS (0.004 µg/L).

Site 7, which was located in a canal that receives runoff from residential areas, appears to have the lowest number of detections, only PFBS and PFBA were detected, but not in sufficient concentration to quantify. Sites 11 (Lake Washington) and 12 (St. Johns River) had 5 PFAS above detection limits, but not in sufficient concentration to quantify.

The following 14 PFAS were analyzed but not detected in any of the sample sites: Perfluorononanoic acid, Perfluorodecanoic acid, Perfluoroundecanoic acid, Perfluorododecanoic acid, Perfluorotridecanoic acid, Perfluorotetradecanoic acid, Perfluoropentanesulfonic acid, Perfluorononanesulfonic acid, Perfluorodecanesulfonic acid, Perfluorooctane sulfonamide, MeFOSAA, EtFOSAA, 4:2 Fluorotelomer sulfonate, 6:2 Fluorotelomer sulfonate and 8:2 Fluorotelomer sulfonate.

Table 4. Surface water PFAS analytical results (in µg/L) for Brevard County Biosolids Moratorium Monitoring and associated target cleanup levels (in µg/L) for each compound. Samples with concentration values above the minimum detection level (MDL) but below the practical quantitation limit (PQL) are italicized, values above the PQL are bolded. Values that exceeded the provisional FDEP Surface Water Screening Levels for Human Health (HHSW) or the US EPA Lifetime Drinking Water Health Advisory (LDWHA) are bolded and highlighted in grey.

PFAS Compound	Site 3	Site 4	Site 5	Site 7	Site 8	Site 11	Site 12	EPA LDWHA ³	FDEP HHSW ⁴	FDEP EHSW ⁵
Perfluorobutanoic acid (PFBA)	0.016	0.021	0.018	<i>0.006</i> <i>I²</i>	<i>0.011</i> <i>I²</i>	<i>0.011</i> <i>I²</i>	<i>0.010</i> <i>I²</i>	NA	NA	NA
Perfluoropentanoic acid (PFPeA)	0.023	0.013	<i>0.008</i> <i>I²</i>	<i>0.0023</i> <i>U¹</i>	0.008	<i>0.005</i> <i>I²</i>	<i>0.005</i> <i>I²</i>	NA	NA	NA
Perfluorohexanoic acid (PFHxA)	0.012	0.008	0.010	<i>0.002</i> <i>U¹</i>	<i>0.006</i> <i>I²</i>	<i>0.003</i> <i>I²</i>	<i>0.002</i> <i>I²</i>	NA	NA	NA
Perfluoroheptanoic acid (PFHpA)	<i>0.006</i> <i>I²</i>	<i>0.004</i> <i>I²</i>	<i>0.004</i> <i>I²</i>	<i>0.002</i> <i>U¹</i>	<i>0.003</i> <i>I²</i>	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>U¹</i>	NA	NA	NA
Perfluorooctanoic acid (PFOA)	<i>0.008</i> <i>I²</i>	<i>0.006</i> <i>I²</i>	<i>0.006</i> <i>I²</i>	<i>0.002</i> <i>U¹</i>	<i>0.004</i> <i>I²</i>	<i>0.003</i> <i>I²</i>	<i>0.003</i> <i>I²</i>	0.07	0.15	1,300
Perfluorobutanesulfonic acid (PFBS)	0.052	0.036	<i>0.008</i> <i>I²</i>	<i>0.002</i> <i>I²</i>	<i>0.006</i> <i>I²</i>	<i>0.005</i> <i>I²</i>	<i>0.006</i> <i>I²</i>	NA	NA	NA
Perfluorohexanesulfonic acid (PFHxS)	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>U¹</i>	0.038	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>I²</i>	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>U¹</i>	NA	NA	NA
Perfluoroheptanesulfonic acid	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>I²</i>	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>U¹</i>	<i>0.002</i> <i>U¹</i>	NA	NA	NA
Perfluorooctanesulfonic acid (PFOS)	<i>0.003</i> <i>I²</i>	<i>0.003</i> <i>U¹</i>	0.040	<i>0.003</i> <i>U¹</i>	<i>0.008</i> <i>I²</i>	<i>0.003</i> <i>U¹</i>	<i>0.003</i> <i>U¹</i>	0.07	0.004	37
PFOA + PFOS	<i>0.011</i> <i>I²</i>	<i>0.009</i> <i>I², U¹</i>	0.046	<i>0.005</i> <i>U¹</i>	<i>0.012</i> <i>I²</i>	<i>0.006</i> <i>I², U¹</i>	<i>0.006</i> <i>I², U¹</i>	0.07	NA	NA

¹ “U” qualified value indicates that analytical concentration is below laboratory MDLs; limits vary depending on parameter and sample

² “I” qualified value indicated the analytical concentration is greater than or equal to the MDL, but less than the PQL

³ US EPA Lifetime Drinking Water Health Advisories

⁴ Provisional Florida DEP Surface Water Screening Levels for Human Health

⁵ Provisional Florida DEP Surface Water Screening Levels for Ecological Health

Pharmaceuticals and Personal Care Products (PPCPs)

Surface Water

Applied Ecology, Inc. sampled two sites for 58 PPCPs (Sites 3 and 4, located on the Deer Park Ranch). For quality assurance, a field reagent blank was also collected, which exhibited concentrations below laboratory MDL values for all 58 compounds. None of the surface water samples had detectable PPCPs. Complete laboratory analytical results from the one-time sampling for PPCPs in surface water can be found in Appendix E.

Vegetation Tissue

Applied Ecology, Inc. sampled three sites with high biosolid loadings for 58 PPCPs (Plant Tissue 1-3). Complete laboratory analytical results from the one-time sampling for PPCPs in plant tissue can be found in Appendix F.

Plant Tissue 1 and 3 were Bahiagrass (*Paspalum notatum*) and actively or recently used for cattle grazing while Plant Tissue 2 was *Hemarthria sp.* collected in a field that was fallowed at time of sampling. Additionally, Plant Tissue 3 is located near the designated biosolids storage area. No pharmaceuticals were detected in Plant Tissue 2 (Table 5). Plant Tissue 1 and 3 both had quantifiable concentrations of the anti-inflammatory drug Naproxen (0.322 and 0.713 ppb, respectively) and the antibiotic Ciprofloxacin (9.84 and 35.6 ppb, respectively). Additionally, Plant Tissue 3 had 0.324 ppb of Triclocarban (an anti-microbial) and the other had 55.3 ppb of Norfloxacin (an antibiotic).

The following PPCPs were not detected in any of the tissue samples: Bisphenol A, Furosemide, Gemfibrozil, Glipizide, Glyburide, Hydrochlorothiazide, 2-hydroxy-ibuprofen, Ibuprofen, Triclosan, Warfarin, Acetaminophen, Azithromycin, Caffeine, Carbadox, Carbamazepine, Cefotaxime, Clarithromycin, Clinafloxacin, Cloxacillin, Dehydronifedipine, Diphenhydramine, Diltiazem, Digoxin, Digoxigenin, Enrofloxacin, Erythromycin-H₂O, Flumequine, Fluoxetine, Lincomycin, Lomefloxacin, Miconazole, Norgestimate, Ofloxacin, Ormetoprim, Oxacillin, Oxolinic acid, Penicillin G, Penicillin V, Roxithromycin, Sarafloxacin, Sulfachloropyridazine, Sulfadiazine, Sulfadimethoxine, Sulfamerazine, Sulfamethazine, Sulfamethizole, Sulfamethoxazole, Sulfanilamide, Sulfathiazole, Thiabendazole, Trimethoprim, Tylosin, Virginiamycin M1 and 1,7-Dimethylxanthine.

Table 5. Plant tissue analytical results (in ng/g) for Pharmaceuticals and Personal Care Products as part of the Brevard County Biosolids Moratorium Monitoring. No detectable results were found for Plant Tissue 2.

PPCP Analyte	Plant Tissue 1	Plant Tissue 2	Plant Tissue 3
Naproxen	0.322	0.313 ND ¹	0.713
Triclocarban	0.313 ND ¹	0.313 ND ¹	0.324
Ciprofloxacin	9.84	2.54 ND ¹	35.6
Norfloxacin	27.1 ND ¹	5.86 ND ¹	55.3

¹ ND - Non detect

CONCLUSION

A total of eleven water quality stations and three plant tissue sites were sampled between December 18 and 19, 2019. None of the eleven sites sampled exceeded the drinking water standards for the metals arsenic, copper, molybdenum, nickel, and zinc. The two ranch sites of the eleven sites sampled were above the numeric nutrient criteria (which is an annual geometric mean) for total phosphorus. PFAS were detected in all seven sites sampled, with one non-ranch site exceeding the provisional FDEP Human Health Surface Water Screening Levels for PFOS. PPCPs were not detected in the two water quality samples tested. However, of the three plant tissues sampled, two had high enough concentrations of four PPCPs to be quantifiable. Currently, there are no governmental guidelines for PPCPs in plant tissue.

An objective of the present study was to analyze presence, quantities, and contributions of nutrients and pollutants (metals, PPCPs, and PFAS) to the St. Johns River (Site 12) and Lake Washington (Site 11) from areas of biosolid application (Sites 3 and 4 and Plant Tissues 1-3) and residential areas (Sites 5-9). It should be emphasized that this was a small-scale study, with only one sample taken from each site over a two-day period, therefore conclusions are limited. Furthermore, loads from these two different land use types cannot be calculated as flows were not measured so. However, the present study has produced some notable results.

For metals, the highest copper value was observed at a site near biosolid application, while the other site near biosolid application did not have detectable copper. Copper is frequently found in biosolids as it readily associates with organic matter and according to Chapter 62-640.700(5)(a), F.A.C. copper in Class B biosolids can have a maximum single sample concentration of 4,300 mg/kg. However, considering the two sites both receive runoff from high biosolid loading areas, the results are inconclusive. The highest zinc value was found downstream of a bridge in a natural land use area. This higher concentration than other sites could be related to the use of galvanized steel in the bridge's construction.

For nutrients, Site 5 generally had the lowest nutrient concentrations and is downstream of a treatment pond. The highest nitrogen species concentrations were observed in Lake Washington, with generally higher values observed in the residential areas compared to natural land use areas. Nitrogen loading is typically associated with higher density residential and commercial land uses, typical of the basin draining from the east of Lake Washington. The highest TP, orthophosphate, and TN:TP values were observed at the two sites draining biosolid application areas. Generally, biosolid TN:TP is below the preferable ratio needed for plant growth (*i.e.*, crops) and when biosolids are applied on a need for nitrogen basis, it leads to excessive phosphorus build-up. The lower TN:TP has been observed in other lakes receiving runoff from biosolids application areas and has resulted in the banning of Class B biosolid applications in Lake Okeechobee, St. Lucie River and Caloosahatchee River watersheds. It is generally accepted that it is this low TN to TP ratio that leads to the proliferation of nitrogen-fixing cyanobacteria.

Although PFAS were detected in all samples, the only sample exceeding the provisional FDEP Human Health Surface Water Screening Levels was at Site 5, which is downstream of a firefighting training facility and a mix of high density residential and industrial and commercial land uses. In addition, a few months preceding the sampling date, a brush fire occurred closely near the sampling location (*i.e.*, NE of the Eau Gallie/I-95 interchange), where different firefighting products might have been used. PFOS have historically been added to aqueous film forming foam (AFFF) used to fight fires. AFFF was phased out of production in 2003 but has been used in Florida training facilities as recently as 2017. Currently, Class B firefighting foam used in Brevard County for flammable liquids such as gasoline, oils, etc., typically still contain C6 Fluorosurfactants, which have better toxicological profiles than PFOS (a C8 fluorosurfactant) but do persist in the environment.

Site 5 had quantifiable levels of PFOS, PFHxA (C6 fluorosurfactant primary breakdown product), and PFHxS. Rotander *et al.* (2015) found that both PFOS and PFHxS levels were shown to be elevated in firefighters exposed to AFFF. Sites 3 and 4, both receiving runoff from high biosolid application areas, had quantifiable concentrations of PFBA, PFPeA, PFHxA, and PFBS. These four PFAS are commonly (60-100% of the time) found in biosolids and, despite many being phased out, continue to be observed in similar concentrations in biosolids (Venkatesan and Halden 2013).

While PPCPs were detected in two tissue samples extracted from areas where high intensity of biosolids were applied, no PPCPs were detected in the water samples leaving the ranch at Sites 3 and 4. The lack of detectable PPCPs in the surface water samples could be due to the dilution effect of a very high rainfall event immediately preceding the sampling effort. Additionally, the PPCPs were only detected in areas of recent or active grazing (Plant Tissue 1 and 3) and not on land amended with biosolids, but currently fallow (Plant Tissue 2). While both ciprofloxacin and norfloxacin are antibiotics commonly used on cattle, the landowner of the Deer Park Ranch confirmed that neither antibiotic had been used recently on his cattle. Naproxen is a nonsteroidal anti-inflammatory drug found in common pain-relieving medications (Topp *et al.*, 2008), also confirmed to not have been used onsite by the landowner. Furthermore, no evidence could be found that naproxen is ever used on bovines. Topp *et al.* (2008) showed that naproxen is rapidly mineralized in soils amended with biosolids while Lin and Reinhard (2005) found naproxen rapidly photodegrades after release into the environment. Therefore, recently applied biosolids is the likely source for this particular compound. Triclocarban, originally developed for the medical field, is an antimicrobial and antifungal compound that was formerly used in personal care products such as soaps and lotions. The product began being used in the 1960s but was phased out by the FDA in 2017. Several studies have found that triclocarban from biosolid-amended fields can bioaccumulate in plants (Wu *et al.* 2010; Sabourin *et al.*, 2012; Wu *et al.*, 2014) and the concentrations observed in Site 3 were on the lower end of the range published in these studies. However, studies show the biosolid amendment inhibit the bioavailability and plant uptake of triclocarban (Fu *et al.*, 2016), which means concentrations in soils are likely much higher. In

general, the highest concentrations of PPCPs and the sample that had the most PPCPs was Plant Tissue 3. A potential confounding factor is differential bioaccumulation in vegetative tissues since Plant Tissue 1 and 3 were Bahiagrass while Plant Tissue 2 was *Hemarthria sp.*

The results from this limited study, in conjunction with a soil study by an interagency team, will be used by the Brevard County Commission to guide further regulatory action regarding biosolid applications in Brevard County.

REFERENCES

- Bossi, R., Strand, J., Sortkjær, O., & Larsen, M. M. (2008). Perfluoroalkyl compounds in Danish wastewater treatment plants and aquatic environments. *Environment International*, 34(4), 443-450.
- Chen, H., Zhang, C., Han, J., Yu, Y., & Zhang, P. (2012). PFOS and PFOA in influents, effluents, and biosolids of Chinese wastewater treatment plants and effluent-receiving marine environments. *Environmental pollution*, 170, 26-31.
- Dolman, A. M., Rücker, J., Pick, F. R., Fastner, J., Rohrlack, T., Mischke, U., & Wiedner, C. (2012). Cyanobacteria and cyanotoxins: the influence of nitrogen versus phosphorus. *PloS one*, 7(6).
- Downing, J. A., & McCauley, E. (1992). The nitrogen: phosphorus relationship in lakes. *Limnology and Oceanography*, 37(5), 936-945.
- Feng, X., Cao, X., Zhao, S., Wang, X., Hua, X., Chen, L., & Chen, L. (2017). Exposure of pregnant mice to perfluorobutanesulfonate causes hypothyroxinemia and developmental abnormalities in female offspring. *Toxicological Sciences*, 155(2), 409-419.
- Fu, Q., Wu, X., Ye, Q., Ernst, F., & Gan, J. (2016). Biosolids inhibit bioavailability and plant uptake of triclosan and triclocarban. *Water research*, 102, 117-124.
- Hu, X. C., Andrews, D. Q., Lindstrom, A. B., Bruton, T. A., Schaider, L. A., Grandjean, P., ... & Higgins, C. P. (2016). Detection of poly-and perfluoroalkyl substances (PFASs) in US drinking water linked to industrial sites, military fire training areas, and wastewater treatment plants. *Environmental science & technology letters*, 3(10), 344-350.
- Lin, A. Y. C., & Reinhard, M. (2005). Photodegradation of common environmental pharmaceuticals and estrogens in river water. *Environmental Toxicology and Chemistry: An International Journal*, 24(6), 1303-1309.
- Richmond, E. K., Grace, M. R., Kelly, J. J., Reisinger, A. J., Rosi, E. J., & Walters, D. M. (2017). Pharmaceuticals and personal care products (PPCPs) are ecological disrupting compounds (EcoDC). *Elem Sci Anth*, 5.
- Rotander, A., Toms, L. M. L., Aylward, L., Kay, M., & Mueller, J. F. (2015). Elevated levels of PFOS and PFHxS in firefighters exposed to aqueous film forming foam (AFFF). *Environment international*, 82, 28-34.
- Sabourin, L., Duenk, P., Bonte-Gelok, S., Payne, M., Lapen, D. R., & Topp, E. (2012). Uptake of pharmaceuticals, hormones and parabens into vegetables grown in soil fertilized with municipal biosolids. *Science of the Total Environment*, 431, 233-236.

- Topp, E., Hendel, J. G., Lapen, D. R., & Chapman, R. (2008). Fate of the nonsteroidal anti-inflammatory drug naproxen in agricultural soil receiving liquid municipal biosolids. *Environmental Toxicology and Chemistry: An International Journal*, 27(10), 2005-2010.
- USEPA. 2016a. Drinking Water Health Advisory for Perfluorooctane Sulfonate (PFOS), 19 May.
- USEPA. 2016b. Drinking Water Health Advisory for Perfluorooctanoic Acid (PFOA), 19 May.
- USEPA. 2016. Lifetime Health Advisories and Health Effects Support Documents for Perfluorooctanoic Acid and Perfluorooctane Sulfonate; Washington, DC, 2016.
- USEPA, 2017. Regional Screening Levels. Retrieved from <https://www.epa.gov/risk/regional-screeninglevels-rsls-generic-tables-june-2017>.
- Venkatesan, A. K., & Halden, R. U. (2013). National inventory of perfluoroalkyl substances in archived US biosolids from the 2001 EPA National Sewage Sludge Survey. *Journal of hazardous materials*, 252, 413-418.
- Wang, Z., Cousins, I. T., Scheringer, M., Buck, R. C., & Hungerbühler, K. (2014). Global emission inventories for C4–C14 perfluoroalkyl carboxylic acid (PFCA) homologues from 1951 to 2030, Part I: production and emissions from quantifiable sources. *Environment international*, 70, 62-75.
- Wu, C., Spongberg, A. L., Witter, J. D., Fang, M., & Czajkowski, K. P. (2010). Uptake of pharmaceutical and personal care products by soybean plants from soils applied with biosolids and irrigated with contaminated water. *Environmental Science & Technology*, 44(16), 6157-6161.
- Wu, X., Conkle, J. L., Ernst, F., & Gan, J. (2014). Treated wastewater irrigation: uptake of pharmaceutical and personal care products by common vegetables under field conditions. *Environmental science & technology*, 48(19), 11286-11293.
- Wu, X., Dodgen, L. K., Conkle, J. L., & Gan, J. (2015). Plant uptake of pharmaceutical and personal care products from recycled water and biosolids: a review. *Science of the Total Environment*, 536, 655-666
- Wuana, R. A., & Okiyeimen, F. E. (2011). Heavy metals in contaminated soils: a review of sources, chemistry, risks and best available strategies for remediation. *Isrn Ecology*, 2011.
- Xia, K., Bhandari, A., Das, K., & Pillar, G. (2005). Occurrence and fate of pharmaceuticals and personal care products (PPCPs) in biosolids. *Journal of environmental quality*, 34(1), 91-104.

SAMPLE ID	PASTURE ID	DEPTH	SOIL TYPE	RELATIVE LEVEL OF BIOSOLIDS APPLICATION	MOST RECENT APPLICATION	MEHLICH PHOSPHORUS (ppm)	CALCIUM (ppm)	ALUMINUM (ppm)	IRON (ppm)	WATER EXTRACTABLE PHOSPHORUS (ppm)	TOTAL PHOSPHORUS (ppm)	CAPACITY FACTOR or SOIL PHOSPHORUS INDEX (SPSC)	pH	SAMPLE ID
1	11	Shallow	Myakka fine sand	High	Apr-18	178	1640	3.08	2.71	22.87	255.51	-177	6.8	1
2	11	Medium	Myakka fine sand	High	Apr-18	256	636	12.26	6.77	20.67	174.79	-254	6.9	2
3	11	Shallow	Wabasso fine sand	High	Apr-18	232	1197	4.92	5.22	24.22	302.66	-231	6.5	3
4	11	Medium	Wabasso fine sand	High	Apr-18	245	789	15.75	4.01	21.17	215.52	-243	7.1	4
5	11	Deep	Wabasso fine sand	High	Apr-18	5	238	64.11	72.54	0.94	22.31	6	8.2	5
6	37A	Shallow	Myakka fine sand	High	Nov-19	79	875	3.5	2.91	17.02	137.62	-78	5.9	6
7	37A	Medium	Myakka fine sand	High	Nov-19	16	126	1.8	1.43	4.4	9.2	-16	5.6	7
8	Timberland	Shallow	Control 1	None	-	7	359	16.09	4.55	0.99	24.4	-5	6.1	8
9	Timberland	Medium	Control 1	None	-	2	233	35.61	26.65	0.19	18.9	4	6.6	9
10	Timberland	Deep	Control 1	None	-	2	246	58.84	38.45	0.33	16.32	7	7	10
11	Timberland	Shallow	Control 2	None	-	2	277	2.4	1.43	3.64	25.59	-2	5.3	11
12	Timberland	Medium	Control 2	None	-	1	131	2.52	1.42	0.99	5.95	-1	4.9	12
13	37A	Shallow	Immokalee fine sand	High	Nov-19	64	1282	1.07	0.95	5.09	106.3	-64	6.5	13
14	37A	Medium	Immokalee fine sand	High	Nov-19	19	535	0.94	0.6	1.56	22.24	-19	6.7	14
15	37A	Deep	Immokalee fine sand	High	Nov-19	6	121	0.74	0.77	1.34	8.12	-6	6.4	15
16	36	Shallow	Wabasso fine sand	Low	Nov-18	278	921	3.48	5.4	19.63	332.12	-277	6.7	16
17	36	Medium	Wabasso fine sand	Low	Nov-18	51	351	26.1	14.26	24.79	204.82	-47	7.5	17
18	36	Deep	Wabasso fine sand	Low	Nov-18	12	180	26.56	28.31	12.05	124.32	-7	7.7	18
19	42	Shallow	Riviera sand	Low	Feb-19	50	574	9.5	7.01	9.58	95.22	-49	6.7	19
20	42	Medium	Riviera sand	Low	Feb-19	17	353	37.8	10.28	1.93	27.48	-12	7.1	20
21	42	Deep	Riviera sand	Low	Feb-19	2	337	26.72	5.24	0.57	11.58	1	8.3	21
22	33	Shallow	Wabasso fine sand	Medium	Dec-17	152	645	16.72	6.82	18.22	182.51	-150	6	22
23	33 Furrow, surface	Shallow	Wabasso fine sand	Medium	Dec-17	142	636	18.31	7.68	14.68	131.34	-139	6.2	23
24	33	Medium	Wabasso fine sand	Medium	Dec-17	31	532	39.2	7.27	6.34	54.32	-26	7.1	24
25	33	Deep	Wabasso fine sand	Medium	Dec-17	30	673	44.17	10.41	5.46	49.5	-24	7.3	25

26	33	Shallow	Riviera sand	Medium	Dec-17	52	342	6	2.28	12.85	126.92	-51	4.9	26
27	33 Furrow, surface	Shallow	Riviera sand	Medium	Dec-17	57	325	5.44	1.46	10.09	116.3	-56	5.1	27
28		Medium	Riviera sand	Medium	Dec-17	142	182	18.61	2.73	12.97	118.36	-140	4.8	28
29	27	Shallow	Floridana sand	Medium	Jan-18	30	1738	8.49	2.86	6.24	100.29	-29	6.7	29
30	27	Medium	Floridana sand	Medium	Jan-18	4	590	45.4	7.89	0.41	18.47	2	6.8	30
31	27	Shallow	Riviera sand	Medium	Jan-18	50	669	26.02	8.03	7.97	64.58	-47	6.6	31
32	27	Medium	Riviera sand	Medium	Jan-18	22	886	35.22	6.43	1.64	39.75	-18	7	32
33	15	Shallow	Riviera sand	High	Sep-19	236	3899	15.33	8.35	12.35	753.32	-234	7.4	33
34	15	Medium	Riviera sand	High	Sep-19	6	301	54.72	14.3	2.01	30.27	1	7.6	34
35	15	Deep	Riviera sand	High	Sep-19	5	350	29.21	9.24	1.21	18.78	-1	8.2	35
36	15	Shallow	Pineda sand	High	Sep-19	615	6656	5.02	3.71	15.99	1730.73	-614	7.3	36
37	15	Medium	Pineda sand	High	Sep-19	15	414	22.48	8.95	4.64	87.97	-12	7.7	37
38	15	Deep	Pineda sand	High	Sep-19	4	325	36.32	5.85	0.48	20.88	0	8.2	38
39	12	Shallow	Riviera find sand	Medium	Apr-18	168	1216	8.1	9.22	14.85	216.35	-167	7	39
40	12	Medium	Riviera find sand	Medium	Apr-18	13	170	18.72	4.53	5.53	37.97	-11	8.1	40
41	12	Deep	Riviera find sand	Medium	Apr-18	13	121	26.94	15.74	7.74	30.81	-9	8.4	41
42	12	Shallow	Wabasso fine sand	Medium	Apr-18	75	1091	2.52	8.58	9.67	116.19	-74	6.5	42
43	12	Medium	Wabasso fine sand	Medium	Apr-18	40	1025	3.01	5.74	4.2	76.78	-39	6.6	43
44	12	Deep	Wabasso fine sand	Medium	Apr-18	19	293	8.1	6.36	3.47	24.35	-18	6.7	44
45	2	Shallow	Malabar - Pineda Complex	High	Nov-17	486	3434	3.42	3.17	34.01	575.73	-485	7.3	45
46	2	Medium	Malabar - Pineda Complex	High	Nov-17	37	901	1.85	2.72	5.83	51.41	-37	7	46
47	2	Deep	Malabar - Pineda Complex	High	Nov-17	81	661	3.78	4.23	9.52	28.62	-80	7.4	47
48	1	Shallow	Myakka fine sand	Low	Sep-13	338	1403	2.33	1.8	14.41	314.6	-338	5.9	48
49	1	Medium	Myakka fine sand	Low	Sep-13	66	558	1.43	1.03	4.66	9.07	-66	6.3	49
50	1	Deep	Myakka fine sand	Low	Sep-13	35	263	1.43	0.91	2.26	29.39	-35	6	50

PASTURE	SOIL TYPE	LEVEL OF BIOSOLIDS APPLICATION	MOST RECENT APPLICATION	SOIL PHOSPHORUS INDEX
1	Myakka fine sand	Low	Sep-13	-438
2	Malabar - Pineda Complex	High	Nov-17	-602
11	Myakka fine sand	High	Apr-18	-432
11	Wabasso fine sand	High	Apr-18	-468
12	Riviera find sand	Medium	Apr-18	-186
12	Wabasso fine sand	Medium	Apr-18	-131
15	Riviera sand	High	Sep-19	-234
15	Pineda sand	High	Sep-19	-626
27	Floridana sand	Medium	Jan-18	-27
27	Riviera sand	Medium	Jan-18	-64
33	Wabasso fine sand	Medium	Dec-17	-200
33	Riviera sand	Medium	Dec-17	-191
36	Wabasso fine sand	Low	Nov-18	-332
42	Riviera sand	Low	Feb-19	-59
37A	Myakka fine sand	High	Nov-19	-94
37A	Immokalee fine sand	High	Nov-19	-89
Timberland	Control 1	None	-	6
Timberland	Control 2	None	-	-2



BOARD OF COUNTY COMMISSIONERS

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

Inter-Office Memo

TO: Commissioner Smith, District 4
FROM: Abigail Jorandby, County Attorney
THROUGH: Heather A. Balser, Assistant County Attorney
SUBJECT: Biosolids Moratorium Extension Options
DATE: February 7, 2022

Question: Can Brevard County extend its Temporary County-Wide Moratorium Prohibiting the Land Application of Class B Biosolids for a period of time longer than 180 days (i.e. 365 days) or even make it permanent?

Answer: The moratorium may be extended for longer than 180 days however it should not be made permanent at this time.

Brevard County enacted Ordinance 2019-20 on October 8, 2019, instituting a moratorium upon all properties within Brevard County on the land application of Class B biosolids, excepting existing permit holders and where determined to be preempted by state law or regulation.

Section 403.0855(6), Florida Statutes, states

a municipality or county may enforce or extend a local ordinance, regulation, resolution, rule, moratorium, or policy, any of which was adopted before November 1, 2019, relating to the land application of Class A or Class B biosolids until the ordinance, regulation, resolution, rule, moratorium, or policy is repealed by the municipality or county.

Brevard County's ordinance was enacted before November 1, 2019 and therefore it may be extended. The Ordinance has in fact been extended four times, each time for a period of 180 days. There is no language in the aforementioned statute prohibiting an extension of more than 180 days, or any language restricting extensions only to the amount of time in the original moratorium. In fact, the statute clearly states that a moratorium may be extended until

it is repealed. Therefore, Brevard County's ordinance may be extended for longer than 180 days.

As the Brevard County ordinance is named a "Temporary County-Wide Moratorium...", it also follows that the ordinance should remain temporary and subject to extensions and review as provided by statute. There is no language in Section 403.0855, Florida Statutes providing for the conversion of a temporary moratorium into a permanent one.

It is noteworthy that Indian River County has enacted an ordinance/moratorium similar to Brevard County's. It was originally enacted June 19, 2019 and was initially valid for 180 days. The Indian River County ordinance has also been extended multiple times, and most recently, in January 2022, the moratorium was extended to January 1, 2023.

However, although the extension of the moratorium beyond 180 days is probably allowable under Section 403.0855(6), a cautious approach would be to continue to review and extend the moratorium every 180 days. The negative impacts of this approach are the cost of advertising and time spent by county staff and the Board of County Commissioners preparing and reviewing the ordinance every 180 days versus every 365 days.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.5.

8/2/2022

Subject:

Resolutions RE: Adoption of Solid Waste Special Assessments, Fees and Charges and Ratification, Confirmation and Certification of the Solid Waste Special Assessment Rolls.

Fiscal Impact:

The Fiscal Impact of the Resolutions attached are as follows:

Solid Waste Disposal Assessment: \$ 26,211,585.86

Solid Waste Collection Assessment: \$ 21,204,205.20

Dept/Office:

Solid Waste Management Department

Requested Action:

It is requested that the Board of County Commissioners adopt:

- (1) the Annual Solid Waste Disposal Special Assessment Rate Resolution (increase of \$5.13 per residential billing unit, \$14.81 per commercial billing unit);
- (2) the Annual Solid Waste Collection and Recycling Special Assessment Rate Resolution and Special Rates and Charges for Improved Non-Residential Property and Compensation Rates that may be charged by the Collector (increase of 3%); and
- (3) Ratify, Confirm and Certify the Annual Disposal, Collection and Recycling Special Assessment Rolls to the Brevard County Tax Collector.

Summary Explanation and Background:

Chapter 94, Brevard County Code of Ordinances (Chapter 94) requires on or before the fifteenth day of September of each year the Board shall hold a public hearing and adopt the special assessment rate resolutions for Solid Waste Disposal, and Collection and Recycling and ratify and confirm such rolls to the Brevard County Tax Collector. A Public hearing is also required for Service Fees and Impact Fees. In addition, Chapter 94 requires that a notice of the Public Hearing be published in a newspaper at least twice, with the first publication being at least 20 days prior to the public hearing. Notification was published on July 13 and July 24, 2022. The following summarizes and explains each requested action:

(1) Annual Solid Waste Disposal Special Assessment Rate Resolution

In the Department's proposed FY 22/23 Budget, the Solid Waste Disposal Special Assessment (Disposal Assessments) reflects a \$5.13 residential billing unit increase and \$14.81 commercial billing unit increase to Assessment rates. The FY 22/23 Disposal Special Assessment rate for residential customers is \$62.13

per billing unit and \$179.32 per billing unit for commercial customers. The Disposal Assessments are assessed against all improved properties within the County and are used to fund the operation and capital requirements of Brevard County's Solid Waste Disposal System.

(2) Annual Solid Waste Collection and Recycling Special Assessment Rate Resolution and Special Rates and Charges for Improved Non-Residential Property

The Solid Waste Collection and Recycling Special Assessment (Collection Assessment) for FY 2022/23 reflects an increase of 3%. This will increase a residential billing unit to \$206.11 from the current year's assessment of \$200.11. The increase is based on the County's Collector contract that requires collection rates to be adjusted annually to reflect the changes in the Consumer Price Index-Garbage & Trash (CPI-G&T) or an annual increase no greater than 3%, whichever is lower. The CPI-G&T for the term reflects an increase of 4.28%. The increase in rate will be paid to the Contractor for the services provided to residential improved properties within the unincorporated areas of the County.

The Department FY 2022/23 Budget also reflects an increase in the Special Rates and Charges for Improved Non-Residential Property by 3%. The increase is based on the County's Collector contract that requires the rates charged to non-residential properties in the unincorporated areas of the County to increase annually by CPI-G&T or no greater than 3%, whichever is lower. The CPI-G&T for the term increased by 4.28%. The 3% increase will be charged to non-residential properties by the Collector.

(3) Ratify, Confirm and Certify the Annual Disposal, Collection and Recycling Special Assessment Rolls to the Brevard County Tax Collector

Chapter 94, Brevard County Code of Ordinances and Section 197.3632, Florida Statutes provides that on or before the 15th day of September of each year the Board of County Commissioners, shall certify the Disposal Assessment Roll, and the Collection and Recycling Assessment Roll to the Brevard County Tax Collector. Assessments collected pursuant to Section 197.3632, Florida Statutes shall be included in the combined notice for ad valorem taxes and shall be subject to all collection provisions of ad valorem taxes.

Attachments:

- Collection Rate Resolution FY2023
- Disposal Rate Resolution FY2023
- Disposal and Collection Tax Roll Certification FY2023

Clerk to the Board Instructions:

Please sign and attest three (3) copies of each resolution and return two (2) originals of each to the Solid Waste Management Department.

RESOLUTION NO. 22-_____

A RESOLUTION OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING THE IMPOSITION OF AN ANNUAL SOLID WASTE COLLECTION AND RECYCLING PROGRAM SPECIAL ASSESSMENT, SERVICE FEES, AND CHARGES AGAINST ALL IMPROVED RESIDENTIAL REAL PROPERTY WITHIN THE BREVARD COUNTY SOLID WASTE COLLECTION AND RECYCLING PROGRAM MUNICIPAL SERVICE BENEFIT UNIT FOR COUNTY FISCAL YEAR BEGINNING OCTOBER 1, 2022; AND APPROVING THE SCHEDULE OF SPECIAL RATES AND CHARGES FOR NON-RESIDENTIAL IMPROVED REAL PROPERTY WITHIN THE UNINCORPORATED AREA, AND IMPROVED REAL PROPERTY NOT WITHIN THE SOLID WASTE COLLECTION AND RECYCLING BENEFIT UNIT; AND APPROVING THE SCHEDULE OF COMPENSATION RATES TO BE PAID COLLECTORS FOR CURBSIDE COLLECTION PROVIDED TO ALL IMPROVED RESIDENTIAL REAL PROPERTY WITHIN THE SOLID WASTE COLLECTION AND RECYCLING BENEFIT UNIT FOR COUNTY FISCAL YEAR BEGINNING OCTOBER 1, 2022.

WHEREAS, Florida Statutes, Section 125.01(1)(k) grants the Board of County Commissioners the power to provide and regulate waste collection and disposal; and

WHEREAS, pursuant to Section 403.706, Florida Statutes, Brevard County has the authority and responsibility to provide for the operation of solid waste management facilities to meet the needs of all areas of the county; and

WHEREAS, Chapter 403.706, Florida Statutes, requires that Brevard County plan and implement an efficient and environmentally acceptable solid waste management program to handle solid waste generated within the County and to provide for reduction in the amount of said solid waste disposed of at the County's solid waste management facilities through the implementation of a recycling program; and

WHEREAS, Chapter 67-1146, Laws of Florida, as amended by Chapter 70-594, Laws of Florida, 1970, authorizes the Board of County Commissioners of Brevard County, Florida to construct, operate and maintain a solid waste disposal system for the use and benefit of the inhabitants and municipalities of Brevard County; and

WHEREAS, said statutory authority grants the Board of County Commissioners the authority to prescribe, fix, establish and collect fees, rentals or other charges for the use of said established solid waste disposal system and to pledge such revenues as security for the payment of bonds issued under said statutory authority for the construction of a solid waste disposal facility; and

WHEREAS, Florida Statutes Section 403.7032, establishes a new statewide recycling goal of 75% to be achieved by the year 2020; and

WHEREAS, the act requires counties to develop and implement recycling programs within their jurisdictions to return valuable materials to productive use, to conserve energy and natural resources, and to protect capacity at solid waste management facilities; and

WHEREAS, Section 94-46(a), Code of Ordinances of Brevard County, Florida, authorizes the Board of County Commissioners to impose an annual collection and recycling special assessment, service fee, or charge, against all improved residential real property within the Brevard County Solid Waste Collection and Recycling Program Municipal Service Benefit Unit, "Benefit Unit"; and

WHEREAS, the developed residential properties within the Benefit Unit derive a special benefit above and beyond the general benefit received by all property or the public as a result of the services provided through the Brevard County Solid Waste Collection and Recycling Program; and

WHEREAS, the Board of County Commissioners finds that the collection and disposal of solid waste constitutes a benefit to all developed residential property within the Benefit Unit that is equal to, or in excess of, the cost of providing the services; and

WHEREAS, Section 94-233, Code of Ordinances of Brevard County, Florida, provides that on or before the fifteenth day of September of each year the Board of County Commissioners of Brevard County, Florida, shall hold a public hearing for the purpose of adopting a schedule of annual assessments, fees, rates and charges to be imposed upon the owners of all residential improved real property within the unincorporated areas of Brevard County for solid waste collection and recycling; and

WHEREAS, Chapter 94, Article IV., Division 2., Code of Ordinances of Brevard County, Florida, authorizes the Board of County Commissioners to impose an annual Collection and Recycling special assessment or service fee against all improved residential real property the Brevard County Solid Waste Collection and Recycling Program Municipal Service Benefit Unit, "Benefit Unit"; and

WHEREAS, Chapter 94, Article IV., Division 2., Brevard County Code of Ordinances, provides that on or before the fifteenth day of September of each year the Board of County Commissioners of Brevard County, Florida, shall hold a public hearing for the purpose of adopting a schedule of annual assessments, service fees, rates and charges to be imposed upon the owners of all residential and commercial improved real property within the unincorporated areas of Brevard County for the ensuing County fiscal year, and to establish the rates, assessments, service fees, and charges that shall apply to commercial improved real property within the unincorporated area of the County, and to residential improved real property not within the "Benefit Unit"; and

WHEREAS, Chapter 94, Article IV., Division 2., Code of Ordinances Brevard County, Florida provides each year the Board of County Commissioners of Brevard

County, Florida, shall approve the amount and method of payment to the collector for his performance under the collection agreement within the “Benefit Unit”; and

WHEREAS, on January 31, 2008, the Board of County Commissioners approved a resolution authorizing the uniform method of collection of these non-ad valorem assessments by the Brevard County Tax Collector via the Tax Roll for each year this Rate Resolution is in effect; and

WHEREAS, the Board of County Commissioners entered into a new collection services contract, effective on October 1, 2020 and running through September 30, 2027, with an optional three-year extension. The base rate for the collection and recycling non-ad valorem assessments and service fees is shown in Section 3 of Schedule “A”; the Schedule of Special Rates and Charges for containers is shown in Schedule “B”; and the Schedule of Compensation and Rates to be Paid to the Collector for Residential Curbside Collection Services is shown as Schedule “C”.

WHEREAS, this Resolution authorizes a stepped rate increase for special assessments and service fees, to be implemented over seven years, beginning in FY 2022. The annual billing unit rate for FY 2023 is \$206.11. Billing unit rate increases for FY 2021 through FY 2027, if such increase is approved by the Board, will not exceed 3% of the previous year and will be adopted annually through a subsequent public hearing process and resolution

WHEREAS, said public hearing was set for August 2, 2022 at 5:00 p.m., in the Brevard County Government Center, Commission Board Room, Building C, First Floor, 2725 Judge Fran Jamieson Way, Viera, Florida; and

WHEREAS, notice of the August 2, 2022 public hearing to adopt this resolution was published in the July 13, 2022 and the July 24, 2022 issues of the Florida Today, a newspaper of general circulation in Brevard.

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

Section 1. SCHEDULE ADOPTED. The Board of County Commissioners does hereby adopt a schedule of Annual Solid Waste Collection and Recycling Program Special Assessments and service fees for County Fiscal Year 2023, October 1, 2022 through September 30, 2023, pursuant to the provisions of Chapter 94, Article IV, Division 2, Code of Ordinances of Brevard County, Florida for all improved real property within the “Benefit Unit”, that is attached hereto as Schedule “A”. (“Code” used hereafter shall mean “Code of Ordinances of Brevard County, Florida”).

Section 2. SPECIAL RATES AND CHARGES. The Board of County Commissioners does hereby adopt a Schedule of Special Rates and Charges for containers for all non-residential improved real property within the unincorporated area of Brevard County and rates for all residential improved real property within said unincorporated

areas, but not within the “Benefit Unit,” which Schedule of Special Rates and Charges is attached hereto as Schedule “B”.

Section 3. COMPENSATION RATES. The Board of County Commissioners does hereby adopt compensation rates to be paid to the collector for curbside solid waste and recycling collection services provided to all residential improved real property within the “Benefit Unit” which Schedule of Compensation Rates is attached hereto as Schedule “C”.

Section 4. RATE RESOLUTION DECLARED. This Resolution constitutes the Rate Resolution specified in Chapter 94, Article IV, Division 2 of the Code, as amended.

Section 5. DEFINITIONS. For the purpose of this schedule of Annual Solid Waste Collection and Recycling Program Special Assessments, Service Fees, and charges, the following definitions shall apply:

- (a) Improved Real Property: means any real property located in the unincorporated areas of the county that generates, or is capable of generating, solid waste and that contains a building, structure or other improvements designed or constructed, or capable of use for, or is being used for human habitation, human activity or commercial enterprise. Real property becomes improved real property following construction completion and the initial issuance of a certificate of occupancy.
- (b) Residential Improved Real Property: means all improved real property used for either a multifamily residence, or a single-family residence, including trailer parks.
- (c) Square Feet: refers to the size of the buildings, structures, or other improvements located on such property.
- (d) Governmental Agencies: means all state, federal or local agencies or units of government located within the county, including, but not limited to, the school board of the county, housing authorities, all municipalities within the county, all special districts and municipal service taxing units with all or part of their boundaries within the county and any municipality or special district or other unit of government whose boundaries are not within the county but which is the owner of improved real property within the county.
- (e) Benefit Unit: means the unincorporated areas of Brevard County.
- (f) Billing Units: the number of units established per parcel of improved residential property which, when multiplied by the applicable base, produces the solid waste collection and recycling program special assessment or service fee.

Section 6. CALCULATION OF COLLECTION AND RECYCLING SPECIAL ASSESSMENTS.

- (a) The property’s classification shall be determined by the “use code” established by the Brevard County Property Appraiser in maintaining and classifying real property on the Brevard County real property assessment roll.
- (b) To determine the Solid Waste Collection and Recycling Program Special Assessment for all improved real property within the “Benefit Unit”, the number of

billing units for the property's corresponding classification set forth in Section 1 and Section 2 of Schedule "A" shall be multiplied by the applicable base billing unit set forth in Section 3 of Schedule "A".

Section 7. CALCULATION OF SERVICE FEES FOR TAX EXEMPT ENTITIES. For properties owned by government agencies which are not included on the ad valorem property tax roll, but receive collection or recycling services, each unit will be billed annually pursuant to Section 94-232(c), Code of Ordinances of Brevard County, Florida or general law. Services fees are to be calculated in the same manner and at the same base billing unit amount as the adopted special assessment rates in Schedule "A."

Section 8. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

Section 9. EFFECTIVE DATE. This Resolution shall be effective from October 1, 2022 through September 30, 2023.

RESOLVED this 2nd day of August 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

BY: _____
Rachel M. Sadoff, Clerk

BY: _____
Kristine Zonka, Chair
Brevard County Commission
(As approved by the Board on August 2, 2022)

SCHEDULE "A"

ANNUAL SOLID WASTE COLLECTION AND RECYCLING PROGRAM SPECIAL ASSESSMENTS

OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023

Section 1. RESIDENTIAL IMPROVED REAL PROPERTY:

- (a) Single Family Residence: Any building or structure designed or constructed for and capable of use as a residence for one family regardless of the type of structure. Such term includes a mobile home or a condominium parcel used for a mobile home or trailer or mobile home cooperative or a condominium park home that is erected on a separate parcel of property and not included within the definition of a trailer park.
- (b) Residential Condominium Unit/Cooperative Unit: Any portion of a building or structure designed or constructed for and capable of use as a residence for one family and such unit being owned or offered for sale under the condominium or cooperative concept of ownership.
- (c) Residential Townhouse Unit: Any portion of a building or structure designed or constructed for and capable of use as a residence for one family and such unit being owned or offered for sale under the townhouse concept of ownership.
- (d) Multiple Family Residence/Courts: Any building or structure or portion of any building or structure designed or constructed for and capable of use for one or more permanent residence(s) in which each unit is not individually owned.
- (e) Trailer Park: Any improved real property divided into spaces for the erection and maintenance of trailers and mobile homes.
- (f) Condominium Recreational Vehicle: Any improved real property divided into spaces in which all the spaces are intended for use as, or are offered to the public for use as, spaces for transient or temporary use by recreational vehicles.

Section 2. RESIDENTIAL IMPROVED PROPERTY BILLING UNITS:

- (a) Billing Units of 0.39 Per Unit:
Square Footage: Not Applicable
Condominium unit with Utilities, Condominium – Improved with no Manufactured Home, Condominium Unit with site improvements.
- (b) Billing Units of 0.75 Per Unit:
Square Footage: Not Applicable
Cooperative Unit, Condominium Unit Multiple Family, Garden Apartments – 1 Story – 10 To 49 Units, Garden Apartments – 1 Story – 50 Units & Up, High Rise Apartments – 4 Stories & Up, Low Rise Apartments 10 – 49 units 2/3 Stories, Low Rise Apartments 50 Units & Up 2/3 Stories. Condominium Unit – Time Share Condo, Condominium Unit-Vacant Land or Building not Complete, Quadruplex (each unit), Sixplex (each unit, and each additional unit), Multiple Living Units (5 to 9 units), Multiple Living Units (5-9 units, not attached), Manufactured Housing – Park Rentals (4 to 9 units), Manufactured Housing – Park Rentals (10 to 25 units), Manufactured Housing – Park Rentals (26 to 50

units), Manufactured Housing – Park Rentals (51 to 100 units), Manufactured Housing – Park Rentals (101 to 150 units), Manufactured Housing – Park Rentals (151 to 200 units), Manufactured Housing – Park Rentals (200 or more units), Vacant Residential Land-Multi-Family Platted, Vacant Residential Land-Multi Family Unplatted-Less than 5 Acres.

(c) Billing Units of 1.00 Per Unit:

Square Footage: Not Applicable

Single Family Residence, Manufactured Housing (single, double, or triple Wide), Condominium Manufactured Home Park, Cooperative, Townhouse, Manufactured Housing Rental Lot Improvements (with manufactured home), Residential Related Amenity on Manufactured Home Site, Manufactured Housing Rental Lot with improvements (no manufactured home), Manufactured Housing Rental Lot Without Improvements (with manufactured home), Condominium Unit – Single Family Residence and RV Cabin Homes, Condominium – Manufactured Housing Rental Lot With Improvements (with manufactured home), Cooperative – Manufactured Home – Improved, Residential Related Amenities, Cooperative Manufactured Housing Rental Lot With Improvements (with manufactured home), Cooperative – Improved (without manufactured home), Single Family - Modular, Cooperative With Site Improvements, Duplex (each unit), Half Duplex Used as Single Family Residence, Triplex (each Unit), House and Improvement Not Suitable for Occupancy, Crop Land – Soil Class I With Residence, Soil Class II With Residence, Soil Class III With Residence, Grazing Land – Soil Class I With Residence, Grazing Land – Soil Class II With Residence, Grazing Land – Soil Class III With Residence, Grazing Land – Soil Class IV With Residence, Grazing Land – Soil Class V With Residence, Grazing Land – Soil Class VI With Residence, Orchard Grove – All Grove With Residence, Orchard Grove – Part Grove & Part not Planted With Residence, Combination – Part Orchard Grove & Part Pasture Land With Residence, Mixed Tropical Fruits With Residence, Townhouse Apartments, Townhouse – Two or More Units, Two Residential Units-Not Attached), Two or More Manufactured Housing Rental Lots (with manufactured home(s)), Two or More Manufactured Housing Rental Lots (without manufactured home(s)), Three or Four Living Units – Not Attached, House and Mobile Home, Two or Three Mobile Homes-Not A Park, Vacant – Less than 5 Acres – Not Covered by Another Code – not Government Owned, Vacant Residential Land – Multi-Family Platted, Vacant Residential Land – Multi-Family Unplatted – Less than 5 Acres, Vacant Residential Land-Single Family Unplatted-Less than 5 Acres, Vacant Residential Land-Single Family Unplatted - Greater than 5 Acres Vacant Residential Land-Single Family Platted, Vacant Mobile Home Site Platted, Vacant Mobile Home Site, Unplatted, Vacant Co-op Land, Vacant Co-op with Utilities.

Section 3. **APPLICABLE BASE RATE.** Pursuant to the provisions of Chapter 94, Article IV, Division 2 of the Code, as amended, and the annual rate increases previously authorized in Resolution 17-151, the base rate for residential improved

real property for FY 2023 is \$206.11 per billing unit, or a 3.0% increase over the previous year.

Table 1

Fiscal Year	Assessment Rate per Billing Unit	% Increase
2021	\$194.28	39.0%
2022	\$200.11	3.0%
2023	\$206.11	3.0%
2024	\$212.30	3.0%
2025	\$218.66	3.0%
2026	\$225.22	3.0%
2027	\$231.98	3.0%

Board of County Commissioner's Resolution 17-151 authorized a stepped rate increase for special assessments and service fees over seven years, beginning in Fiscal Year (FY) 2021. The annual rate increase for FY 2021 through FY 2027 is equal to the annual rate increase paid to the collector, if such increase is approved by the Board, not to exceed 3% per year. The numbers above are based on the assumption the maximum 3% rate increase is approved in each fiscal year FY 2022 through FY 2027. The Board will adopt an annual rate resolution to verify the percentage rate increase pursuant to Section 94-233, Code of Ordinances of Brevard County, Florida.

SCHEDULE "B"

SCHEDULE OF SPECIAL RATES AND CHARGES OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023

Section 4. NON-RESIDENTIAL IMPROVED REAL PROPERTY:

- (a) Collection Fee Per Cubic Yard (Non-Compacted): \$6.14 per cubic yard
- (b) Collection Fee Per Cubic Yard (Compacted): \$23.18 per cubic yard
- (c) Collection Fee for Individual Containers:
 - i. One 96 Gallon Cart \$ 51.05
 - ii. Each Additional 96 Gallon Cart \$ 7.50
 - iii. One 64 Gallon Cart \$ 38.68
 - iv. Each Additional 64 Gallon Cart \$ 7.50
 - v. One 35 Gallon Cart \$ 18.10
 - vi. Each Additional 35 Gallon Cart \$ 7.50

Section 5. CONTAINER RENTAL/LEASE:

- (a) Dumpster Rental/Lease Fees (Non-Compacted) are based on one pull per week.
See Exhibit A as provided by Waste Management for other frequency rates.
 - i. 2 cubic yard \$ 88.03 per month
 - ii. 3 cubic yard \$119.32 per month
 - iii. 4 cubic yard \$150.42 per month
 - iv. 6 cubic yard \$213.03 per month
 - v. 8 cubic yard \$275.38 per month
- (b) Dumpster Rental/Lease Fees (Compacted): 2 through 8 cubic yard \$162.15 per month

Section 6. PULL CHARGES:

- (a) Compactor Charge Per Pull:
 - i. 15 cubic yard \$249.31 per pull
 - ii. 25 cubic yard \$281.14 per pull
 - iii. 35 cubic yard \$302.36 per pull
 - iv. 40 cubic yard \$302.36 per pull
- (b) Compactor Container Rental/Lease Fees: 10 through 40 cubic yard \$132.61 per month

Section 7. LIMITATIONS:

- (a) Rental/lease rates for containers may be negotiated between the customer and the collector, but will not exceed the rates established herein.
- (b) Rental/lease rates for containers includes: Monthly rental/lease fee, and any and all other fees, e.g., drop-off, maintenance, roll-out, casters, etcetera. Only those fees as set forth herein are allowed to be charged.

BREVARD COUNTY

EXHIBIT A

Effective 10/01/2022

Commercial Container Rates:

Billed Cubic Rate/Yard:

\$ 6.14

F R E Q U E N C Y

	1	2	3	4	5	6	XPU	Maint
2	\$ 88.03	\$ 141.22	\$ 194.42	\$ 247.61	\$ 300.81	\$ 354.00	\$ 12.29	\$ 34.83
3	\$ 119.32	\$ 199.12	\$ 278.91	\$ 358.70	\$ 438.49	\$ 518.29	\$ 18.43	\$ 39.53
4	\$ 150.42	\$ 256.81	\$ 363.20	\$ 469.59	\$ 575.98	\$ 682.37	\$ 24.57	\$ 44.03
6	\$ 213.03	\$ 372.61	\$ 532.20	\$ 691.78	\$ 851.37	\$ 1,010.95	\$ 36.86	\$ 53.44
8	\$ 275.38	\$ 488.16	\$ 700.94	\$ 913.72	\$ 1,126.50	\$ 1,339.28	\$ 49.14	\$ 62.60

NOTE: Container overages may apply in the amount of the extra pickup charge for each container size.

Commercial Cart Rates: Per Month Charge

	1 Cart	Each Add'l Cart
35 Gal Cart	\$ 18.10	\$ 7.50
64 Gal Cart	\$ 38.68	\$ 7.50
96 Gal Cart	\$ 51.05	\$ 7.50

Note: Cart customers wanting to convert to a different size cart will incur a \$25.00 delivery charge.

Commercial Compactor Rates:

Commercial Compacted Rate/Yard:

\$ 23.18

F R E Q U E N C Y

	1	2	3	4	5	6	XPU	Maint
2	\$ 362.89	\$ 563.64	\$ 764.38	\$ 965.13	\$ 1,165.87	\$ 1,366.62	\$ 46.36	\$ 162.15
3	\$ 463.27	\$ 764.38	\$ 1,065.50	\$ 1,366.62	\$ 1,667.73	\$ 1,968.85	\$ 69.54	\$ 162.15
4	\$ 563.64	\$ 965.13	\$ 1,366.62	\$ 1,768.11	\$ 2,169.60	\$ 2,571.08	\$ 92.72	\$ 162.15
6	\$ 764.38	\$ 1,366.62	\$ 1,968.85	\$ 2,571.08	\$ 3,173.32	\$ 3,775.55	\$ 139.08	\$ 162.15
8	\$ 965.13	\$ 1,768.11	\$ 2,571.08	\$ 3,374.06	\$ 4,177.04	\$ 4,980.02	\$ 185.45	\$ 162.15

Ancillary Services / Rates:

Commercial Reconnect Fee	\$25.00
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Additional ancillary services charges will be negotiated directly with the customer.

RESIDENTIAL RATES - TAX BILLED:

	Garbage	Recycle	Yard Trash	Total
Single Family	\$ 8.72	\$ 3.45	\$ 4.24	\$ 16.41
Multi-Unit	\$ 6.54	\$ 2.59	\$ 3.18	\$ 12.31
Recreational Vehicle Unit	\$ 3.39	\$ 1.35	\$ 1.66	\$ 6.40

RESIDENTIAL RATES - WM BILLED:

	Charge for Cart size exchange	Monthly Charge for ea Add'l Cart > 2	To Purchase Cart from WM
Single Family			
Multi-Unit	\$37.13	\$4.77	\$79.57
Recreational Vehicle Unit			

Note: Each Resident gets 2-64 gallon carts (1-solid waste; 1-recycling)

Note: Available carts for exchange 35 gal; 64 gal; 96 gal

Note: Handicap "backdoor" service at above rates. No additional cost.

Monthly Maintenance
(including all delivery fees)

ROLLOFF COMPACTORS and ROLLOFF OPENTOPS **

15-22 Yard Open Top or Compactor Per Pull	\$ 249.31	\$ 132.61
25-34 Yard Open Top or Compactor Per Pull	\$ 281.14	\$ 132.61
35-36 Yard Open Top or Compactor Per Pull	\$ 302.36	\$ 132.61
40-42 Yard Open Top or Compactor Per Pull	\$ 302.36	\$ 132.61

Ancillary Services / Rates:*

Delivery	\$0.00
Relocate	\$0.00

*(Monthly Maintenance fee includes drop off, delivery, maintenance, roll-out, casters, etc).

** MSW - Junk - Cleanout

Disposal Charges are assessed on Property Taxes

New Construction is NOT part of the Contract - Open Market Rates with Disposal

BREVARD COUNTY

EXHIBIT A

Effective 10/01/2022

Multi-Family Container Rates:

Billed Cubic Rate/Yard:

\$ 6.14

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F R E Q U E N C Y								
	1	2	3	4	5	6	XPU	Maint
2	\$ 34.83	\$ 34.83	\$ 88.03	\$ 141.22	\$ 194.42	\$ 247.61	\$ 12.29	\$ 34.83
3	\$ 39.53	\$ 39.53	\$ 119.32	\$ 199.12	\$ 278.91	\$ 358.70	\$ 18.43	\$ 39.53
4	\$ 44.03	\$ 44.03	\$ 150.42	\$ 256.81	\$ 363.20	\$ 469.59	\$ 24.57	\$ 44.03
6	\$ 53.44	\$ 53.44	\$ 213.03	\$ 372.61	\$ 532.20	\$ 691.78	\$ 36.86	\$ 53.44
8	\$ 62.60	\$ 62.60	\$ 275.38	\$ 488.16	\$ 700.94	\$ 913.72	\$ 49.14	\$ 62.60

Multi-Family Compactor Rates:

Commercial Compacted Rate/Yard:

\$ 23.18

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F R E Q U E N C Y								
	1	2	3	4	5	6	XPU	Maint
2	\$ 162.15	\$ 162.15	\$ 362.89	\$ 563.64	\$ 764.38	\$ 965.13	\$ 46.36	\$ 162.15
3	\$ 162.15	\$ 162.15	\$ 463.27	\$ 764.38	\$ 1,065.50	\$ 1,366.62	\$ 69.54	\$ 162.15
4	\$ 162.15	\$ 162.15	\$ 563.64	\$ 965.13	\$ 1,366.62	\$ 1,768.11	\$ 92.72	\$ 162.15
6	\$ 162.15	\$ 162.15	\$ 764.38	\$ 1,366.62	\$ 1,968.85	\$ 2,571.08	\$ 139.08	\$ 162.15
8	\$ 162.15	\$ 162.15	\$ 965.13	\$ 1,768.11	\$ 2,571.08	\$ 3,374.06	\$ 185.45	\$ 162.15

Ancillary Services / Rates:

Commercial Reconnect Fee	\$25.00
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Additional ancillary services charges will be negotiated directly with the customer.

NOTE: All MF, Apts, Condo, Mobile Home Park, with Containerized Services, are billed for collection and disposal on their property taxes, Up To 2x a Week. However, WM bills for the Container Maintenance. Service above 2x a week will be charged at the current commercial rate starting at 1x a week, which includes collection maintenance.

SCHEDULE "C"

SCHEDULE OF COMPENSATION RATES TO BE PAID TO COLLECTOR FOR RESIDENTIAL CURBSIDE COLLECTION SERVICES PROVIDED OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023

Section 1. COMPENSATION RATES:

- (a) Single Family Residence, Residential Mobile Home, Condominium Mobile Home, Condominium Park Home, Cooperative Mobile Home, and Residential Townhouse Unit: \$16.41 per month, per unit
- (b) Residential Condominium Unit, Cooperative Unit, Multiple Family Residence, Courts and Trailer Park: \$12.31 per month, per unit
- (c) Condominium Recreational Vehicle Unit: \$6.40 per month, per unit

RESOLUTION NO. 22-_____

A RESOLUTION OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING A SCHEDULE OF ANNUAL RATES, ASSESSMENTS, SERVICE FEES, AND CHARGES, AGAINST ALL IMPROVED REAL PROPERTY WITHIN BOTH THE INCORPORATED AND UNINCORPORATED AREAS OF BREVARD COUNTY IN ORDER TO CONSTRUCT, OPERATE AND MAINTAIN A SOLID WASTE DISPOSAL SYSTEM; AND PROVIDING FOR INTEREST AGAINST DELINQUENT ASSESSMENTS ON IMPROVED COMMERCIAL PROPERTIES FOR THE COUNTY FISCAL YEAR BEGINNING OCTOBER 1, 2022.

WHEREAS, under the authority of Chapter 403.706, Florida Statutes, Brevard County has the responsibility and power to provide for the operation of solid waste management facilities to meet the needs of all areas of the county; and

WHEREAS, Chapter 67-1146, Laws of Florida, as amended by Chapter 70-594, Laws of Florida, authorized the Board of County Commissioners of Brevard County, Florida, to construct, operate and maintain a solid waste disposal system for the use and benefit of the inhabitants and municipalities of Brevard County; and

WHEREAS, said statutory authority granted the Board of County Commissioners the power to prescribe, fix, establish and collect fees, rentals or other charges for the use of said established solid waste disposal system and to pledge such revenues as security for the payment of bonds issued under said statutory authority for the construction of a solid waste disposal facility; and

WHEREAS, Florida Statutes, Section 125.01(1)(k) grants the Board of County Commissioners the power to provide and regulate waste collection and disposal; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, has enacted Chapter 94, Article III., Division 2., and Article IV., Division 2., Code of Ordinances of Brevard County, Florida, relating to the disposal of solid waste within Brevard County and to the mandatory imposition of an annual disposal special assessment, or service fee, against all improved real property within both the incorporated and unincorporated areas (benefit unit) of Brevard County to pay for the cost of providing a solid waste disposal system; and

WHEREAS, all improved real property within the incorporated and unincorporated areas of Brevard County receive a direct and special benefit from the services provided through the solid waste disposal system; and

WHEREAS, Chapter 94, Article IV., Division 2., Code of Ordinances of Brevard County, Florida, provides that on or before the fifteenth day of September of each year the Board of County Commissioners of Brevard County, Florida, shall hold a public

hearing for the purpose of adopting a schedule of annual rates, assessments, service fees, and charges to be imposed for the ensuing County fiscal year upon the owners of all residential and commercial improved property in both the unincorporated and incorporated areas of Brevard County; and

WHEREAS, said public hearing was set for August 2, 2022 at 5:00 p.m., in the Brevard County Government Center, Commission Board Room, Building C, First Floor, 2725 Judge Fran Jamieson Way, Viera, Florida; and

WHEREAS, notice of said public hearing was published in the July 13, 2022 and July 24, 2022 issues of the FLORIDA TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida.

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

Section 1. SCHEDULE ADOPTED. The Board of County Commissioners does hereby adopt the schedule of Annual Disposal Special Assessments and service fees, effective October 1, 2022, through September 30, 2023, pursuant to the provisions of Chapter 94, Article IV., Division 2. Code of Ordinances of Brevard County, Florida, that is attached hereto as Schedule "A". ("Code" used hereafter shall mean "Brevard County Code of Ordinances").

Section 2. FINDINGS. It is hereby ascertained, determined and declared that:

- (a) Certain types of solid waste, because of the nature, cannot be disposed of at the solid waste disposal facilities maintained by the County according to normal operating procedures of the facilities and must be specially handled according to other approval criteria.
- (b) The operation and maintenance of a separately owned and maintained landfill for the disposal of such solid waste described in Section 2(a) above increases the county's capital and operations costs for the solid waste disposal program.
- (c) The annual disposal special assessment and service fees imposed against improved real property within Brevard County includes solid waste generated from improved real property.
- (d) The cost of the disposal of solid waste generated in construction, renovation or demolition projects, or new improvements on real property is not assessed when brought in by commercial or governmental entities.
- (e) The cost of disposal of debris and waste accumulated from land clearing and excavating from totally or partially unimproved real property is not assessed against such real property.
- (f) The cost of disposal of special solid wastes generated from improved real property within Brevard County is not assessed against such real property.
- (g) Since all improved real property within Brevard County is assessed or charged for the operation and maintenance of the disposal system in the County it would

be unfair to assess such property for disposal from illegal dumping on any real property located within Brevard County.

- (h) Since all residential improved real property within Brevard County is assessed for the operation of the Household Hazardous Waste Program it would be unfair to assess such residences any additional charges for recycled paint.
- (i) Solid waste generated outside of the boundaries of Brevard County will not be permitted to be disposed of at the Brevard County solid waste disposal facilities since the cost of the operation and maintenance of such facilities is assessed or charged against all improved real property within Brevard County only and not against properties outside Brevard County.

Section 3. RATE RESOLUTION DECLARED. This Resolution constitutes the Rate Resolution specified in Chapter 94, Article IV., Division 2. of the Code.

Section 4. DEFINITIONS. For the purpose of this schedule of Solid Waste Disposal Special Assessments the following definitions shall apply:

- (a) Improved Real Property: as defined in Chapter 94, Article I., Section 94-1., of the Code.
- (b) Square Feet: refers to the size of the buildings, structures, or other improvements located on improved real property.
- (c) Governmental Agencies: means all state, federal or local agencies or units of government located within the county, including, but not limited to, the school board of the county, housing authorities, all municipalities within the county, all special districts and municipal service taxing units with all or part of their boundaries within the county and any municipality or special district or other unit of government whose boundaries are not within the county but which is owner of improved real property within the county.
- (d) Billing Units: the number of units established per parcel of improved real property which, when multiplied by the applicable base, produces the solid waste disposal special assessment or service fee.
- (e) Solid Waste: as defined in Chapter 94, Article I., Section 94-1., of the Code.
- (f) Benefit Unit: All improved properties within the unincorporated and incorporated areas of Brevard County.

Section 5. CALCULATION OF DISPOSAL ASSESSMENT AND SERVICE FEES.

- (a) The property's classification shall be determined by the "Use Code" established by the Brevard County Property Appraiser in maintaining and classifying real property on the Brevard County real property assessment roll.
- (b) To determine the Solid Waste Disposal Special Assessment or Service Fee for all improved real property, the number of billing units for the property's corresponding classification set forth in Section 1 and Section 2 of this resolution,

Schedule "A" shall be multiplied by the applicable base billing unit set forth in Section 3 of this resolution, Schedule "A".

- (c) The method described in Section 4 of this resolution, Schedule "A", shall be used to determine the Solid Waste Disposal Special Assessment or Service Fee for (1) any commercial improved real property which commences to use the County's Solid Waste Management Facilities for the first time after October 1, 1998; or if, (2) there is not a commercial classification within Section 2 of this resolution, Schedule "A" that corresponds to the property's use and building size; or (3) the property has mixed commercial uses; or (4) the County determines that the commercial property has a different use than that shown in the Brevard County Property Appraiser's records; or (5) the owner of the commercial property can show that the commercial use classification which applies to the property is inequitable. Once the individual calculation of solid waste disposal special assessment or service fee method has been used, that calculation shall control, regardless of the applicable classification which may apply under Section 2 of this resolution, Schedule "A", if any. Any parcels billed according to the individual calculation method shall be charged for all debris brought in, whether on their assessment, service fee, through landfill charges, or as a combination of, as the billing method is based on actual weight or volume.

Section 6. INTEREST ON DELINQUENT COMMERCIAL ASSESSMENTS.

- (a) Effective October 1, 1999, for any lien recorded for assessments or service fees imposed upon/against improved commercial real property pursuant to this resolution, there shall accrue a simple interest rate of eighteen percent (18%) annually beginning on the date of the lien or past due date on a government agency service fee account. No release of lien shall be issued until full payment is made to the County for the original assessment or service fee, of the lien, the accumulated interest, and the associated costs of recording the lien and the release of lien, attorney fees, and other administrative costs.
- (b) Collection of assessments, service fees, associated interest, and costs (as provided for in subsection (a) above) shall be in accordance with Chapter 94, Article IV., Division 2., Section 94-236., of the Code.
- (c) Interest shall continue to accrue on the full amount of the assessment or service fee until the entire amount of the assessment or service fee, accumulated interest, and costs and fees as referred to in subsection (a) above are paid.
- (d) Until fully paid and discharged, or waived by law, such lien shall remain a lien equal in rank and dignity with the lien of county ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles, and claims in, to, or against the real property involved.

Section 7. CALCULATION OF SERVICE FEES FOR TAX EXEMPT ENTITIES.

For properties owned by government agencies which are not included on the ad valorem property tax roll, but receive disposal services through curbside collection or container service, each unit will be billed for service fees annually pursuant to Section 94-232(c), Code of Ordinances of Brevard County, Florida or by general law. Service fees are to be calculated in the same manner and at the same base billing unit amount as the adopted special assessment rates in Schedule "A."

Section 8. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

Section 9. EFFECTIVE DATE. This Resolution shall take effect October 1, 2022.

RESOLVED this 2nd day of August 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

BY: _____
Rachel M. Sadoff, Clerk

BY: _____
Kristine Zonka, Chair
Brevard County Commission
(As approved by the Board on August 2, 2022)

SCHEDULE "A"

ANNUAL SOLID WASTE DISPOSAL PROGRAM SPECIAL ASSESSMENTS OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023

Section 1. RESIDENTIAL IMPROVED REAL PROPERTY:

- (a) Single Family Residence: Any building or structure designed or constructed for and capable of use as a residence for one family regardless of the type of structure. Such term includes a mobile home or a condominium parcel used for a mobile home or trailer or mobile home cooperative or a condominium park home that is erected on a separate parcel of property and not included within the definition of a trailer park.
- (b) Residential Condominium Unit/Cooperative Unit: Any portion of a building or structure designed or constructed for and capable of use as a residence for one family and such unit being owned or offered for sale under the condominium or cooperative concept of ownership.
- (c) Residential Townhouse Unit: Any portion of a building or structure designed or constructed for and capable of use as a residence for one family and such unit being owned or offered for sale under the townhouse concept of ownership.
- (d) Multiple Family Residence/Courts: Any building or structure or portion of any building or structure designed or constructed for and capable of use for one or more permanent residence(s) in which each unit is not individually owned.
- (e) Trailer Park: Any improved real property divided into spaces for the erection and maintenance of trailers and mobile homes.
- (f) Condominium Recreational Vehicle: Any improved real property divided into spaces in which all the spaces are intended for use as, or are offered to the public for use as, spaces for transient or temporary use by recreational vehicles.
- (g) RESIDENTIAL IMPROVED PROPERTY BILLING UNITS:

- i. *Billing Units of 0.39 Per Unit:*

Square Footage: Not Applicable

Condominium unit with Utilities, Condominium – Improved with no
Manufactured Home, Condominium Unit with site improvements.

- ii. *Billing Units of 0.75 Per Unit:*

Square Footage: Not Applicable

Cooperative Unit, Condominium Unit Multiple Family, Garden Apartments – 1
Story – 10 To 49 Units, Garden Apartments – 1 Story – 50 Units & Up, High
Rise Apartments – 4 Stories & Up, Low Rise Apartments 10 – 49 units 2/3
Stories, Low Rise Apartments 50 Units & Up 2/3 Stories. Condominium Unit
– Time Share Condo, Condominium Unit-Vacant Land or Building not
Complete, Quadruplex (each unit), Sixplex (each unit, and each additional

unit), Multiple Living Units (5 to 9 units), Multiple Living Units (5-9 units, not attached), Manufactured Housing – Park Rentals (4 to 9 units), Manufactured Housing – Park Rentals (10 to 25 units), Manufactured Housing – Park Rentals (26 to 50 units), Manufactured Housing – Park Rentals (51 to 100 units), Manufactured Housing – Park Rentals (101 to 150 units), Manufactured Housing – Park Rentals (151 to 200 units), Manufactured Housing – Park Rentals (200 or more units), Vacant Residential Land-Multi-Family Platted, Vacant Residential Land-Multi Family Unplatted-Less than 5 Acres, Multiple Living Units – Converted (2 to 9 Units).

iii. *Billing Units of 1.00 Per Unit:*

Square Footage: Not Applicable

Single Family Residence, Manufactured Housing (single, double, or triple Wide), Condominium Manufactured Home Park, Cooperative, Townhouse, Manufactured Housing Rental Lot Improvements (with manufactured home), Residential Related Amenity on Manufactured Home Site, Manufactured Housing Rental Lot with improvements (no manufactured home), Manufactured Housing Rental Lot Without Improvements (with manufactured home), Condominium Unit – Single Family Residence and RV Cabin Homes, Condominium – Manufactured Housing Rental Lot With Improvements (with manufactured home), Cooperative – Manufactured Home – Improved, Residential Related Amenities, Cooperative Manufactured Housing Rental Lot With Improvements (with manufactured home), Cooperative – Improved (without manufactured home), Single Family - Modular, Cooperative With Site Improvements, Duplex (each unit), Half Duplex Used as Single Family Residence, Triplex (each Unit), House and Improvement Not Suitable for Occupancy, Crop Land – Soil Class I With Residence, Soil Class II With Residence, Soil Class III With Residence, Grazing Land – Soil Class I With Residence, Grazing Land – Soil Class II With Residence, Grazing Land – Soil Class III With Residence, Grazing Land – Soil Class IV With Residence, Grazing Land – Soil Class V With Residence, Grazing Land – Soil Class VI With Residence, Orchard Grove – All Grove With Residence, Orchard Grove – Part Grove & Part not Planted With Residence, Combination – Part Orchard Grove & Part Pasture Land With Residence, Mixed Tropical Fruits With Residence, Townhouse Apartments, Townhouse – Two or More Units, Two Residential Units-Not Attached), Two or More Manufactured Housing Rental Lots (with manufactured home(s)), Two or More Manufactured Housing Rental Lots (without manufactured home(s)), Three or Four Living Units – Not Attached, House and Mobile Home, Two or Three Mobile Homes-Not A Park, Vacant – Less than 5 Acres – Not Covered by Another Code – not Government Owned, Vacant Residential Land – Multi-Family Platted, Vacant Residential Land – Multi-Family Unplatted – Less than 5 Acres, Vacant Residential Land-Single Family Unplatted-Less than 5 Acres, Vacant

Residential Land-Single Family Unplatted - Greater than 5 Acres Vacant
Residential Land-Single Family Platted, Vacant Mobile Home Site Platted,
Vacant Mobile Home Site, Unplatted, Vacant Co-op Land, Vacant Co-op with
Utilities.

Section 2. COMMERCIAL IMPROVED REAL PROPERTY

(a) COMMERCIAL IMPROVED PROPERTY BILLING UNITS:

- i. *Billing Units of 0.14 Per Unit:*
Square Footage: Not Applicable
Camp – Other than for Mobile Homes, Campground – Trailers, Campers,
Tents
- ii. *Billing Units of 0.18 Per Unit:*
Square Footage: Not Applicable
Full Service Hotel, Extended Stay or Suite Hotel, Limited Service Hotel,
Luxury Hotel/Resort, Motor Inn, Convention Hotel/Resort.
- iii. *Billing Units of 0.27 Per Unit:*
Square Footage: Not Applicable
Labor Camps, Migrant Camps and Boarding Homes.
- iv. *Billing Units of 0.35:*
Square Footage: Up to 500 Square Feet
Condominium Office Units.
- v. *Billing Units of 0.75:*
Square Footage: From 501 to 1,000 Square Feet
Condominium Office Units.
- vi. *Billing Units of 1.00:*
Square Footage: Not Applicable
Car Wash, Children's Home, Clubs, Lodges, Union Halls, Fraternity or
Sorority Home, Utility Gas Companies - Improved, Leased County/City
Property-Vacant (That does not Qualify in Another Code), Nursery (Non-
Agricultural), Nursery with Residence, Nursery with Building Other Than
Residence, Nurseries-Vacant, Service Stations, Water & Sewer Service,
Condominium Unit-Vacant Land or Building not Complete, Vacant
Commercial Common Area, Vacant Commercial Land, Vacant Land –
Institutional, Commercial Shell Building (Condo) Not Totally Complete-
Vacant, Commercial Shell Building (Other) Not Totally Complete-Vacant,
Vacant Industrial Land, Utility Gas Companies-Vacant.

Square Footage: Up to 1,000 Square Feet

Restaurants/Cafeterias, Fast Food Restaurant, Restaurant – Condominium.

Square Footage: Up to 2,000 Square Feet

Bars, Cocktail Lounges, Night Clubs, Financial Institution, Financial Institution - Branch Facilities.

Square Footage: Up to 3,000 Square Feet

Utility – Electric Companies - Improved, Utility - Telephone and Telegraph – Improved.

Square Footage: Up to 5,000 Square Feet

Church, Church-Owned Private Schools, Warehousing, Distribution and Trucking Terminal, Van & Storage Warehousing, Mini Warehousing, Office Building – Single Tenant – 1 Story, Office Building – Multi Tenant - 1 Story, Office Building – Multi Story – Single Tenant, School Privately Owned, Professional Building – 1 Story – 1 Tenant, Professional Building – Multi Tenant – 1 Story, Professional Building – Single Tenant - 2 or More Stories, Professional Building – Multi Tenant – 2 or More Stories, Professional/Office Complex.

Square Footage: Up to 6,000 Square Feet

Mortuaries.

Square Footage: Up to 8,000 Square Feet

Open Storage – Auto Wrecking Yards, Equipment and Material Storage, Fuel Storage, Junk Yards, New and Used Buildings Supplies.

Square Footage: Up to 10,000 Square Feet

Day Care Center, Electrical Repair Shops, Laundries Excluding Automotive, Radio and TV Repair Shops, Refrigeration Service Shops, Service Shops, Paint Shops, Packing Plant – Fruit and Vegetable, Meat Packing Plant.

Square Footage: Up to 15,000 Square Feet

Church Owned Educational Building.

Square Footage: In Excess of 1,000 Square Feet

Condominium Office Units.

vii. *Billing Units of 2.49:*

Square Footage: Not Applicable

Florists.

viii. *Square Footage: Up to 4,000 Square Feet*

Wholesale Outlets.

Square Footage: From 5,001 to 10,000 Square Feet

Church, Church-Owned Private Schools, Private Schools.

Square Footage: From 6,001 to 10,000 Square Feet

Mortuaries.

ix. *Billing Units of 3.98:*

Square Footage: From 1,001 to 3,000 Square Feet

Restaurants/Cafeterias, Fast Food Restaurants, Restaurants – Condominium.

Square Footage: From 8,000 to 12,000 Square Feet

Auto Wrecking Yards, Equipment and Material Storage, Fuel Storage, Junk Yards, New and Used Building Supplies, Open Storage.

x. *Billing Units of 5.32:*

Square Footage: From 2,001 to 15,000 Square Feet

Financial Institutions, Financial Institutions - Branch Facility.

Square Footage: From 4,001 to 8,000 Square Feet

Wholesale Outlets.

Square Footage: From 5,001 to 10,000 Square Feet

Office Building – 1 Story – Single Tenant, Office Building – 1 Story – Multi Tenant, Office Building – Multi Story – Single Tenant, Professional Building – 1 Story – 1 Tenant, Professional Building – Multi Story – Multi Tenant, Professional Building – Multi Story – Single Tenant, Professional Building – Multi Story – Multi Tenant, Professional/Office Complex.

xi. *Billing Units of 6.64:*

Square Footage: From 2,001 to 5,000 Square Feet

Bars, Cocktail Lounges, Nightclubs.

Square Footage: From 3,001 to 6,000 Square Feet

Restaurants/Cafeterias, Fast Food Restaurants, Restaurant – Condominium.

Square Footage: From 5,001 to 15,000 Square Feet

Warehousing, Distribution Terminals, Mini Warehousing, Trucking Terminals, Van and Storage Warehousing.

xii. *Billing Units of 7.98:*

Square Footage: From 6,001 to 9,000 Square Feet

Cafeterias/Restaurants, Fast Food Restaurants, Condominium Restaurants.

Square Footage: From 8,001 to 15,000 Square Feet

Wholesale Outlets.

Square Footage: From 10,001 to 20,000 Square Feet

Office Building – 1 Story – Single Tenant, Office Building – 1 Story – Multi Tenant, Office Building – Multi Story – Single Tenant, Professional Building –

1 Story – 1 Tenant, Professional Building – Multi Story – Multi Tenant,
Professional Building – Multi Story – Single Tenant, Professional Building –
Multi Story – Multi Tenant, Professional/Office Complex.

xiii. *Billing Units of 13.30:*

Square Footage: From 10,001 to 40,000 Square Feet
Church-Owned Private Schools, Private Schools.

xiv. *Billing Units of 15.96:*

Square Footage: In Excess of 3,000 Square Feet
Improved Electrical Utility Companies, Improved Telephone and Telegraph
Utility Companies.

- (b) IMPROVED REAL PROPERTY SUBJECT TO AN INDIVIDUAL CALCULATION OF SOLID WASTE SPECIAL ASSESSMENT OR SERVICE FEE: The following improved real property shall pay a Solid Waste Disposal Program Special Assessment or service fee equivalent to the appropriate category of commercial improved real property based upon an individual determination of the annual volume of solid waste generated by the particular parcel of improved real property. The individual determination of annual volume of solid waste generated by the particular parcel of improved real property shall be calculated based upon the size and type of the container used, or recommended for use, by the particular parcel of improved real property, and any landfill charges that may apply to that particular parcel of improved real property.

i. *Square Footage: Not Applicable*

Air Port Authorities, Airports – Commercial, Airports - Private, Arenas (Enclosed), Arenas (Open Air) with Supporting Facilities, Assisted Care Living Facilities, Auditoriums (enclosed), Stadium – Not Enclosed, Bed & Breakfast, Bee Farms (Honey), Bottlers and Brewers Distilleries, Wineries, Canneries (Fruits and Vegetables), Clay Plant, Clinics, Commercial Related Amenities – May Have Building(s), Concrete/Asphalt Plant, Convenience Store, Convenience Store with Gas Pumps, Country Club with Support Facilities, Colleges, Libraries, Condominium-Store, Condominium-Warehousing, Condominium – Miscellaneous – Not Covered by other Codes, May Have Building, Convalescent Home (Nursing Home), Correctional Facility, County Agency Other Than Board of County Commissioners, County Owned Land Improved, Crematoriums, Canaveral Port Authority – Improved, Melbourne Airport Authority – Improved, Dairies with buildings other than residence, Dairies with residence, Dealership Sales/Service Center, Department Store, Dog Kennel, Theater,- Drive In, Driving Ranges, Federal Owned Land-Improved, Feed Lots - Vacant, Fire Station-Non Governmental, Fitness Center, Flea Markets, Garage/Auto Body/Auto Paint Shop, Mini-Lube Service

Specialist, Golf Courses, Green Houses, Gymnasium, Home for the Aged, Horse Stable, Improvement-Not Suitable for Any Other Code may have Buildings, Improved Commercial Common Area, Insurance Company Office, Heavy Equipment Manufacturing, Heavy Industrial, Auto and Aircraft Plants, Foundries, Steel Fabricating Plants, Hospitals, Housing Authority Improved, Large Machine Shops, Leased County/City Property Improved, Light Manufacturing (Instrument Manufacturing, Light Manufacturing, Printing Plants, Small Equipment Manufacturing Plants, Small Machine Shops, Locally Assessed Railroad Property, Marinas, Mineral Processing, Mixed Use – Commercial Property, Commercial Shell Building (Condo), Municipal Owned Land Improved, Shopping Centers - Neighborhood, Office Building – Multi Story – Multi Tenant, Office – Shell Building, Other Food Processing Plants, Candy and Potato Chip Factories, Bakeries, Permanent Exhibit, Phosphate Processing Refinery, Pool Halls, Skating Rinks, Bowling Alleys, Postal Facility, Poultry Farms, College – Private, Hospital – General – Privately Owned, Produce House, School – Public – Improved Parcels, Rabbit Farms, Race Tracks/Wagering Attractions, Radio or TV Stations, Recreation Hall, Recreational Area-Governmental-Vacant, Retail Drug Stores-Not Attached, Retail – Shell Building, Retail Stores – 1 Unit, Retail Store-Multiple Units, Retail Tire Store, Retirement Home, Rock and Gravel Plants, Sawmills, Lumber Yards, Planning Mills, Regional Shopping Mall, Shopping Complex-Community/Neighborhood, Shopping Center-Neighborhood, State Owned Land Improved, Supermarket, Theater-Enclosed, Tourist Attractions, Tropical Fish Farms, Used Automobile Sales, Recreational Vehicle or Mobile Home Sales New/Used, Utility Division Properties, Cold Storage and Warehouse Distribution Center.

- ii. *Square Footage: In Excess of 5,000 Square Feet*
Night Clubs, Cocktail Lounges, Bars.
- iii. *Square Footage: In Excess of 9,000 Square Feet*
Restaurant/Cafeteria, Fast Food Restaurants, Restaurant – Condominium.
- iv. *Square Footage: In Excess of 10,000 Square Feet*
Churches, Day Care Center, Meat Packing Plant, Mortuary, Service Shop, Radio & T.V. Repair, Refrigeration Service, Paint Shop, Electric, Repair, Laundries Excluding Automotive, Packing Plant-Fruit and Vegetable.
- v. *Square Footage: In Excess of 12,000 Square Feet*
Open Storage - New/Used Building Supplies, Junk/Auto Wrecking Yards, Fuel Storage, Equipment and Material Storage.

- vi. *Square Footage: In Excess of 15,000 Square Feet*
Church Owned Education Building, Warehousing, Distribution Terminals, Financial Institution, Financial Institution – Branch Facility, Mini Warehousing, Trucking Terminals, Van and Storage Warehousing, Wholesale Outlet.
- vii. *Square Footage: In Excess of 20,000 Square Feet*
Office Building - 1 Story - Single Tenant, Office Building - Multi Tenant - 1 Story, Office Building - Multi Story - Single Tenant, Professional Building - 1 Story – 1 Tenant, Professional Building - Multi Story - Multi Tenant, Professional Building - Single Tenant - (2 or More Stories), Professional Building - Multi Tenant - (2 or More Stories), Professional/Office Complex.
- viii. *Square Footage: In Excess of 409,000 Square Feet*
School-Private, School-Private Church Owned.

Section 3. APPLICABLE BASE RATE. Pursuant to the provisions of Chapter 94, Article IV., Division 2. of the Code, as amended, the following schedule of Solid Waste Disposal Special Assessments and Service Fees is hereby adopted.

- (a) The base for residential improved real property is equivalent to \$62.13 per billing unit per year.
- (b) The base for commercial improved real property is equivalent to \$179.32 per billing unit per year.

Section 4. INDIVIDUAL VOLUME CATEGORY. Pursuant to the provisions of Chapter 94, Article IV., Division 2. of the Code, as amended, the following commercial individual volume category schedule of Solid Waste Disposal Special Assessments or Service Fees is hereby adopted.

- (a) An Annual Solid Waste Disposal Special Assessment or Service Fee equivalent to the appropriate category of commercial improved real property based on an individual determination of the estimated annual volume of all solid waste generated by the particular parcel of improved real property. The number of billing units for each parcel of improved real property is multiplied by the commercial base rate set forth in Section 3 of this resolution in order to determine the Solid Waste Disposal Special Assessment or Service Fee. The number of billing units is calculated as follows:
 - i. Regular Dumpsters, Open Top Roll-offs, and Gallon Cans - Billing Units are calculated by multiplying the total cubic yards by \$2.41 and dividing by the applicable base rate. For example, a 2CY dumpster being picked up twice a week is equivalent to 208 cubic yards per year. $208 * \$2.41 =$

- $\$501.28/\$179.32 = 2.80$ Billing Units. The amount of the assessment or service fee would be \$501.28.
- ii. Compactors - Billing Units are calculated by multiplying the total cubic yards by \$9.75 and dividing by the applicable base rate. For example, a 2CY compactor being picked up twice a week is equivalent to 208 cubic yards per year. $208 * \$9.75 = \$2,028/\$179.32 = 11.31$ Billing Units. The amount of the assessment or service fee would be \$2,028 (rounding).
 - iii. Gate Accounts and Compactors on Call - Tonnage is added to individual volume category parcels by multiplying the tonnage by \$30.87 and dividing by \$179.32 to get the Billing Units. For example, $7.8 \text{ tons} * \$30.87 = \$240.79/179.32 = 1.35$ Billing Units.
- (b) The minimum Annual Solid Waste Disposal Special Assessment or Service Fee for commercial improved real property in this category shall be one (1) billing unit multiplied times the commercial base rate set forth in Section 3 of this resolution, Schedule "A".
- (c) When a new land use classification code is established by the Property Appraiser, the Solid Waste Director will assign a category which best describes the expected solid waste generation.
- (d) When there is a group of commercial condominium improvements, and the owners of record have requested the service charges be shared, the assessment or service fee will be prorated in accordance with the square footage of each unit within the complex based on the individual volume category.

RESOLUTION NO. 22-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS RATIFYING,
CONFIRMING AND CERTIFYING THE ANNUAL DISPOSAL SPECIAL
ASSESSMENT ROLL AND COLLECTION AND RECYCLING PROGRAM
SPECIAL ASSESSMENT ROLL FOR THE COUNTY FISCAL YEAR
BEGINNING OCTOBER 1, 2022 AND FORWARDING THE SAME TO THE TAX
COLLECTOR'S OFFICE FOR COLLECTION IN THE SAME MANNER AS AD
VALOREM TAXES ARE COLLECTED

WHEREAS, Chapter 94, Article IV., Division 2., Code of Ordinances of Brevard County, Florida, provides that on or before the fifteenth day of September of each year the Board of County Commissioners of Brevard County, Florida, shall certify the Collection and Recycling Special Assessment Roll to the Brevard County Tax Collector; and

WHEREAS, an Annual Disposal Special Assessment Roll and Collection and Recycling Program Special Assessment Roll has been prepared, a summary of which is attached to and made a part of this Resolution by this reference, and labeled Exhibit "A"; and

WHEREAS, the Board has reviewed the Annual Disposal Special Assessment Roll Collection and Recycling Program Special Assessment Roll to be sent to the Tax Collector; and

WHEREAS, the Board is satisfied that the Annual Disposal Special Assessment Roll and Collection and Recycling Program Special Assessment Roll has been prepared in conformity with the Schedule of Annual Disposal Special Assessments and Collection and Recycling Program Special Assessments adopted by the Board on August 2, 2022; and

WHEREAS, a copy of such Annual Disposal Special Assessment Roll and Collection and Recycling Program Special Assessment Roll will be sent to the Brevard County Tax Collector for collection in the same manner as ad valorem taxes are collected.

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

1. The Board of County Commissioners of Brevard County, Florida, hereby ratifies, confirms and certifies that the Annual Disposal Special Assessment Roll and Collection and Recycling Program Special Assessment Roll for County fiscal year beginning October 1, 2022, is in conformity with the Schedule of Annual Disposal Special Assessments and Collection and Recycling Program Special Assessments adopted by the Board on August 2, 2022.

2. The Board of County Commissioners of Brevard County, Florida, hereby certifies, ratifies and confirms such Annual Disposal Assessment Roll and Collection and Recycling Program Assessment Roll as sent to the Tax Collector. The Tax Collector shall collect such special assessments in the same manner as ad valorem taxes are collected.

3. A certified copy of this resolution shall be delivered to the Tax Collector of Brevard County, Florida.

4. This resolution shall take effect immediately upon adoption.

DONE AND ADOPTED in Regular Session this 2nd day August 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk

Kristine Zonka, Chair
Brevard County Commission
(As approved by the Board on August 2, 2022)

**Solid Waste Management Department
Solid Waste Totals – Disposal
As of September 15, 2022**

DISPOSAL – INCORPORATED

171,972.02	Residential Billing Units	@ \$62.13	=	\$10,684,621.61
37,267.17	Commercial Billing Units	@ \$179.32	=	<u>\$ 6,682,748.93</u>
	Total Solid Waste Disposal – Incorporated		=	<u>\$17,367,370.54</u>

DISPOSAL – UNINCORPORATED

103,156.89	Residential Billing Units	@ \$62.13	=	\$6,409,137.58
13,579.51	Commercial Billing Units	@ \$179.32	=	<u>\$2,435,077.74</u>
	Total Solid Waste Disposal – Unincorporated		=	<u>\$8,844,215.32</u>
	Total Solid Waste Disposal Assessments		=	<u>\$26,211,585.86</u>

**Solid Waste Management Department
Solid Waste Totals – Collection & Recycling Program
As of September 15, 2022**

COLLECTION - UNINCORPORATED

102,878.10	Residential Billing Units	@ \$206.11	=	<u>\$21,204,205.20</u>
	Total Collection Assessments		=	<u>\$21,204,205.20</u>



Thomas J. Mulligan, Director
Solid Waste Management Department

Date: 7.22.2022



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.6.

8/2/2022

Subject:

Proposed Amendments to Brevard County Code of Ordinances, Section 74, Article VI Brevard County Code, pertaining to restrictions for sexual offenders and sexual predators.

Fiscal Impact:

None

Dept/Office:

County Attorney's Office

Requested Action:

It is requested that the Board of County Commissioners adopt the proposed ordinance amending Section 74, Article VI Brevard County Code, pertaining to restrictions for sexual offenders and sexual predators.

Summary Explanation and Background:

On July 19, 2022, the Board approved legislative intent and permission to advertise an amendment to Section 74, Article VI Brevard County Code, pertaining to restrictions for sexual offenders and sexual predators.

The County currently has a series of ordinances in place contained within Chapter 74, Article VI Brevard County Code, whereby certain restrictions are placed on sexual offenders and sexual predators. The proposal modifies the ordinances contained within Chapter 74, Article VI of the Brevard County Code to amend the definition of "Park" in Section 74-101; creating Section 74-102.5 - Business Self-Certification Registry"; establish a voluntary registry of businesses which have a primary purpose of recreation and where children regularly congregate to which a 1,000 foot buffer zone restriction will be applied to convicted sexual offenders and sexual predators; allow access with appropriate conditions to County government buildings for the limited purpose of conducting county business and accessing government services that requires in-person attendance as well as allowing access to public meetings.

Clerk to the Board Instructions:

Upon approval by the Board, execution by the Chair and attestation by the Clerk, file the ordinance with the Department of State as required by law within the 10- day deadline.

Please provide the County Attorney's office with a copy.

ORDINANCE NO. 2022-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA AMENDING CHAPTER 74, ARTICLE VI OF THE BREVARD COUNTY CODE OF ORDINANCES, “SEXUAL OFFENDERS AND SEXUAL PREDATORS”; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; AMENDING THE DEFINITION OF “PARK” IN SECTION 74-101 OF THE CODE OF ORDINANCES; CREATING A NEW SECTION, “SECTION 74-102.5 – BUSINESS SELF-CERTIFICATION REGISTRY”; ESTABLISHING A VOLUNTARY REGISTRY OF BUSINESSES WHICH HAVE A PRIMARY PURPOSE OF RECREATION AND WHERE CHILDREN REGULARLY CONGREGATE, TO WHICH A 1,000 FOOT BUFFER ZONE RESTRICTION WILL BE APPLIED TO CONVICTED SEXUAL OFFENDERS AND SEXUAL PREDATORS; PROVIDING ADDITIONAL EXCEPTIONS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR AN AREA ENCOMPASSED.

WHEREAS, the Board of County Commissioners understands that there have been numerous occurrences within the State of Florida and the United States as a whole where convicted sexual offenders and sexual predators are released from custody and thereafter commit similar crimes; and

WHEREAS, the Legislature has determined with the adoption of The Florida Sexual Predators Act that repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to public safety [Section 775.21(3)(a), Florida Statutes]; and

WHEREAS, sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes [Section 775.21(3)(a), Florida Statutes]; and

WHEREAS, sexual predators pose such a high threat level to public safety and cause significant long-term effects on their victims that the Board of County Commissioners finds that a voluntary Business Self-Certification Registry Regarding Sexual Offenders and Sexual Predators, also known as the “Business Self-Certification Registry,” should be established to better ensure public health, safety, and welfare is protected from those who commit certain sexual offenses; and

WHEREAS, pursuant to Section 944.606(2), Florida Statutes, the Legislature found that “sexual offenders, especially those who have committed their offenses

against minors, often pose a high risk of engaging in sexual offenses even after being released from incarceration or commitment and that protection of the public from sexual offenders is a paramount governmental interest;” and

WHEREAS, the Legislature has found that the government has a “compelling interest in protecting the public from sexual predators and in protecting children from predatory sexual activity” [Section 775.21(3)(c), Florida Statutes]; and

WHEREAS, the court’s order ultimately dictates what crimes the offender has been found to have committed and, therefore, what designation and resultant restrictions apply; and

WHEREAS, the Florida Legislature has in place residency restrictions for persons convicted of certain sex offenses prohibiting such individuals from residing within 1,000 feet of any school, day care facility, park, or playground, with limited exceptions [Section 775.215(2)(a); 948.30(1)]; and

WHEREAS, the purpose of this ordinance is neither to sentence nor punish any individual who is subject to it, but simply a status resulting from the conviction of certain crimes and it allows certain businesses in the County to identify themselves as a “park” as found in Section 74-101; and

WHEREAS, Brevard County has a substantial and compelling interest in maintaining the quality of life and protecting the health, safety, and welfare of citizens at schools, day care facilities, parks, and playgrounds to engage in positive educational, economic, and social activities; and

WHEREAS, Brevard County has a substantial and compelling interest in allowing the citizens to gainfully and productively use and enjoy the facilities in these areas and communities without victimization at the hands of a sexual predator or a sexual offender; and

WHEREAS, individuals have a significant interest in being able to travel and associate freely in all areas of Brevard County, except during times of a public safety emergency, such as natural or manmade disasters; and

WHEREAS, it is in the public interest to exclude certain sexual offenders and sexual predators from certain areas surrounding schools, daycare centers, parks, and playgrounds; and

WHEREAS, in order to mirror State law, the County’s definition of parks is being updated; and

WHEREAS, Brevard County desires to ensure that the citizens of the County are protected from criminal activity of all kinds to the maximum extent afforded by controlling law in order to advance the public health, safety, and welfare; and

WHEREAS, it is also in the public interest to allow all citizens access to government buildings and public meetings in order to engage in official business and to participate in public meetings; and

WHEREAS, it is in the public interest to ensure that safeguards are in place which allow all individuals to have access to government buildings and public meetings while also ensuring the safety of all citizens during times when registered sexual offenders and sexual predators are accessing government buildings and attending public meetings; and

WHEREAS, the County is not prohibited from acting on the subject matter of this Ordinance as the provisions of this Ordinance are not preempted by State law and do not conflict with provisions of State law; and

WHEREAS, this Ordinance is enacted under the general home rule and law enforcement powers of Brevard County pursuant to Chapter 125, Florida Statutes, and is not a zoning ordinance or a land development regulation.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Brevard County, Florida as follows:

Section 1. Legislative Findings. The above recitals represent the legislative findings of the Board supporting the need for this Ordinance.

Section 2. Definition of Park. The term “Park” found in Section 74-101 is hereby amended to read as follows:

Park means all publicly owned or operated property and private property specifically designated as being used for recreational purposes and where children regularly congregate. ~~a publicly owned or operated area used or available for the public's use as a recreational facility, including, by way of example and not limitation, linear parks and the state, county and municipal recreational trails systems.~~

Section 3. Creation of Section 74-102.5 of the Brevard County Code of Ordinances. Section 74-102.5 entitled Business Self-Certification Registry is hereby created as follows:

Section 74-102.5. Business Self-Certification Registry.

- (a) The Brevard County Business Self-Certification Registry Regarding Sexual Offenders and Sexual Predators, also known as the “Business Self-Certification Registry,” is hereby created. The Board of County Commissioners finds that such a registry is necessary and proper to ensure public health, safety, and welfare is protected from those who commit certain sex-related offenses. A private business that is:

1. used for recreational purposes; and
2. an area where children regularly congregate

may voluntarily self-certify that they fall within the County’s definition of “park” for purposes of this Article.

- (b) The Business Self-Certification Registry shall contain the address of the business, the purpose of the business, and a summary of what activities take place on the event which allow it to qualify as a park.
- (c) The Business Self-Certification Registry shall be maintained by the County; shall be listed on the County’s official website, which may include, but is not limited to, reference to the Brevard County Sheriff’s Office Sex Offender Registration & Tracking Unit; and may contain links to other sex offender and/or sexual predator registries to be used as informational resources by the general public.
- (d) The County will attempt to ensure that the information in the registry is accurate and complete. However, the County relies on other sources for the information. As a result, the County makes no express or implied guarantee concerning the accuracy or completeness of any information or data in the registry.
- (e) Businesses that register do so voluntarily in order to assist law enforcement, but it shall ultimately be law enforcement’s responsibility to determine whether a private business meets the definition of “park.”

Section 4. Chapter 74-Offenses and Miscellaneous Provisions-at Article VI. Sexual Offenders and Sexual Predators, is hereby amended at Section 74-102. Sexual Offenders and Predators, as follows:

Section 74-102. – Sexual offenders and sexual predators.

- (a) [This subsection shall remain as previously adopted.]
- (b) *Restriction of certain activities of sexual offenders and sexual predators.* No sexual offender or sexual predator shall enter into or remain within the 1,000-foot buffer zone surrounding any school, daycare center, park or playground except to:

(1) Conduct official government business at a Brevard County government office or a local municipality government office. When a sexual offender or sexual predator enters upon Brevard County government property or local municipality government property pursuant to this subsection, the sexual offender or sexual predator shall promptly depart from the property without any undue delay or loitering on premises after completing official government business. For the purposes of this subsection, the terms "Brevard County government office" and "local municipality government office" do not include school property.

~~(1)~~(2) Attend a scheduled interview or meeting with a social service provider licensed by the state;

~~(2)~~(3) Comply with a request or court order from the judiciary, a correctional facility or a law enforcement entity;

~~(3)~~(4) Attend a scheduled meeting or interview with criminal justice personnel at a criminal justice facility;

~~(4)~~(5) Attend a bona fide educational institution as a registered student;

~~(5)~~(6) Attend a scheduled or emergency health care visit with a licensed physician;

~~(6)~~(7) As a result of fulfilling legally allowable duties imposed by gainful employment;

~~(7)~~(8) Transport children within their legal custody to and from school or daycare without any undue delay or loitering on premises;

~~(8)~~(9) Seek refuge in a public shelter that has been officially designated by the county or any municipality to house sexual offenders or sexual predators during times of impending natural disasters or acts of terrorism;

~~(9)~~(10) Attend a scheduled legal consultation meeting with an attorney who is recognized as a licensed member of the Bar of the state;

~~(10)~~(11) Attend a church service or function;

~~(11)~~(12) Vote at a designated polling place within his or her district, obtain a vote-by-mail ballot from the Supervisor of Elections, or deliver a vote-by-mail ballot to a secure drop box of the Supervisor of Elections or office of the Supervisor of Elections;

~~(42)~~(13) If the sexual offender or sexual predator is the parent or guardian of a person under 18 years of age, provided the sexual offender or sexual predator has declared his or her status as a sexual offender or sexual predator prior to entering the school property, has either scheduled a set time period to enter upon the property with the principal or designee or immediately notifies the principal or designee upon entering the school property, and remains under direct supervision of a school official or designated chaperone when present in the vicinity of children:

- a. Attend a scheduled conference at school with school personnel to discuss the progress of his or her child academically or socially;
- b. Participate in scheduled child review conferences in which evaluation and placement decisions may be made or considered with respect to his or her child regarding special education services; or
- c. Attend scheduled conferences to discuss other student issues concerning his or her child such as retention and promotion.

As used in this section, the term "school official" means a principal, a school resource officer, a teacher or any other employee of the school, the superintendent of schools, a member of the school board, a child care facility owner, or a child care provider.

~~(43)~~(14) If the sexual offender or sexual predator lawfully resides within 1,000 feet of any school, day care center, park or playground, he or she may enter into or remain within 1,000 feet of such school, day care center, park or playground for the purposes of travel to and from his or her residence, and any other bona fide activity arising from the ordinary maintenance and activities associated with such residence.

(15) Attend a public meeting subject to Chapter 286, Florida Statutes, provided that no less than 24 hours prior to entering the property for the purpose of being present at a public meeting, the sexual offender or sexual predator has notified the Brevard County Sheriff's Office Sex Offender Registration and Tracking (SORT) Unit, indicating the sexual offender or sexual predator's intention to be present at the public meeting. The Brevard County Sheriff's Office will forward the notification to the County Manager or the local municipality as deemed appropriate. When a sexual offender or sexual predator enters upon government property pursuant to this subsection the sexual offender or sexual predator shall, upon adjournment of the public meeting, promptly depart from the government property without any undue delay or loitering on premises. For purposes of this subsection, the terms

“Brevard County government property” and “local municipality property” do not include school property.

(16) With respect to subsection (15) above, in the event a governmental agency holds an emergency public meeting and the 24-hour notice provision cannot be met, the sexual offender or sexual predator shall notify the Brevard County Sheriff’s Office SORT Unit as soon as reasonably possible, but at a minimum, must notify law enforcement present upon entering the governmental building of his or her sexual offender or sexual predator status.

However, this section shall not be construed as prohibiting any person from traveling on those public roads located within the county when traveling through the buffer zone without intentional delay. A law enforcement officer shall, prior to any arrest for an offense under this section afford the person an opportunity to explain his or her presence in the area and the purpose thereof. No person shall be convicted of an offense under this section if the law enforcement officer did not comply with this procedure or if it appears at trial that the explanation given by the person is true and, if believed by the officer at the time, would have authorized the person to be in the area pursuant to one of the exceptions listed above.

- (c) *Measurement of distance requirement for residence.* For purposes of measuring separation of a residence from a school, day care center, park or playground, all distances shall be measured from the outermost property line of the parcel upon which the residence is located running in a direct line to the outermost property line of the school, day care center, park or playground. For example, if the residence were located in a generally southwesterly direction from a park, then the measurement would be from the northeast corner of the residential parcel to the southwest corner of the park. For all other purposes, measurements shall run from the outermost property line of the school, day care center, park or playground.
- (d) *Measurement of distance requirement for sexual offender or sexual predator.* For purposes of measuring separation of a person designated as a sexual offender or sexual predator from a school, day care center, park or playground, all distances shall be measured from the closest observed location of the sexual offender or sexual predator to the outermost property line of the school, day care center, park or playground using a direct line measurement.
- (e) *Required declaration of status as a sexual offender or sexual predator.*

(1) During times of impending natural disasters or acts of terrorism, sexual offenders and sexual predators shall immediately identify

themselves as a sexual offender or sexual predator, as the case may be, to the official in charge of any public shelter where they seek refuge. Sexual offenders or sexual predators will not be permitted to remain at general shelters not designated to house them. Sexual offenders and sexual predators will only be permitted housing at shelters specifically approved to house sexual offenders and sexual predators.

(2) A sexual offender or sexual predator attending any school or transporting children they have legal custody of to a school or day care center must declare his or her status as a sexual offender or sexual predator to the superintendent, principal or child care facility owner prior to entering the school or day care center property, and must also either schedule with the principal a set time period to enter upon the property or immediately notify the principal or designee upon entering school grounds or day care center property. In accordance with the provisions of Fla. Stat. § 856.022, the sexual offender or sexual predator must remain under direct supervision of a school official as defined in 74-102(b)(13) or a designated chaperone when present in the vicinity of children, unless the person is only dropping off or picking up his or her own children or grandchildren at the child care facility or school.

(3) All sexual offenders and sexual predators registered in the county shall carry their state driver's license or state identification card on their person at all times.

(f) *Prohibition on rentals and leaseholds.* It is unlawful for a property owner to knowingly let or rent any place, structure, or part thereof, to a sexual offender or sexual predator, with the knowledge that it will be used as a permanent or temporary residence, if such place, structure, or part thereof, is located within 1,000 feet of any school, day care center, park or playground. In any prosecution for a violation of this section there shall be the following rebuttable presumptions:

(1) That the property owner had knowledge that the person letting or renting the premises was a sexual offender or sexual predator, upon proof that the person was registered as same, either in the statewide or local registry; and

(2) That the place, structure or part thereof would be used as a permanent or temporary residence, upon proof that the property is located within a residential zoning classification.

(g) *Unlawful residency.* It is unlawful for a sexual offender or sexual predator to establish residency, whether through ownership, rental or lease after the effective date of this article, if such place, structure, or part thereof, is located within 1,000 feet of any school, day care center, park or playground.

Section 5. Inclusion in Code. It is the intention of the Board that the provisions of this Ordinance shall become and be made part of the Brevard County Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and that the word "Ordinance" may be changed to "Chapter," "Section," "Article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Conflict. In the case of a direct conflict between any provision of this Ordinance and a provision of County law, rule, or regulation, the more restrictive shall apply.

Section 7. Severability. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 8. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. Unless specified otherwise, this Ordinance shall take effect upon adoption and filing as required by law.

Section 9. Area Encompassed. In accordance with Section 74-104, this Ordinance shall apply in both the incorporated and unincorporated areas of the County; provided that any provision of this Ordinance in conflict with a municipal ordinance shall not be effective within that municipality to the extent of such conflict.

DONE, ORDERED, AND ADOPTED in Regular Session, this ____ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: _____
Rachel Sadoff, Clerk of Court

By: _____
Kristine Zonka, Chair
(as approved by the Board on ____/____/____)



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.7.

8/2/2022

Subject:

Public Hearing RE: Brevard County HOME Investment Partnerships Program Consortium Five Year Consolidated Plan 2022-2026 and Fiscal Year 2022-2023 Annual Action Plan

Fiscal Impact:

Fiscal Year 2022-2023: There will be no impact to the General Fund. Grant funds are budgeted in HOME Investment Partnerships Program Cost Center 1472-303052 (estimated \$550,883.45) and Community Development Block Grant Cost Center 1470-303051 (\$1,372,105).

Dept/Office:

Housing and Human Services

Requested Action:

It is requested that the Brevard County Board of County Commissioners:

- (1) approve the Fiscal Year 2022-2026 Brevard County HOME Consortium Five Year Consolidated Plan and the Fiscal Year 2022-2023 Annual Action Plan,
- (2) authorize the Chair to execute the required certifications and SF-424 HUD Application for Federal Assistance,
- (3) authorize the County Manager to execute the Community Development Block Grant (CDBG) Program and HOME Investment Partnerships Program (HOME) Grant Agreements,
- (4) authorize the County Manager to sign Disbursement Agreements with the four Brevard HOME Consortium member cities upon approval from HUD, Risk Management and the County Attorney's Office,
- (5) authorize the County Manager or his designee to sign contractual agreements for projects and services identified in the Action Plan upon approval from Risk Management and the County Attorney's Office,
- (6) authorize the Housing and Human Services Department, as contract administrators, to use competitive bids to secure contractors to complete proposed projects and services, and
- (7) authorize the County Manager to sign any associated budget change requests.

Summary Explanation and Background:

On May 17, 2022, the Board of County Commissioners conducted a Public Hearing, as required by the United States Department of Housing and Urban Development (HUD), for the purpose of receiving public comments on the goals and priorities for Five Year Consolidate Plan and the one-year Annual Action Plan beginning October 1, 2022. A public notice was published in the Florida TODAY on June 6, 2022, to solicit comments from June 6, 2022 thru July 5, 2022, outline the recommended allocation of funds, and notify residents of the

Public Hearing and final adoption of the Consolidated Plan and Annual Action Plan on August 2, 2022, additional information, including a survey submitted form was placed on the Department's website. This second Public Hearing completes the process as required by HUD.

HUD requires recipients of HOME and CDBG funds to prepare a five-year Consolidated Plan. The Consolidated Plan is both a document and a process. It is a collaborative initiative whereby a community establishes priorities for its housing, homeless, economic development, and community development activities. This Consolidated Plan covers the Brevard County Consortium, which consists of Brevard County (as the Lead Agency), and the cities of Titusville, Cocoa, Melbourne and Palm Bay. The Consolidated plan will cover the five-year period from 2022-2026 and serves numerous community planning functions, identifies and prioritizes affordable housing and community development needs, outlines a comprehensive and coordinated strategy for addressing those needs over the next five years, and it provides an occasion to embrace a comprehensive vision of housing and community development.

The Consolidated Plan includes the (1) an assessment of the housing, supportive services, and community development needs within the county to help determine the needs of special needs groups such as: homeless, elderly, person with physical, mental and developmental disabilities, persons with alcohol/drug addictions as well as the special needs of other underserved groups; (2) the development of priorities for addressing the identified housing needs such as Affordable "Owner-Occupied" Housing, Affordable "Rental" Housing and Fair Housing; (3) the development of priorities for addressing the identified Community Development needs such as; Public Safety/Crime Prevention, Public Services, Infrastructure, Public Facilities, Economic Development, and Demolition and Clearance; and, (4) the identification of obstacles to meeting underserved needs.

Additionally, on an annual basis, the Brevard Home Consortium must prepare an Annual Action Plan using the goals and priorities established in the five-year Consolidated Plan. The Annual Action Plan provides an implementation guide for the broad goals and priorities outlined in the five-year Consolidated Plan.

Fiscal Year 2022-2023, HOME funds will be awarded to the County and disbursed to Consortium Cities (Titusville, Cocoa, Melbourne, and Palm Bay) through disbursement agreements utilizing a HUD approved formula. Funds are distributed on a reimbursement basis. The Consortium will receive a total of \$1,300,662 in HOME funds for Fiscal Year 2022-2023 to begin on October 1, 2022. Brevard County Housing and Human Services will receive an estimated \$550,883.45 and the member cities will receive an estimated \$749,778.55 (Titusville- \$139,448.92; Cocoa- \$82,793.23; Melbourne- \$265,642.06; and Palm Bay- \$261,894.34).

For Fiscal Year 2022-2023, Brevard County will receive an estimated \$1,372,105 in CDBG funds. Unlike HOME funding, each Consortium member city receives a direct CDBG allocation from HUD. The County and each member city formulate its own CDBG Annual Action Plan of how they will spend CDBG funds promoting safe neighborhoods, capital improvements, economic development, public services, improvements for public housing and the homeless, as well as providing other housing assistance programs.

As a HUD approved Consortium, Brevard County, as Lead Agency, is required to submit one document inclusive of the HOME Consolidated Plan, Annual Action Plan, and each of the cities CDBG Annual Action Plans.

Clerk to the Board Instructions:

None

Brevard County HOME Consortium 2022-2026 Consolidated Plan

Brevard County HOME Consortium:

Brevard County
City of Cocoa
City of Melbourne
City of Palm Bay
City of Titusville

Prepared by



THE **CLOUDBURST** GROUP

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Executive Summary

ES-05 Executive Summary

24 CFR 91.200(c), 91.220(b)

Introduction

The Brevard County HOME Consortium Consolidated Plan identifies and prioritizes the housing and community development needs of low- and moderate-income people. It also identifies five-year strategies and goals for the use of federal HOME Investment Partnership Program funds received annually by the Brevard County HOME Consortium. The Consortium consists of the following members:

- Brevard County (Lead entity)
- City of Cocoa
- City of Melbourne
- City of Palm Bay
- City of Titusville

Each entity in the HOME Consortium receives their own CDBG funds and are not generally permitted to spend CDBG outside of their own jurisdiction.

This Consolidated Plan period begins October 2022 and ends September 2027. The needs, goals, projects, and activities described in the Consolidated Plan have been identified through data analysis described in the Needs Assessment and Market Analysis sections, and an extensive community outreach process. This data analysis and community outreach took place from March 2022 to July 2022 and the surveys were conducted in late 2021.

It is important to understand that the needs, goals, and strategies in the Consolidated Plan reflect significant recent changes and turbulence in Brevard County. The COVID-19 pandemic has had long-lasting impacts on the economy in ways that dramatically impact jobs, housing, and services, which are all things that are considered as part of the Consolidated Plan. These impacts place an even greater strain on those households that were struggling pre-pandemic. This Consolidated Plan is wholly focused on addressing the needs of low- and moderate-income households. As the economy recovers from the pandemic and the housing market trends upward, many vulnerable households will continue to need the greatest support to work towards stability. The strategies and resources in this Consolidated Plan will work to alleviate just some of the hardships faced by these low- and moderate-income households.

Summary of the objectives and outcomes identified in the Plan

The Strategic Plan (SP) section of this Consolidated Plan describes the identified priority needs, goals, and strategies to help address housing and community development needs. The priority needs (SP-25 of this Consolidated Plan) are as follows:

Table 1: Consolidated Plan Priority Needs

Priority Need	Description
Affordable Housing	Stable housing is paramount to a household's ability to thrive. There are significant barriers for low- and moderate-income households to enter the current housing market. Affordable housing is needed throughout Brevard County, especially for low- and moderate-income households.
Access to Human Services	Human services may be targeted to different populations during the Consolidated Plan cycle; however, the Needs Assessment identified several categories of people where human services may be the most impactful: elderly, youth, and those experiencing homelessness.
Community and Economic Development	Public facility development, infrastructure projects, and removal of slum and blight ultimately improve a neighborhood's capacity to develop and provide safe housing, work, and recreational opportunities for residents.
Equitable Access to Housing	Collaboration to enforce fair housing ordinances and conduct education to housing providers and residents helps to address additional barriers experienced by members of protected classes and other populations.

The Strategic Plan (SP-45) describes the goals the County plans to work towards over the next five years. The table below defines each goal and includes a brief description.

Table 2: Strategic Plan Goals

Goal	Description
Expand and Preserve Affordable Rental Housing	Provide rental housing stock that is available and affordable to those households earning less than 80% AMI. The kinds of projects expected to support achieving this goal will be acquisition of real property (land and/or buildings), new construction of rental units, rehabilitation of rental units, and Tenant Based Rental Assistance (TBRA).

Goal	Description
Expand and Preserve Affordable Owner Housing	Provide housing stock that is available and affordable for low- and moderate-income households to purchase. The kinds of projects expected to support this goal will be homeowner purchase assistance, housing rehabilitation, and new construction of units available for purchase.
Increase Capacity of CHDO Partners	Support for the local Community Housing Development Organizations (CHDO) partners is critical for the short-term development and long-term provision of affordable housing. Projects under this goal will provide funds for operating expenses for CHDOs to sustain and increase their capacity.
Expand Fair Housing	Administer fair housing services for the HOME Consortium. Funded projects under this goal may support fair housing training, education, fair housing testing, and advertising organizations that can address fair housing complaints or issues.
Improve Low/Moderate Income Neighborhoods	Enhance community infrastructure and facilities to provide a sustainable and future equitable growth. Some types of projects that will achieve this goal are water and sewer line improvements, the removal of slum and blight, road, and drainage improvements, improving parks, community centers, and recreation facilities.
Provide Human Services	Address the service needs of the community, especially seniors, youth, and those experiencing homelessness. Some example projects that work to achieve this goal will be funding community kitchens, meal programs, education programs, and those homeless service providers offering direct care to households.
Administration	Provide resources to manage and implement the programs described in this Consolidated Plan. This goal will supply funds to pay for staff to ensure adequate capacity, oversee programs, and meet regulatory requirements.

The Priority Needs and Goals section of the Consolidated Plan are informed by the Process, Needs Assessment, and Market Analysis section of this plan. Both qualitative and quantitative data indicate a rapidly expanding need for affordable housing and services for low- and moderate-income households. Infrastructure improvements are also needed in order to build affordably priced housing. The table below shows the goal, the associated expected funding for the 2022 program year, and the expected outcome of that funding.

Table 3: Goals, Funding, and Expected Outcomes

#	Goal	Funding	Expected Outcome
1	Expand and preserve affordable rental housing	HOME: \$757,595	Rental units rehabilitated: 5 Housing units Tenant Based Rental Assistance: 10 households assisted
2	Expand and preserve affordable owner housing	HOME: \$413,000	Homeowner Housing Added: 2 Housing units Homeowner Housing Rehabilitated: 6 Housing units Direct Financial Assistance to Homebuyers: 3 Households Assisted
3	Increase Capacity of CHDO Partners		
4	Expand Fair Housing	HOME: \$9,140	Other: 1
5	Improve low/moderate income neighborhoods	CDBG: \$891,868	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 7,375 Persons Assisted Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 10,710 Persons Assisted Buildings Demolished: Buildings 10
6	Provide human services	CDBG: \$205,816	Public Service Activities other than Low/Moderate Income Housing Benefit: 933 Persons Assisted
7	Administration	HOME: \$120,926 CDBG: \$274,421	Other: 1

Evaluation of past performance

There have been significant challenges in meeting the proposed outcome numbers described in the previous Consolidated Plan. The COVID-19 pandemic placed an immense amount of strain on the economy, supply chains, and subsequently the progress on goals outlined in the 2016-2021 Consolidated Plan. An in-depth list of challenges and issues the County faced in meeting goals over the past several years are described in the Strategic Plan of this Consolidated Plan. A few items from that list that had a particularly large impact:

- Cost of labor, materials, and equipment have increased significantly
- Cost of housing and land have increased significantly
- COVID-19 limited capacity of many service organizations

Despite the challenges, there was some progress made in expending funds and working towards the goals the County and community created in the 2016-2021 Consolidated Plan. Some notable accomplishments from 2016-2022:

CDBG

- Two section 108 loan projects supported the construction of a County-wide Health Department Clinic, and a water line for the West Canaveral Groves community
- Provided support to nonprofits delivering services to the community – this funding supported over 4,000 unduplicated residents

HOME

- Supported 35 households with Tenant-Based Rental Assistance (TBRA)
- Supported the construction of 8 new housing units for homeownership
- Provided financial support to 6 households for the purchase of a home
- Supported the rehabilitation of 8 homeowner units and 4 rental units

Summary of citizen participation process and consultation process

The Consortium's Citizen Participation Plan (CPP) sets the guidelines for how the County will give opportunities to residents and stakeholders to provide input into the Consolidated Plan. The adopted CPP is pursuant to 24CFR 91.105.

Below is a summary of the actions taken by the County to gather input from residents and stakeholders of the community.

Surveys

- A resident Needs Assessment surveys were disseminated to the target areas for CDBG funding

- Just under 1,000 completed surveys were returned
- A public service agency survey was sent to six of the largest nonprofits providing health, behavioral, and social services to the County.

Stakeholder & Resident Meetings

The County held various meetings with local community stakeholders and partnering agencies to get an on-the-ground understanding of needs from the perspective of those individuals and organizations that work in the communities the County serves. Meetings were organized by affiliated groups and/or topics, including:

- **Brevard Homeless Coalition (BHC) Quarterly Meeting**
 - BHC is the Continuum of Care (CoC) lead agency. A presentation was made there on what a Consolidated Plan's purpose is, and each member present was given time to discuss community needs.
- **Affordable Housing Advisory Council (AHAC) Meetings**
 - A presentation was made to the AHAC on the Consolidated Plan process, and councilmembers and the public were provided an opportunity to provide comment and input.
- **Brevard County CDBG Advisory Board**
 - Presentations and opportunity for discussion was made at two meetings. One meeting before the draft of the plan to discuss needs, and one meeting while a draft was formed to discuss strategies and goals.
- **Geographic Meetings**
 - Two meetings were held alongside City partners, and a third is scheduled. These meetings were for City/County staff and key stakeholders for a review of goals/strategies and needs.
 - One meeting for North, which included Titusville.
 - One meeting for South, which included Palm Bay and Melbourne.
 - One meeting is scheduled for Central, which will include Cocoa.
- **Topic-Oriented Sessions**
 - Four meetings were held to discuss needs based on four topics:
 - Housing – Organizations active in the development or management of housing were invited to this meeting
 - Fair Housing – Each Public Housing Authority (PHA) and organizations providing services to special needs groups were invited to this meeting
 - Social Services – Those organizations providing case management and/or other services to the community were invited to this meeting
 - Infrastructure – County staff working on grants management for infrastructure projects were invited to this meeting

- ***Key Informant Interviews***

- Direct interviews were held with those organizations that are meeting needs similar to those described in this plan. Interviews with City staff (Titusville, Cocoa, Melbourne, and Palm Bay) the housing authorities, and Community Housing Development Organizations (CHDOs) as an example.

Summary of public comments

To be completed after the comment period has been completed. The draft document will be available for public comment from June 6, 2022, to July 5, 2022.

Summary of comments or views not accepted and the reasons for not accepting them

To be completed after the comment period has been completed. The draft document will be available for public comment from June 6, 2022, to July 5, 2022.

Summary

To be completed after the comment period has been completed. The draft document will be available for public comment from June 6, 2022, to July 5, 2022.

The Process

PR-05 Lead & Responsible Agencies

91.200(b)

Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Table 4: Responsible Agencies

Agency Role	Name	Department/Agency
Lead Agency	Brevard County	
CDBG Administrator	Brevard County	Housing and Human Services
HOME Administrator	Brevard County	Housing and Human Services

Narrative

Brevard County Housing and Human Services Department Office is the lead agency for the preparation of the Consolidated Plan.

Consolidated Plan Public Contact Information

Brevard County Housing and Human Services Department
2725 Judge Jamison Way, Building B-106
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PR-10 Consultation

91.100, 91.110, 91.200(b), 91.300(b), 91.215(l) and 91.315(l)

Introduction

Engaging with stakeholders, partners, neighborhoods directly impacted by programs, governmental boards and committees, and other organizations engaged in similar work is an essential component in the development of the Consolidated Plan. This engagement is beneficial to both the County that administers the programs as well as the public and partners because it creates a clear sense of needs and established goals to address those needs. This coordination creates buy-in for proposed projects and develops a shared vision and path for the use of the HUD funds described in this plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health, and service agencies (91.215(l)).

The Brevard County Housing and Human Services Department regularly attends the Continuum of Care's (CoC) regularly scheduled meetings. Further, the County has one staff person appointed to the CoC advisory board. The CoC, led by the Brevard Homeless Coalition (BHC) brings together over 70 service providers working in public health, mental health, housing, and special needs organizations.

Current coordination between the BHC and County is robust and will only improve as the BHC continues to grow in its role as the CoC lead and understand what its partners, such as the County, can implement with the HUD funds described in this plan.

The County emailed surveys to service provider organizations to understand their organizational perspective on needs, and this information informs the Consolidated Plan.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Members of the Continuum of Care (CoC) were invited to attend stakeholder sessions which included a presentation, opportunity for participants to ask questions, and a discussion on the needs and trends of the populations served. Topics included *Housing, Public Services, Public Works, and Fair Housing*. Because the County is also conducting its Assessment of Fair Housing (AFH) in 2022, fair housing was incorporated into each session and discussed as it related to the session topic. For example, in the housing session, a discussion occurred around the need for additional ADA units and the difficulties that currently exist for those with a disability to access housing and services.

The County presented at a quarterly CoC meeting in April 2022. The presentation included a Consolidated Plan and Assessment of Fair Housing overview, and then the floor was open to each member of the CoC to present and discuss community needs from the perspective of the organization.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies, and procedures for the administration of HMIS.

The County does not receive Emergency Solutions Grant (ESG) funding. The BHC is the CoC lead agency and directly receives ESG funding from HUD.

Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities.

Table 5: Participating Agencies, Groups, and Organizations

1	Agency/Entity	211 Brevard
	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Homeless Needs Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted? What are the anticipated outcomes of the consultation or areas for improved coordination?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
2	Agency/Entity	Aging Matters
	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Homeless Needs Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted? What are the anticipated outcomes of the consultation or areas for improved coordination?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
3	Agency/Entity	Brevard County Libraries
	Organization Type	Other government – County Services

	What section of the Plan was addressed by Consultation?	Homeless Needs Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	An interview was conducted with the Director for the County Library system to identify community needs and what the Library system is currently doing to support and where they could use more support. This interview informs the Needs Assessment and the Strategic Plan.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
4	Agency/Entity	Brevard Family Partnership
	Organization Type	Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
5	Agency/Entity	Catholic Charities of Central Florida
	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Homeless Needs Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
6	Agency/Entity	Central Brevard Sharing Center
	Organization Type	Housing Services
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Homelessness Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
7	Agency/Entity	Cocoa Housing Authority (CHA)

	Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Public Housing Needs Market Analysis
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. CHA attended the Fair Housing session and provided input on community needs. CHA also provided direct input on the development of several Consolidated Plan sections (Needs Assessment, Market Analysis, Strategic Plan)
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
8	Agency/Entity	Community Housing Initiatives (CHI)
	Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. CHI, a County Community Housing Development Organization (CHDO) attended the Housing session and provided input on community needs and market circumstances.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
9	Agency/Entity	Community Legal Services of Mid-Florida
	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. Community Legal Services of Mid-Florida, attended the Fair Housing session and provided input on community needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
10	Agency/Entity	Community of Hope
	Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. Community of Hope, a County Community Housing Development Organization (CHDO) attended the Housing session and provided input on community needs and market circumstances.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
	Agency/Entity	Elevate Brevard

1 1	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. Elevated Brevard, attended the Social Services session and provided input on community needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
1 2	Agency/Entity	Genesis House
	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. Genesis House, attended the Social Services session and provided input on community needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
1 3	Agency/Entity	Habitat for Humanity of Brevard County
	Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Market Analysis
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. Habitat for Humanity, attended the Housing session and provided input on community needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
1 4	Agency/Entity	Housing Authority of Brevard County
	Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Public Housing Needs Market Analysis
	How was the Agency/Group/Organization consulted?	HABC was consulted via a phone interview as well as direct input to the Consolidated Plan sections (Needs Assessment, Market Analysis, Strategic Plan)
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
1 5	Agency/Entity	Housing Authority of Titusville
	Organization Type	PHA

	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Public Housing Needs Market Analysis
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. HACTV was invited to the Fair Housing session and provided input on community needs. HACTV also provided direct input on the development of several Consolidated Plan sections (Needs Assessment, Market Analysis, Strategic Plan)
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
1 6	Agency/Entity	Housing for Homeless
	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Homeless Needs Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted? What are the anticipated outcomes of the consultation or areas for improved coordination?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
1 7	Agency/Entity	North Brevard Sharing Center
	Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Needs Assessment Homelessness Non-Homeless Special Needs Market Analysis
	How was the Agency/Group/Organization consulted? What are the anticipated outcomes of the consultation or areas for improved coordination?	Brevard County led stakeholder sessions on a variety of topics. North Brevard Sharing Center, a County Community Housing Development Organization (CHDO) attended the Housing session and provided input on community needs and market circumstances.
1 8	Agency/Entity	Ready for Life Brevard Inc.
	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and

	What are the anticipated outcomes of the consultation or areas for improved coordination?	the County creates space for CoC members to provide clear input on needs.
1	Agency/Entity	Resource Center for Disability Solutions
9	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. Resource Center for Disability Solutions attended the Fair Housing session and provided input on community needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
2	Agency/Entity	Salvation Army of Brevard County
0	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Homelessness Needs Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. Salvation Army attended the Social Services session and provided input on community needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
2	Agency/Entity	South Brevard Sharing Center
1	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Homelessness Needs Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. South Brevard Sharing Center attended the Social Services session and provided input on community needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
2	Agency/Entity	South Brevard Women's Center
2	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Homelessness Needs Non-Home Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County led stakeholder sessions on a variety of topics. South Brevard Women's Center attended the Social Services session and provided input on community needs.

	What are the anticipated outcomes of the consultation or areas for improved coordination?	
2	Agency/Entity	Steward Medical Center
3	Organization Type	Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	A phone interview was conducted with Steward Medical Center to provide input on needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
2	Agency/Entity	United Way of Brevard
4	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	
2	Agency/Entity	Volunteers of America
5	Organization Type	Services
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted?	Brevard County presented at the CoC quarterly meeting where this agency was present to provide input on community needs. Coordination between the CoC and the County creates space for CoC members to provide clear input on needs.
	What are the anticipated outcomes of the consultation or areas for improved coordination?	

Identify any Agency Types not consulted and provide rationale for not consulting

All entities were considered for consultation and no entity was purposefully excluded from providing input.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Table 6: Other Local, Regional, and Federal Planning Efforts

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Brevard Homeless Coalition	The CoC's strategic plan to address homelessness informs the County's goals and strategies.
Transportation Planning	Space Coast TPO	Space Coast TOP has several planning reports that outline transportation needs and plans that align with the County's understanding of transportation needs, especially for those with special needs.

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l)).

Brevard County staff sit on many county and regional advisory boards and committees. This regular interaction with other public agencies will always inform the needs and implementation strategies outlined in the Consolidated Plan. In accordance with 24 CFR 91.100(4), the County will notify adjacent units of local government of the non-housing community development needs included in its Consolidated Plan.

PR-15 Citizen Participation

91.105, 91.115, 91.200(c) and 91.300(c)

Summary of citizen participation process/Efforts made to broaden citizen participation. Summarize citizen participation process and how it impacted goal setting.

Brevard County and each Consortium member proactively sought input from both residents and service agencies to understand needs, support the establishment of priorities, and offer space for any constructive feedback. Two separate surveys were sent out to support the County's understanding of needs:

1. Public agency survey
 - a. This survey asked agencies to identify any gaps in services and prioritize the needs of their service organizations
2. Residents survey
 - a. This survey was sent out to each target area (target areas are described in Section SP-10) and asked residents to prioritize needs within certain categories. The categories were: Public Safety, Public Services, Infrastructure, Housing, Neighborhood Services, Public Facilities, and Economic Development.

The results from both surveys are woven into the Priority Needs and Goals/Strategies outlined in the SP-25 and SP-45 sections of this Consolidated Plan.

Citizen Participation Outreach

Table 7: Targeted Organizations for Citizen Outreach

#	Mode of Outreach	Target of Outreach	Summary of Response/Attendance	Summary of Comments	Summary of Comments not accepted
1	Public Hearing	Non-Targeted/Broad Community	There was a Brevard County Board of County Commissioners public hearing held on May 17, 2022. There were 2 public comments received at the hearing.	See Appendix for comments	All comments were accepted
2	Resident Survey	CDBG Target Areas	Each member of the Brevard County HOME Consortium distributed an online survey to community residents. Brevard distributed their survey via the County website and accepted responses until 10/31/2021. Approximately 1,000 residents responded to the survey.	See Appendix for survey questions and results	All survey responses were accepted
3	Public Service Agency Questionnaire	Non-Targeted/Broad Community	Brevard County distributed an online survey to service providers via the County's website. The survey accepted responses until 10/31/2021. Twelve individuals responded to the survey.	See Appendix for survey questions and results	All survey responses were accepted

#	Mode of Outreach	Target of Outreach	Summary of Response/Attendance	Summary of Comments	Summary of Comments not accepted
4	Public Meeting	Non-Targeted/Broad Community	The CDBG Advisory Board meets on the third Tuesday of each month and is open to the public. Attendees include members of the board. The County has not received comments related to the Consolidated Plan.	No comments were received	No comments were received
5	Public Meeting	Non-Targeted/Broad Community	The Affordable Housing Advisory Committee had a public meeting on May 19, 2022. Attendees included members of the board and public residents.	See Appendix for comments	All comments were accepted
6	Public Comment Period	Non-Targeted/Broad Community	The public comment period for the Consolidated Plan and Annual Action Plan was from June 6 – July 5, 2022. There were 19 comments submitted.	See Appendix for comments and responses	All comments were accepted
7	Public Meeting	Non-Targeted/Broad Community	The Affordable Housing Advisory Committee had a public meeting on June 16, 2022. Attendees included members of the board and public residents.	See Appendix for comments	All comments were accepted

#	Mode of Outreach	Target of Outreach	Summary of Response/Attendance	Summary of Comments	Summary of Comments not accepted
8	Public Hearing	Non-Targeted/Broad Community	There will be a final Brevard County Board of County Commissioners public hearing on August 2, 2022.	See Appendix for comments	All comments were accepted

Needs Assessment

NA-05 Overview

Needs Assessment Overview

To better understand the various needs and trends impacting the community, Brevard County analyzed data from the U.S. Census Bureau and the Department of Housing and Urban Development (HUD). These data primarily include the 2013-2017 5-year estimate Comprehensive Housing Affordability Strategy (CHAS) and American Community Survey (ACS) data. The CHAS data are disaggregated for each jurisdiction that receives HUD funding. Understanding that the housing market conditions have changed dramatically since 2017, the County also analyzed supplemental data to paint a more recent picture of the needs facing the Consortium.

The following sections of the Needs Assessment reference various terms for individuals, families, and households which are defined by the Census as the following:

- Small Family Household: A household with two-four members
- Large Family Household: A household with five or more members
- Elderly: An individual between the ages of 62-74
- Frail Elderly or Extra Elderly: An individual age 75 and older
- Household: All people living in a housing unit. Members of a household can be *related* or *unrelated*.
- Family: Related individuals living in the same household
- Nonfamily: Unrelated individuals living in the same household

The Needs Assessment also references specific income categories for individuals and households. For the CDBG program, HUD classifies recipient households into income categories relative to area median income (AMI) including:

- Very Low Income = <30% AMI
- Low Income = 30-50% AMI
- Moderate Income 50-80% AMI

Each income category is adjusted for family or household size. For the CDBG program, the term “low- and moderate-income” refers to all incomes at 80% AMI and under.

HUD Area Median Family income (HAMFI) is also used in place of AMI for some data calculated by HUD within the CHAS dataset. In this context, HAMFI and AMI are synonymous.

It is important to note that the CDBG and HOME programs both target low- and moderate-income beneficiaries, however, the HOME program classifies household income slightly differently. Specifically,

HOME rental activities classify incomes at or below 50% AMI as "very low-income" and incomes between 51 – 80% AMI as "low-income".

In addition, income certifications by "household" size are used within the ESG, HOME, and HOPWA programs, while "family" size is used for CDBG public services, public facilities, or job creation/retention activities.

Table 8 provides the current income limits subject to annual adjustments by HUD:

Table 8: 2022 HUD Income Limits: Brevard County, FL

Family/Household Size								
	1	2	3	4	5	6	7	8
Extremely Low-Income Under 30% AMI	\$ 17,050	\$ 19,500	\$ 23,030	\$ 27,750	\$ 32,470	\$ 37,190	\$ 41,910	\$ 46,630
Low Income 30%-50% AMI	\$ 28,450	\$ 32,500	\$ 36,550	\$ 40,600	\$ 43,850	\$ 47,100	\$ 50,350	\$ 53,600
Moderate Income 50%-80% AMI	\$ 45,500	\$ 52,000	\$ 58,500	\$ 64,950	\$ 70,150	\$ 75,350	\$ 80,550	\$ 85,750

HUD Income Limits (2022) Palm Bay-Melbourne-Titusville, FL MSA

NA-10 Housing Needs Assessment

24 CFR 91.405, 24 CFR 91.205 (a,b,c)

Summary of Housing Needs

- Lack of housing stock
 - Especially true for those earning less than 80% AMI
 - Extremely limited stock for those earning less than 30% AMI
 - True of both rental and ownership
- Housing development
 - Developers are focused on private market in its current state
 - Track homes are generally in the luxury to high-middle cost range
 - Very high construction and labor costs
 - Sites are running \$80/\$100k per lot
 - Impact fees are high
 - Lots of mobile home parks
 - ADU
 - If wanting an ADU, must ask your neighbor
 - Zoning codes haven't been thoroughly examined in some places for years
 - Coastal communities are mostly built out
 - Housing trust fund has no significant revenue stream
- Tourism impacts
 - Converting lots of housing to vacation rental. Much of the housing near amenities (service industries, schools, work core) have been turned into rental (VRBO, Airbnb, etc.)
 - Beach-access communities are mostly Airbnb/VRBO oriented.
 - Some enclaves of affordability, but limited and diminishing
- Demographic-based need
 - Elderly & Fixed income
 - Very limited maintenance support to age in place
 - Special needs
 - Even fewer affordable housing options for those needing ADA units

Table 9: Housing Needs Assessment Demographics

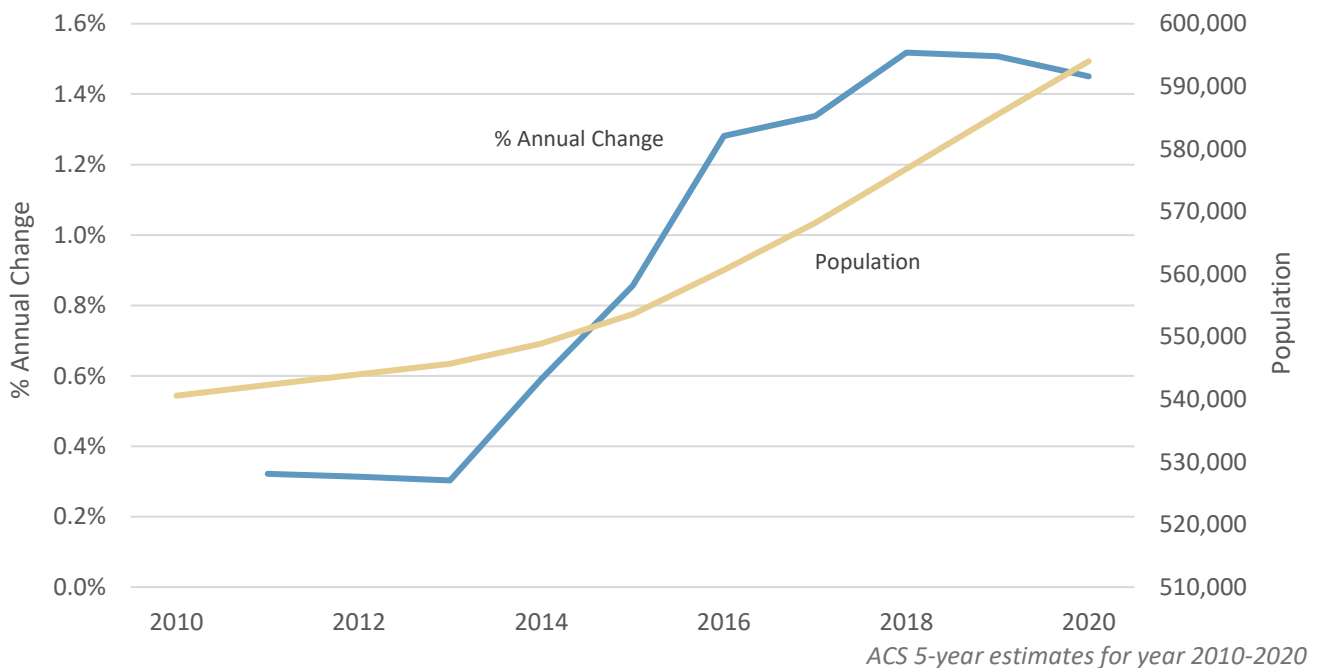
Demographics	Base Year: 2009	Most Recent Year: 2017	% Change
Population	498,537	527,080	6%

Demographics	Base Year: 2009	Most Recent Year: 2017	% Change
Households	203,753	210,465	3%
Median Income	\$49,523	\$51,536	4%

2009 Census (Base Year) and 2013-2017 ACS (Most Recent Year)

Data from the 2013-2017 ACS indicates that there were 210,465 households in Brevard County in 2017 which represents a 3 percent increase from 2009. More recent ACS data, however, shows that the number of households across the County grew 11 percent, or 236,005 households, by 2020.

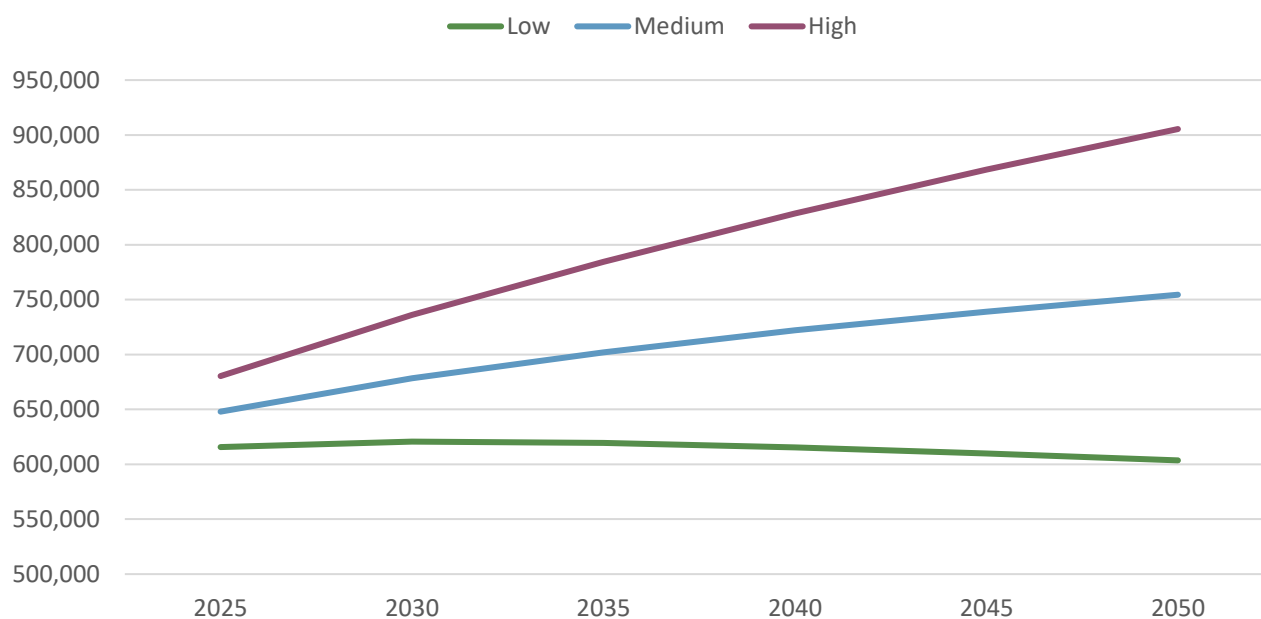
Figure 1: Annual Population Change from 2010-2020



From 2010 to 2020, Brevard County's population grew by 9.9% or 53,418 people. Figure 1 illustrates how the population and annual population growth rate have changed over the past ten years. Between 2014 to 2018, the population growth rate gradually increased each year, however, beginning in 2019, the rate has begun to decrease annually.

Population projections from the Florida Bureau of Economics and Business Research present three scenarios for Brevard County over the next 25 years (Figure 2). The Low Projection anticipates that the population will decrease by 2 percent or around 12,000 people from 2025 to 2050. Conversely, the Medium and High Projections suggest that the population could increase by about 16 percent (or 106,500 people) and 33 percent (or 225,000 people), respectively, from 2025 to 2050.

Figure 2: Population Projections for Brevard County (2025 - 2050)



Bureau of Economics and Business Research, Florida Population Studies: Projections of Florida Population by County, 2025-2050.

Number of Households

Table 10: Total Number of Households

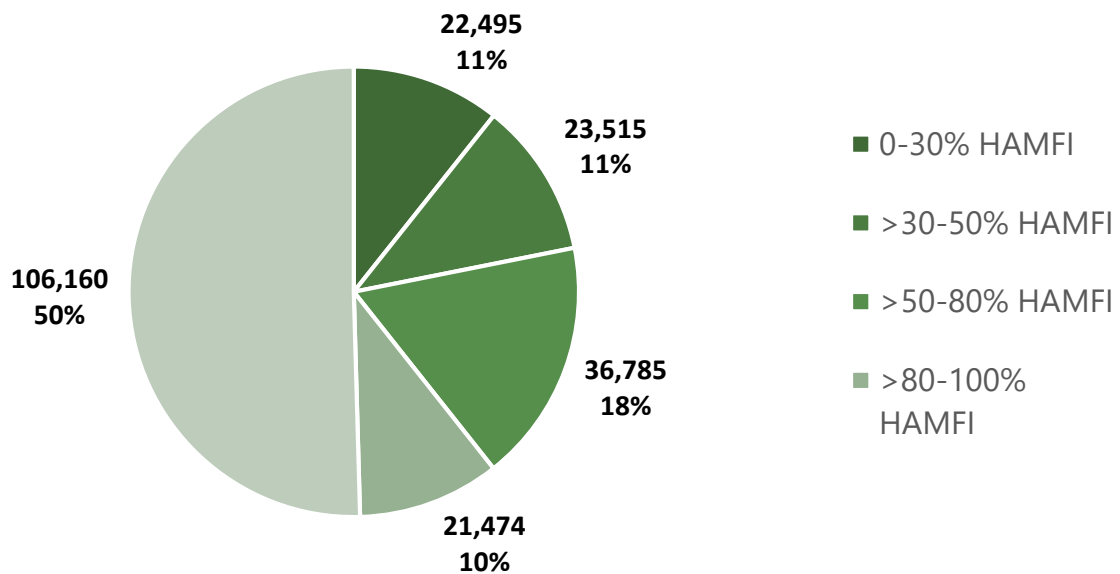
	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households *	22,495	23,515	36,785	21,474	106,160
Small Family Households *	5,838	6,559	11,389	7,755	48,345
Large Family Households *	1,075	1,050	2,113	1,251	5,625
Household contains at least one person 62-74 years of age	5,327	6,340	10,077	5,736	29,891
Household contains at least one-person age 75 or older	4,272	5,978	8,754	4,213	13,709
Households with one or more children 6 years old or younger *	2,631	2,667	4,575	2,864	7,846

2013-2017 CHAS

Table 10 presents a breakdown of the types of households in Brevard County by income category in 2017. The most common type of household was small family households comprising 38 percent of all households, followed by households that contain at least one individual age 62-74, which made up 27 percent of total households.

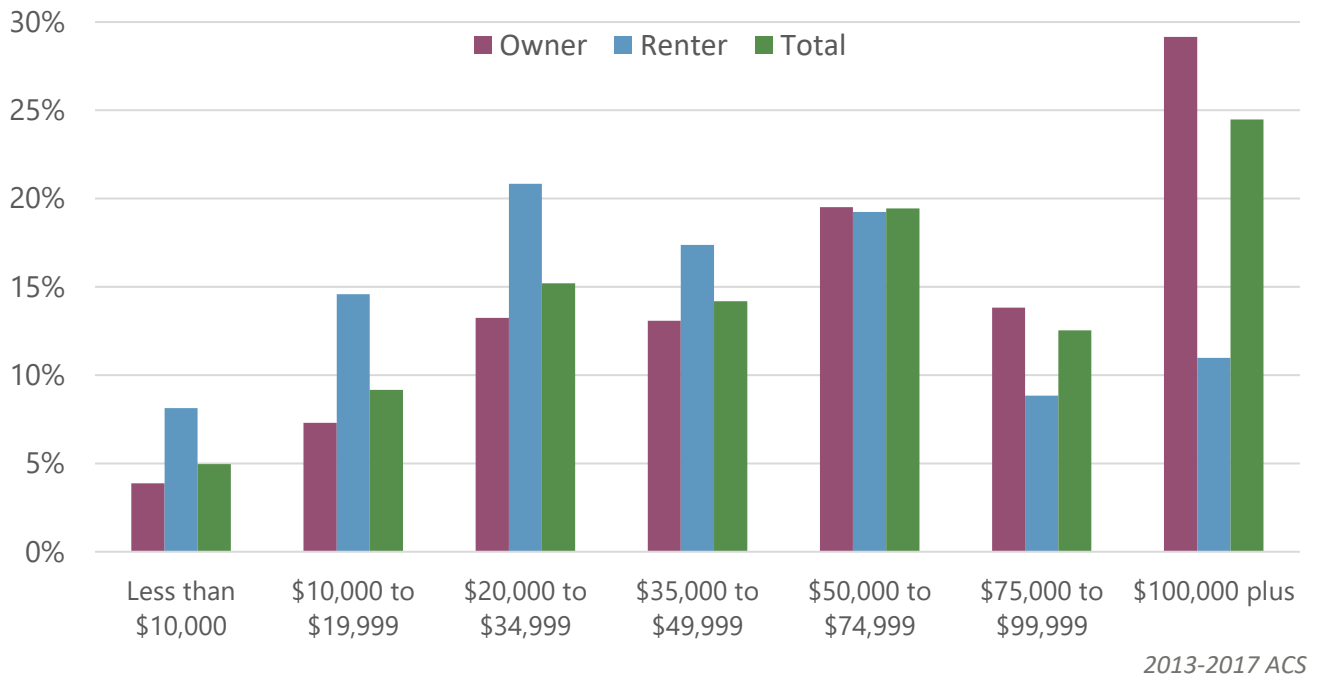
Figure 3 depicts the number of households by income category. Half of all households earned more than 100% HAMFI. For reference, the 2017 median household income in Brevard County was \$51,536. The second most common income category was households earning between 50-80% HAMFI, which accounted for 17 percent of total households.

Figure 3: Number of Households by HAMFI Category



2013-2017 CHAS

Figure 4: Share of the Population by Annual Household Income and Tenure



In 2019, the median household income in Brevard County was \$56,775 for all households. For owner households, this figure was \$64,591 while the median household income for renter households was \$39,875. Figure 4 presents the share of households in Brevard County by income bracket and tenure in 2019. Overall, there were greater shares of renter households in the lower income categories and greater shares of owner households in the higher income categories. The income bracket with the least difference by tenure was for households earning between \$50,000 to \$74,999 annually which comprised 19.5 percent of owner households and 19.2 percent of renter households. The income bracket with the greatest disparity by tenure was for households earning more than \$100,000 annually and included 30 percent of owner households and 11 percent of renter households.

Housing Needs Summary Tables

The following Housing Needs Summary tables explore the number of households experiencing specific types of housing problems which include:

Housing Problems

1. Incomplete kitchen facilities
2. Incomplete plumbing facilities
3. More than 1 person per room
4. Cost burden greater than 30%.

Severe Housing Problems

1. Incomplete kitchen facilities
2. Incomplete plumbing facilities
3. More than 1.5 persons per room
4. Cost burden greater than 50%

1. Housing Problems (Households with one of the listed needs)

Table 11: Households with Housing Problems

	Renter					Owner				
	0-30% AMI	>30- 50% AMI	>50- 80% AMI	>80- 100% AMI	Total	0-30% AMI	>30- 50% AMI	>50- 80% AMI	>80- 100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing: Lacking complete plumbing or kitchen facilities	214	195	125	10	544	130	148	55	43	376
Severely Overcrowded: With >1.51 people per room (and complete kitchen and plumbing)	60	84	110	80	334	45	50	10	25	130

Overcrowded: With 1.01-1.5 people per room (and none of the above problems)	225	299	354	59	937	60	120	180	114	474
Housing cost burden greater than 50% of income (and none of the above problems)	6,900	5,079	1,240	123	13,342	5,848	3,640	2,889	844	13,221
Housing cost burden greater than 30% of income (and none of the above problems)	825	3,408	6,172	1,824	12,229	1,859	3,465	6,285	2,564	14,173
Zero/negative Income (and none of the above problems)	1,389	0	0	0	1,389	1,659	0	0	0	1,659

2013-2017 CHAS

Table 11 outlines the number of households experiencing a housing problem by tenure across the County. Of the housing problems identified in the table, the most common issues for renter and owner households were cost burden, or spending more than 30 percent of income on housing, and severe cost burden, spending more than 50 percent of income on housing costs. For renter households, 13,342 households were severely cost burdened, and 12,229 households were cost burdened in 2017. For owner households, these figures were 13,221 and 14,173 households, respectively.

For both renter and owner households, the data indicates that severe housing cost burden was more prevalent for households with lower incomes. In 2017, 6,900 renter households and 5,848 owner households earning less than 30% AMI paid more than 50% of their income on housing costs. Interestingly, extremely low-income households were not the most cost burdened income category, rather the most cost burdened households were moderate income. The data indicates that there were 6,172 renter households and 6,285 owner households earning between 50 – 80% AMI who spent more than 30 percent of their income on housing costs in 2017.

2. Housing Problems (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

Table 12: Households with Severe Housing Problems

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	7,390	5,659	1,825	269	15,143	6,079	3,950	3,139	1,028	14,196
Having none of four housing problems	2,134	4,684	10,574	6,254	23,646	3,833	9,230	21,250	13,924	48,237
Household has negative income, but none of the other housing problems	1,389	0	0	0	1,389	1,659	0	0	0	1,659

2013-2017 CHAS

Table 12 presents the number of households with severe housing problems in Brevard County in 2017. The data indicates that of households earning less than 100% AMI, 38 percent of renters and 22 percent of owners experienced one or more of the four severe housing problems.

3. Cost Burden > 30%

Table 13: Households with Housing Cost Burden (>30%)

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	2,842	3,137	3,018	8,997	1,514	1,782	3,113	6,409
Large Related	740	548	635	1,923	200	200	347	747
Elderly	2,052	2,543	1,839	6,434	4,446	4,175	4,445	13,066
Other	2,499	2,722	2,198	7,419	1,755	1,061	1,328	4,144
Total need by income	8,133	8,950	7,690	24,773	7,915	7,218	9,233	24,366

2013-2017 CHAS

Table 13 presents the number of renter and owner households earning less than 80% AMI who paid more than 30% percent of their income on housing costs in 2017. Small, related households comprised the largest share (36%) of cost burdened renters, followed by other (30%) and elderly households (26%). For owners, 54% of cost burdened households were elderly households and 26% were small, related households.

4. Cost Burden > 50%

Table 14: Households with Severe Housing Cost Burden (>50%)

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	2,628	1,984	385	4,997	1,254	858	975	3,087
Large Related	685	319	30	1,034	140	60	74	274
Elderly	1,707	1,564	477	3,748	3,353	2,091	1,487	6,931
Other	2,270	1,493	404	4,167	1,247	637	424	2,308
Total need by income	7,290	5,360	1,296	13,946	5,994	3,646	2,960	12,600

2013-2017 CHAS

Table 14 outlines the number of renter and owner households earning less than 80% AMI who paid more than 50% percent of their income on housing costs. The most common types of severely cost burdened renter households were small, related households (36%), other (30%), and elderly (27%). For

severely cost burdened owners, the most common types of households were elderly households (55%) and small, related households (25%).

To better understand housing cost burden for owners and renters, Brevard County analyzed more recent ACS data that explored housing costs as a percentage of income for all households. Figure 5 presents the share of severely cost burdened, cost burdened, and not cost burdened households by tenure in Brevard County in 2019. The data indicates a noticeable disparity between renters, owners with a mortgage, and owners without a mortgage. For renter households, 23% were severely cost burdened and 25% were cost burdened. For owners, the absence of a mortgage made a considerable difference in the prevalence of housing cost burden. Thirteen percent of owners with a mortgage were severely cost burdened while this figure was 5% for owners without a mortgage. Likewise, 17% of owners with a mortgage were cost burdened while this was true for only 8% of owners without a mortgage.

Figure 5: Percentage of Cost Burdened Households by Tenure in Brevard County (2019)

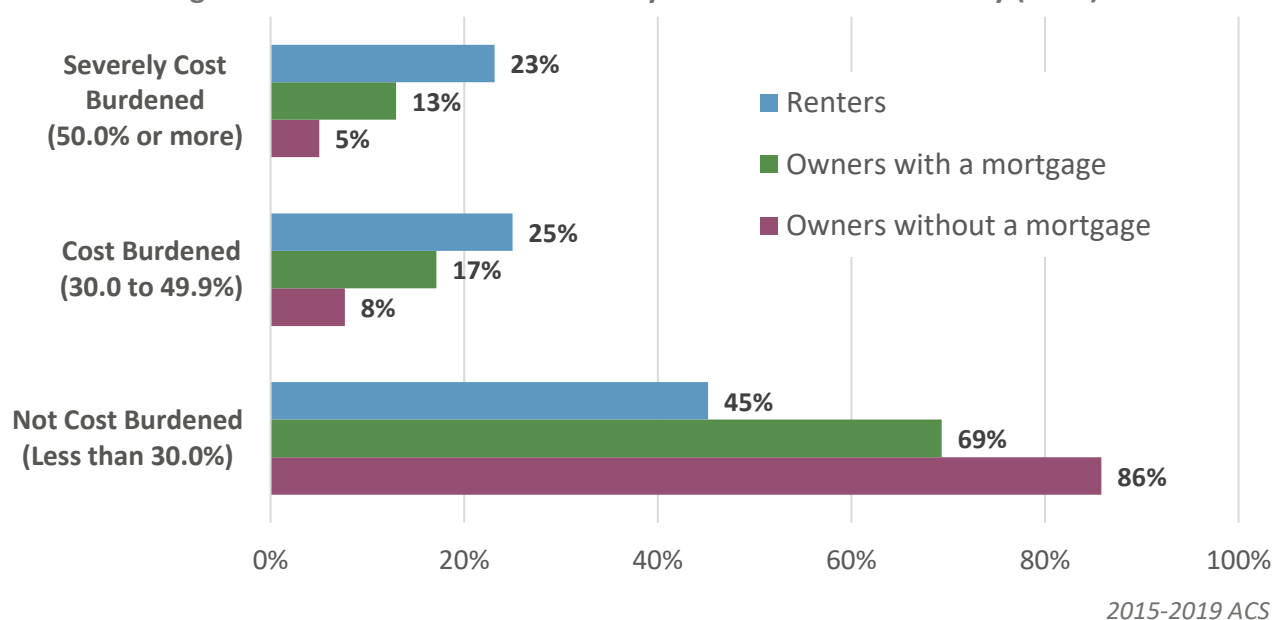


Figure 6: Share of Cost Burdened (Left) and Severely Cost Burdened (Right) Households by Tenure (2010-2020)

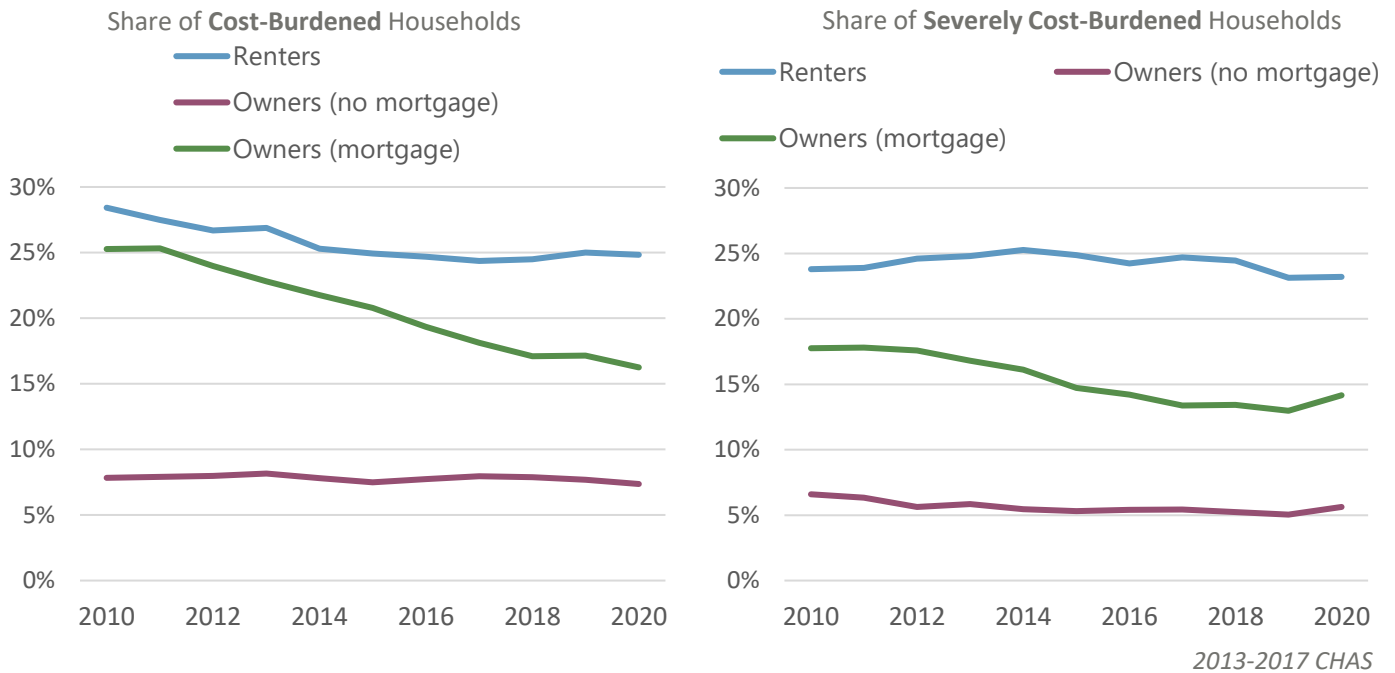


Figure 6 depicts the percentage of cost burdened and severely cost burdened households by tenure over the past 10 years in Brevard County. The line graph on the left presents cost burdened households and indicates that the share of households paying between 30 and 50% of their income on housing costs has changed the most for owners with a mortgage over the past 10 years. From 2010 to 2020, the percent of cost burdened owners with a mortgage dropped by 9 percentage points. Conversely, the percent of cost burdened owners without a mortgage decreased by 6 percentage points while the share of cost burdened renters declined by 4 percentage points.

The line graph on the right presents the share of severely cost burdened households by tenure and indicates that the share of households paying more than 50% of their income on housing costs has also changed the most for owners with a mortgage over the past 10 years. During this period, the percent of severely cost burdened owners with a mortgage dropped by about 4 percentage points. The shares for owners without a mortgage and renters both decreased by about 1 percentage point each.

5. Crowding (More than one person per room)

Table 15: Crowded Households by Type and Percent AMI

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Number Of Households										
Single family households	255	348	434	99	1,136	85	95	135	75	390
Multiple, unrelated family households	0	35	25	40	100	25	80	55	53	213
Other, non-family households	30	0	0	0	30	0	0	0	15	15
Total need by income	285	383	459	139	1,266	110	175	190	143	618

2013-2017 CHAS

Table 15 displays the number of crowded households that earn less than 100% AMI by household type and income category. Households are considered crowded when there is more than one person per room. In general, 1,266 renter households and 618 owner households. For renters, single family households comprised 90% of crowded households earning less than 100% AMI. For owners, single family households made up 63% of crowded households while multiple, unrelated family households comprised 34% of crowded households.

Table 16: Households with Children Present by Year Structure Built

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present								
Structure built 1980 or later	1,115	1,220	1,695	4,030	355	575	1,435	2,365
Structure built 1940 to 1979	1,105	845	890	2,840	190	280	755	1,225
Structure built 1939 or earlier	25	10	0	35	0	0	20	20
Total Households with Children Present	2,245	2,075	2,585	6,905	545	855	2,210	3,610

2013-2017 CHAS

Table 16 outlines the number of renter and owner households earning less than 80% AMI with one or more children aged six years or younger by housing structure age. Housing units constructed prior to 1978 pose a potentially higher risk of containing lead-based paint since it was not until 1978 that the federal government banned the use of lead-based paint in residential dwellings. Although current HUD habitability standards require inspections for units constructed prior to 1978 that will be occupied by households with children aged six years or younger, lead poisoning remains a serious health risk especially for young children.

CHAS data indicates that there are a number of older housing units where young children are present. In 2017, there were a total of 6,905 renter households earning less than 80% AMI who had children aged six years or younger across the County. Of these households, 42% (or 2,875 households) resided in housing structures that were built prior to 1980. For owners, there were a total of 3,610 households earning less than 80% AMI with young children and 34% (or 1,245 households) lived in housing structures constructed prior to 1980. Although CHAS data do not identify housing units requiring lead hazard remediation, the data do indicate that a large number of lower income households with young children reside in older housing stock.

Describe the number and type of single person households in need of housing assistance.

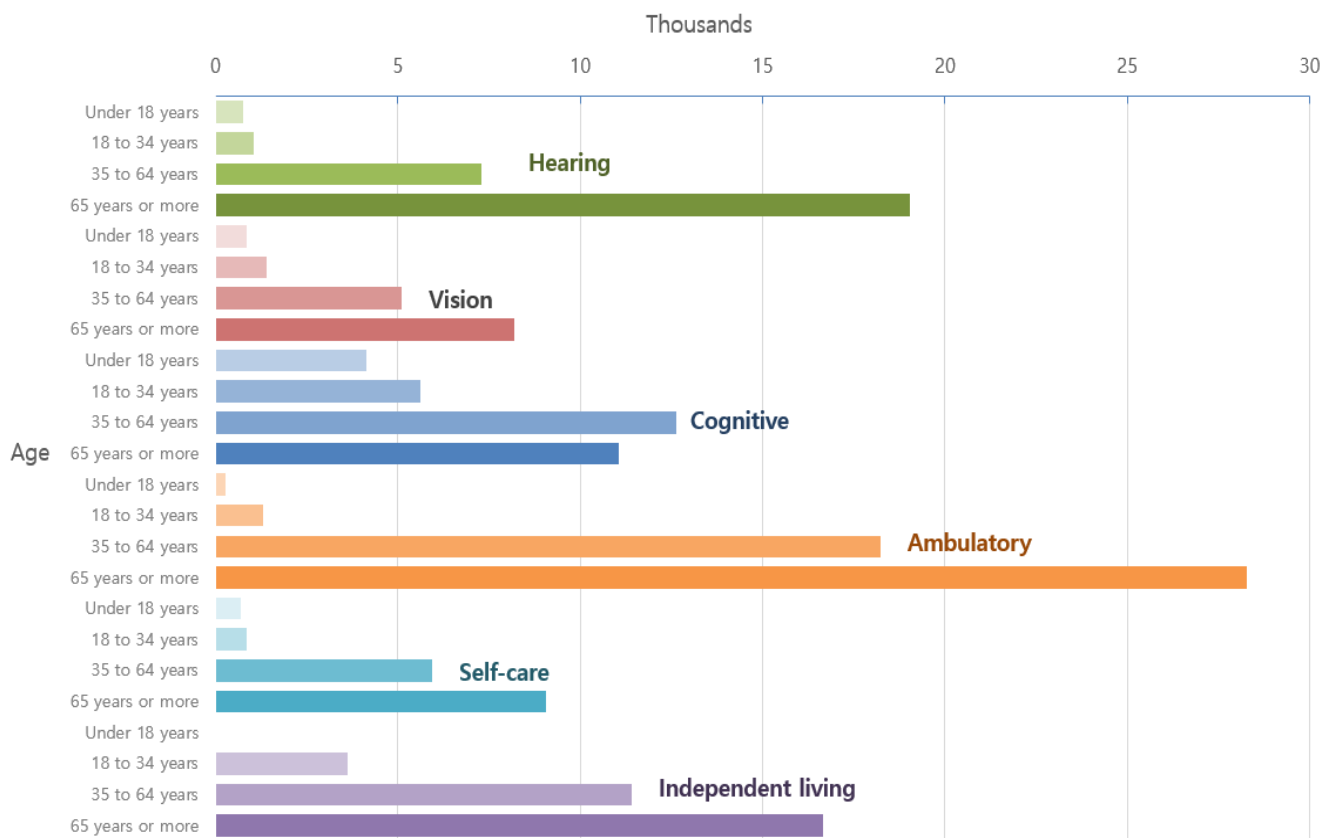
Although specific data on the number of single person households in need of housing assistance is not readily available, data from the ACS indicates that there is a large number of single person households

below the poverty line in Brevard County. In 2017 there were 72,965 householders living alone across the County. Of these, 11,700 (or 16% of all single person households) lived below the poverty line. By 2020, the total number of single person households had decreased to 61,926 and 10,607 (or 17%) were living below the poverty line. Since the cost of both rental and owner-occupied housing has increased in Brevard County, it is possible that fewer individuals can afford to live alone which may explain the decrease in total single person households as well as the slight increase in the percent of single person households living below the poverty line.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault, and stalking.

In 2019, 15.8% of Brevard County's population had a disability and nearly half (49%) of these individuals were over the age of 65. Figure 7 depicts the number of individuals with a disability by type and age. In general, people with disabilities have a lower median income and higher poverty rate compared to individuals without a disability. In 2019, the median income for people with a disability was \$23,223 while the median income for people without a disability was \$32,236. In addition, 15.5% of individuals with a disability lived below the federal poverty line compared to 9.7% of individuals without a disability.

Figure 7: Individuals with a Disability by Type in Brevard County



2015-2019 ACS

Data from Florida’s Department of Law Enforcement from 2017 to 2019 provides information on the prevalence of reported crimes related to domestic violence in Brevard County. During this three-year period, there were 11,796 reported domestic violence crimes across the County. Of these, around 80% involved simple assault and 15% involved aggravated assault.

Organizations in Brevard County serving survivors of domestic violence, dating violence, sexual assault, and stalking have policies and procedures in place to help connect individuals to services while ensuring their safety. [Update text below]

For a homeless person who is identified as a victim of domestic violence during the initial process of Coordinated Assessment, that person is immediately referred to one of the Domestic Violence (DV) Provider Shelter agencies: Salvation Army in Cocoa or Serene Harbor in Melbourne. In most cases, the Sheriff’s Department is the referring agency with the client going directly to the shelter agency to maintain their safety and security.

The South Brevard Women's Center Inc. started receiving CDBG funds in FY 2012-2014 to provide supportive services such as food, clothing, low/no cost household items, job placement, counseling, and financial assistance to women and women with children who are survivors of domestic violence. The agency's program is directed to "limited clientele" on a citywide basis by providing a local business office and a "safe house" at an undisclosed location in Titusville. The safe house was donated to the agency by the City of Titusville and rehabilitated to benefit this underserved population. It is the only transitional housing unit designated for survivors of domestic violence in the northern, non-entitlement areas of Brevard County. Based upon the self-declaration statements of the clients, this program is serving 51% low/mod persons.

What are the most common housing problems?

CHAS provides data on four housing problems: 1.) housing units lacking complete kitchen facilities, 2.) housing units lacking complete plumbing facilities, 3.) overcrowded households, and 4.) cost-burdened households. The data differentiates between overcrowded (more than one person per room) and severely overcrowded (more than 1.5 persons per room) households as well as cost-burdened (paying over 30% of income on housing costs) and severely cost-burdened (paying over 50% of income on housing costs) households. CHAS considers a household to have a housing problem if they have one or more of the four problems.

In 2019, about one third (29.1%) of occupied housing units in Brevard County had one or more of the four housing problems. When broken down by tenure, almost half of renter-occupied units (48.7%) experienced one or more housing problems while this was true for about a quarter (22.4%) of owner-occupied units.

CHAS data indicates that the most common housing issues for renter and owner households were cost burden and severe cost burden. In 2017, 90% of cost burdened renters were extremely low- and low-income households and 78% of severely cost burdened renters were low- and moderate-income households. For owners, 72% of cost burdened households were extremely low- and low-income while 69% of severely cost burdened households were low- and moderate-income.

Are any populations/household types more affected than others by these problems?

CHAS data indicates that in 2017, 54% of all cost burdened and 55% of all severely cost burdened owner households were elderly households. For renters, there was more of an even split between small, related, elderly, and other households among those who were cost burdened and severely cost burdened.

Describe the characteristics and needs of low-income individuals and families with children (especially extremely low-income) who are currently housed but are at

imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance.

In 2017, there were 2,790 extremely low-income and 2,930 low-income households with children present in Brevard County. Of the County's extremely low-income households, 13,469 experienced one or more of the four severe housing problems. Based on the available data, it is unclear how many extremely low-income households with children are at imminent risk of homelessness, however, the available data suggests that the County's extremely low-income households face tenuous housing situations that increase their risk of experiencing homelessness.

Through the Brevard County Community Action Agency and the Housing and Human Services Department, several programs are in place to prevent individuals and families with children from becoming homeless. Assistance is provided utilizing various federal, state, and local programs and resources. These programs include, but are not limited to food vouchers, dental assistance, prescription assistance, transportation assistance, rent/mortgage assistance, and utility payments.

Clients who have received rapid-rehousing assistance to enter a permanent placement are now finding that upon lease renewal the rent is being substantially increased to the point where it is no longer viable for that household. That is causing families to return to temporary placements, such as hotel stays, instead of staying stably housed.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

An increase in rent averaging around 40% for households, alongside incredible increases in daily living expenses is a sure way to create instability within a household.

NA-15 Disproportionately Greater Need: Housing Problems

91.405, 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Brevard County analyzed 2013-2017 CHAS data to determine whether any of the identified race or ethnic groups had a disproportionately greater need relative to the rest of the jurisdiction. Federal regulations consider a specific racial or ethnic group as having a disproportionately greater need when the percentage of people belonging to the racial or ethnic group experiencing a particular problem is at least 10 percentage points higher than the percentage of individuals experiencing the same issue in the area as a whole (CFR 91.205(b)(2)).

The following tables present the share of households by race and ethnicity and income level that are experiencing one or more of the four housing problems. These include: 1.) Housing lacks complete kitchen facilities; 2.) Housing lacks complete plumbing facilities; 3.) There is more than one person per room (overcrowded); and 4.) Household is cost burdened (pay over 30% of income is spent on housing costs).

0%-30% of Area Median Income

Table 17: Households with Housing Problems by Race and Ethnicity (0-30% AMI)

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	16,165	3,287	3,048	72%	0
White	11,399	2,447	2,105	71%	0
Black / African American	2,435	595	604	67%	-5
Asian	394	80	108	68%	-4
American Indian, Alaska Native	20	0	15	57%	-15
Pacific Islander	0	0	0	-	-
Hispanic	1,712	154	174	84%	12
<i>*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%</i>					

2013-2017 CHAS

Table 17 provides a breakdown of extremely low-income households experiencing one or more of the four housing problems by race and ethnicity in Brevard County. In 2017, 72% of all households earning less than 30% AMI had at least one of the four housing problems. When disaggregated by race and ethnicity, the data indicate Hispanic households were disproportionately affected. Specifically, 84% of extremely low-income Hispanic households experienced at least one housing problem which is 12 percentage points above the jurisdiction as a whole.

30%-50% of Area Median Income

Table 18: Households with Housing Problems by Race and Ethnicity (30-50% AMI)

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	16,484	7,040	0	70%	0
White	12,139	5,125	0	70%	0
Black / African American	2,245	1,000	0	69%	-1
Asian	234	139	0	63%	-7
American Indian, Alaska Native	30	10	0	75%	5
Pacific Islander	0	0	0	-	-
Hispanic	1,626	714	0	69%	-1
<i>*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%</i>					

2013-2017 CHAS

Table 18 presents the number of low-income households who experienced one or more of the four housing problems by race and ethnicity in Brevard County. In 2017, 70% of all households earning between 30 – 50% AMI had at least one of the four housing problems. The data indicates that the percentage of low-income households experiencing at least one housing issue varies by race and ethnicity, however, no single group appears to be disproportionately impacted.

50%-80% of Area Median Income

Table 19: Households with Housing Problems by Race and Ethnicity (50-80% AMI)

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	17,423	19,353	0	47%	0
White	13,377	15,238	0	47%	-1
Black / African American	2,185	2,295	0	49%	1
Asian	234	225	0	51%	4
American Indian, Alaska Native	0	60	0	0%	-47
Pacific Islander	0	0	0	-	-
Hispanic	1,329	1,349	0	50%	2
<i>*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%</i>					

2013-2017 CHAS

Table 19 presents the number of moderate-income households who experienced one or more of the four housing problems by race and ethnicity in Brevard County. In 2017, 47% of all households earning between 50 – 80% AMI had at least one of the four housing problems. The data shows that there was variation between the percentage of moderate-income households experiencing at least one housing issue varies by race and ethnicity, however, no single group appears to be disproportionately impacted.

80%-100% of Area Median Income

Table 20: Households with Housing Problems by Race and Ethnicity (80-100% AMI)

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	5,682	15,802	0	26%	0
White	4,547	12,418	0	27%	0
Black / African American	669	1,548	0	30%	4
Asian	73	283	0	21%	-6
American Indian, Alaska Native	4	140	0	3%	-24
Pacific Islander	0	0	0	-	-
Hispanic	318	1,189	0	21%	-5
<i>*The four housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%</i>					

2013-2017 CHAS

Table 20 depicts the number of households with incomes between 50-80% AMI who experienced one or more of the four housing problems by race and ethnicity in Brevard County. In 2017, 26% of all households in this income range had at least one of the four housing problems. There is variation between the percentage of households earning between 50-80% AMI who experienced at least one housing issue by race and ethnicity, however, no single group appears to be disproportionately impacted.

Discussion

When exploring the percent of households experiencing at least one of the four housing problems by income level, it is apparent that disparities exist by race and ethnicity. For every income level, there were variations in the share of households experiencing a housing issue depending on the race and ethnicity of the household. The only disproportionately greater need identified by the County was for extremely low-income Hispanic households. Specifically, 84% of extremely low-income Hispanic households experienced at least one housing problem which is 12 percentage points above the jurisdiction as a whole.

NA-20 Disproportionately Greater Need: Severe Housing Problems

91.405, 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Brevard County analyzed 2013-2017 CHAS data to determine whether any of the identified race or ethnic groups had a disproportionately greater need relative to the rest of the jurisdiction. Federal regulations consider a specific racial or ethnic group as having a disproportionately greater need when the percentage of people belonging to the racial or ethnic group experiencing a particular problem is at least 10 percentage points higher than the percentage of individuals experiencing the same issue in the area as a whole (CFR 91.205(b)(2)).

The following tables indicate the percentage of households by race and ethnicity and income level experiencing one or more of the four severe housing problems. These include: 1.) Housing lacks complete kitchen facilities; 2.) Housing lacks complete plumbing facilities; 3.) There are more than 1.5 people per room (overcrowded); and 4.) Household is severely cost burdened (pays more than 50% of income on housing costs).

0%-30% of Area Median Income

Table 21: Households with Severe Housing Problems by Race and Ethnicity (0-30% AMI)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	13,469	5,967	3,048	60%	0
White	9,458	4,391	2,105	59%	-1
Black / African American	1,990	1,025	604	55%	-5
Asian	279	195	108	48%	-12
American Indian, Alaska Native	20	0	15	57%	-3
Pacific Islander	0	0	0	-	-
Hispanic	1,542	329	174	75%	15
*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%					

2013-2017 CHAS

Table 21 provides a breakdown of extremely low-income households experiencing one or more of the four severe housing problems by race and ethnicity in Brevard County. In 2017, 60% of all households earning less than 30% AMI had at least one of the four severe housing problems. When disaggregated by race and ethnicity, the data indicate Hispanic households were disproportionately affected. Specifically, 75% of extremely low-income Hispanic households experienced at least one severe housing problem which is 15 percentage points above the jurisdiction as a whole.

30%-50% of Area Median Income

Table 22: Households with Severe Housing Problems by Race and Ethnicity (30-50% AMI)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	9,609	13,914	0	41%	0
White	6,939	10,354	0	40%	-1
Black / African American	1,180	2,070	0	36%	-5
Asian	145	228	0	39%	-2
American Indian, Alaska Native	30	14	0	68%	27
Pacific Islander	0	0	0	-	-
Hispanic	1,162	1,163	0	50%	9
*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%					

2013-2017 CHAS

Table 22 presents the number of low-income households who experienced one or more of the four severe housing problems by race and ethnicity in Brevard County. In 2017, 41% of all households earning between 30 – 50% AMI had at least one of the four severe housing problems. When disaggregated by race and ethnicity, the data indicate American Indian and Alaska Native households were disproportionately affected. Specifically, 68% of extremely low-income American Indian and Alaska Native households experienced at least one severe housing problem which is 27 percentage points above the jurisdiction as a whole. It is important to note, however, that the universe of American Indian and Alaska Native households for this analysis only includes 44 households which may skew the data.

50%-80% of Area Median Income

Table 23: Households with Severe Housing Problems by Race and Ethnicity (50-80% AMI)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	4,964	31,824	0	13%	0
White	4,059	24,578	0	14%	1
Black / African American	340	4,145	0	8%	-6
Asian	85	374	0	19%	5
American Indian, Alaska Native	0	60	0	0%	-13
Pacific Islander	0	0	0	-	-
Hispanic	418	2,248	0	16%	2

**The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%*

2013-2017 CHAS

Table 23 presents the number of moderate-income households who experienced one or more of the four severe housing problems by race and ethnicity in Brevard County. In 2017, 13% of all households earning between 50 – 80% AMI had at least one of the four severe housing problems. The data show that there was variation between the percentages of moderate-income households experiencing at least one severe housing issue by race and ethnicity, however, no single group appears to be disproportionately impacted.

80%-100% of Area Median Income

Table 24: Households with Severe Housing Problems by Race and Ethnicity (80-100% AMI)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	Share with housing problem	Percentage point difference relative to the jurisdiction as a whole
Jurisdiction as a whole	1,297	20,178	0	6%	0
White	1,002	15,973	0	6%	0
Black / African American	145	2,069	0	7%	1
Asian	34	322	0	10%	4
American Indian, Alaska Native	0	145	0	0%	-6
Pacific Islander	0	0	0	-	
Hispanic	79	1,435	0	5%	-1
*The four severe housing problems are: 1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%					

2013-2017 CHAS

Table 24 depicts the number of households with incomes between 50-80% AMI who experienced one or more of the four severe housing problems by race and ethnicity in Brevard County. In 2017, 6% of all households in this income range had at least one of the four severe housing problems. There is some variation between the percentages of households earning between 50-80% AMI who experienced at least one housing issue by race and ethnicity, however, no single group appears to be disproportionately impacted.

Discussion

Analysis of the percent of households experiencing at least one of the four severe housing problems by income level underscores the racial and ethnic disparities that exist across the County. For every income level, there were differences in the share of households experiencing a severe housing issue depending on the race and ethnicity of the household. The County identified two disproportionately greater needs in its analysis. The first was for extremely low-income Hispanic households where 75% experienced at least one severe housing problem whereas this figure was 60% for all households. The second was for low-income American Indian and Alaska Native households where 68% experienced at least one severe housing problem compared to 41% of households for the jurisdiction as a whole.

NA-25 Disproportionately Greater Need: Housing Cost Burdens

91.405, 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Brevard County analyzed 2013-2017 CHAS data to determine whether any of the identified race or ethnic groups had a disproportionately greater need relative to the rest of the jurisdiction. Federal regulations consider a specific racial or ethnic group as having a disproportionately greater need when the percentage of people belonging to the racial or ethnic group experiencing a particular problem is at least 10 percentage points higher than the percentage of individuals experiencing the same issue in the area as a whole (CFR 91.205(b)(2)).

The following table outlines the percentage of households by race and ethnicity by level of housing cost burden. Households paying less than 30% of their income on housing costs are considered not housing cost burdened. Households spending between 30-50% of their income on housing costs are considered housing cost burdened. Households devoting over 50% of their income on housing costs are considered to be severely housing cost burdened.

Housing Cost Burden

Table 25: Housing Cost Burden by Race and Ethnicity

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)	Share <=30%†	Share 30- 50%†	Share > 50%†
Jurisdiction as a whole	145,218	33,423	28,741	3,075	69%	16%	14%
White	119,620	25,635	21,309	2,120	71%	15%	13%
Black / African American	11,429	4,369	3,485	604	57%	22%	18%
Asian	2,324	677	469	118	65%	19%	13%
American Indian, Alaska Native	423	83	50	15	74%	15%	9%
Pacific Islander	65	20	0	0	76%	24%	0%
Hispanic	9,393	2,263	3,031	174	63%	15%	20%
†Percentages are rounded							

2013-2017 CHAS

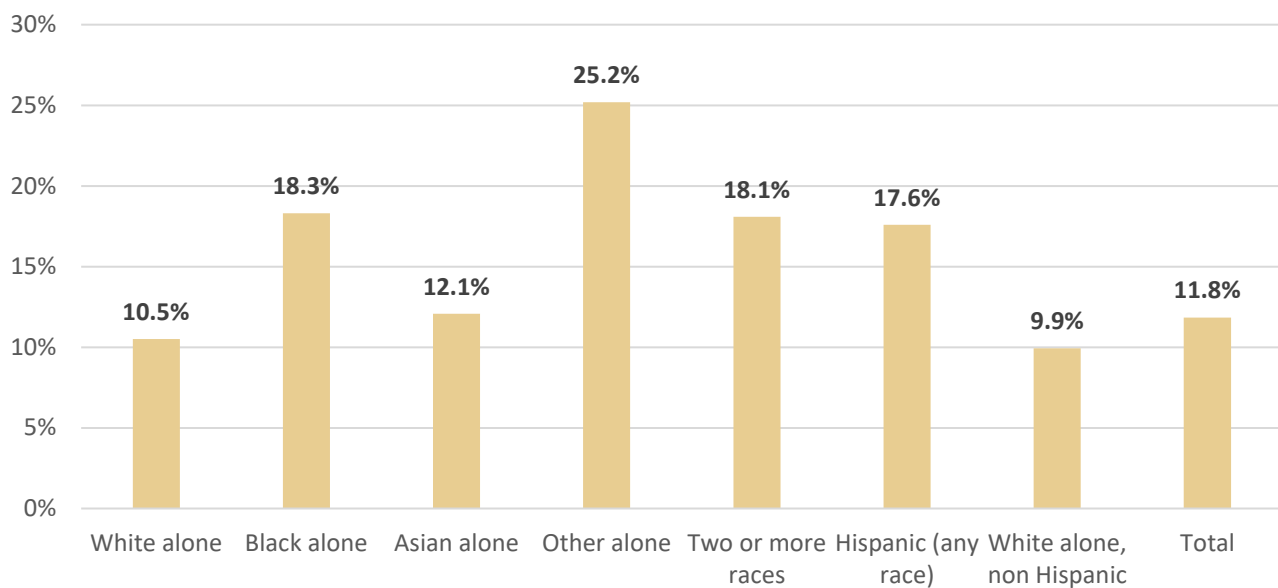
Discussion

Table 25 outlines the percentage of households at different housing cost burden levels by race and ethnicity. In 2017, 69% of households in Brevard County spent less than 30% of their incomes on housing costs and were considered to not be cost burdened. Thirty percent of households had some level of housing cost burden while 1% had no or negative income and therefore, housing cost burden was not computed. Of the households experiencing housing cost burden, 16% paid between 30-50% of their income on housing costs and 14% spent more than 50% of their income on housing costs.

When disaggregated by race and ethnicity, noticeable variations emerge. Of the households that identified as White, 28% paid more than 30% of their income on housing costs whereas this figure was 39% for Black/African American households. The two groups with the lowest percentage of cost burdened households were American Indian and Alaska Native and Pacific Islander, however, the population of households included in the analysis for each group was quite small and therefore potentially not as reliable. For example, the CHAS analysis that explored disproportionately greater needs indicated that for American Indian and Alaska Native households, the percentage of households experiencing at least one housing problem changed considerably by income level. For Pacific Islander households, there was no data available. Overall, Brevard County did not identify any race or ethnic groups as experiencing a disproportionately greater need regarding cost burden and severe cost burden.

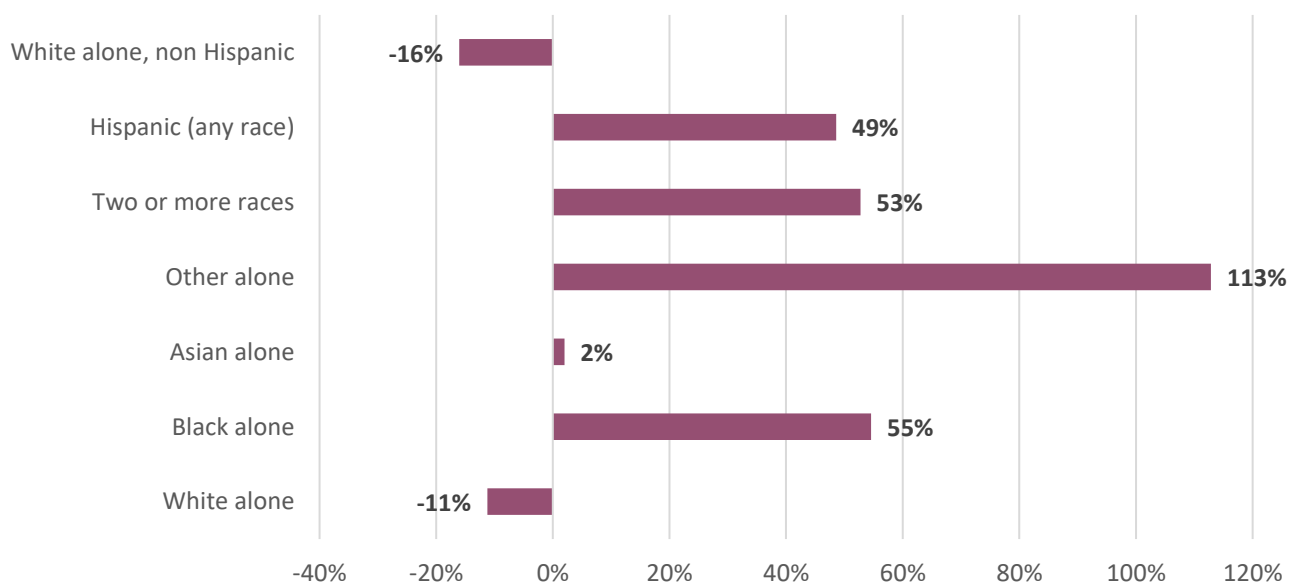
To supplement the CHAS analysis on housing cost burdened households, Brevard County explored additional ACS data. Figure 8 presents the poverty rates for various racial and ethnic groups in Brevard County and Figure 9 outlines the percent difference between poverty rates for each racial and ethnic group relative to the County's overall poverty rate. In 2019, the overall poverty rate for the County was 11.8%, however, there was considerable variation in the rates for each race and ethnic group. Residents who were White, non-Hispanic had the lowest poverty rate at 9.9%, which is about 2 percentage points lower than the County rate, while 25.2% of individuals who identified as Other race alone lived below the poverty line, which is more than double the poverty rate for the entire County.

Figure 8: Poverty Rates by Race and Ethnicity



2015-2019 ACS

Figure 9: Difference in Poverty Rates by Race and Ethnicity Relative to County Poverty Rate



2015-2019 ACS

NA-30 Disproportionately Greater Need: Discussion

91.205 (b)(2)

Are there any Income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

The County's analysis on disproportionately greater needs revealed that the prevalence of housing problems experienced by households varied considerably by racial and ethnic groups as well as income level. Table 26 highlights the group and income levels which the County identified as having a disproportionately greater need.

It is important to note that for some racial or ethnic groups, there was a disproportionately greater need identified, yet significantly fewer households experienced a housing problem within the racial or ethnic group compared to the number of households experiencing the same problem in the jurisdiction as a whole. Specifically, the County found that low-income American Indian and Alaska Native households disproportionately experienced severe housing problems because 68% of households, or 30 out of 44 households, had one or more of the four severe housing problems. Since the number of households who experienced one or more severe housing problems falls within the CHAS margin of error, the data for this specific group may not be reliable.

Table 26: Identified Disproportionately Greater Needs by Race/Ethnicity and Income Level

Disproportionately Greater Need	Race/Ethnic Group	Income Level
Housing Problems	Hispanic households	Extremely low-income (0-30% AMI)
Severe Housing Problems	Hispanic households	Extremely low-income (0-30% AMI)
	American Indian and Alaska Native	Low-income (30-50% AMI)
Housing Cost Burden	None identified	None identified

Analysis of 2013-2017 CHAS

If they have needs not identified above, what are those needs?

The CHAS analysis identified needs for the racial and ethnic groups described above. Other sections of the Needs Assessment and Market Analysis of the Consortium's Consolidated Plan outline other needs not identified in this section.

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

The Needs Assessment and Market Analysis sections of the Consortium’s Consolidated Plan provide an overview of demographic conditions and housing problems throughout Brevard County. Currently, there are two areas recognized by HUD as racially or ethnically concentrated areas of poverty (R/ECAP) in Brevard County. One R/ECAP is in Cocoa and is depicted in Figure 10 while another R/ECAP is located in Titusville and is depicted in Figure 11. The orange line surrounds the R/ECAP area while the heat map depicts the poverty rate for the County’s census tracts. In 2020, 56.6% of the individuals living in Cocoa’s R/ECAP were Black or African American, 15.7% identified as Other race, and 24.6% of individuals were Hispanic. In Titusville’s R/ECAP, 62.4% of the population was Black or African American. Although it is not certain whether the households identified as having a disproportionately greater need in the CHAS analysis are located in either of the County’s R/ECAPs, it is possible that the households living in low-income and minority concentrated areas experience housing problems.

Figure 10: R/ECAP and Census Tract Poverty Rates in Cocoa

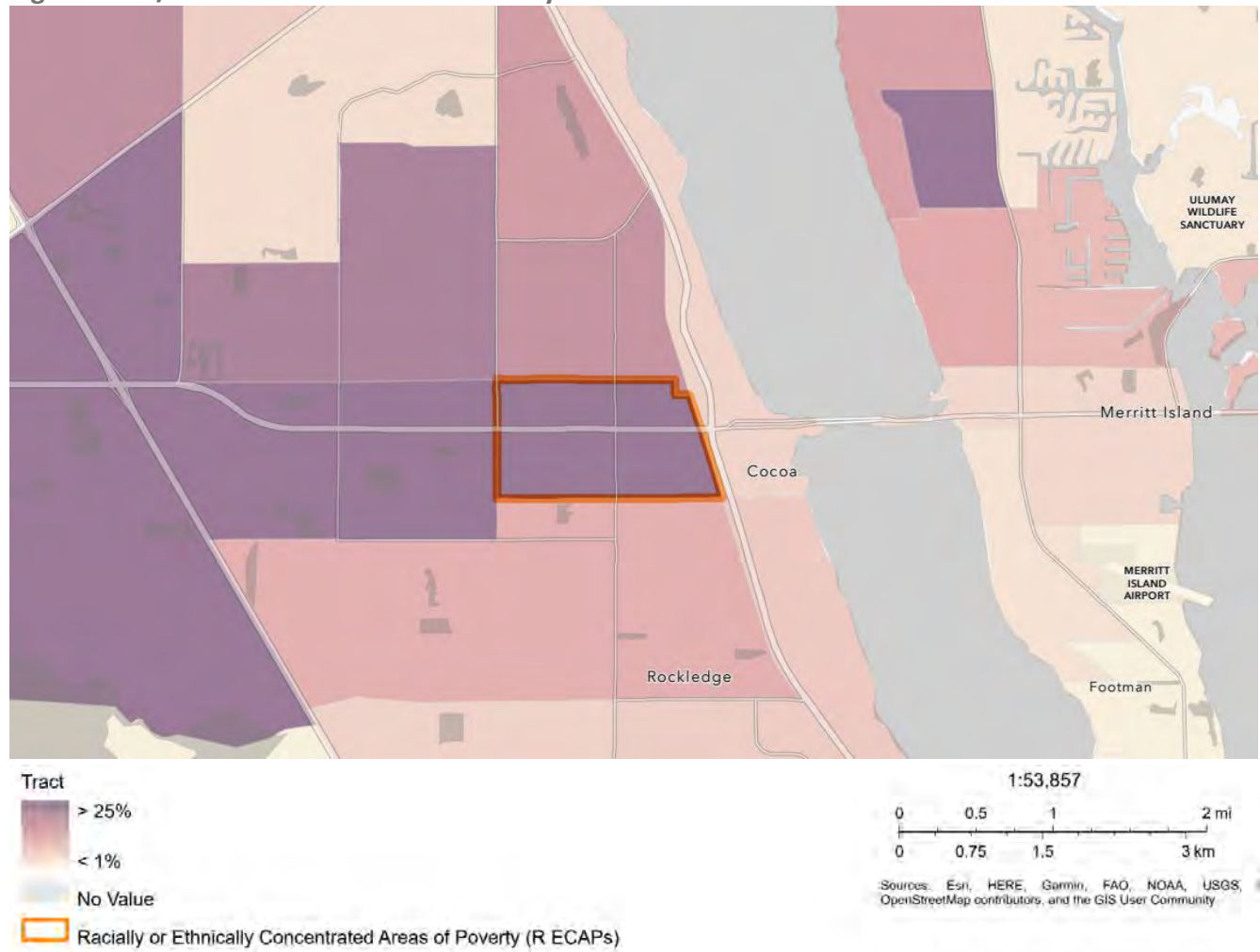
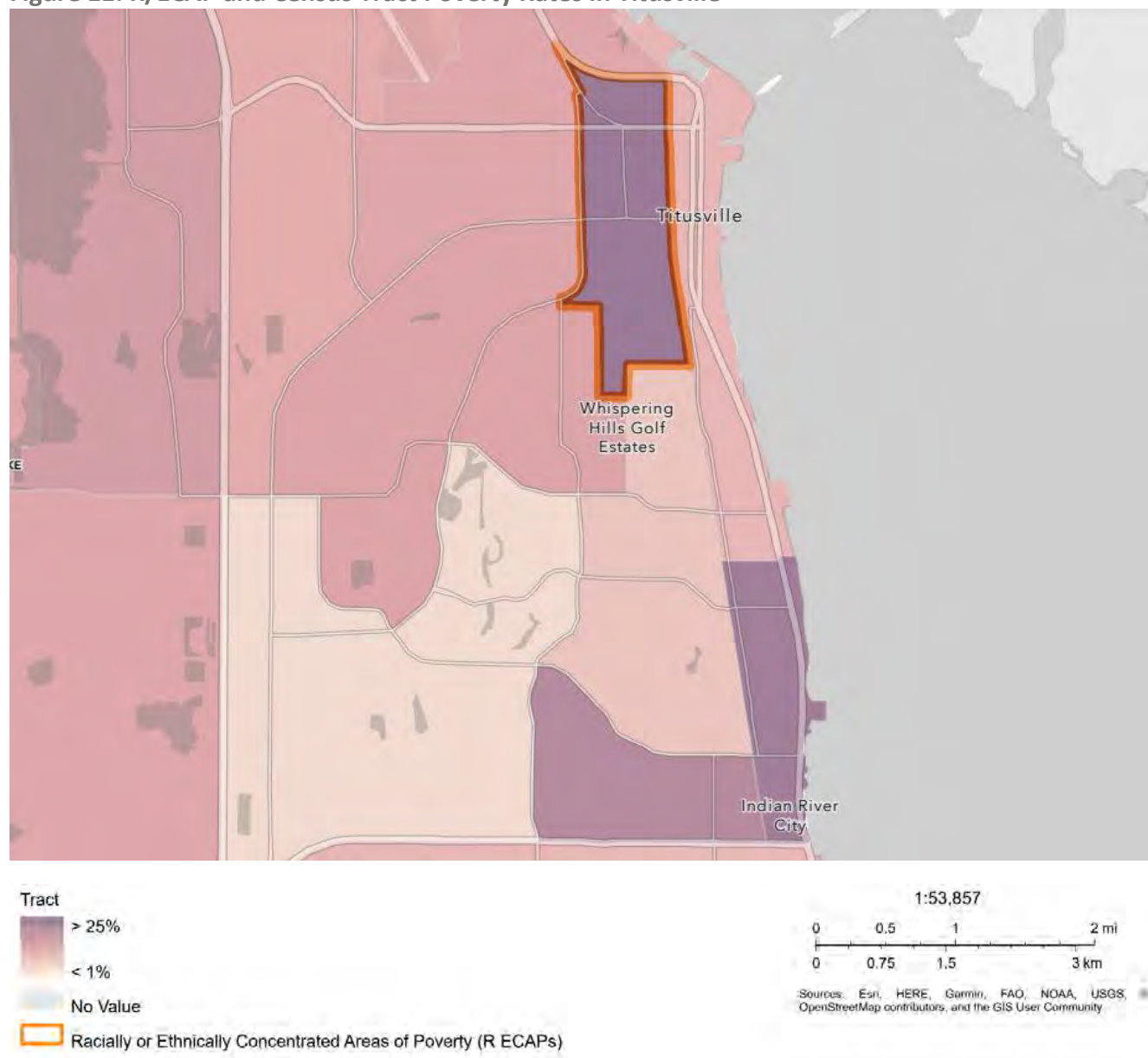


Figure 11: R/ECAP and Census Tract Poverty Rates in Titusville



NA-35 Public Housing

91.405, 91.205 (b)

Introduction

Brevard County is home to four public housing authorities (PHAs). The Housing Authority of Brevard County (HABC) and the Melbourne Housing Authority (MHA) utilize the same staff to jointly administer programs serving the City of Melbourne and the non-entitlement areas of Brevard County. HABC and MHA own and operate public housing units while HABC also administers a Section 8 Housing Choice Voucher program. The Cocoa Housing Authority (CHA) serves the City of Cocoa and manages its own Housing Choice Voucher program. In addition, CHA manages properties that were converted from public housing to Project-Based Rental Assistance (PBRA) and Low-Income Housing Tax credit (LIHTC) units. Lastly, the Housing Authority of the City of Titusville (HACTV) serves the City of Titusville and oversees a Housing Choice Voucher program and public housing units.

The housing authorities strive to ensure that their units are well maintained to provide residents with decent, safe, and sanitary housing. The following tables contain data from the Public and Indian Housing (PIH) Information Center (PIC) and represent data for all four of the County's housing authorities.

Totals in Use

Table 27: Public Housing Units by Program Type

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units/vouchers available	0	0	923	2,223	0	2,121	100	0	2
<i>*Includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition</i>									

2017 PIH Information Center (PIC)

Table 27 outlines the number of housing units and vouchers available to eligible households across the four housing authorities in 2017 in Brevard County. By 2021, the total number of public housing units had dropped to 815 while the number of Housing Choice Vouchers available grew to 3,096. In its 2022 Annual PHA Plan, MHA noted that the housing authority is working to convert public housing units to tenant-based rental assistance. In addition, CHA no longer has any public housing units as the housing authority's 327 former public housing units have been converted.

Characteristics of Residents

Tables 28, 29, and 30 present a demographic overview of Brevard County's public housing residents. In 2017, most public housing residents and voucher holders identified as Black/African American, followed by White. For special-purpose vouchers, such as those provided through the Veterans Affairs Supportive Housing Program, the opposite was true: the majority of recipients were White followed by Black/African American. Most public housing residents and voucher holders did not identify as Hispanic.

It is also important to note that a majority of public housing residents and voucher holders were members of households that requested accessibility features. Additionally, a large share of individuals residing in public housing or receiving a voucher were over the age of 62 and/or lived in a family with a disabled individual.

Characteristics of Residents

Table 28: Characteristics of Public Housing Residents

Race	Certificate	Mod-Rehab	Public Housing	Program Type					
				Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# Homeless at Admission	0	0	0	0	0	0	0	0	0
# Elderly Program Participants (over age 62)	0	0	321	294	0	280	14	0	0
# Disabled Families	0	0	190	675	0	613	60	0	0
# Families Requesting Accessibility Features	0	0	923	2,223	0	2,121	100	0	0
# HIV/AIDS Program Participants	0	0	0	0	0	0	0	0	0
# Domestic Violence Survivors	0	0	0	0	0	0	0	0	0

**Includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-Year, and Nursing Home Transition*

2017 PIH Information Center (PIC)

The Titusville Housing Authority's Section 8 program has been designated 32 Emergency Housing Vouchers that are helping to assist homeless or other specifically designated groups. The program continues to sustain the Housing Choice Voucher (HCV), the Non-Elderly Disabled (NED) and the Veteran's Administrative Supportive Housing (VASH) programs. The Housing Authority's VASH program is leasing to homeless veterans with the assistance of the local Veteran's Administration. Applying for special voucher programs allows the Section 8 program to meet the needs of more low-income residents of Brevard County as the need for low-income housing increases, especially for

the elderly and disabled. The program priority is to work diligently to lease up both the VASH and NED vouchers, while initiating the EHV Program and maintaining the regular HCV program and reducing administrative costs.

Race of Residents

Table 29: Race of Public Housing Residents

Race	Certificate	Mod-Rehab	Public Housing	Program Type					
				Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	0	0	377	678	0	621	57	0	0
Black/African American	0	0	527	1,529	0	1,484	43	0	2
Asian	0	0	3	5	0	5	0	0	0
American Indian, Alaska Native	0	0	2	4	0	4	0	0	0
Pacific Islander	0	0	14	7	0	7	0	0	0
Other	0	0	0	0	0	0	0	0	0

**Includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition*

2017 PIH Information Center (PIC)

Ethnicity of Residents

Table 30: Ethnicity of Public Housing Residents

Program Type									
Ethnicity	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	0	0	81	182	0	180	2	0	0
Not Hispanic	0	0	842	2,041	0	1,941	98	0	2

**Includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition*

2017 PIH Information Center (PIC)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in HUD-funded programs and 24 CFR Part 8 describes the requirements for PHAs to ensure compliance under the law. Specifically, at least 5% of all public housing units must be accessible to individuals with mobility impairments and another 2% of public housing units must be accessible to persons with hearing or vision impairments. Additionally, PHAs must comply with accessibility requirements for federally assisted housing developments as outlined in the Uniform Federal Accessibility Standards (UFAS).

Table 31 presents the number of public housing units and UFAS units by PHA in Brevard County.

Table 31: Number of Public Housing Units and UFAS Units by Housing Authority

Housing Authority	# Public Housing Units	# UFAS Units	% Total
Housing Authority of Brevard County & the Melbourne Housing Authority	461	N/A	N/A
Cocoa Housing Authority	-	-	-
Housing Authority of the City of Titusville	255	34	13%

Data from HACB/MHA, CHA, and HACTV

The following sections summarize the predominant housing needs facing the County's current public housing residents and voucher holders as well as the needs facing applicants currently on a waiting list to receive assistance.

Needs of Current Public Housing Tenants

Housing Authority of the City of Titusville: Many of HACTV's public housing residents are elderly and/or have a disability. The agency works to meet the needs of these residents through its Assisted Living program at Titusville Towers. The program provides affordable housing and healthcare services to support individuals as they age in place and offers an alternative to more expensive long-term care in nursing homes or other assisted living facilities.

What are the number and type of families on the waiting lists for public housing and section 8 tenant-based rental assistance? Based on the information above, and any other information available to the jurisdiction, what are the most immediate needs of residents of public housing and Housing Choice voucher holders?

Table 32 outlines the number of applicants currently on a public housing or Section 8 waiting list for each PHA in Brevard County.

Table 32: Number of Applicants on a PHA Waiting List by Housing Authority

Housing Authority	# Applicants on a Waiting List		
	Public Housing	Section 8	Total
Housing Authority of Brevard County & the Melbourne Housing Authority	1,431	1,491	2,922
Cocoa Housing Authority	-	244	244
Housing Authority of the City of Titusville	415	426	841

Data from HACB/MHA, CHA, and HACTV

Immediate Needs of Public Residents & Voucher Holders

Housing Authority of Brevard County & the Melbourne Housing Authority: Applicants on HABC and MHA’s public housing waiting list have an immediate need for affordable and accessible housing. Over 44% of applicant households contained an individual with a disability. The majority of applicants are also extremely low-income households. Similarly, applicants on the Section 8 Housing Choice Voucher waiting list are also in need of accessible housing. Over 16% of applicant households contained a family member with a disability and 78% were from extremely low-income households.

Cocoa Housing Authority: CHA no longer has any public housing units as these units have been converted to RAD or PBRA. The 327 former public housing units have undergone extensive renovations—including new roofs, kitchens, and bathrooms—and continue to serve extremely low-income households. As CHA has converted its former public housing units to other programs, the housing authority’s Housing Choice Voucher program has steadily grown to about 200 vouchers. There are currently 244 individuals with a disability on CHAS’s waiting lists.

CHA has vacant land which the housing authority intends to develop for affordable housing. CHA aims to use this land to develop between 70 - 150 apartments for seniors over the next five years and set aside around 30 units for extremely low-income seniors.

Housing Authority of the City of Titusville: HACTV currently has 415 households on its public housing waiting list and 426 on its Section 8 Housing Choice Voucher waiting list. Of those on the public housing waiting list, 63% are extremely low-income households, 43% are elderly families, and 26% are families with children. For the Section 8 Housing Choice Voucher waiting

list, 65% are extremely low-income households, 62% are families with children, and 34% are families with disabilities.

HACTV renovates and modernizes its existing housing units once a unit is vacated rather than relocating existing tenants to allow for renovation. This process decreases the number of offline units and increases efficiency in completing modernizations. In the coming years, HACTV will continue to prioritize the modernization of its housing units to enhance the sustainability of its low-income housing stock. Specifically, the housing authority plans to rehabilitate its family units and elderly units at the Titusville Towers Assisted Living program.

How do these needs compare to the housing needs of the population at large?

The Needs Assessment and Market Analysis sections of the Consortium's Consolidated Plan provide an overview of the housing needs across Brevard County. Thirty percent of all households paid more than 30% of their income on housing costs and these figures were higher for extremely low- and low-income households. The four PHAs serve some of the County's lowest income residents who face many of the same challenges as unassisted households across Brevard County. With current funding, the County's housing authorities do not have sufficient resources to meet the needs of existing tenants as well as the population at large.

Discussion

See responses provided above.

NA-40 Homeless Needs Assessment

91.405, 91.205 (c)

Introduction:

The Brevard County HOME Consortium is served by the Palm Bay, Melbourne/Brevard County CoC (FL-513). The CoC is led by the Brevard Homeless Coalition (BHC) which assumed leadership of the CoC from Brevard County. The BHC implements a *Housing First* model and utilizes a coordinated assessment for entry into the system of care. Currently there are over 70 organizations who are members of the CoC.

Brevard County analyzed 2022 data on the homeless population provided by the CoC as well as 2020 Point in Time (PIT) Count data. While 2021 PIT data is available, these data do not include counts for unsheltered individuals and households. This is because HUD altered normal reporting requirements for 2021 by not requiring communities to submit unsheltered survey data due to the COVID-19 pandemic. The County therefore compared 2020 and 2022 data to analyze changes between the sheltered and unsheltered homeless populations.

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

2020 PIT Data

PIT data from 2020 indicates that there were a total of 940 people experiencing homelessness on a given night in Brevard County. Of them, 61% (574 individuals) were unsheltered and 39% (366 individuals) were sheltered. The majority of individuals experiencing homelessness (75%) were members of adult-only households and 24% of individuals experiencing homelessness were members of a household with at least one adult and one child. There were 10 individuals, or 1% of those experiencing homelessness, who were members of a child-only household.

In 2020, there were 245 chronically homeless individuals who comprised 26% of the total population experiencing homelessness. Despite the high number of chronically homeless individuals, there were only 5 chronically homeless households with at least one adult and one child. Lastly, about 13% of the homeless population (119 individuals) were veterans and 5% (46 individuals) were unaccompanied youth.

2022 CoC Data

In 2022, there were a total of 902 individuals who experienced homelessness on a given night in Brevard County which represents about a 4% decrease from the 2020 homeless population. Of

those who experienced homelessness in 2022, 49.1% (443 individuals) were unsheltered and 50.9% (459 individuals) were sheltered. The data indicates that over the two-year period, the ratio of sheltered to unsheltered homeless individuals shifted from about 40:60 to 50:50. This was largely due to efforts to house homeless individuals during the COVID-19 pandemic.

The majority of individuals experiencing homelessness (79%) were members of adult-only households while 19% of individuals experiencing homelessness were members of a household with at least one adult and one child. There were 17 individuals, or 2% of those experiencing homelessness, who were members of a child-only household.

In 2022, there were 288 chronically homeless individuals who comprised 32% of the total population experiencing homelessness. This represents an 18% increase in the number of chronically homeless individuals from 2020. In addition, there were 2 chronically homeless families in 2022, which represents a decrease from two years earlier.

Lastly, about 16% of the homeless population (147 individuals) were veterans and 4% (33 individuals) were unaccompanied youth. These figures represent an increase of 19% and a decrease of 28% from 2020, respectively.

Table 33 includes more recent data from the CoC from 2022.

Table 33: Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # of persons experiencing homelessness each year	Estimate the # of persons becoming homeless each year	Estimate the # of persons exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adults and Children	144	28	172	170	98	176
Persons in Households with Only Children	17	0	17	17	93	20
Persons in Households with Only Adults	298	415	713	425	266	196
Chronically Homeless Individuals	26	262	288	Unknown	Unknown	599
Chronically Homeless Families	2	0	2	Unknown	Unknown	230
Veterans	117	30	147	125	214	224
Unaccompanied Youth	26	7	33	28	156	20
Persons with HIV/AIDS	1	8	9	Unknown	Unknown	Unknown

2022 CoC data

The CoC does not have data on the number of chronically homeless individuals and families becoming and exiting homelessness each year. The CoC reported that oftentimes chronically homeless individuals and families have fewer resources and opportunities available to them which makes it more difficult to collect data on outcomes.

Nature and Extent of Homelessness: (Optional)

Table 34: Race and Ethnicity of Sheltered and Unsheltered People Experiencing Homelessness

Race	Sheltered	Unsheltered
White	306	345
Black/African American	139	90
Asian	1	0
American Indian, Alaska Native	2	7
Pacific Islander	2	1
Other	9	0
Ethnicity	Sheltered	Unsheltered
Hispanic	52	39
Non-Hispanic	407	404

2022 CoC data

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

Table 33 includes information on the number of households with children experiencing homelessness in 2022. Overall, there were 902 individuals in 763 households experiencing homelessness. This included 172 individuals in 56 households where there was at least one adult and one child. This represents a 24% decrease in the number of homeless households with at least one adult and one child since 2020. In 2022, there were also 13 households that only included children while there were 10 child-only households in 2020. Lastly, 16% of the homeless population (147 individuals) were veterans and 4% (33 individuals) were unaccompanied youth.

Data from the Shimberg Center for Housing Studies provides supplemental data from sources including the 2020 Annual Homeless Assessment Report (AHAR) to Congress, and the Florida Department of Education to paint a clearer picture of homelessness across Brevard County. It is important to note that data from the Department of Education uses a broader definition for homelessness than the definition used by HUD which contributes to different counts of the number of homeless individuals and households. Table 35 indicates that with the inclusion of school district data on students experiencing homelessness, a total of 842 individuals residing in 747 family households were homeless in 2020.

Table 35: 2020 Estimates of Homeless Individuals and Families

Continuum of Care	FL-513
Sheltered & Unsheltered Individuals from PIT Count	718
Unaccompanied Youth Who Are Doubled Up or Living in Hotels/Motels from Student Data	124

Total Individuals (PIT + Student Data)	842
Sheltered & Unsheltered Family Households from PIT Count	74
Family Households Who Are Doubled Up or Living in Hotels/Motels from Student Data	673
Total Family Households (PIT + Student Data)	747

2020 Shimberg Center for Housing Studies

Table 36 provides data from the Florida Department of Education on homeless students and unaccompanied youth across Brevard County. The data indicate that of the 1,614 students who are homeless, the majority live with their families (88%) and many are doubling up with another household (72%).

Table 36: Homeless Students and Unaccompanied Youth in Brevard County (2019-2020)

Total Students (Homeless & Non-homeless)	77,652
Total Homeless Students	1,614
Students in Emergency Shelter & Transitional Shelters	112
Students Who Are Doubled Up	1,230
Students Who Are Unsheltered	80
Students Living in Hotels/Motels	192
Homeless Students Living with Family	1,425
Unaccompanied Youth	189

2020 Shimberg Center for Housing Studies

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

Table 34 presents Brevard County's sheltered and unsheltered homeless population in 2022 by race and ethnicity. The majority of homeless individuals across the County were White (72% or 651 people), followed by Black/African American (25% or 229 people). About 90% of individuals did not identify as Hispanic.

It is important to note that there are limitations with the available data on race and ethnicity. Specifically, the CoC reported that people of color and/or individuals with limited English proficiency who are experiencing homelessness may not enter the CoC system (and therefore may not be captured in the HMIS data) due to a lack of outreach services provided in languages other than English and a lack of diversity among outreach staff with lived experience. This suggests that the HMIS data may not accurately capture the prevalence of homelessness for people of color and those with limited English proficiency in Brevard County. The CoC has highlighted this issue as a priority to address.

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

Of the 756 individuals experiencing homelessness in Brevard County, 66% (or 501 individuals) were unsheltered and 34% (or 255 individuals) were sheltered in 2022. Table 37 includes the number of sheltered and unsheltered homeless individuals by subpopulation. In general, 19% of individuals were veterans, 25% were severely mentally ill, 25% had chronic substance use, 16% were survivors of domestic violence, and 4% were unaccompanied youth. For most subpopulations, the number of unsheltered individuals was higher than the number of sheltered individuals in the same subpopulation. This could be due to several factors including insufficient funding for programs or beds or an increase in the unsheltered population due to the warm climate.

Table 37: Sub-Populations of Sheltered and Unsheltered People Experiencing Homelessness

Population	Sheltered	Unsheltered	Total
Severely Mentally Ill	27	163	190
Chronic Substance Abuse	26	167	193
Veterans	117	30	147
HIV/AIDS	1	8	9
Victims of Domestic Violence	2	119	121
Unaccompanied Youth	26	7	33
<i>Unaccompanied Youth Under 18</i>	<i>11</i>	<i>0</i>	<i>11</i>
<i>Unaccompanied Youth Ages 18-24</i>	<i>15</i>	<i>7</i>	<i>22</i>
Parenting Youth	8	0	8
<i>Parenting Youth Under 18</i>	<i>4</i>	<i>0</i>	<i>4</i>
<i>Parenting Youth Ages 18-24</i>	<i>6</i>	<i>0</i>	<i>6</i>
Children of Parenting Youth	12	0	12

2022 CoC data

Discussion:

See responses provided above.

NA-45 Non-Homeless Special Needs Assessment

91.405, 91.205 (b,d)

Introduction

Persons with special needs include individuals who are not homeless yet require supportive housing options such as seniors (also referred to as “frail and frail elderly”), persons with developmental and physical disabilities, individuals with substance use disorder, survivors of domestic violence, and people living with HIV/AIDS. Special needs populations can face increased hardships in accessing and affording housing and supportive services which can contribute to significant unmet needs in a community. The subpopulations listed below are examples of special needs populations and include the following definitions.

Seniors: HUD defines “seniors” as individuals over the age of 62. Some datasets from the U.S. census define “seniors” as over the age of 65.

Frail Elderly: “Frail elderly” is defined by the U.S. Census as a person over the age of 62 who requires assistance with three or more activities of daily living, such as bathing, walking, eating, and performing light housework (24 CFR § 891.205). HUD CHAS data defines “elderly” as individuals ages 62-74 and “frail elderly” as those over the age of 75.

Survivors of Domestic Violence: Survivors of domestic violence include dating violence, sexual assault, and stalking.

Individuals with Substance Use Disorder: Substance use disorders can include abuse of illicit drugs, prescription drugs, or alcohol.

Disability: Physical disabilities can include hearing, vision, cognitive, ambulatory, self-care, or independent living difficulties. The Americans with Disabilities Act (ADA) defines a “disability” as “a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.”

Persons Living with HIV/AIDS: Although Brevard County is not a HOPWA grantee, there are low-income individuals with HIV/AIDS residing in the County who receive HOPWA housing assistance and supportive services from the state. There are also persons living with HIV/AIDS who are assisted through other funding programs.

In addition to the populations listed above, Florida Statute defines special needs populations as one of the following:

- An adult with a disability who requires independent living services to maintain housing or develop independent living skills

- A young adult formerly in foster care who is eligible for services under s. 409.1451(5)
- A survivor of domestic violence as defined in s.741.28
- A person receiving benefits under the Social Security Disability Insurance (SSDI) program or the Supplemental Security Income (SSI) program or from veterans' disability benefits. (Section 420.0004 (13), Florida Statutes)

Brevard County consulted community stakeholders and analyzed data to better understand the needs facing the community's special needs populations.

Describe the characteristics of special needs populations in your community:

What are the housing and supportive service needs of these populations and how are these needs determined?

Seniors & Frail Elderly

In 2019, 27.9% of Brevard County's population was over the age of 62 and 23.4% of the population was over the age of 65. About 11% of the population was frail elderly, or over age 75. For the population over age 65, 7.8% lived below the poverty line and many continue to struggle to afford rising housing costs on fixed incomes. Specifically, in 2017, 54% of all cost burdened owner households and 55% of all severely cost burdened owner households were elderly households.

In addition to analyzing data, Brevard County spoke with supportive service providers on the housing and service needs facing seniors. Many stakeholders underscored the need for supportive services and affordable housing for the County's seniors and the frail elderly. Furthermore, the Space Coast Area Transit's FY 2021–2025 Transportation Disadvantaged Service Plan identifies the population over the age of 65 as "the largest [group] in need of transportation-related assistance." The plan explains that older adults often rely on public transportation due to factors including physical or medical limitations.

Survivors of Domestic Violence

Data on the prevalence of domestic violence, dating violence, sexual assault, and stalking is oftentimes limited to reported criminal offenses as many survivors do not report incidents. Data from Florida's Department of Law Enforcement from 2017 to 2019 found that there were 11,796 reported domestic violence crimes across the County. Of these, around 80% involved simple assault and 15% involved aggravated assault.

A 2022 Community Health Needs Assessment published by the Space Coast Health Foundation explored the various factors influencing the health, behaviors, and needs of residents in Brevard County. One element that the assessment analyzed was intimate partner violence. Through a survey of Brevard County residents, the assessment found that 20.9% of adults acknowledged that they have ever been

hit, slapped, pushed, kicked, or otherwise hurt by an intimate partner. The percentage was highest in Northern Brevard County (22.7%), followed by Central (21%) and Southern Brevard County (20.3%).

Survivors of domestic violence may face housing and financial instability as well as personal safety concerns. Organizations serving survivors of domestic violence in Brevard County noted that there are limited shelter beds for survivors, and it is difficult to secure affordable housing units and vouchers for this population.

Individuals with Substance Use Disorder

Substance use disorder can involve the abuse of illicit drugs, prescription drugs, or alcohol. In the 2022 Community Health Needs Assessment, the Space Coast Health Foundation surveyed Brevard County residents on their alcohol consumption and illicit drug use. The survey found that 22.9% of adults are excessive drinkers which includes heavy drinking and/or binge drinking. When asked about illicit drug use, 2.7% of Brevard County adults acknowledged that they had used an illicit drug in the past month. When disaggregated by income category, 18.6% of very low-income respondents indicated that they had used an illicit drug in the past month. The survey also asked County residents whether their lives had been negatively affected by substance abuse, either their own substance use disorder or someone else's. Overall, 44.8% of adults responded that their lives had been negatively affected.

Persons with Disabilities

In 2019, 15.8% of Brevard County's population had a disability and nearly half (49%) of these individuals were over the age of 65. The most common type of disability for individuals over age 65 was ambulatory difficulties (21%), followed by hearing difficulties (14%), and independent living difficulties (12%). In general, people with disabilities have a lower median income and higher poverty rate compared to individuals without a disability. In 2019, the median income for people with a disability was \$23,223 while the median income for people without a disability was \$32,236. In addition, 15.5% of individuals with a disability lived below the federal poverty line compared to 9.7% of individuals without a disability.

Information gathered through the County's data analysis and stakeholder consultations indicates that individuals with disabilities are generally in need of a wider range of housing options. Lower income individuals with ambulatory disabilities often struggle to find accessible and affordable housing units.

The Space Coast Area Transit's FY 2021–2025 Transportation Disadvantaged Service Plan also notes that older adults, low-income residents, and those with physical or cognitive difficulties often rely on public transportation to navigate Brevard County. Although the County offers various transit options, there are still communities which are not situated on fixed transit routes and are in need of transportation assistance.

Persons Living with HIV/AIDS

Data from the Florida Department of Health indicates that in 2019 there were 1,700 individuals living with HIV/AIDS in Brevard County. Of them, 77.3% retained medical care which is a positive indication of sustained medical access and treatment. Some low-income individuals living with HIV/AIDS in Brevard County receive housing assistance and supportive services from United Way Brevard which receives HOPWA funding from the state of Florida.

Veterans

Brevard County is home to 66,519 veterans which represents 13.8% of the population and is well above the state percent of 8.4%. ACS data from 2020 indicates that 4,156 or 6.3% of all veterans in Brevard County lived below the poverty line. In addition, about 28.8% of veterans across the County had a disability.

Discussion:

See the responses provided above.

NA-50 Non-Housing Community Development Needs

91.415, 91.215 (f)

Non-housing community development encompasses a wide variety of needs including public facilities, infrastructure, transportation, human services, and neighborhood services. Through a combination of community engagement, data analysis, and research of existing plans, reports, and assessments, Brevard County identified pressing community development needs facing the jurisdiction.

Describe the jurisdiction's need for Public Facilities:

With its CDBG funds, Brevard County can fund the construction, rehabilitation, or installation of public facilities. Eligible public facilities include neighborhood facilities (such as educational centers, parks, recreation centers, and libraries) and facilities for special needs populations (such as homeless shelters, elderly facilities, or centers for disabled persons).

In the community survey distributed across the jurisdiction, many residents underscored the need for youth and adult program facilities, senior care centers, homeless program facilities, and youth centers.

How were these needs determined?

Brevard County gathered input on public facility needs by developing and distributing a community survey; facilitating interviews with neighborhood committees, service providers, and other stakeholders; and consulting County government departments and staff. This input, along with a comprehensive data analysis, contributed to the identification and prioritization of needs for the 2022-2027 Consolidated Plan.

Describe the jurisdiction's need for Public Improvements:

With its CDBG funds, Brevard County can fund the construction, rehabilitation, or installation of public improvements. Public improvements include, but are not limited to, street and sidewalk improvements, water and sewer installation and maintenance, and ADA-compliance construction and rehabilitation.

In the community survey distributed across the jurisdiction, residents were asked to rate which three issues in their neighborhood they would most like to be addressed. The top three issues highlighted by the survey were: 1.) sidewalk improvements, 2.) water and sewer improvements, and 3.) drainage and flooding improvements. In addition, when asked about specific public safety issues or needs facing the County, the top three responses were anti-crime programs, street/public area lighting improvements, and speeding/traffic calming methods. When asked about neighborhood services and enhancements, many residents ranked the need for off street bike/pedestrian paths and for the demolition of abandoned houses and buildings.

How were these needs determined?

Brevard County gathered input on public improvement needs by developing and distributing a community survey; facilitating interviews with neighborhood committees, service providers, and other stakeholders; and consulting County government departments and staff. This input, along with a comprehensive data analysis, contributed to the identification and prioritization of needs for the 2022-2027 Consolidated Plan.

Describe the jurisdiction's need for Public Services:

With its CDBG funds, Brevard County can fund an array of public services. Eligible public services include, but are not limited to, homeless services, education and workforce development programs, homebuyer counseling, elderly care and programs, and childcare and health services.

In the community survey distributed across the jurisdiction, residents were asked to rank the specific human service needs in the County. The primary services identified included programs for seniors such as recreational and nutritional services; counselling and mental health services; and homeless services. When asked about economic development activities, residents indicated that small business development/job creation and jobs skills training were high priorities.

How were these needs determined?

Brevard County gathered input on public service needs by developing and distributing a community survey; facilitating interviews with neighborhood committees, service providers, and other stakeholders; and consulting County government departments and staff. This input, along with a comprehensive data analysis, contributed to the identification and prioritization of needs for the 2022-2027 Consolidated Plan.

Market Analysis

MA-05 Overview

Housing Market Analysis Overview

Home values have increased in Brevard County since 2011, with home values increasing 178% between 2011 and 2022 according to the Zillow Home Value Index. 5-year ACS estimates show that housing values have increased in all communities since this time, with the lowest housing values in Cocoa, then Titusville, Palm Bay, and Melbourne respectively. The overall Brevard County values are the highest, however, indicating that housing values are significantly higher in some areas outside of the cities.

Housing costs are projected to rise relative to household income for both homeowners and renters. The Shimberg Center estimates that, by 2040, the number of households who will pay more than 30% of their household income towards rent (called "cost burdened" by HUD) is projected to rise in all Brevard County cities as well as the unincorporated county. More households are expected to become cost burdened who own their housing compared to renters. This may be a result of both steeply increasing homeowner housing prices and the higher percentage of renters currently considered cost burdened already compared to homeowners.

Homeownership remains at around 76% of occupied housing units, with renters making up the remaining 24%.

The number of single-family homes in Brevard County grew slightly between the 2011 and 2017 5-year ACS housing estimates, increasing by 1%, while the county lost multifamily housing buildings with 2-4 (3% decrease) and 5-19 housing units (1% decrease). Homeowner housing remains the housing type with the most housing units with three or more bedrooms (80%) compared with renter-occupied units where the majority of units (57%) have 2 bedrooms or fewer.

MA-10 Housing Market Analysis: Number of Housing Units

91.410, 91.210(a)&(b)(2)

Introduction

Most housing units in Brevard County are detached, single-family housing units (67%) and owner-occupied (74%). Of all homeowner housing, 80 percent has three or more bedrooms, a percentage that has not changed in 15 years. 57 percent of rental housing has two bedrooms or less.

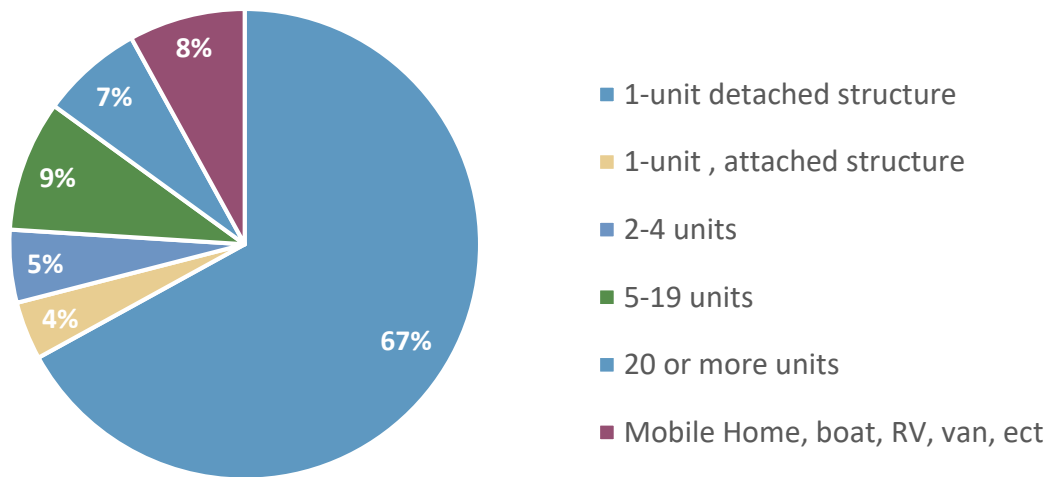
All residential properties by number of units

Table 38: Residential Properties by Number of Units

Property Type	Number	%
1-unit detached structure	168,185	67%
1-unit, attached structure	10,119	4%
2-4 units	12,742	5%
5-19 units	23,893	9%
20 or more units	17,513	7%
Mobile Home, boat, RV, van, etc.	20,419	8%
Total	252,871	100%

2013-2017 ACS

Figure 12: Share of Residential Properties by Type



2013-2017 ACS

Table 39: Percent Change in Residential Properties by Unit Number in Brevard County

Property Type	2011	2017	Change
1-unit detached structure	66%	67%	1%
1-unit, attached structure	4%	4%	0%
2-4 units	8%	5%	-3%
5-19 units	10%	9%	-1%
20 or more units	7%	7%	0%
Mobile Home, boat, RV, van, etc.	8%	8%	0%
Total	100%	100%	-

2007-2011 ACS; 2013-2017 ACS

Unit Size by Tenure

Table 40: Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	395	0%	1,539	3%
1 bedroom	2,483	2%	9,437	16%
2 bedrooms	26,725	18%	22,480	38%
3 or more bedrooms	122,127	80%	25,315	43%
Total	151,730	100%	58,771	100%

2013-2017 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

The Consortium administers programs to assist low- and moderate-income residents afford and maintain rental and owner-occupied housing.

New construction, housing rehabilitation, and financial assistance are funded by Consortium members through the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs.

The Consortium's priorities for providing affordable housing are:

- Homebuyer purchase assistance
- Construction and rehabilitation of affordable owner-occupied housing
- Construction and rehabilitation of affordable rental housing

- Tenant-based rental assistance (TBRA)
- Fair Housing

HOME- and CDBG-funded housing units require income-certification as low-income under household income limits set annually by HUD. Most affordable housing units in the County have been funded by Florida Housing Finance Corporation (4,408), followed by HUD Multifamily units (2,390).

Table 41: Number of Properties and Assisted Units by Source of Funding

Housing Funder	Properties	Assisted Units
Florida Housing Finance Corporation	35	4,408
HUD Multifamily	28	2,390
Local Housing Finance Authority	7	901
HUD Public Housing	5	804
Total	57	5,947

Florida Housing Data Clearinghouse, Shimberg Center

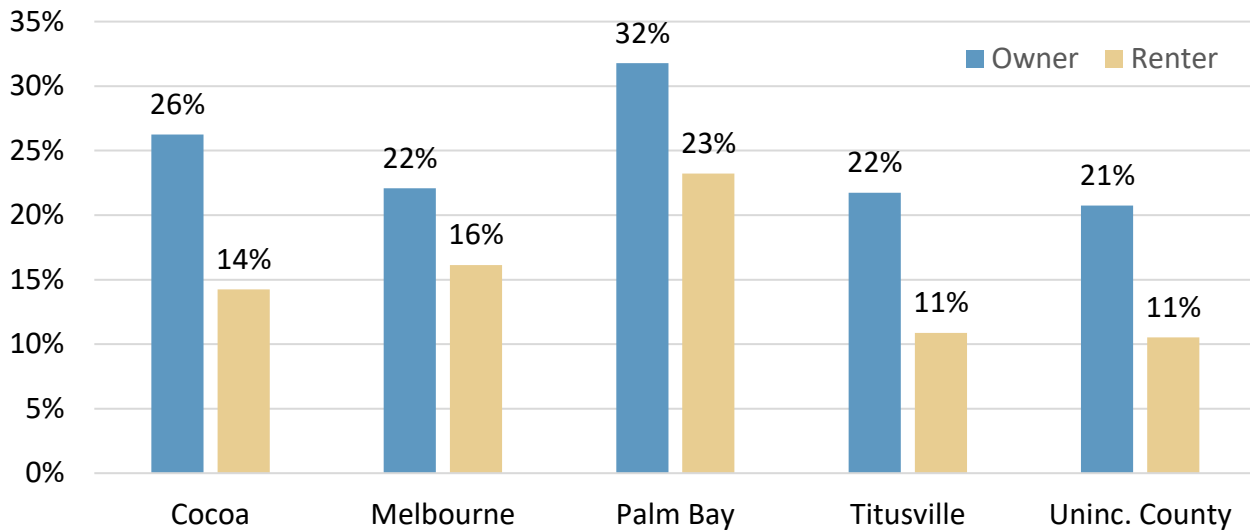
Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

There are 142 assisted units in Cocoa, 72 assisted units in Melbourne, and 6 assisted units in Titusville that are expected to expire before 2025 due to the end of the funding affordability period per data from the Shimberg Center Assisted Housing Inventory.

Does the availability of housing units meet the needs of the population?

No, housing cost, physical features, location, and community amenities are all limitations to housing availability serving different populations within Brevard County. Further, while the market does not provide an adequate number of quality affordable housing options to meet current needs, the number of households projected to be cost burdened by 2040 is expected to increase significantly. Indicating that the current market, without coordinated investment, will continue to not meet needs.

Figure 13: Projection of Percent Increase in Housing Cost Burden by Jurisdiction



Florida Housing Data Clearinghouse, Shimberg Center

Describe the need for specific types of housing:

There is a shortage of affordable housing in all areas of Brevard County. Brevard County communities have an especially high need for housing for elderly residents, whether rental or owner-occupied. Housing for seniors may be housing units reserved for those aged 55 and over, or housing that meets specific physical needs such as single-level housing or modifications like shower grab bars. Elderly residents are often unable to afford rental increases or housing maintenance costs, making long-term housing costs a concern to maintaining stable housing. Location of housing in relation to transportation systems and/or transportation-service availability are additional components of housing that are often needed for housing to remain “available” to elderly residents.

Discussion

There is a lack of units that are affordable to all income brackets in Brevard County. Specifically, in an increasing market, those with fewer resources inevitably get priced out and the stock of housing that is affordable to low- and moderate-income households shrinks at a greater pace than those households with more resources.

MA-15 Housing Market Analysis: Cost of Housing

91.410, 91.210(a)

Introduction

More homeowners pay a low monthly housing cost (less than \$800 per month) than renters, generally homeowners without a mortgage. More renters pay between \$800-\$2,000 per month than homeowners, with the most common cost range between \$1,000-\$1,500 per month (38 percent of renter households).

Cost of Housing

Table 42: Cost of Housing

	Base Year: 2010	Most Recent Year: 2017	% Change
Median Home Value	\$186,900	\$162,400	-13.1%
Median Contract Rent	\$759	\$819	7.9%

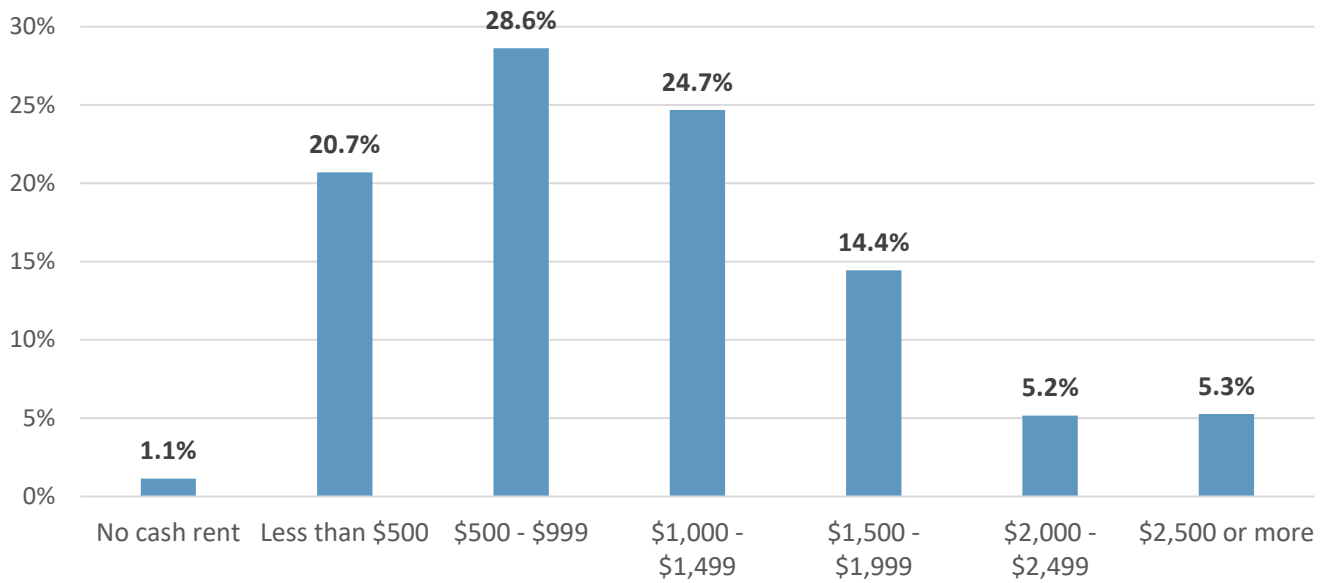
2006-2010 ACS (base year); 2013-2017 ACS (most recent year)

Table 43: Contract Rent Paid

Rent Paid	Number	%
Less than \$500	8,831	15.0%
\$500-999	34,194	58.3%
\$1,000-1,499	11,632	19.8%
\$1,500-1,999	2,908	5.0%
\$2,000 or more	1,134	1.9%
Total	58,699	100.0%

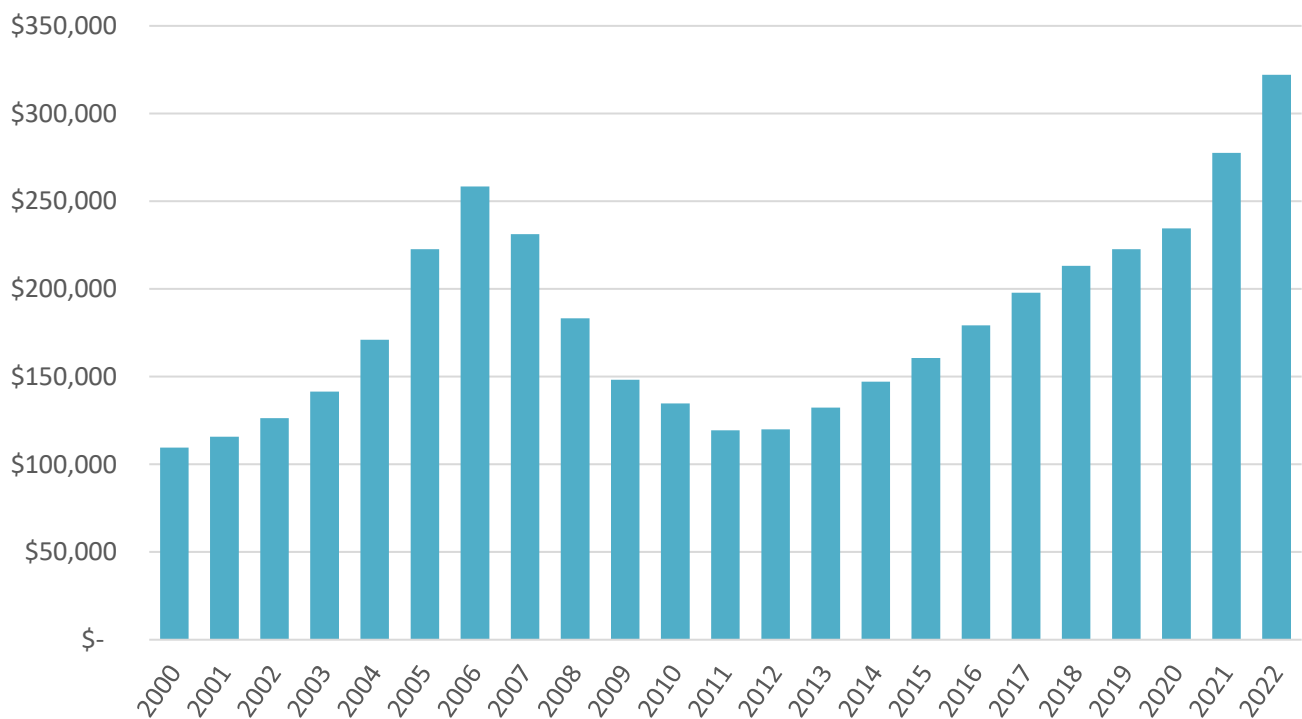
2013-2017 ACS

Figure 14: Monthly Housing Costs for Brevard County Households (2020)



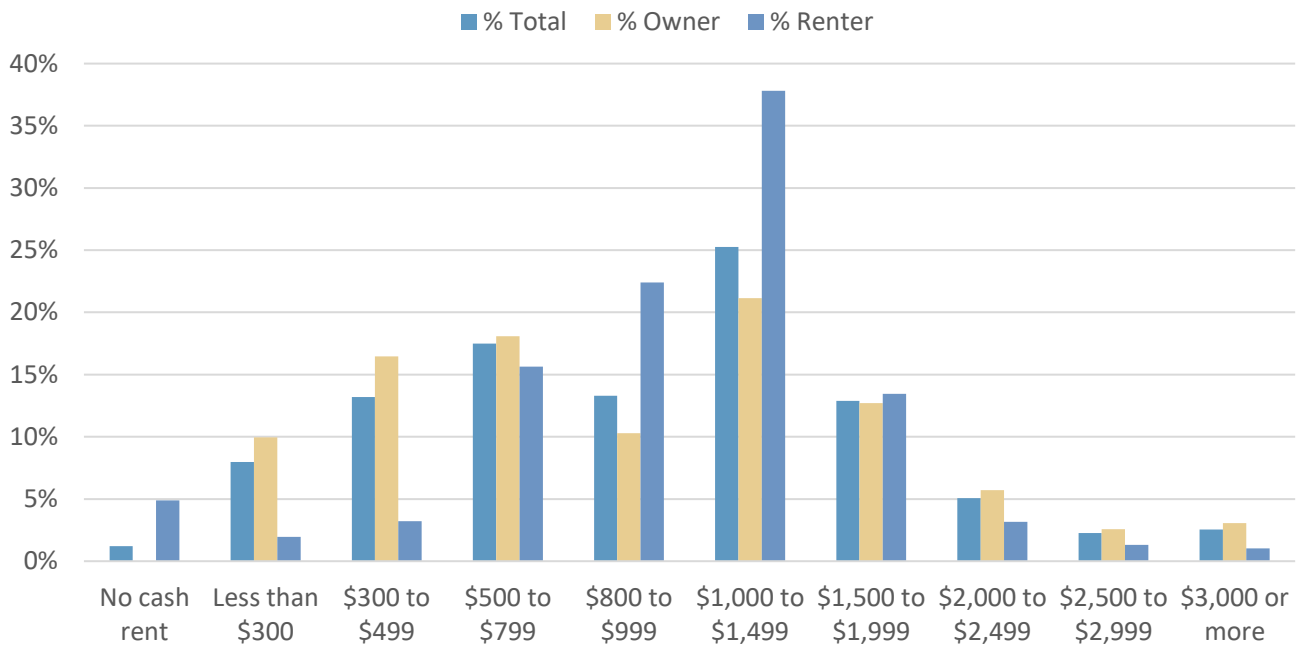
Selected Housing Characteristics, ACS 5-year estimates (2016-2020)

Figure 15: Average Annual Home Values in Brevard County



Brevard County Zillow Housing Values; ZHVRI All Homes (SFR, Condo/Co-Op)

Figure 16: Percent of Owners and Renters by Monthly Housing Cost



2015-2019 ACS

In 2020, the median monthly housing cost in Brevard County was \$936. For owners with a mortgage, the median monthly housing cost was \$1,426 and for owners without a mortgage, the median was \$458. For renters, the median contract rent was \$948, and the median monthly gross rent was \$1,111.

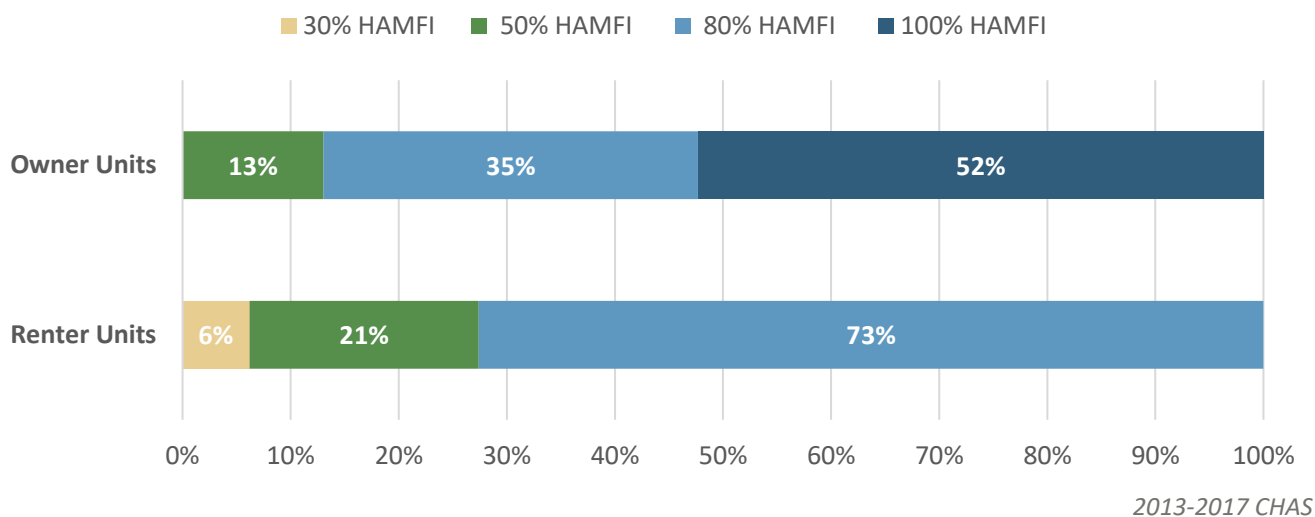
Housing Affordability

Table 44: Number of Units Affordable to Different HAMFI Categories by Tenure

HAMFI Category	Renters	Owners
30% HAMFI	2,844	No Data
50% HAMFI	9,718	13,566
80% HAMFI	33,292	35,977
100% HAMFI	No Data	54,364
Total	45,854	103,907

2013-2017 CHAS

Figure 17: Share of Units Affordable to Households by HAMFI



Monthly Rent

Table 45: HOME Monthly Rent

Monthly Rent (\$)	Efficiency (no bedrooms)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	\$642	\$797	\$1,000	\$1,370	\$1,681
High HOME Rent	\$642	\$784	\$943	\$1,080	\$1,186
Low HOME Rent	4577	\$618	\$742	\$856	\$956

HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

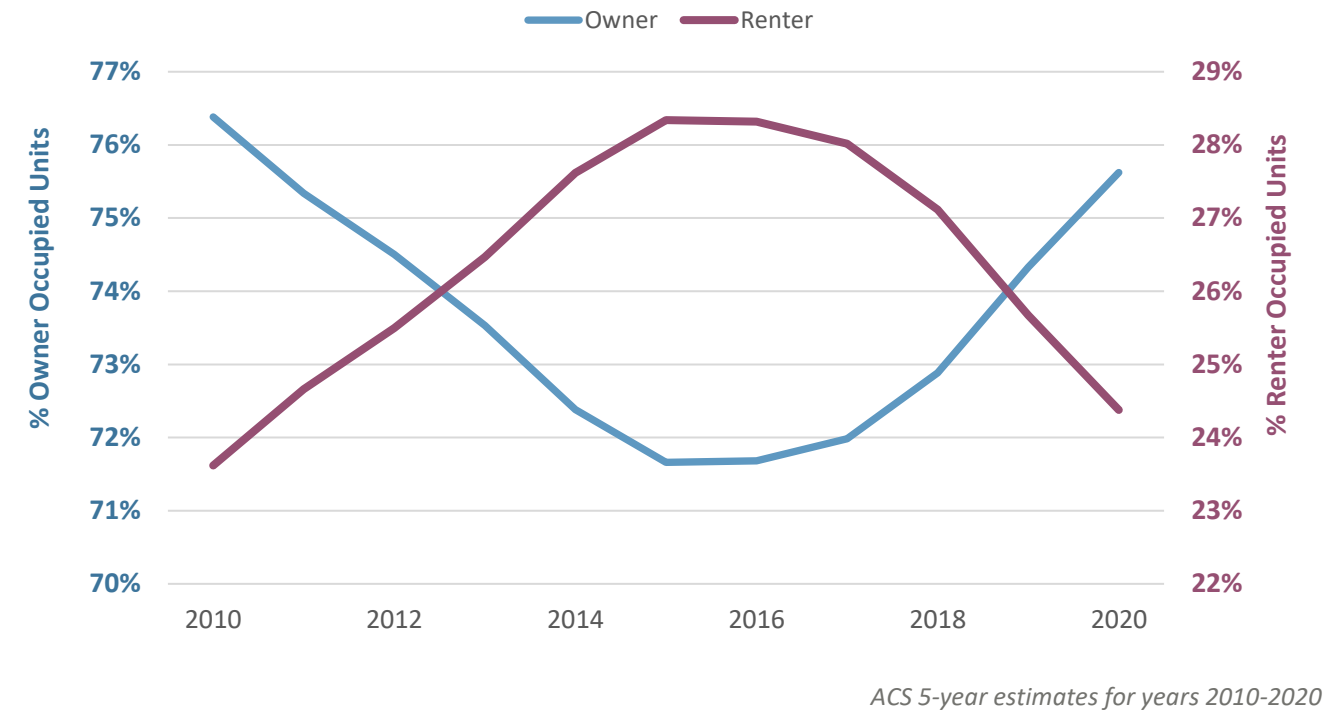
There is more naturally occurring affordable housing (both rental and owner-occupied) in the area of Cocoa to Port St. Johns and Titusville. Housing in Melbourne and Palm Bay is less affordable, but several affordable pockets of affordability remain. Regardless of location, there is not enough housing for all income levels, particularly for individuals and families who earn less than 80 percent of the area median income.

Renters who earn between 50 and 80 percent of the area median income find it particularly difficult to find housing as this household income range is just over the income cutoff for some low-income rental assistance programs. The inventory of units affordable to households earning less than 80 percent of the area median income is extremely low. There are subsidy programs that are unable to utilize all available vouchers because there is such a limited availability of units that are affordable to those households earning less than 80 percent AMI.

For households that earn less than 30 percent of the area median income, rental housing funding assistance may be available but rental units are not. The units must be accepting

applications/open to rent, accept program-based housing funding and be priced within the range required for participation in the program. The number of units that fit these criteria in Brevard County is incredibly limited.

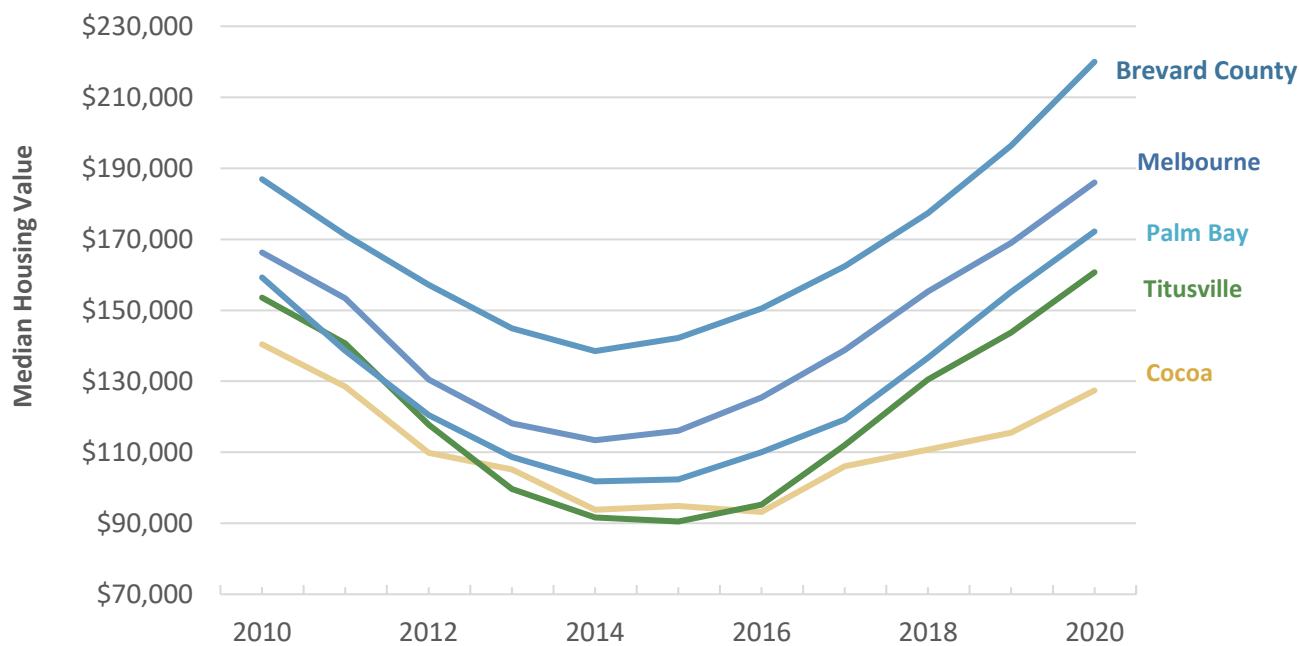
Figure 18: Share of Owner and Renter Occupied Units



How is affordability of housing likely to change considering changes to home values and/or rents?

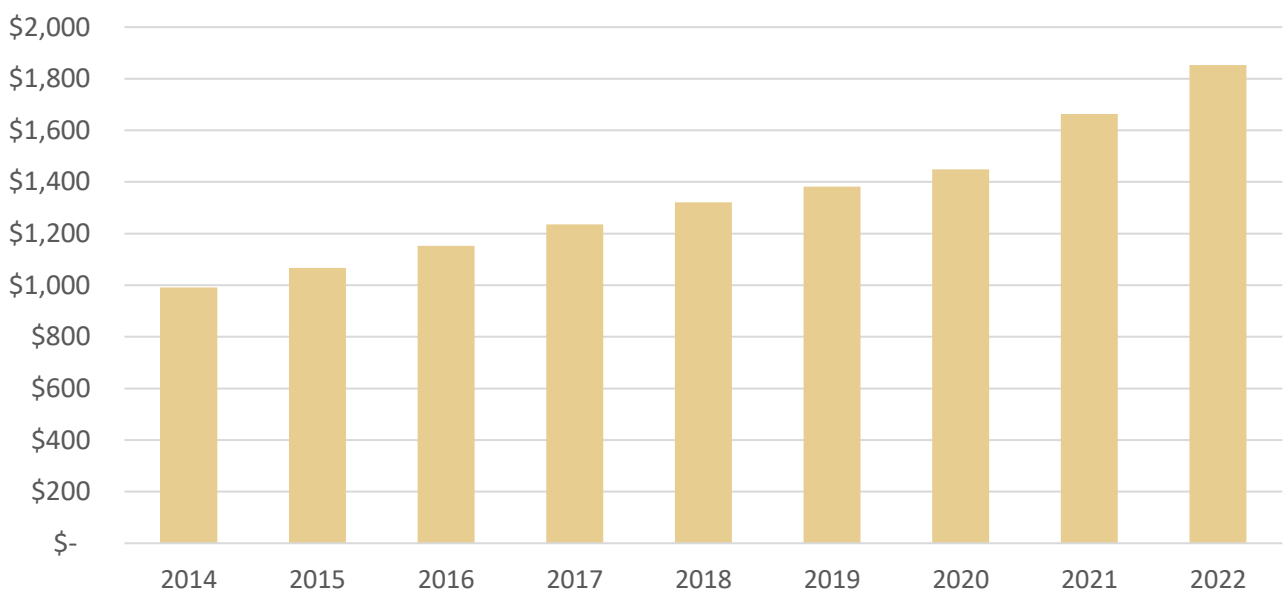
Current housing costs (rent and housing prices) have increased over the past five years, with no indication that this trend will change. Brevard County remains a desirable location, near high-paying jobs and Brevard County remains relatively affordable compared to high-cost neighboring communities within Florida. Similarly, because Brevard County is relatively affordable in comparison to high- and medium-cost areas in other states, Brevard County is seeing an influx of investment from outside of the state.

Figure 19: Median Housing Values by Jurisdiction, 2010-2020



ACS 5-year estimates for years 2010-2020

Figure 20: Average Annual Rent in the Melbourne Metro Region



2014-2022 Zillow Observed Rent Index (ZORI)

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

Fair Market Rent calculated by HUD is close to the High HOME rent limit for efficiency and one-bedroom units but is higher for two, three and four-bedroom units, with the largest cost difference in four-bedroom units. The cost difference shows a higher need for larger (3-4 bedroom) rental units funded with HOME and CDBG dollars.

Discussion

Considering the data, Brevard County, like many communities, is experiencing an affordable housing crisis. This fact is wholly supported by stakeholder outreach and community input. Housing costs have continued to rise, while those low- and moderate-income households have fallen further behind. While the cost of housing has risen, so has the cost of living, education, health care, etc. This rise in costs paired with minimal wage gains for low- and moderate-income households is the basis for an unaffordable market for many.

MA-20 Housing Market Analysis: Condition of Housing

91.410, 91.210(a)

Introduction

The condition of housing units is assessed using five criteria:

1) lacks complete plumbing facilities, 2) lacks complete kitchen facilities, 3) more than one person per room, 4) cost burden (amount of income allocated to housing) is greater than 30%, and 5) complies with applicable building code standards.

Describe the jurisdiction's definition for "substandard condition" and "substandard condition but suitable for rehabilitation":

Standard Condition: No major structural defects; adequate plumbing and kitchen facilities; appearance which does not create a blighting influence; and the house meets additional, more stringent, local standards and building codes, including lead-based paint clearance.

Substandard Condition but Suitable for Rehabilitation: The nature of the substandard condition makes rehabilitation both financially and structurally feasible.

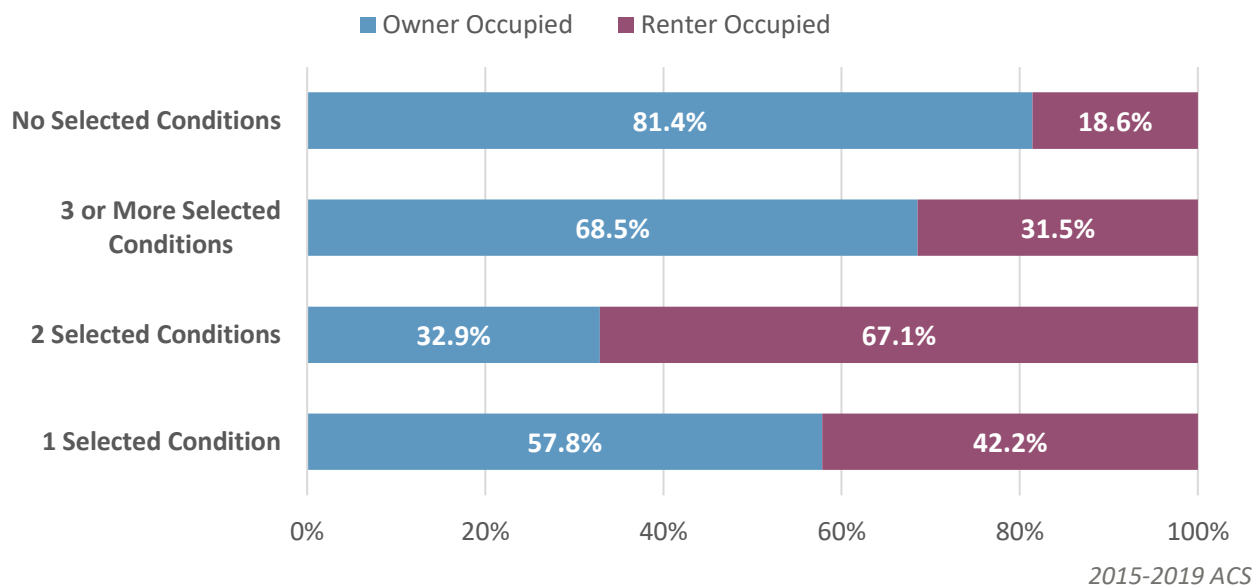
Condition of Units

Table 46: Condition of Housing Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	35,005	23%	27,820	47%
With two selected Conditions	528	0%	1,205	2%
With three selected Conditions	60	0%	43	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	116,125	77%	29,665	51%
Total	151,718	100%	58,733	100%

2013-2017 ACS

Figure 21: Share of Units with Selected Housing Conditions by Tenure



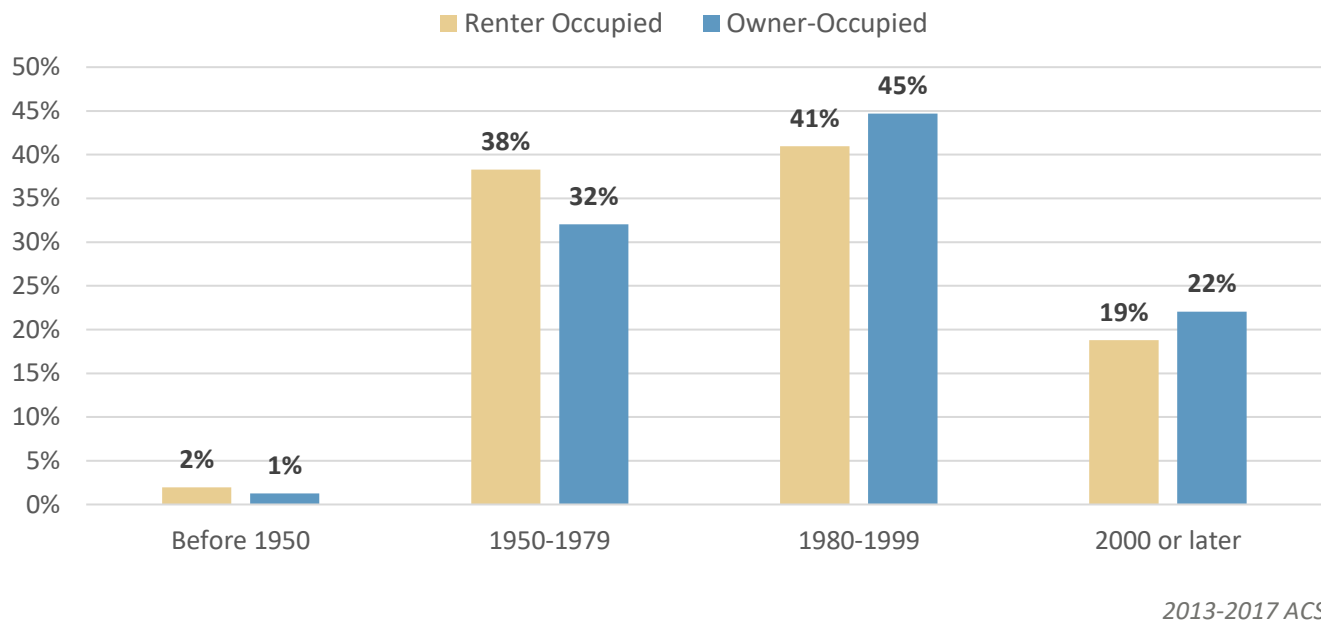
Year Unit Built

Table 47: Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	33,422	22%	11,032	19%
1980-1999	67,805	45%	24,080	41%
1950-1979	48,574	32%	22,503	38%
Before 1950	1,901	1%	1,154	2%
Total	151,702	100%	58,769	100%

2013-2017 CHAS

Figure 22: Percent of Residential Units by Structure Age and Tenure



Risk of Lead-Based Paint Hazard

Table 48: Risk of Lead-Based Paint Hazard by Tenure

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980.	50,475	33%	23,657	40%
Housing units built before 1980 with children present	15,197	10%	8,725	15%

2013-2017 ACS (Total Units) 2013-2017 CHAS (Units with Children present)

Vacant Units

Table 49: Suitability of Vacant Units for Rehabilitation

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	N/A	N/A	44,643
Abandoned Vacant Units	N/A	N/A	0
REO Properties	N/A	N/A	30
Abandoned REO Properties	N/A	N/A	0

FHA Single Family REO Properties For Sale (August 2021). 2016-2020 ACS (vacant units)

Describe the need for owner and rental rehabilitation based on the condition of the jurisdiction's housing.

19 percent of rental housing and 22 percent of owner-occupied housing in the County was built after 2000. All housing built before this time, now at least 22 years old, may need rehabilitation based on the last major upgrades and repair work, the overall condition of the building, and the value of the structure.

Estimate the number of housing units within the jurisdiction that are occupied by low- or moderate-income families that contain lead-based paint hazards. 91.205(e), 91.405

Lead-based paint (and other products used in housing construction such as wood varnishes) is commonly found in housing units built before lead paint was federally banned in 1978. Lead is a particular concern in housing with children who reside in the housing unit, as children are the most susceptible to lead poisoning. Over a third (33%) of owner-occupied housing and 40% of renter-occupied housing in the county was built before 1980. Although current HUD habitability standards require inspections for units constructed prior to 1978 that will be occupied by households with children aged six years or younger, lead poisoning remains a serious health risk especially for young children.

Low- and moderate-income (LMI) families with children are at a higher risk of lead poisoning, especially if the family resides in a housing unit constructed before 1980 that has not been remediated for lead-based paint. Table 50 indicates that in Brevard County, there are 2,875 LMI renter households with children and 1,245 LMI owner households with children that reside in housing units constructed before 1980. Although CHAS data do not identify housing units requiring lead hazard remediation, the data indicates that a significant number of lower income households with young children reside in older housing stock.

The Consortium will continue to implement the Environmental Protection Agency (EPA) Lead Safe Housing Rule and will ensure all homes built prior to 1978 are inspected by qualified hazard evaluation professionals and all lead remediation or abatement work is performed by certified lead hazard contractors.

Table 50: Low- and Moderate-Income (HAMFI) Households by Presence of Children and Structure Age

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present								
Structure built 1980 or later	1,115	1,220	1,695	4,030	355	575	1,435	2,365
Structure built 1940 to 1979	1,105	845	890	2,840	190	280	755	1,225
Structure built 1939 or earlier	25	10	0	35	0	0	20	20
Total Households with Children Present	2,245	2,075	2,585	6,905	545	855	2,210	3,610

2013-2017 CHAS

Discussion

Table 51: Vacancy Status of Units in Brevard County, 2015-2020

Vacancy Status	2015		2016		2017		2018		2019		2020	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Vacant Units	48,863	100.0%	48,064	100.0%	47,379	100.0%	47,406	100.0%	47,756	100.0%	44,643	100.0%
For rent	8,481	17.4%	8,085	16.8%	7,607	16.1%	7,433	15.7%	7,328	15.3%	7,205	16.1%
Rented, not occupied	2,458	5.0%	2,600	5.4%	2,503	5.3%	2,242	4.7%	2,165	4.5%	1,704	3.8%
For sale only	3,738	7.6%	3,349	7.0%	2,760	5.8%	2,724	5.7%	3,103	6.5%	2,764	6.2%
Sold, not occupied	1,512	3.1%	1,428	3.0%	1,536	3.2%	1,272	2.7%	1,192	2.5%	1,428	3.2%
For seasonal, recreational, or occasional use	20,885	42.7%	21,117	43.9%	21,905	46.2%	22,901	48.3%	23,173	48.5%	21,668	48.5%
For migrant workers	0	0.0%	41	0.1%	43	0.1%	41	0.1%	83	0.2%	96	0.2%
Other vacant unit	11,789	24.1%	11,444	23.8%	11,025	23.3%	10,793	22.8%	10,712	22.4%	9,778	21.9%

ACS 5-year estimates for years 2015-2020

MA-25 Public and Assisted Housing

91.410, 91.210(b)

Introduction

The Consortium is served by four Public Housing Authorities: Housing Authority of the City of Titusville, Melbourne Housing Authority, City of Cocoa Housing Authority, and the Housing Authority of Brevard County, which serves the unincorporated areas of Brevard County.

Totals Number of Units

Table 52: Total Number of Units by Program Type

	Certificate	Mod-Rehab	Public Housing	Program Type					
				Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units/vouchers available			1,178	2,767			654	0	81
# of accessible units									
*Includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

PIC (PIH Information Center)

Describe the supply of public housing developments:

There are several types of public and assisted housing units in the county funded by HUD.

Table 53: Number of Subsidized Units by HUD Program

HUD Program	Subsidized Units in Brevard County
Public Housing	815
Housing Choice Vouchers	3,063
Project Based Section 8	1,485
202/PRAC	194
811/PRAC	72

Picture of Subsidized Households 2021, HUD PD&R

Most of the County's rental units subsidized by HUD are Housing Choice Vouchers, portable assistance vouchers that are used by qualifying resident program participants in private rental units. 1,485 units are funded by Project Based Section 8, a funding structure similar to Housing Choice Vouchers but attached to a particular rental unit rather than a specific household.

There are 815 Public Housing units owned and managed by local Housing Authorities.

Section 811 Supportive Housing for Persons with Disabilities Program: Is funded by HUD to develop and subsidize rental housing with the availability of supportive services for very low- and extremely low-income adults with disabilities. More than 40 percent of the County's Section 811 units are located in Cocoa.

Table 54: Number of Section 811 Units by Jurisdiction in Brevard County

City	Number of Units
Cocoa	159
Melbourne	97
Palm Bay	85
Rockledge	39
Total	380

HUD Section 811 Program

Section 202 Supportive Housing for the Elderly Program: HUD-funded affordable housing units with supportive services for the low-income elderly. There are currently 825 Section 202 Supportive Housing units in Brevard County. About half of the County's Section 202 units (480) are located in Melbourne and a third (260) are in Cocoa.

Table 55: Number of Section 202 Units by Jurisdiction in Brevard County

City	Number of Units
Cocoa	260
Melbourne	480
Palm Bay	85
Total	825

HUD Section 202 Program

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

A PHA Plan is a comprehensive guide to public housing agency (PHA) policies, programs, operations, and strategies for meeting local housing needs and goals. Each PHA completes a 5-Year Plan, submitted to HUD once every fifth fiscal year. Brevard County Housing Authority and Titusville Housing Authority also each submit an Annual PHA Plan.

The City of Cocoa Housing Authority and Melbourne Housing Authority are considered “Qualified PHAs” and exempt from upcoming fiscal year Annual PHA Plan requirements.

Public Housing Condition

Table 56: Condition of Public Housing Properties

Public Housing Development	Average Inspection Score
Housing Authority of Brevard County: BC North	96
Housing Authority of the City of Cocoa: Pineda/Moore Homes	85
Housing Authority of Brevard County: BC South	88
Housing Authority of the City of Titusville: [No Name]	87
Housing Authority of Brevard County: Tucker Heights	100
Housing Authority of the City of Titusville: Titusville Towers	76
Melbourne Housing Authority: MHA	96

2018 Public Housing Physical Inspection Score

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

The four Public Housing Agencies (PHAs) in Brevard County each have projects planned to increase public housing unit quality.

Housing Authority of Brevard County: In 2022-2023, the PHA is planning an elderly/disabled tax credit development of up to 216 apartments in Palm Bay, targeting residents with incomes between 30- 80 percent AMI. During the same timeframe, the PHA is planning a multifamily development in Merritt Island on vacant land which was previously Public Housing. To better serve clients countywide, the PHA also intends to expand Public Housing and Section 8 administrative offices, obtain or construct warehouse space in both North and South Brevard County, and establish a South office in Melbourne.

Housing Authority of The City of Titusville: The Titusville PHA will continue its renovation and modernization of existing low-income housing units, completing renovations by modernizing units as they are vacated rather than moving residents to renovate the units at one time. The focus for rehabilitation includes family units within the neighbors and elderly units at the Titusville Towers.

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

Each adult resident of the Brevard County PHA, who is not exempt, is required to contribute community service and/or participate in an economic self-sufficiency program for a combined eight hours per month. Each Housing Authority offers a self-sufficiency program for residents.

Discussion:

MA-30 Homeless Facilities and Services

91.410, 91.210(c)

Introduction

The Brevard Homeless Coalition (BHC) is the lead agency for the Palm Bay, Melbourne/Brevard County CoC (Brevard County CoC).

Facilities Targeted to Homeless Persons

Table 57: Facilities Targeted to Homeless Persons

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year-Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	97	19	240	57	N/A
Households with Only Adults	67	N/A	258	244	N/A
Chronically Homeless Households	N/A	N/A	N/A	30	N/A
Veterans	21	N/A	165	104	N/A
Unaccompanied Youth	20	N/A	21	7	N/A

*Note: Emergency shelter beds include HIC beds labelled as Emergency Shelter and Safe Haven beds
2021 CoC Housing Inventory Count (HIC)*

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons.

The Brevard County CoC Strategic Plan 2019-2022 includes the following action items that will link CoC work with mainstream services:

- Recognize the integral roles of both private services and public agencies and resources to end homelessness
- Review and refine standards for street outreach and HMIS data entry to improve uniformity of services and information collection throughout Brevard.
- Encourage and support access to SSI/SSDI, TANF, SNAP, and other benefits, to help increase income to enable persons experiencing homelessness to afford housing.

BHC has more than 70 Coalition Member Agencies that include health- and employment-focused organizations including 211 Brevard Inc (resource navigation system), Central Florida Cares Health Systems Inc, Department of Veterans Affairs, Resource Center for Disability Solutions, and Space Coast Health Centers. The Brevard County CoC Advisory Council includes members from the Department of Children of Families and the governments of Cocoa, Palm Bay, and Melbourne.

BHC meets bi-monthly to discuss the housing and non-housing needs of low-income citizens and homeless individuals and families through networking and coordination of funding opportunities. Case management is a critical component of BHC services as families and individuals experiencing homelessness have varying resource needs. BHC agencies use a Homeless Management Information System (HMIS) to coordinate and track services provided and supply a more efficient level of case management to ensure services are effectively provided to families and individuals experiencing homelessness.

To address employment and education services, BHC member agency Crosswinds Youth collaborates with the School Board of Brevard County's Homeless Education Liaison to guarantee that runaway, homeless, and street school age youth are afforded their educational rights under the federal McKinney-Vento Homeless Education Assistance Improvements Act. Crosswinds Outreach Team also informs homeless youth of their rights under McKinney-Vento. The current County-issued advisement on McKinney-Vento rights and contacts is posted inside the entrance to the Crosswinds mobile drop-in RV. BHC also works with mainstream employment agencies such as Career Source Brevard and Goodwill Industries to help homeless individuals seeking employment to find the resources needed to become employed through email notifications of job fairs and community resource marketing events.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans

and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

The Brevard CoC Strategic Plan 2019-2022 established the following goals:

- To end homelessness among veterans
- To end chronic homelessness among people with disabilities
- To end homelessness among families with children
- To end homelessness among unaccompanied youth
- To end homelessness among all other individuals

The 2021 Homeless Assistance Programs Housing Inventory County Report shows that there are currently 186 Safe Haven and Transitional Housing units plus 104 units of Permanent Housing (96 Rapid Re-Housing and 8 Permanent Supportive Housing) units reserved for veterans within the Brevard County CoC. There are 894 Family beds reserved for households with one adult and at least one child under age 18 (337 Emergency Shelter, Safe Haven, and Transitional Housing beds and 557 Permanent Housing beds).

MA-35 Special Needs Facilities and Services

91.410, 91.210(d)

Introduction

Special needs populations include, but are not limited to, persons who have a mental illness or disability, have a physical or self-care disability, persons with substance abuse, those living with AIDS/HIV, homeless individuals and families, and elderly persons.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify and describe their supportive housing needs.

Supportive housing units provide a planned services component with access to a wide range of services needed for resident to achieve personal goals. Various populations with special needs require supportive housing. The needs of local populations with special needs are described in NA-45, Non-Homeless Special Needs Assessment.

Brevard County coordinates its housing efforts with the Consortium, HOME Community Housing Development Organizations (CHDOs), and other developers to construct and/or rehabilitate and make affordable housing units available for persons identified with mental illness, physical and mental disabilities, frail elderly, substance abuse, and living with HIV/AIDS.

HOPWA funding is utilized to prevent homelessness of residents with HIV/AIDS and help with short-term assistance with utilities. United Way does not own any housing units but funds provider agencies that assist clients with supportive services within their own rental or owner-occupied housing.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing.

Within its membership, BHC includes institutional agencies with discharge policies. BHC leadership has also contacted agencies that are not members, such as medical facilities, and has confirmed that all have discharge policies and working relationships with various members of BHC.

BHC members who receive McKinney-Vento Act funds do not accept clients who are discharged from institutions into their transitional housing programs. Other members are funded through a Florida Department of Corrections grant to provide transitional housing to clients discharged from jails.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with

91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e).

Over the next year the Consortium will address housing and supportive needs through an RFP process to identify projects and activities that meet the needs of persons who are not homeless but have other special needs. The rental acquisition/rehabilitation program will address these needs. In addition, the TBRA program in Melbourne is targeted towards low—income, disabled persons.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2)).

Melbourne implements a Tenant Based Rental Assistance (TBRA) program that specifically targets elderly residents and those living with a disability.

The County will be undertaking affordable housing projects in the next five years that address housing and supportive service needs. These projects are in the planning stages and will be added to the year 2-5 Annual Action Plans. Should the projects require the addition of a 5-year Goal in the Consolidated Plan, the Consolidated Plan will be amended as required by the County's Citizen Participation Plan.

MA-40 Barriers to Affordable Housing

91.410, 91.210(e)

Describe any negative effects of public policies on affordable housing and residential investment.

Several communities have strategies to improve negative effects of public policies on affordable housing and residential investment.

Melbourne: The City is evaluating its housing policies to address barriers identified in the process and programs. The Affordable Housing Advisory Committee meets to evaluate ways to improve policies that serve as barriers to affordable housing.

Titusville: To reduce barriers to proposed projects, Titusville continues to seek cooperation between City Departments and encourage revisions to local policies where necessary.

Palm Bay: The City's Housing Programs Standard Operating Procedure (SOP) is reviewed periodically to evaluate its effects to policies that may serve as barriers to our proposed projects. If barriers are detected, the SOP is modified as allowed by HUD and HOME rules. The SHIP LHAP was recently amended to allow homeowners who have more than one mortgage to receive assistance, provided the mortgage to subsidy ratio is no more than 90 percent of the BCPAO fair market value.

Brevard County: The County reduces the negative effects of policies through its incentive plan.

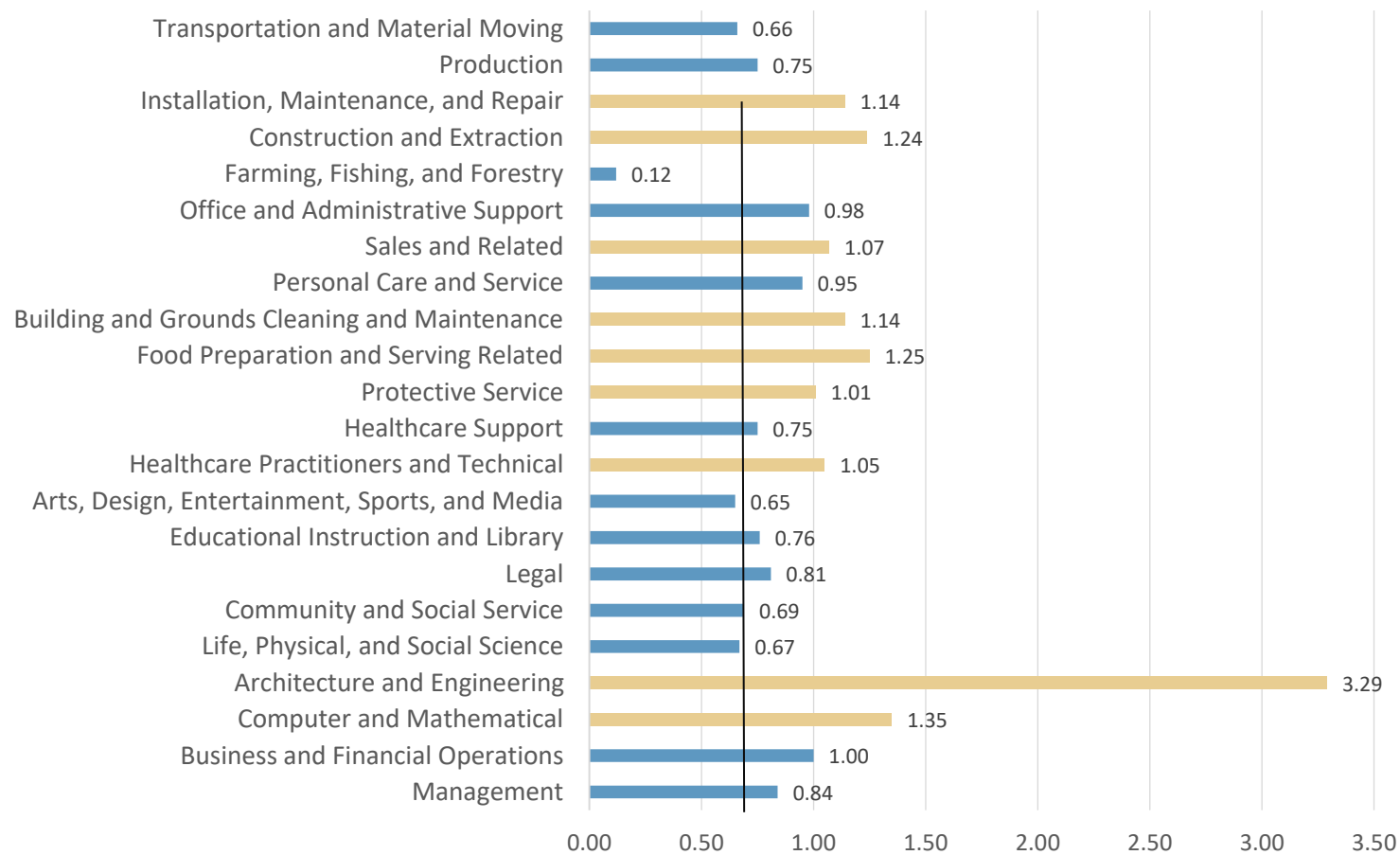
MA-45 Non-Housing Community Development Assets

91.410, 91.210(f)

Economic Development Market Analysis

Figure 23: Industry Location Quotient in Brevard County

2021 Occupational Employment and Wage Statistics (OEWS) Survey; Bureau of Labor Statistics, Department of Labor



Business Activity

Table 58: Number of Workers and Jobs by Business Sector

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	350	118	0%	0%	0%
Arts, Entertainment, Accommodations	15,013	14,095	17%	20%	4%
Construction	6,957	5,373	8%	8%	0%
Education and Health Care Services	16,781	15,296	18%	22%	4%
Finance, Insurance, and Real Estate	5,208	3,673	6%	5%	0%
Information	1,477	972	2%	1%	0%
Manufacturing	11,020	5,260	12%	8%	-4%
Other Services	3,595	3,019	4%	4%	0%
Professional, Scientific, Management Services	10,889	8,162	12%	12%	0%
Public Administration	0	0	0%	0%	0%
Retail Trade	12,914	9,954	14%	14%	0%
Transportation & Warehousing	3,279	1,325	4%	2%	-2%
Wholesale Trade	3,280	1,587	4%	2%	-1%
Grand Total	90,763	68,834	100%	100%	0%

2013-2017 ACS (Workers), 2017 Longitudinal Employer-Household Dynamics (Jobs)

Labor Force

Table 59: Labor Force

Total Population in the Civilian Labor Force	125,582
Civilian Employed Population 16 years and over	115,945
Unemployment Rate	7.72
Unemployment Rate for Ages 16-24	20.02
Unemployment Rate for Ages 25-65	4.89

2013-2017 ACS

In 2019, there were 242,145 people who lived in Brevard County and 219,221 public and private sector workers in the County. The majority of people (159,308) both lived and worked in the County. About 27% of workers (59,913 people) were employed in Brevard County but resided elsewhere. Conversely, 34% of residents (82,837 people) lived in Brevard County but did not work there. When only considering private sector employees, the results were largely the same. Specifically, of the 192,281 private sector workers in 2019, 70% (134,830 people) lived and worked in Brevard County. About 30% of private sector workers (57,451 people) resided outside of the County. Of the 214,303 residents with a job in the private sector, 37% (79,473 people) lived in Brevard County but worked elsewhere (LEHD, 2019).

Table 60: Top Employers in Brevard County by Number of Employees

Sector	Business	Industry	Employment
County Government	School Board of Brevard County	Elementary and Secondary Schools	9,310
Private	Harris Oration	Other Electronic Parts Merchant Wholesale	6,547
Private	Holmes Regional Medical Center	General Medical and Surgical Hospitals	3,649
Private	Publix Super Markets	Supermarkets and Other Grocery Stores	3,514
Private	Northrop Grumman Systems	Search, Detection & Navigation Instruments	2,700
County Government	Brevard County	Legislative Bodies	2,424
Federal Government	Dept Of the Air Force	National Security	2,182
Federal Government	Nasa Kennedy Space Center	Space Research and Technology	1,957
Private	Health First Medical Group	Offices of Physicians, ex. Mental Health	1,775

Sector	Business	Industry	Employment
Private	New Rockwell Collins	Search, Detection & Navigation Instruments	1,516
State Government	Eastern Florida State College	Junior Colleges	1,455
County Government	Brevard County Sheriff Office	Police Protection	1,305
Private	Florida Institute of Technology	Colleges and Universities	1,297
Private	Health First	Managing Offices	1,254
Private	Lockheed Martin	Guided Missiles and Space Vehicles	1,130

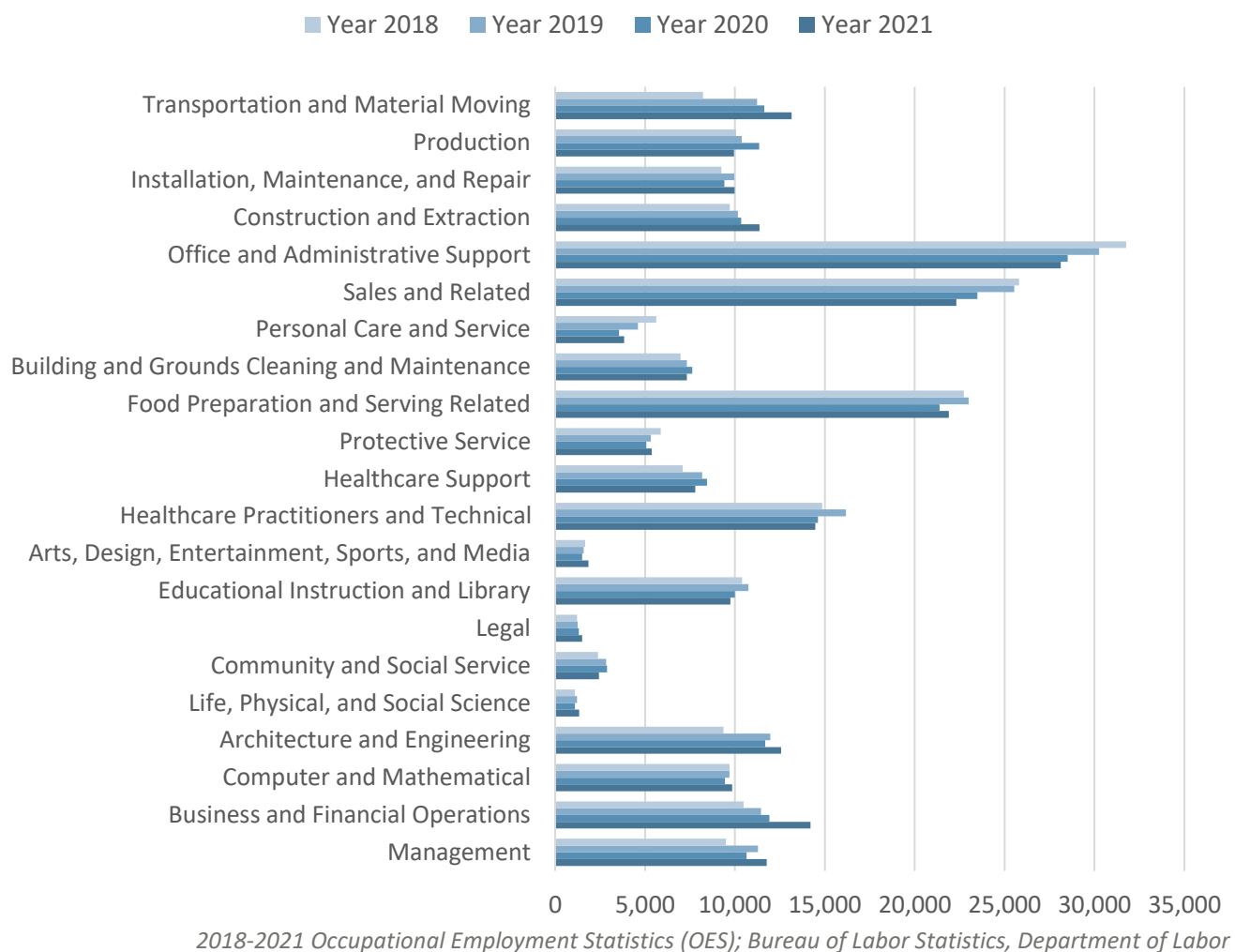
Florida Insight, Employer Database. Florida Department of Economic Opportunity, 2021

Table 61: Occupations by Sector

Occupations by Sector	Number of People
Management, business and financial	32,575
Farming, fisheries, and forestry occupations	5,117
Service	11,350
Sales and office	28,895
Construction, extraction, maintenance, and repair	8,975
Production, transportation, and material moving	5,921

2013-2017 ACS

Figure 24: Employment Totals by Industry in Brevard County (2018-2021)



Travel Time

Table 62: Travel Time

Travel Time	Number	Percentage
< 30 Minutes	71,130	67%
30-59 Minutes	28,817	27%
60 or More Minutes	6,782	6%
Total	106,729	100%

2013-2017 ACS

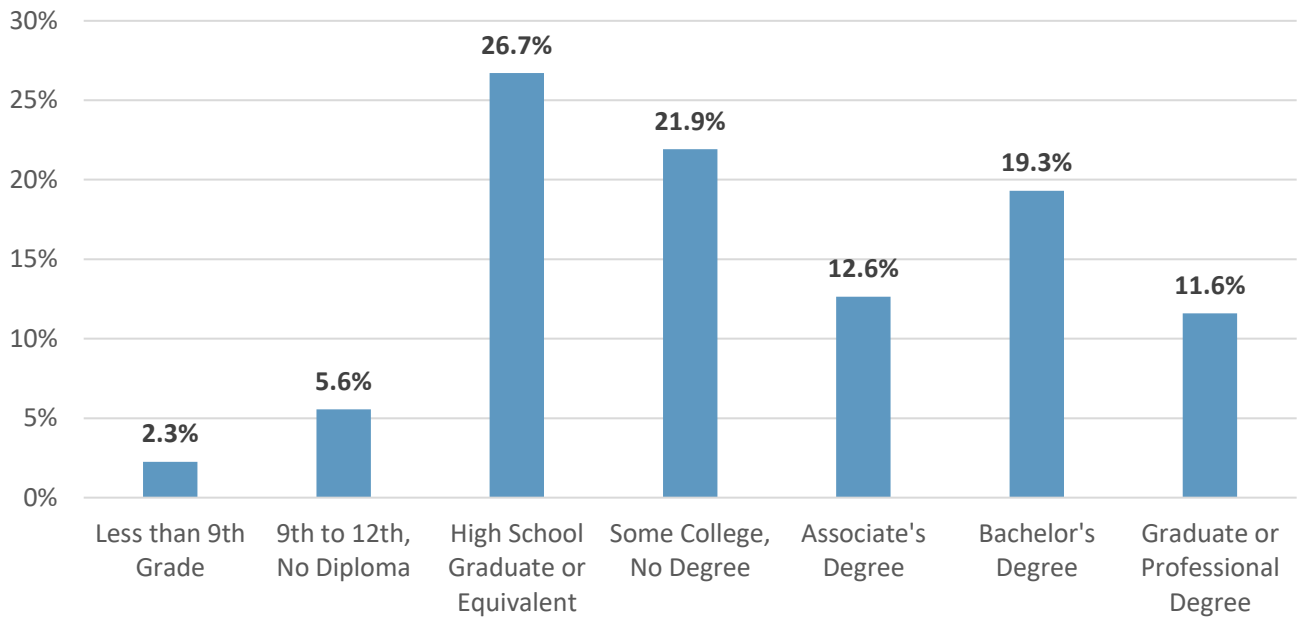
Education:

Table 63: Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	3,981	565	3,677
High school graduate (includes equivalency)	20,390	2,263	10,035
Some college or associate degree	33,850	2,498	14,185
Bachelor's degree or higher	36,800	1,538	9,935

2013-2017 ACS

Figure 25: Educational Attainment for the Population 25 Years and Older



2013-2017 ACS

Table 64: Educational Attainment by Age

	Age				
	18–24 yrs.	25–34 yrs.	35–44 yrs.	45–65 yrs.	65+ yrs.
Less than 9th grade	317	297	358	1,453	1,743
9th to 12th grade, no diploma	2,551	1,437	1,133	3,569	4,426
High school graduate, GED, or alternative	6,013	5,848	6,688	20,169	21,403
Some college, no degree	5,947	6,043	5,267	20,175	15,449
Associate degree	2,290	3,736	3,748	11,870	5,241
Bachelor's degree	1,564	5,561	6,323	18,190	12,318
Graduate or professional degree	203	2,118	4,347	12,019	9,527

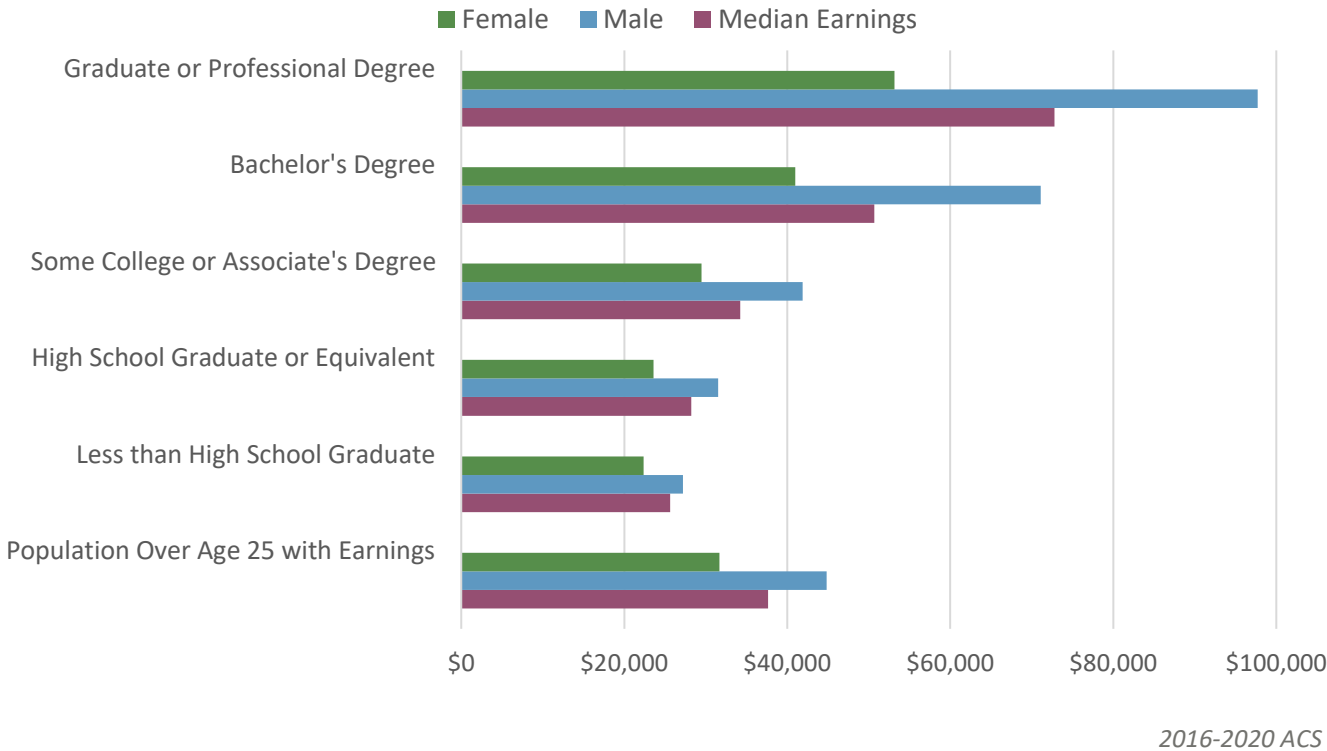
2013-2017 ACS

Table 65: Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	\$21,013
High school graduate (includes equivalency)	\$26,603
Some college or associate degree	\$30,344
Bachelor's degree	\$49,368
Graduate or professional degree	\$69,466

2013-2017 ACS

Figure 26: Median Earnings by Educational Attainment and Sex in Brevard County



Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

The highest number of jobs in the county are within the labor categories "office and administrative support" and "sales and related".

The jobs that are more prevalent in Brevard County compared to the rest of the country, however, are reflected in each industry's location quotient. The *location quotient* represents the ratio of an occupation's share of employment in an area compared to that occupation's share of employment in the entire U.S. In Brevard County, there are 3.3 times more jobs in the occupation category "architecture and engineering" than in the rest of the country. There are about a third more (1.35 times) the number of "computer and mathematical" jobs and about 1.25 more jobs in both "construction and extraction" and "food preparation and serving related" jobs.

Describe the workforce and infrastructure needs of the business community:

Housing availability may become an economic development barrier as housing costs continue to rise throughout the county. New housing development will require associated infrastructure (roads, water, sewer, communications, etc.) which is already an area of needed investment in some areas of the county

with existing housing. Plans for transportation to and from work and commerce centers will need to be implemented if a significant number of housing units are created for current and future workers in the county. Housing ownership is also a newly emerging barrier to growing the local workforce as short-term vacation rentals become increasingly popular (and requiring housing units out of the existing housing stock) and equity firms buy both homeowner housing and rental units for short-to medium-term investment.

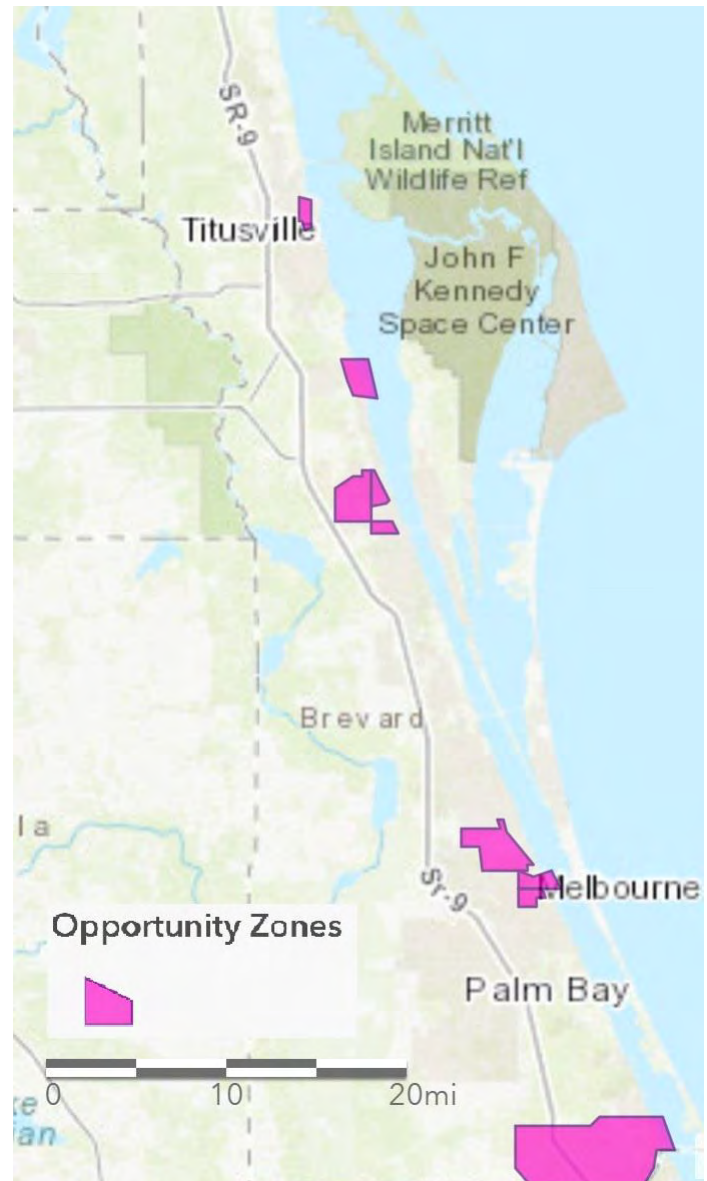
Figure 27: Opportunity Zones in Brevard County

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

Brevard County has several federal Opportunity Zones. Opportunity Zones are economically distressed communities designated as areas to focus investment to spur economic development by providing tax benefits to investors. The zones are defined by census tract and were nominated by the Governor of Florida, then certified by the Internal Revenue Service (IRS), in 2018. Opportunity zones are a relatively new addition to the County that, in addition to New Market Tax Credits and other existing tax-incentive programs, could affect private-sector investment.

Map of Opportunity Zones, HUD

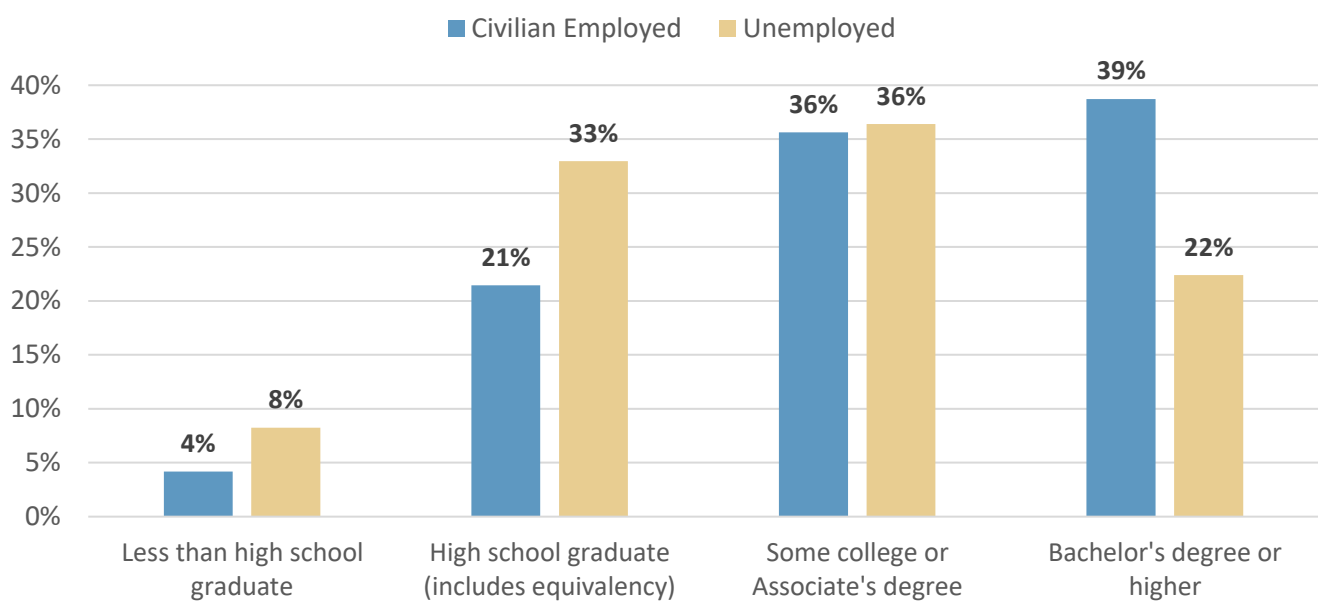
How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?



Of those in the workforce and employed in Brevard County, 39 percent have a bachelor’s degree or higher and 74 percent have some college or an associate degree. Of those in the workforce and unemployed, 22 percent have a bachelor’s degree or higher and 58 percent have some college or an associate degree.

While industry-specific education may strengthen the local workforce, within the Comprehensive Economic Development Strategy 2017-2022, the plan notes that a 2014 Central Florida Talent Gap Analysis resulted in 61 percent of companies in the region stating that they have difficulty hiring qualified staff, primarily due to a lack of experience, technical and soft skills competencies, and available applicants.

Figure 28: Educational Attainment by Employment Status (Population 25+)



2013-2017 ACS

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

Multiple higher education institutions are located in Brevard County: Florida Institute of Technology (Melbourne), Eastern Florida State College (Cocoa, Palm Bay, Melbourne, and Titusville), Keiser University (Melbourne), Barry University (Merritt Island), Webster University (Melbourne and Merritt Island), Everest University (Melbourne).

The Local Workforce Development Board, CareerSource Brevard, has a four-year workforce development plan (2020-2024) developed to meet requirements in the Workforce Innovation and Opportunity Act of 2014 (WIOA).

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

Yes, Brevard County is a part of the East Central Florida Regional Planning Council and Economic Development District (EDD). This organization serves Brevard, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia Counties.

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

The Economic Development Commission of Florida's Space Coast (EDC) assists businesses relocate and grow within the county and the organization serves as an access point for information on other federal, state, and private business incentives.

The North Brevard Economic Development Zone (NBEDZ) Special Dependent District, created in 2011 under Florida Statute, Chapter 200 to create high-income jobs and promote economic development after the termination of NASA's Space Shuttle Program, also remains as a tool for job and business growth.

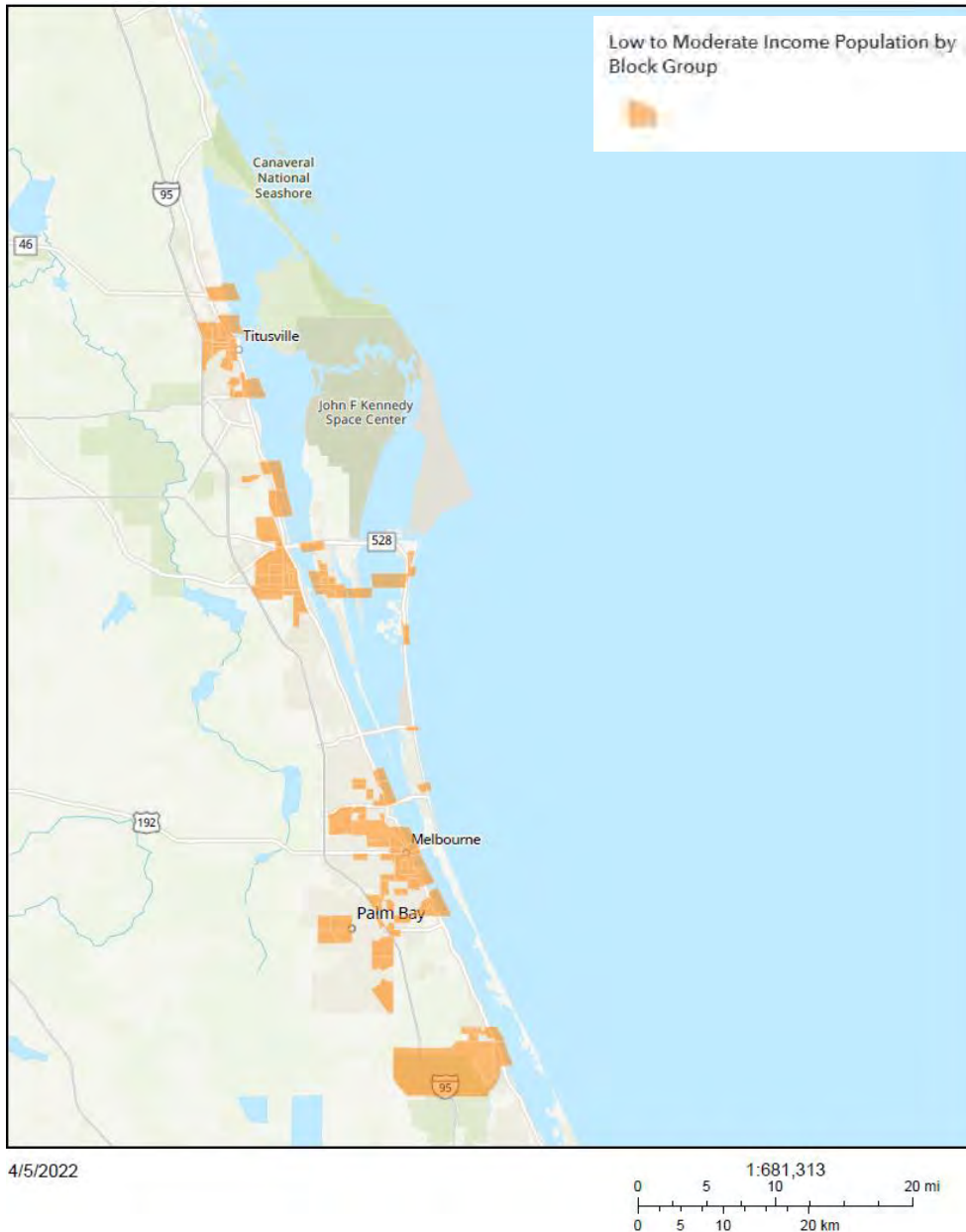
Discussion

MA-50 Needs and Market Analysis Discussion

**Are there areas where households with multiple housing problems are concentrated?
(include a definition of "concentration")**

The current Low- and Moderate-Income (LMI) Census block groups are areas that have at least 51 percent LMI households.

Figure 29: Low/Mod Census Tracts in Brevard County



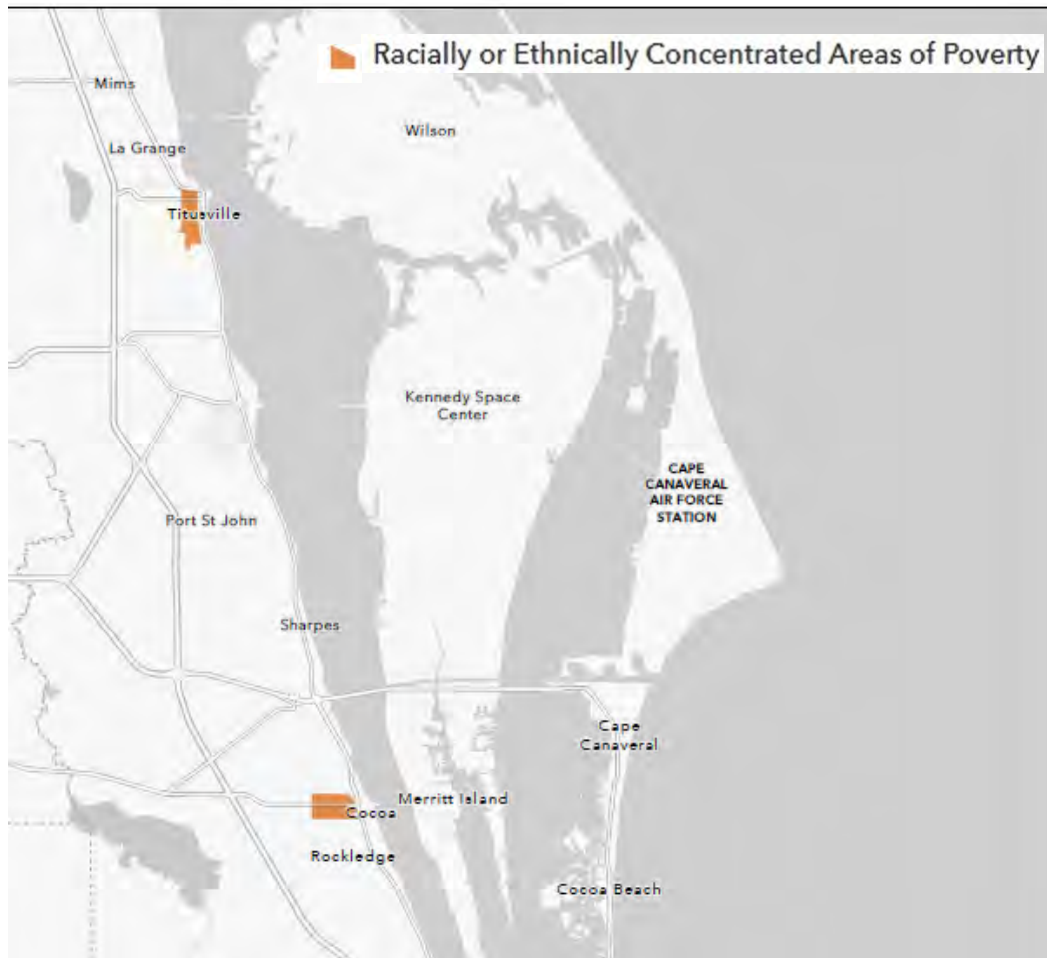
HUD Low to Moderate Income Population by Block Group, 2019

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

Racially and Ethnically-Concentrated Areas of Poverty (R/ECAPs) are census tracts designated by HUD as meeting a racial/ethnic concentration threshold and a poverty threshold. R/ECAPs must have a non-White population 50 percent or more. The census tract must also meet the definition of "extreme poverty" with 40 percent of the residents living at or below the poverty line. The area may also meet the poverty threshold by exceeding 40 percent or three times the average tract poverty rate in the metro area.

Brevard County has two R/ECAP Census Tract areas.

Figure 30: Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) in Brevard County



HUD R/ECAPs Updated 2018

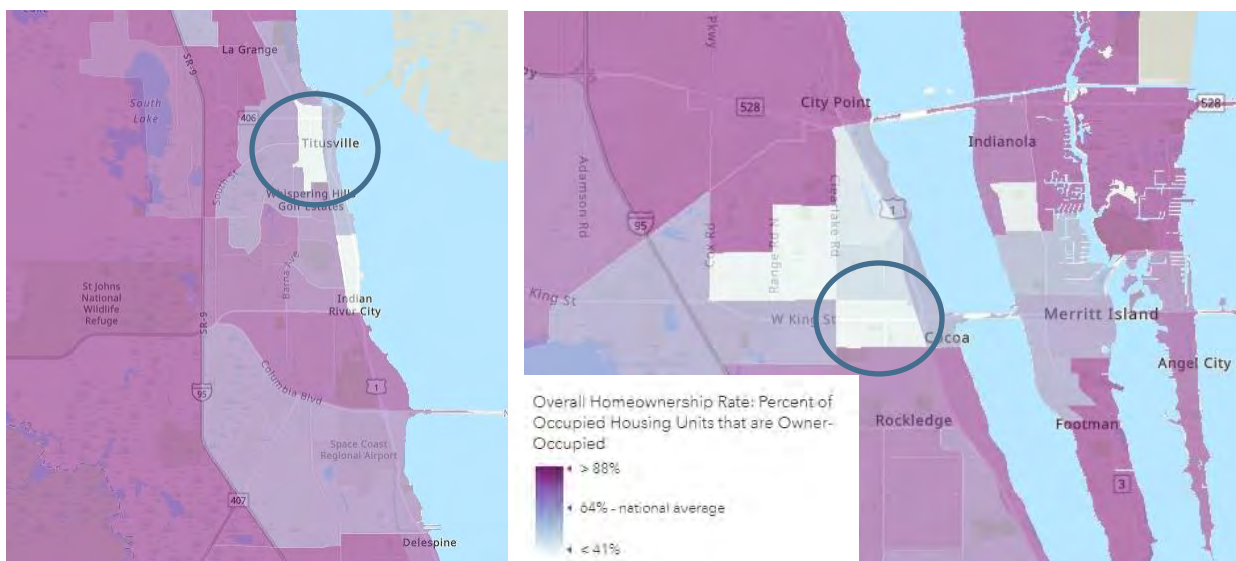
What are the characteristics of the market in these areas/neighborhoods?

In both R/ECAP census tracts, the homeownership rate is lower than most of the other tracts in the county. Housing costs are also high for both renters and homeowners with a mortgage, though a higher percentage of both renters and homeowners in the Titusville R/ECAP pay more than 30% of their household income on housing costs.

In the Titusville R/ECAP (Census Tract 607), the overall homeownership rate is approximately 23%. An estimated 64% of all renter households in the census tract spend more than 30% of their household income on housing. Of homeowners with a mortgage, 78% spend more than 30% of their household income on housing costs.

In the Cocoa R/ECAP (Census Tract 626) the overall homeownership rate is approximately 35%. An estimated 44% of all renter households in the census tract spend more than 30% of their household income on housing. Of homeowners with a mortgage, 45% spend more than 30% of their household income on housing costs.

Figure 31: Homeownership Rate in R/ECAPS in Titusville (left); Cocoa (right)



ACS 5YR Housing Estimate Data by Tract 2013-2017; HUD R/ECAPs Updated 2018

What are the characteristics of the market in these areas/neighborhoods?

- Low Income
- Older housing stock – single family homes, duplexes and quadplexes
- Established communities

Are there any community assets in these areas/neighborhoods?

- Charter school serves the community
- Community Redevelopment Agency

- Community Center
- Moore Social Service Center

Are there other strategic opportunities in any of these areas?

- Infill housing
- Infrastructure improvements
- Making Broadband available

MA-60 Broadband Needs of Housing Occupied by Low- and Moderate-Income Households

91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

While 89 percent of households in the County have access to broadband Internet, over eight percent of the County's residents, or 20,295 households, have no Internet access at all. The households without broadband Internet do not have equal access to most government and support agencies, school resources, and employers.

Table 66: Broadband Access by Type

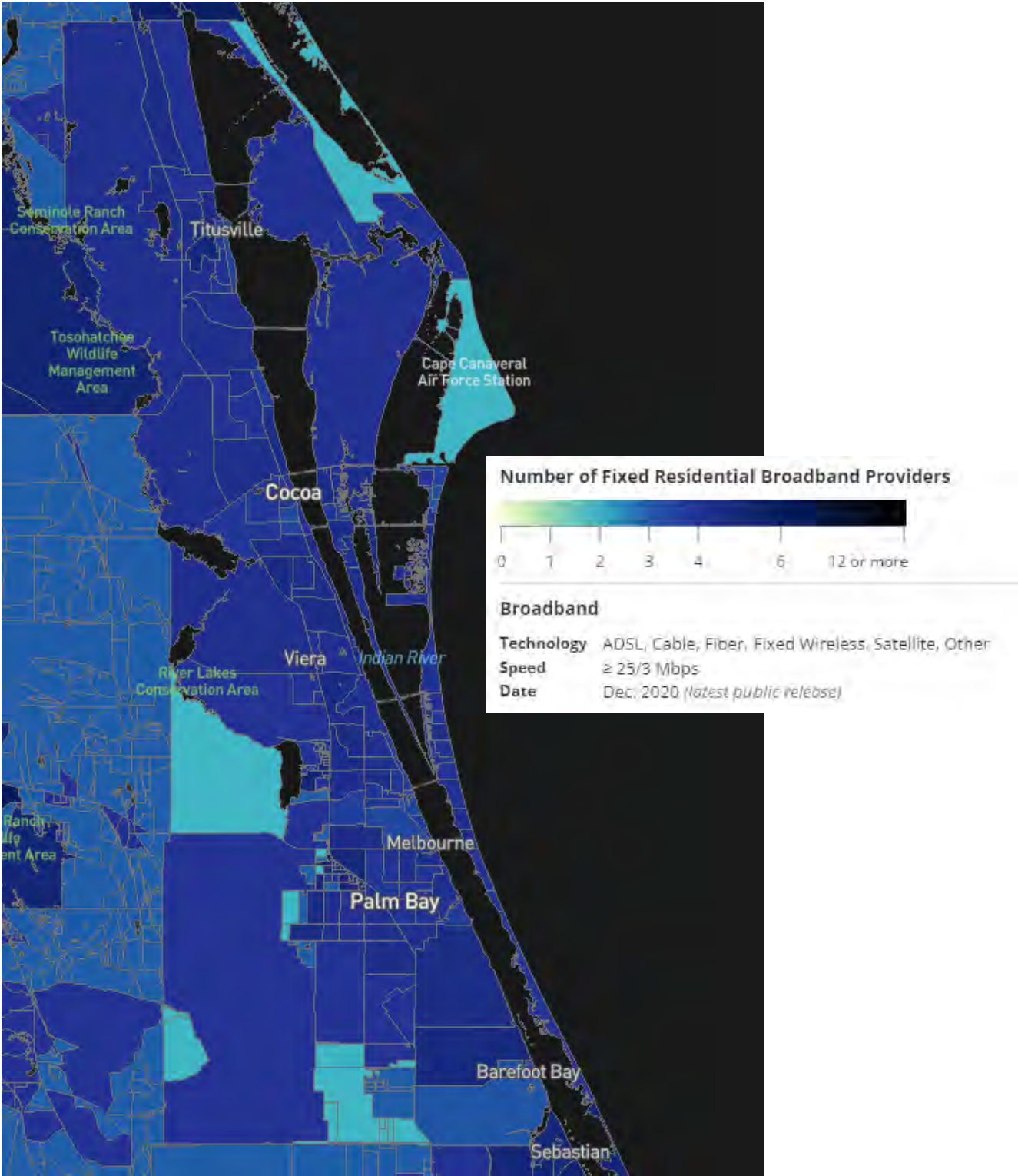
Broadband Type	# Households	% Total Households
With an Internet Subscription	210,327	89.1%
Dial-up with no other type of Internet subscription	697	0.3%
Broadband of any type	209,630	88.8%
Cellular data plan	181,404	76.9%
Cellular data plan with no other type of Internet subscription	18,033	7.6%
Broadband such as cable, fiber optic or DSL	185,376	78.5%
Broadband such as cable, fiber optic or DSL with no other type of Internet subscription	25,248	10.7%
Satellite Internet service	12,978	5.5%
Satellite Internet service with no other type of Internet subscription	1,309	0.6%
Internet access without a subscription	5,383	2.3%
No Internet access	20,295	8.6%

2016-2020 ACS

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

Brevard County has multiple broadband Internet providers, including Cable, Fiber, and ADSL.

Figure 32: Number of Residential Broadband Providers in Brevard County



Federal Communications Commission, Fixed Broadband Deployment

MA-65 Hazard Mitigation

91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

Brevard County, along with the rest of the state, is at increased risk of tropical storms and hurricanes, which will become more frequent and more powerful due to climate change. Climate change will also cause sea levels to rise, shrinking the coastline and flooding existing development near the coast and low-lying areas.

Besides the inherent danger of these storms, tropical storms and hurricanes also bring long-term recovery costs in the hundreds of millions or billions of dollars to housing and related infrastructure (Figure 33).

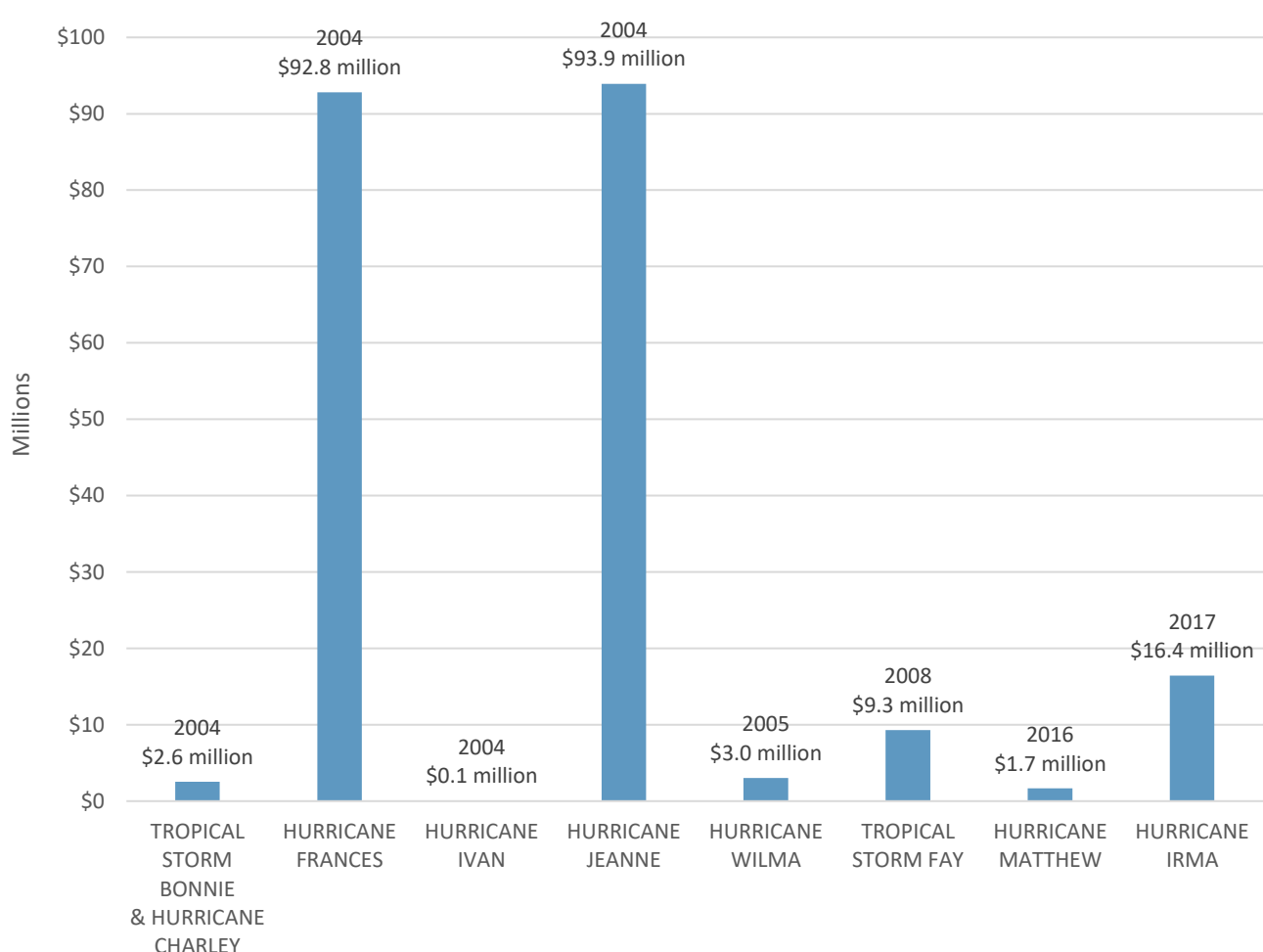
Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

Low-income households are at greater risk from tropical storms and hurricanes both due to lower resources for storm preparation (particularly in Limited English Proficiency communities), lower resources to evacuate areas where storms are predicted, and fewer resources and other barriers to disaster recovery.

Households without the financial means to purchase flood insurance also do not have funds to rehabilitate or reconstruct housing after a disaster. The housing itself may also be more susceptible to disaster damage as older housing stock in Florida may be lower-quality construction and was built before modern building codes for disaster resiliency. Low-income housing is also often built in flood-prone areas due to lower land values.

(SAMHSA Disaster Technical Assistance Center Supplemental Research Bulletin, Greater Impact: How Disasters Affect People of Low Socioeconomic Status, July 2017)

**Figure 33: FEMA Payments for Owner-Occupied Housing Damage by Natural Disasters
2004-2017**



Open FEMA Dataset: Housing Assistance Data Owners

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The Strategic Plan will outline some key aspects of the Consortium's plan to spend CDBG and HOME funds over the next five years. Primarily, this section will identify Target Areas (SP-10), Priority Needs (SP-25), and Goals and (SP-45).

Target Areas

Table 67: Target Areas

Sort #	Area Name
1	Clearlake – Cocoa
2	East Mims Neighborhood
3	Micco Neighborhood
4	North Tropical Trail Neighborhood
5	Sharpes Neighborhood
6	West Cocoa Neighborhood
7	West Canaveral Groves Neighborhood
8	Countywide

Priority Needs

Table 68: Priority Needs

Priority Need	Description
Affordable Housing	Stable housing is paramount to a household's ability to thrive. There are significant barriers for low- and moderate-income households to enter the current housing market. Affordable housing is needed throughout Brevard County, especially for low- and moderate-income households.
Access to Human Services	Human services may be targeted to different populations during the Consolidated Plan cycle; however, the Needs Assessment identified several categories of people where human services may be the most impactful: elderly, youth, and those experiencing homelessness.
Community and Economic Development	Public facility development, infrastructure projects, and removal of slum and blight ultimately improve a neighborhood's capacity to develop and provide safe housing, work, and recreational opportunities for residents.
Equitable Access to Housing	Collaboration to enforce fair housing ordinances and conduct education to housing providers and residents helps to address additional barriers experienced by members of protected classes and other populations.

Goals

Table 69: Goals

Goal	Description
Expand and Preserve Affordable Rental Housing	Provide rental housing stock that is available and affordable to those households earning less than 80% AMI. The kinds of projects expected to support achieving this goal will be acquisition of real property (land and/or buildings), new construction of rental units, rehabilitation of rental units, and Tenant Based Rental Assistance (TBRA).
Expand and Preserve Affordable Owner Housing	Provide housing stock that is available and affordable for low- and moderate-income households to purchase. The kinds of projects expected to support this goal will be homeowner purchase assistance, housing rehabilitation, and new construction of units available for purchase.

Goal	Description
Increase Capacity of CHDO Partners	Support for the local Community Housing Development Organizations (CHDO) partners is critical for the short-term development and long-term provision of affordable housing. Projects under this goal will provide funds for operating expenses for CHDOs to sustain and increase their capacity.
Expand Fair Housing	Administer fair housing services for the HOME Consortium. Funded projects under this goal may support fair housing training, education, fair housing testing, and advertising organizations that can address fair housing complaints or issues.
Improve Low/Moderate Income Neighborhoods	Enhance community infrastructure and facilities to provide a sustainable and future equitable growth. Some types of projects that will achieve this goal are water and sewer line improvements, the removal of slum and blight, road, and drainage improvements, improving parks, community centers, and recreation facilities.
Provide Human Services	Address the service needs of the community, especially seniors, youth, and those experiencing homelessness. Some example projects that work to achieve this goal will be funding community kitchens, meal programs, education programs, and those homeless service providers offering direct care to households.
Administration	Provide resources to manage and implement the programs described in this Consolidated Plan. This goal will supply funds to pay for staff to ensure adequate capacity, oversee programs, and meet regulatory requirements.

The Priority Needs and Goals section of the Consolidated Plan are informed by the Process, Needs Assessment, and Market Analysis section of this plan. Both qualitative and quantitative data indicate a rapidly expanding need for affordable housing and services for low- and moderate-income households. Infrastructure improvements are also needed in order to build affordably priced housing. The table below shows the goal, the associated expected funding for the 2022 program year, and the expected outcome of that funding.

SP-10 Geographic Priorities

91.415, 91.215(a)(1)

Geographic Area

Table 70: Geographic Areas in Brevard County

Sort #	Area Name
1	Clearlake – Cocoa
2	East Mims Neighborhood
3	Micco Neighborhood
4	North Tropical Trail Neighborhood
5	Sharpes Neighborhood
6	West Cocoa Neighborhood
7	West Canaveral Groves Neighborhood
8	Countywide

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction.

CDBG

The County will primarily focus CDBG investments in low- moderate-income neighborhoods. In the past, the County has focused its CDBG investments in seven target areas, each with neighborhood boundaries, listed above. These target neighborhoods were defined for the 2016-2020 Consolidated Plan and remain target neighborhoods for the 2022-2026 Consolidated Plan, but as needs and resources change, the County may adjust target areas to invest resources where they are most impactful. These target areas are not official HUD designated target areas. There is one HUD-recognized racially concentrated area of poverty (RCAP) located in unincorporated Brevard County, within the West Cocoa neighborhood, which is also a target area identified by the County. The County makes purposeful efforts to distribute CDBG funds across the target in an equitable fashion over the Consolidated Plan cycle (5 years).

In most cases, the County's CDBG funds may be spent anywhere within unincorporated Brevard County and the Cities that have signed inter-local agreements with Brevard County (which include Rockledge, Satellite Beach, Cocoa Beach, Palm Shores, Melbourne Village, Indian Harbour Beach, and Indialantic). CDBG funds may not be spent in the other four CDBG entitlement cities (Titusville, Cocoa, Palm Bay, and Melbourne). The County encourages all

eligible areas to submit potential projects through the County's CDBG Neighborhood Request for Proposals (RFP) process.

HOME

HOME funds may be used anywhere in the Brevard HOME Consortium area which includes the County and all cities within Brevard County. The Consortium allocates funds between the four participating jurisdictions and the County but maintains flexibility to adjust as needed to support projects and meet HOME expenditure requirements.

SP-25 Priority Needs - 91.415, 91.215(a)(2)

Priority Needs

Table 71: Priority Needs in Brevard County

1	Priority Need Name	Affordable Housing
	Priority Level	High
	Population	
	Geographic Areas Affected	Countywide
	Associated Goals	<ul style="list-style-type: none"> • Expand and preserve affordable rental housing • Expand and preserve affordable owner housing • Increase Capacity of CHDO Partners • Expand Fair Housing
	Description	Stable housing is paramount to a household's ability to thrive. There are significant barriers for low- and moderate-income households to enter the current housing market. Affordable housing is needed throughout Brevard County, especially for those low- and moderate-income households.
	Basis for Relative Priority	As noted in the Needs Assessment and Market Analysis, the rental and owner housing market are increasingly out of reach to those households earning less than 80% AMI. An influx of high-paying jobs on the <i>Space Coast</i> combined with outside investment in vacation or second homes, the housing market has risen steadily since 2007, pricing out many families. The need for affordable housing is the utmost priority throughout the County.
	Priority Need Name	Access to Human Services

2	Priority Level	High
	Population	
	Geographic Areas Affected	Countywide
	Associated Goals	<ul style="list-style-type: none"> • Improve low/moderate income neighborhoods • Provide human services
	Description	Human services may be targeted at different populations during the Consolidated Plan cycle; however, the Needs Assessment identified several categories of people where human services may be the most impactful: elderly, youth, and those experiencing homelessness.
	Basis for Relative Priority	While affordable housing is the most significant need in Brevard County, the need for public and human services is also widely experienced. In a high cost housing market, providing supportive human services can offset a household's expenses to increase stability.
3	Priority Need Name	Community and Economic Development
	Priority Level	High
	Population	
	Geographic Areas Affected	Countywide
	Associated Goals	Improve low/moderate income neighborhoods
	Description	Public facility development, infrastructure projects, and removal of slum and blight ultimately improve a neighborhood's capacity to develop and provide housing, work, and recreational opportunities for residents.

	Basis for Relative Priority	The target neighborhoods all expressed a need for infrastructure and public facility improvement projects to anchor future growth and development.
4	Priority Need Name	Equitable Access to Housing
	Priority Level	High
	Population	
	Geographic Areas Affected	Countywide
	Associated Goals	Expand Fair Housing
	Description	Collaborate to enforce fair housing ordinances; and conduct education to housing providers and residents.
	Basis for Relative Priority	The Brevard County HOME Consortium is conducting an Assessment of Fair Housing (AFH) in 2022 and will have more information to include here as that report completes. Based off stakeholder sessions, information from partners, and understanding of the County landscape, there is a current need for continued education, training, and testing regarding fair housing in both the rental and home ownership markets. There are two Racially Concentrated Areas of Poverty (RCAP) in Brevard County: one in Titusville and one in West Cocoa. The Needs Assessment identifies that there is a disproportionate housing need based on race.

SP-30 Influence of Market Conditions

91.415, 91.215(b)

Influence of Market Conditions

Table 72: Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	<p>The cost of rental and owner housing has steadily increased since 2007. The number of households projected to be cost-burdened in 2040 is expected to rise throughout the entire County and in each HOME Consortium member-city. Although TBRA is a useful tool, in the current housing market in Brevard County it is extremely difficult to identify available units that meet the needs of a household while also being affordable.</p> <p>TBRA will be provided through the City of Melbourne for qualified households to assist with rental subsidy for up to 24 months. Qualified householders must be elderly or disabled.</p>
TBRA for Non-Homeless Special Needs	<p>The current housing market does not provide enough affordable, accessible rental housing to elderly and non-elderly persons with disabilities or supportive housing for persons with HIV/AIDS, persons with substance abuse, the elderly, and persons with disabilities. It is extremely difficult to find an affordable unit that meets the needs of a family without special needs. The housing stock for those with a special need is even more difficult to address in the current market.</p>
New Unit Production	<p>There are many market characteristics that make producing new units difficult throughout Brevard County.</p> <ul style="list-style-type: none"> • Limited number of affordable housing developers with capacity • While the market is booming, developer interest in affordable housing is minimal because they tend to focus on higher cost homes • Availability and cost of land is extremely expensive <p>Cost of labor and materials is prohibitive</p>
Rehabilitation	<p>Market characteristics impacting new unit production also affect rehabilitation of units, with the addition of HUD program requirements. When using HOME funds to rehabilitate a house, the entire home must be brought up to a standard that will often place the cost of rehabilitation out of reach. The nature of the market has</p>

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
	seen older, more affordable homes fall further behind, where the cost of rehabilitation using HOME funds is difficult.
Acquisition, including preservation	See all market characteristics listed above. There is also significant private sector activity to acquire, rehabilitate, and raise rents for existing units.

SP-35 Anticipated Resources

91.420(b), 91.215(a)(4), 91.220(c)(1,2)

Introduction

The following table outlines the CDBG, and HOME funds made available in Program Year 2022 and an estimate of those resources to be made available for the remainder of the Consolidated Plan cycle, 2022-2026. The County also received CDBG-CV in 2020, and HOME-ARP funds in 2022.

Anticipated Resources

Table 73: Anticipated Funds

Program	Funds Source	Uses of Funds	Expected Amount Available Year 1				Amount Available Rest of Con Plan	Narrative Description
			Annual Allocation:	Program Income:	Prior Year Resources:	Total:		
CDBG	public - federal	Acquisition Admin Economic Development Housing Public Improvements Public Services	\$1,372,105	0	1,348,356	2,720,461	5,488,420	CDBG funds for non-housing community development.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$1,300,662	166,950	4,989,394	6,457,006	5,202,648	HOME funds for housing activities.

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied.

CDBG and HOME funds described in this plan are often paired with other federal, state, or local (private and public) resources to garner the most impact on any given project. Although layering resources often increases complexity for partners, there is rarely enough funding from one single source to see a project to completion. Therefore, CDBG and HOME funds are often used as leverage in projects to encourage additional funding.

HOME funding requires a 25% local match and CDBG does not require a match. To satisfy the HOME match requirements, the County mostly relies on the Florida State Housing Initiatives Partnership Program (SHIP). The SHIP program is intended to produce and preserve affordable homeownership and multifamily housing opportunities. Operated by the Florida Housing Finance Corporation, SHIP funds are made available in annual disbursements to eligible jurisdictions. SHIP funds may be used to fund emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisition of property, match dollars for federal grant programs, and homeownership counseling. At least 30 percent of SHIP funds must be preserved for households earning 50% of the median area income. In 2021, the County received \$2,223,084 in SHIP funds. This allocation is greater than the HOME allocation, and because the HOME match requirement is 25%, the County fully expects to be capable of meeting the HOME match requirements utilizing SHIP funds and other non-federal resources.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Brevard County and several Consortium municipalities own properties which are zoned for residential use, are suitable for housing, and set aside for future infill housing units. When possible, lands are donated to affordable housing developer(s) and may be used by Community Housing Development Organization(s) to construct short term and/or long-term affordable housing.

Discussion

The County is set to receive \$4,524,586 in HOME-ARP funding. The County plans to submit the required HOME-ARP Action Plan to HUD in 2022 outlining the plan for those funds. The HOME-ARP Action Plan requires a separate consultation and engagement process, and that will take place after submission of the 2022 Consolidated Plan. The HOME-ARP funds are meant to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable

populations, by providing rental assistance, supportive services, and non-congregate shelter (NCS).

The County received a total of \$2,124,588 in CDBG-CV funding. The use of funds includes the priorities listed in the CDBG-CV RFP for Public Services and Admin. That funding is reflected in the 2019 Annual Action Plan per guidance by HUD. Outcomes that come from CDBG-CV projects will be reflected in the Consolidated Annual Performance and Evaluation Report (CAPER).

SP-40 Institutional Delivery Structure

91.415, 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Table 74: Institutional Delivery Structure

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
Brevard County Housing and Human Services	Government	Planning	Jurisdiction
Brevard Homeless Coalition, Inc.	Continuum of Care	Homelessness	Jurisdiction
Housing Authority of Brevard County	PHA	Public Housing	Jurisdiction
Titusville Housing Authority	PHA	Public Housing	Jurisdiction
Housing Authority of the City of Cocoa	PHA	Public Housing	Jurisdiction
Melbourne Housing Authority	PHA	Public Housing	Jurisdiction
CHDOs	CHDO	Affordable Housing	Jurisdiction
Consortium Cities	Government	Planning; Affordable Housing	Jurisdiction

Assess of Strengths and Gaps in the Institutional Delivery System

HOME Consortium

Brevard County's Housing and Human Services Department serves as the Consortium's lead agency for planning and coordinating the implementation of the Consolidated Plan. The County organizes and facilitates bimonthly HOME Consortium meetings where the County and each participating-member of the Consortium meet to discuss planning processes, opportunities for partnership, fair housing activities, progress on any HOME-funded activities, and to share capacity/knowledge where possible. Each HOME Consortium city implements their own HOME program, with few opportunities for projects to be jointly funded across jurisdictions. This is mostly because the amount of funding is such that it makes larger scale projects difficult, even when joint funding is possible.

Brevard Homeless Coalition

The Brevard Homeless Coalition took over as the continuum of care (CoC) lead agency in 2015. Since then, the CoC has grown to include over seventy service providers. The CoC has rapidly grown its capacity since the 2016 Consolidated Plan cycle. The CoC utilizes the “housing first” model and encourages all service agencies to utilize the chosen homeless management information system (HMIS) software. Although not all service agencies do utilize HMIS, the CoC recognizes the usefulness of HMIS and is actively working with service agencies to participate in HMIS and a coordinated assessment process to best serve the community and most efficiently allocate resources.

CHDOs

There are six Community Housing Development Organizations operating within Brevard County.

- Community Housing Initiative (CHI)
- Community of Hope
- North Brevard Sharing Center
- Housing for Homeless of Brevard County
- Homes for Independence Space Coast
- Abilities Inc. of Florida

The Community Housing Initiative (CHI), the Community of Hope, and North Brevard Sharing Center have significant organizational capacity and all of the active CHDOs are capable of supporting affordable housing development activities at some level. While CHI and Community of Hope are capable of full housing development, no CHDO currently has the capacity to build at scale in a way that would affirmatively address the affordable housing crisis that Brevard County is currently experiencing. As noted in the priority need section, supporting CHDO capacity is a priority over this Consolidated Plan cycle.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Table 75: Homeless Prevention Services Summary

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	X
Legal Assistance	X		
Mortgage Assistance	X		
Rental Assistance	X	X	X
Utilities Assistance	X	X	

Street Outreach Services			
Law Enforcement	X		
Mobile Clinics	X		
Other Street Outreach Services	X	X	
Supportive Services			
Alcohol & Drug Abuse	X	X	
Child Care	X	X	
Education	X	X	
Employment and Employment Training	X	X	
Healthcare	X	X	
HIV/AIDS	X		X
Life Skills	X		
Mental Health Counseling	X	X	
Transportation	X	X	

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth).

There are over seventy agencies that provide services as part of the Brevard Homeless Coalition (BHC), the County continuum of care. Not all agencies from the County continuum of care (CoC) are listed above. The agencies that are part of the BHC coordinate in regular meetings and many do participate in the Homeless Management Information System (HMIS) that the BHC operates.

The BHC has implemented a coordinated assessment process in an effort to ensure consistency of the service delivery system and also to be efficient in matching resources to the person/household in need. This coordinated assessment process over time will improve data collection, thus improving the service delivery system's efficiency in matching available resources to needs.

Further, in efforts to grow capacity to support meeting the current need and addressing future need, the BHC hosts trainings for service providers. In April 2022, the BHC hosted three training webinars:

- Coordinated entry requirements and best practices
- Permanent Supportive Housing in the CoC
- Rapid Rehousing Basics

The service delivery system makes every effort to match the needs of the homeless person/family to the resources using coordinated entry and the coordinates assessment process.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above.

With BHC in the leadership role of the CoC, a major strength to build on is the communication and clarity of direction. With the CoC having a clear direction and purpose, utilizing coordinated entry, coordinated assessments, and HMIS, it provides a foundation from which to build capacity upon. This strength can be seen by the growth of CoC membership over time. In 2016 there were 50 organizations part of the CoC, there are now over 70 organizations that are part of the CoC. This strength impacts all populations served, including those with special needs. The CoC's ability to match an individual to resources rests in its ability to communicate clearly with CoC member organizations and provide direction.

A potential gap in the service delivery system, impacting those with special needs and those without, is HMIS use. HMIS data is often very useful in understanding where gaps and shortfalls may exist in a service delivery system such as a CoC. While many organizations take part in HMIS, not all do. The HMIS data output will only be as good as the input data. The CoC encourages all service providers to utilize HMIS to increase the efficiency of the system, more quickly ending homelessness for those experiencing it.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs.

The BHC continues to make efforts to expand the number and types of organizations that comprise the CoC. The CoC has both ESG, and ESG-CV resources and provides those funds to service organizations. These resources paired with training supports provides incentives for organizations to join the CoC that may fill gaps in services as they become known. Brevard County staff work closely with the CoC and hold at least one seat on the CoC advisory board. BHC will also continue to encourage service providers to utilize HMIS so gaps and can be understood quickly and the CoC may work with its partners to address that gap.

SP-45 Goals - 91.415, 91.215(a)(4)

Goals Summary Information

Table 76: Goals Summary

#	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed
1	Expand and Preserve Affordable Rental Housing	2022	2026	Affordable Housing	Countywide	Affordable Housing
2	Expand and Preserve Affordable Owner Housing	2022	2026	Affordable Housing	Countywide	Affordable Housing
3	Increase Capacity of CHDO Partners	2022	2026	Affordable Housing	Countywide	Affordable Housing
4	Expand Fair Housing	2022	2026	Affordable Housing Non-Homeless Special Needs	Countywide	Equitable Access to Housing
5	Improve Low/Moderate Income Neighborhoods	2022	2026	Non-Homeless Special Needs Non-Housing Community Development	Target Areas	Community and Economic Development
6	Provide Human Services	2022	2026	Homelessness	Countywide	Access to Human Services
7	Administration	2022	2026	Other	Countywide	

Table 77: Goals and Goal Outcome Indicators

#	Goal Name	Funding	Goal Outcome Indicator
1	Expand and preserve affordable rental housing	HOME:	Rental units rehabilitated: 25 Housing units TBRA: 50 households assisted
2	Expand and preserve affordable owner housing	HOME:	Homeowner Housing Added: 10 Housing units Homeowner Housing Rehabilitated: 30 Housing units Direct Financial Assistance to Homebuyers: 15 Households Assisted
3	Increase Capacity of CHDO Partners	HOME:	Other: Capacity Building for 3 CHDOs
4	Expand Fair Housing	HOME: CDBG:	Other: 1
5	Improve Low/Moderate Income Neighborhoods	CDBG:	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 7,375 Persons Assisted Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 10,710 Persons Assisted Buildings Demolished: Buildings 10
6	Provide human services	CDBG:	Public Service Activities other than Low/Moderate Income Housing Benefit: 933 Persons Assisted
7	Administration	HOME: CDBG:	Other: 1

Table 78: Goal Descriptions

1	Goal Name	Expand and Preserve Affordable Rental Housing
	Description	Provide rental housing stock that is available and affordable to those households earning less than 80% AMI. The kinds of projects expected to support achieving this goal will be acquisition of real property (land and/or buildings), new construction of rental units, rehabilitation of rental units, and Tenant Based Rental Assistance (TBRA).
2	Goal Name	Expand and Preserve Affordable Owner Housing
	Description	Provide housing stock that is available and affordable for low- and moderate-income households to purchase. The kinds of projects expected to support this goal will be homeowner purchase assistance, housing rehabilitation, and new construction of units available for purchase.
3	Goal Name	Increase Capacity of CHDO Partners
	Description	Supporting the local Community Housing Development Organizations (CHDO) partners are key in the short-term and long-term development of affordable housing. Projects under this goal will provide funds to pay operating expenses for CHDOs to sustain and increase their capacity.
4	Goal Name	Expand Fair Housing
	Description	Administer fair housing services for the HOME Consortium. Funded projects under this goal may support fair housing training, education, testing, and advertising.
5	Goal Name	Improve Low/Moderate Income Neighborhoods
	Description	Enhance community infrastructure and facilities to provide a sustainable and future equitable growth. Some types of projects that will achieve this goal are water and sewer line improvements, the removal of slum and blight, road, and drainage improvements, improving parks, community centers, and recreation facilities.
6	Goal Name	Provide Human Services
	Description	Address the service needs of the community, especially seniors, youth, and those experiencing homelessness. Some example projects that work to achieve this goal will be funding community kitchens, meal programs, education programs, and those homeless service providers offering direct care to households.
7	Goal Name	Administration
	Description	Up to 20% of the CDBG program and 10% of the HOME program may be reserved to pay for staff costs incurred to administer the programs. There are no direct outcomes tied to this goal, however this funding is used to maintain the County's capacity to plan for and implement the CDBG and HOME programs.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

All HOME funds will be used to assist families who are at or below 80% of AMI. In the 2022 program year, an estimated 20 households will be provided with assistance.

- Homeowner Rehabilitation – 30
- Homeowner, New Construction – 10
- Homeowner Purchase Assistance – 15
- Rental Acquisition/Rehabilitation – 25
- TBRA – 50

SP-50 Public Housing Accessibility and Involvement

91.415, 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

Through consultations, meetings with stakeholders, data analysis, and surveys, the County understands the need to support those living with a disability. Further, the data shows that those living with a disability in Brevard County are more likely to be elderly. Knowing this, the Public Housing Authorities (PHA) operating within Brevard County will continue to increase accessibility of their public housing units to be available for those living with a disability.

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires that 5% of all public housing units be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. The Uniform Federal Accessibility Standards (UFAS) is the standard against which residential and non-residential spaces are judged to be accessible. The Public Housing Authorities (PHA) operating within Brevard County exceed this 5% and 2% requirement, respectively. The following is a list of the number of total units in each of the three housing authorities and the number of UFAS units.

Housing Authority of Brevard County (HABC): There are currently 318 individuals with a disability on HABC's public housing waiting list and 136 individuals with a disability on the Section 8 waitlist. HABC has a total of 472 units, 58 of which (12%) are accessible to persons with disabilities.

Housing Authority of the City of Titusville (HACTV) - HACTV is working on making all public housing units more accessible for elderly and disabled individuals as they are rehabilitated. Currently, HACTV has 255 units, 123 of which (48%) are accessible to persons with disabilities.

City of Cocoa Housing Authority (CHA) – There are currently 244 individuals with a disability on CHAS's waiting lists. Of the housing authority's 327 RAD/PBRA units, 18 of them (6%) are accessible to persons with disabilities.

Activities to Increase Resident Involvements

All of the County's housing authorities offer a variety of supportive activities, including self-sufficiency programs for residents. Residents are encouraged to participate in resident council meetings. Consortium members will support the Housing Authorities Annual Plan and provide a variety of

activities during the year to encourage public housing residents to become more self-sufficient and participate in homeownership.

These activities include:

- Offering Purchase Assistance classes along with down payment assistance to support homeownership to residents.
- Inviting Housing Authority staff to attend all advisory council meetings and participate in annual action planning activities.
- HACTV supports engagement from its elderly residents through its HUD-funded Resident Opportunity & Self-Sufficiency Program
- HABC is establishing a South office in Melbourne FL, to work more closely with Public Housing residents and Section 8 tenants located there.
- Notifying Housing Authority staff and residents of social service programs which would benefit residents.
- Notifying Housing Authorities of Request for Proposal (RFP) opportunities. The Consortium works with the Housing Authorities to inform residents about purchase assistance programs.

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the 'troubled' designation

Not applicable.

SP-55 Strategic Plan Barriers to Affordable Housing

91.415, 91.215(h)

Barriers to Affordable Housing

The Brevard County HOME Consortium is in the process of conducting an Assessment of Fair Housing (AFH) which includes an identification of factors that may be impacting the development or preservation of affordable housing. That AFH will conclude in quarter 4 of 2022, and that report will be made available to the public, including information on barriers impacting the development and preservation of affordable housing throughout the County.

In the preparation of this Consolidated Plan, the County conducted outreach to stakeholders, county staff, key program implementation partners, and the community at-large. There are several barriers that consistently get identified, many of which are market-based.

- The overall cost of housing disproportionately impacts those low- and moderate-income households and is the largest barrier to affordable housing.
 - In the current housing market in Brevard County, there is incredible pressure driving costs up, which further limits the available housing stock for households earning less than median incomes
- Development incentives in the current market skew heavily towards the development of single-family homes. While there may be funds available to pursue affordable housing projects, there are fewer developers interested because it makes more financial sense for them to pursue other ventures.
- The cost of land has gone up significantly in Brevard County. This increase paired with increases in labor and material cost have put further strain on the development of affordable housing.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

Brevard County and the 4 jurisdictions participate in the State Housing Initiatives Partnership (SHIP) program. In order to receive and use SHIP funds for the development of affordable housing, they are required to appoint an advisory committee that reviews established policies, procedures, ordinances, and land development regulations impacting housing development each year. This review of policies culminates in a report, the *Affordable Housing Incentives* Report. Some recommendations from the 2021 reports from the Consortium include:

- Consider allowing flexibility in densities for affordable housing by implementing a voluntary inclusionary zoning ordinance

- Multiple actions to encourage accessory dwelling units and tiny homes including development of a user guide for use and application; further study and consideration of appropriate density, intensity; use and impact fee waivers and concurrency exemptions for affordable ADUs and tiny homes; and additional incentives using local housing program funds and lands.
- Continue to allow greater flexibility increasing density and intensity levels to encourage creation of new affordable housing within the County.
- Further study and amend periods of affordability for units realized by incentives.
- Create a county user guide on the use and application of density and intensity bonuses and other County Comprehensive Plan and Code based incentives.

Regarding barriers for households to fairly obtain affordable housing, the Consortium utilizes a Fair Housing Coordinator, employed by Brevard County, who works closely with the local Fair Housing Continuum. The Fair Housing Coordinator ensures that all municipal owned facilities are accessible to all residents.

Federal and state laws protect against discrimination on the basis of race, color, national origin, religion, gender, familial status and disability. Housing discrimination is strictly prohibited against members of the protected classes. The Brevard County HOME Consortium will complete an Assessment of Fair Housing (AFH) in late 2022/early 2023. This AFH will work to define specific community and market factors that contribute to fair housing issues and complaints. The AFH will then outline clear action steps the county and/or city to take to address that factor.

SP-60 Homelessness Strategy

91.415, 91.215(d)

Describe how the jurisdiction's strategic plan goals contribute to:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Coordinated Assessment (CA) process for BHC includes a Front-Line/Diversion Specialist at 211 Brevard and specialized crisis response and diversion assistance to individuals and families at risk of or currently experiencing homeless. A household's first encounter with the BHC coordinated assessment will begin the process in matching a household's needs to the available resources. The Vulnerability Index & Service Prioritization Decision Assistance (VI-SPDAT) Tool is often used to make referrals to a suitable Emergency Shelter as needed.

The Coordinated Entry System (CES) is Brevard County's response to quickly and equitably coordinating the frontline housing crisis. CES engages with homeless individuals, families, and youth from the first point of access and assessment until they've been matched with services, placed in permanent housing, and have become self-sustainable. CES allows our Continuum of Care (CoC) to focus HUD-funding on individuals with the least access to resources through Coordinated Assessment. The CoC's lead agency, the Brevard Homeless Coalition, manages the CES and works with provider agencies to determine capacity and provide administrative support.

Addressing the emergency and transitional housing needs of homeless persons

BHC engages the Outreach teams of National Homeless Veteran's Support, Volunteers of America, Crosswinds and the Veteran's Administration when they attend a weekly Coordinated Housing Assessment Team meeting to help engage and house those households experiencing homelessness. Also, through HUD and ESG funding, Crosswinds Youth maintains staff that provides outreach for those Youth who are homeless in Brevard County. National Homeless Veterans Support provides outreach for all people experiencing homelessness in the northern part of Brevard County and Daily Bread along with South Brevard Sharing Center provide outreach for the southern end of Brevard County.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for

homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The BHC has implemented the “housing first” model and has worked to increase the number of permanent supportive housing (PSH) beds that are available in the County. While the current housing market makes increasing the number of units available to those households earning less than 80% AMI, the BHC sees minimizing the number of days a household experiences homelessness as a priority. The BHC relies on its coordinated entry system and HMIS to work as quickly as it can to reasonably match a household’s needs to a provider and resources to meet that need.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education, or youth needs

While some publicly funded organizations such as hospitals and the jail do have discharge policies and relationships with BHC members, there is room for greater coordination and formalization of these discharge policies. Representatives from health providers do attend the BHC bi-monthly meetings. As the CoC continues as the leader to address homelessness in the County, HOME Consortium members will work to coordinate with the CoC and those institutions discharging individuals to ensure they are not discharged into homelessness.

BHC members in receipt of McKinney-Vento Act funds do not accept clients who are discharged from institutions into their transitional housing programs. Some BHC members are funded through a Florida Department of Corrections grant to provide transitional housing to clients discharged from jails.

SP-65 Lead-based Paint Hazards

91.415, 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

All Housing and Human Services Department Inspectors having completed the online HUD lead based paint course “Healthy Homes and Lead Hazard Control” and they are certified renovators, as defined in 40 CFR Part 745.225. This certification assists the inspectors with identifying the need for further inspection and abatement. All housing units built prior to 1978, regardless of the funding source, will be evaluated for lead-based paint. The housing inspectors will take note of flaking or chipping paint. If lead-based paint is found, a certified professional will be consulted for abatement.

How are the actions listed above related to the extent of lead poisoning and hazards?

The Consortium will continue to provide technical guidance on lead-based paint and asbestos requirements to CHDOs, non-profits, and for-profits accessing federal and other dollars for housing-related services and operations, demolitions, and other activities as identified.

How are the actions listed above integrated into housing policies and procedures?

The Consortium will continue to ensure that existing housing programs and policies conform to the requirements of the code of federal regulations for lead-based paint and asbestos hazards (24 CFR Part 35). Additionally, consumer education is required of all clients receiving rental assistance, down payment or rehabilitation assistance for any home that was built before 1978. Consumer education includes reviewing a renovation brochure review with the client. Following the brochure review, the client signs a form stating he or she has been advised about the hazards of lead-based paint. The client is also given a copy of the brochure.

SP-70 Anti-Poverty Strategy

91.415, 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The County and the Consortium will use CDBG and HOME funds to support a variety of activities that are specifically designed to help low- and moderate-income persons and families break the cycle of poverty. While there is no immediate fix for those households experiencing poverty, there are short-term and long-term investments that the County plans to make to address both the immediate needs and longer term needs of those households living below the poverty threshold. To address short-term needs, the County uses CDBG funds to provide human services such as providing meal services, recreation services, education services, youth services, and services targeted to immediate needs of the elderly.

To address long-term needs of those families living below the poverty threshold, the County will expend HOME funds to increase the housing stock that is affordable to those families earning less than 80% of the AMI. As described in other sections of this Consolidated Plan, the County supports the development of affordable housing both directly through programs such as purchase assistance rehabilitation of existing homes, and indirectly through supporting developer partners and the local Community Housing Development Organizations (CHDO). The County also plans to use CDBG funds to enhance low- and moderate-income neighborhoods through infrastructure and public facility improvements. These projects ultimately aim to make further investment in these neighborhoods both possible and likely.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan?

The County works closely with the other HOME Consortium member cities as well as CHDO partners and the Brevard Homeless Coalition (BHC) to understand needs and develop goals and implementation plans that work to address the most pressing needs identified by all partners. Similarly, the County meets with representatives from the target areas identified in this Consolidated Plan. Those target areas also produce 5-year planning documents. The County will continue to align goals and develop projects that meet the needs described by those living within the target areas and other low- and moderate-income areas.

SP-80 Monitoring

91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

All members of the Consortium have adopted monitoring procedures in accordance with the Code of Federal Regulations, Title 24, Part 91, Section 230. Brevard County Housing & Human Services Department's Contracts Management Team (CMT) shall be responsible for implementing the monitoring plan in accordance with the Department's Monitoring and Technical Assistance Policy HHS-012. CMT will ensure that all sub-grantees and sub-recipients manage the day-to-day operations, program activities, and projects funded by local, state and federal resources. CMT will also ensure compliance with the requirements of applicable laws, rules and regulations in order to provide timely quality services; decent, safe and sanitary housing; and a quality living environment to the residents of Brevard County. All sub-grantees and sub-recipients will be monitored to ensure program, financial and regulatory compliance.

The Department's Monitoring Procedure is as follows. During the first quarter of each fiscal year, a public service risk assessment shall be performed for each sub-grantee/sub-recipient using the Risk Assessment Form. Each sub-grantee or sub-recipient shall be determined to be high, moderate or low risk. Level of risk or the requirements of the funding source shall determine the type of monitoring review to be scheduled.

- High Risk: When a sub-grantee/sub-recipient has been determined to be a High Risk, the sub-grantee/sub-recipient shall receive a Comprehensive On-Site Monitoring Review and a minimum of one Technical Assistance visit. The Comprehensive Review will cover all aspects of the program/project progress.
- Moderate Risk: When a sub-grantee/sub-recipient has been determined to be at Moderate Risk, they shall receive an annual Limited On-Site Monitoring Review. Limited Reviews will cover specific areas of concern such as, but not limited to, payment requests, budgets, affordability, income eligibility, performance and other applicable documentation.
- Low Risk: When a sub-grantee/sub-recipient has been determined to be at Low Risk, they may be exempt from a Comprehensive or Limited On-Site Monitoring Review. An Annual Desk Review or Program/Project Site Visit (or both) shall be conducted in lieu of an On-Site monitoring.

See AD-25, Administration, Unique Appendices, for the full Monitoring text.

Action Plan

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The following table describes the federal resources from HUD made available to Brevard County for the 2022 Program Year. The CDBG funds will support non-housing community development of Brevard County outside of the four cities that receive CDBG funds separately. The HOME funds address housing needs within the Brevard County HOME Consortium area which include all of Brevard County. The table includes the annual allocation, any prior year resources not expended before the 2022 program year, and then any program income. The "Expected Amount Available Remainder of Con Plan" column is an estimate of the amount of total resources to be made available from HUD for program years 2023 through 2026.

Anticipated Resources

Table 79: Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of Con Plan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$1,372,105	0	1,348,356	2,720,461	5,488,420	Funding for non-housing community development

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of Con Plan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	1,300,662	166,950	6,046,336	7,513,948	5,202,648	Funding for housing activities.

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied

CDBG and HOME funds are used to leverage additional funding to address the needs outlined in this plan. While there is no match requirement for the use of CDBG funds, there is a requirement for local match when using HOME funds. To satisfy the 25% local match for HOME funds, Brevard County primarily uses the State Housing Initiatives Partnership (SHIP) program. For the 2021-2022 program year, Brevard County received a total of \$2,223,084 in SHIP funding; well above the 25% match requirement.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the

needs identified in the plan

At this time the County does not anticipate using any publicly owned land or property to address needs identified in this plan. However, the County is pursuing opportunities with partners that may involve publicly owned land. As those opportunities emerge, the County will update this plan as needed.

AP-20 Annual Goals and Objectives

91.420, 91.220(c)(3)&(e)

Goals Summary Information

Table 80: Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed
1	Expand and preserve affordable rental housing	2022	2023	Affordable Housing	Countywide	Affordable Housing
2	Expand and preserve affordable owner housing	2022	2023	Affordable Housing	Countywide	Affordable Housing
3	Increase Capacity of CHDO Partners	2022	2023	Affordable Housing	Countywide	Affordable Housing
4	Expand Fair Housing	2022	2023	Affordable Housing Non-Homeless Special Needs	Countywide	Equitable Access to Housing
5	Improve low/moderate income neighborhoods	2022	2023	Non-Homeless Special Needs Non-Housing Community Development	Countywide	Community and Economic Development
6	Provide human services	2022	2023	Homelessness	Countywide	Access to Human Services
7	Administration	2022	2023	Other	Countywide	

Table 81: Goals, Funding, and Goal Outcome Indicators

#	Goal Name	Funding	Goal Outcome Indicator
1	Expand and preserve affordable <u>rental</u> housing	HOME: \$757,595	Rental units rehabilitated: 10 Housing units TBRA: 25 households assisted
2	Expand and preserve affordable <u>owner</u> housing	HOME: \$413,000	Homeowner Housing Added: 2 Housing units Homeowner Housing Rehabilitated: 9 Housing units Direct Financial Assistance to Homebuyers: 22 Households Assisted
3	Increase Capacity of CHDO Partners	HOME:	Other:
4	Expand Fair Housing	HOME: \$9,140	Other: 1
5	Improve low/moderate income neighborhoods	CDBG: \$891,868	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 7,375 Persons Assisted Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 10,710 Persons Assisted Buildings Demolished: Buildings 10
6	Provide human services	CDBG: \$205,816	Public Service Activities other than Low/Moderate Income Housing Benefit: 933 Persons Assisted
7	Administration	HOME: \$120,421 CDBG: \$274,421	Other: 1

Goal Descriptions

Table 82: Goal Descriptions

1	Goal Name	Expand and Preserve Affordable Rental Housing
	Description	Provide rental housing stock that is available and affordable to those households earning less than 80% AMI. The kinds of projects expected to support achieving this goal will be acquisition of real property (land and/or buildings), new construction of rental units, rehabilitation of rental units, and Tenant Based Rental Assistance (TBRA).
2	Goal Name	Expand and Preserve Affordable Owner Housing
	Description	Provide housing stock that is available and affordable for low- and moderate-income households to purchase. The kinds of projects expected to support this goal will be homeowner purchase assistance, housing rehabilitation, and new construction of units available for purchase.
3	Goal Name	Increase Capacity of CHDO Partners
	Description	Supporting the local Community Housing Development Organizations (CHDO) partners are key in the short-term and long-term development of affordable housing. Projects under this goal will provide funds to pay operating expenses for CHDOs to sustain and increase their capacity.
4	Goal Name	Expand Fair Housing
	Description	Administer fair housing services for the HOME Consortium. Funded projects under this goal may support fair housing training, education, testing, and advertising.
5	Goal Name	Improve Low/Moderate Income Neighborhoods
	Description	Enhance community infrastructure and facilities to provide a sustainable and future equitable growth. Some types of projects that will achieve this goal are water and sewer line improvements, the removal of slum and blight, road, and drainage improvements, improving parks, community centers, and recreation facilities.

6	Goal Name	Provide Human Services
	Description	Address the service needs of the community, especially seniors, youth, and those experiencing homelessness. Some example projects that work to achieve this goal will be funding community kitchens, meal programs, education programs, and those homeless service providers offering direct care to households.

AP-35 Projects

91.420, 91.220(d)

Introduction

The Fiscal Year 2022 planned projects will address the County's housing and community development needs. Those planned projects are described below. The prior year CDBG funds (\$1,348,356) will be allocated to an infrastructure project identified by the CDBG Advisory Committee.

Table 83: Project Information

#	Project Name
1	CDBG: Public Service Projects
2	CDBG: Demolition/Land Clearance
3	CDBG: Public Infrastructure Improvements
4	CDBG: Section 108 Loan Repayment
5	CDBG: Administration
6	HOME: Community Housing Development Organization (CHDO) set-aside
7	HOME: Homeowner Rehabilitation/Repair/Replacement/New Construction
8	HOME: Rental Acquisition Resale/Rehabilitation/New Construction
9	HOME: Down payment Assistance/Purchase Assistance
10	HOME: Tenant Based Rental Assistance
11	Fair Housing Administration
12	HOME: Administration

Describe the reasons for allocation priorities and any obstacles to addressing underserved need

Allocation priorities are based on the needs outlined in the Consolidated Plan, the availability or leveraged resources to support the projects, and the soundness of the project submission based on the Request for Proposals (RFP).

AP-35 Projects

Project Summary Information

Table 84: Project Summary

1	Project Name	CDBG: Public Service Projects
	Target Area	Countywide
	Goals Supported	Provide Human Services
	Needs Addressed	Access to Human Services
	Funding	CDBG: \$205,815.75
	Description	Public services will address the needs of seniors, youth, homeless persons, education, transportation services, and food services
	Target Date	9/30/2023
	Planned Activities	<ul style="list-style-type: none"> • Provide nutritious meals to low- to moderate-income qualified individuals/families in Brevard County. • Provide information, education, and resources for seniors. • Transportation services for life-sustaining destinations: doctor appointments, labs, grocery, pharmacy. • Transportation services for grades K through 8th. • Housing supportive services for individuals/families to prevent homelessness. • Education services for at-risk youth. • Employment services for youth transitioning out of foster care.

Project Name	CDBG: Demolition/Land Clearance
---------------------	--

2	Target Area	Countywide
	Goals Supported	Improve Low/Moderate Income Neighborhoods
	Needs Addressed	Community and Economic Development
	Funding	CDBG: \$250,000
	Description	The elimination and prevention of slum and blight by the removal of unsafe structures.
	Target Date	09/30/2023
	Planned Activities	Demolition and clearance of junk vehicles, scrap materials, debris and other hazardous or nuisance items from a property in order to place the property in a safe and sanitary condition.
3	Project Name	CDBG: Public Infrastructure Improvements
	Target Area	Countywide
	Goals Supported	Improve Low/Moderate Income Neighborhoods
	Needs Addressed	Community and Economic Development
	Funding	CDBG: \$398,707.17
	Description	Sharpes Greenway Project-Design and Completion from North East Railroad Avenue to the Bernice Jackson Park.
	Target Date	09/30/2023
	Planned Activities	Design and completion of a sidewalk in the Bernice Jackson Park in Sharpes, FL

4	Project Name	CDBG: Section 108 Loan Repayment
	Target Area	Countywide
	Goals Supported	Improve Low/Moderate Income Neighborhoods

	Needs Addressed	Community and Economic Development
	Funding	CDBG: \$243,161.08
	Description	Repayment of principal and interest of a Section 108 loan used to construct a Health Department Clinic and construction of 19,000 ft. 12' water main with fire hydrants.
	Target Date	09/30/2023
	Planned Activities	Loan repayment for a 12,850 square foot Health Department Clinic serving low-income indigent and minority persons and for construction of 19,000 ft. 12" water main with fire hydrants.
5	Project Name	CDBG: Administration
	Target Area	Countywide
	Goals Supported	Administration
	Needs Addressed	
	Funding	CDBG: \$274,421
	Description	Administration costs to operate the Community Development Block Grant Program.
	Target Date	09/30/2023
	Planned Activities	Administration costs to operate the Community Development Block Grant Program.
6	Project Name	HOME: Community Housing Development Organization Set-Aside
	Target Area	Countywide
	Goals Supported	Expand and Preserve Rental Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$195,099.30
	Description	New Construction and preservation of affordable rental housing

	Target Date	09/30/2023
	Planned Activities	New Construction/Preservation of affordable rental housing
7	Project Name	HOME: Homeownership Rehabilitation/Repair/Replacement/New Construction
	Target Area	Countywide
	Goals Supported	Expand and Preserve Owner Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$252,681.92
	Description	To rehabilitate and reconstruct, when necessary, owner-occupied units
	Target Date	09/30/2023
	Planned Activities	Rehabilitation, reconstruction, and preservation of quality owner occupied affordable housing.
8	Project Name	HOME: Rental Acquisition Resale/Rehabilitation/New Construction
	Target Area	Countywide
	Goals Supported	Expand and Preserve Rental Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$572,816.25
	Description	New Construction and preservation of quality affordable rental housing.
	Target Date	09/30/2023
	Planned Activities	New Construction and preservation of quality owner occupied affordable housing.
9	Project Name	HOME: Down Payment/Purchase Assistance
	Target Area	Countywide

	Goals Supported	Expand and Preserve Owner Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$119,998.33
	Description	Down payment and closing cost assistance to homebuyers.
	Target Date	09/30/2023
	Planned Activities	Down payment and closing cost assistance to homebuyers.
10	Project Name	HOME: Tenant Based Rental Assistance
	Target Area	Countywide
	Goals Supported	Expand and Preserve Owner Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$30,000
	Description	Tenant Base Rental Assistance will be provided through the City of Melbourne for qualified households to assist with rental subsidy for up to 24 months.
	Target Date	09/30/2023
11	Project Name	HOME: Administration
	Target Area	Countywide
	Goals Supported	Administration
	Needs Addressed	
	Funding	HOME: \$120,926.20
	Description	Administrative cost to operate the HOME Investment Partnerships Program
	Target Date	09/30/2023

	Planned Activities	Administrative cost to operate the HOME Investment Partnerships Program
12	Project Name	Fair Housing Administration
	Target Area	Countywide
	Goals Supported	Expand Fair Housing
	Needs Addressed	Equitable Access to Housing
	Funding	HOME: \$9,140
	Description	To affirmatively further fair housing
	Target Date	09/30/2023
	Planned Activities	Advertising "The History of the Fair Housing Act", Tenant Rights, and Testing

AP-50 Geographic Distribution

91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Brevard County’s CDBG program has seven targeted neighborhoods. The County primarily focuses spending CDBG funds in these areas, however, the County does not solely spend funds in these neighborhoods and subsequent Requests for Proposals (RFPs) will receive submissions for projects from anywhere within the county, except for those cities that receive their own CDBG funds (Cocoa, Melbourne, Palm Bay, Titusville).

Geographic Distribution

Table 85: Geographic Distribution

Target Area	Percentage of Funds
Clearlake – Cocoa	20%
East Mims Neighborhood	1.4%
Micco Neighborhood	%
North Tropical Trail Neighborhood	%
Sharpes Neighborhood	53.9%
West Cocoa Neighborhood	12.7%
West Canaveral Groves Neighborhood	%
Countywide	11.6%

The County does not commit to a certain percentage of funds to be spent in any one target area, rather projects for target area are prioritized.

Rationale for the priorities for allocating investments geographically

The Strategic Plan discusses the basis for how the County allocated CDBG and HOME funds geographically. For the 2022 Action Plan, the County will make funding available through a Request for Proposal (RFP) process. This process will prioritize funding for projects located in target areas defined in this section. While these target areas are prioritized, the County does not expect to solely fund projects

in these neighborhoods and encourages submissions for projects that meet the priority needs and goals described in this Consolidated Plan.

AP-55 Affordable Housing

91.420, 91.220(g)

Introduction

Through data analysis and extensive outreach to stakeholders and residents, the County recognizes the need for development of affordable housing throughout the County. HOME funds are spent in unincorporated County, as well as in each participating city (Cocoa, Melbourne, Palm Bay, Titusville). The following are the one-year goals for the number of households to be supported through the programs funded by the County and any one of the cities.

Some examples of the types of activities that will support the development of affordable housing are:

- Purchase Assistance
- Homeowner Rehabilitation
- Rental Rehabilitation
- New Construction

Table 86: One-Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	26
Special-Needs	0
Total	26

Table 87: One-Year Goals for Affordable Housing by Support Type

One Year Goals for the Number of Households Supported Through	
Rental Assistance	10
The Production of New Units	2
Rehab of Existing Units	11
Acquisition of Existing Units	3
Total	26

AP-60 Public Housing

91.420, 91.220(h)

Introduction

The Brevard HOME Consortium is served by three Public Housing Authorities:

- Housing Authority of the City of Titusville, which serves the City of Titusville;
- Cocoa Housing Authority, which serves the City of Cocoa;
- Housing Authority of Brevard County, which served the unincorporated areas of Brevard County; and
- Housing Authority of Melbourne, which serves the City of Melbourne.

Actions planned during the next year to address the needs to public housing

Each public housing authority (PHA) has its own set of strategies to meet the needs of low-income residents and current residents of properties managed by each PHA. Some specific actions planned by each PHA are described below.

Brevard County Housing Authority

- In 2022-2023, the PHA plans to develop tax credit housing for elderly/disabled people consisting of up to 216 apartments. The site is located at Sun Lake Road and Babcock Rd. Palm Bay Florida. The target market is between 30% and 80% AMI, these units will be included for deconcentrating purposes. The development will be known as "Oaks at Sun Lake".
- In 2022-2023, the PHA plans to develop multi-family development in Merritt Island, FL. on vacant land which was previously Public Housing.
- In 2021, the PHA intends to expand Public Housing and Section 8 administrative offices to better serve clients countywide.
- Obtain or construct a warehouse space in both North and South Brevard County.
- Establish a South office in Melbourne FL, to better serve Public Housing and Section 8 tenants in the area.

Cocoa Housing Authority

- The PHA currently has vacant land that can be developed for affordable housing and its current goal is to develop at least 70—150 apartments for senior citizens within the next 5 years.
- The PHA also has vacant land is zoned for commercial use and could be sold. The proceeds of sale could be used to purchase additional land for more affordable housing development. This idea is being considered by the CHA Board of Commissioners.

- The PHA is deeply involved with 327 former public housing apartments which have been converted to RAD/PBRA. These homes serve the same lower income households we have always served. The average adjusted gross income by household size is approximately 20% of Area Median Income (AMI) by household size.

Housing Authority of the City of Titusville

- The PHA continues to complete renovations by modernizing units as they are vacated rather than moving sections to renovate the units all at once. This decreases the number of offline units and increases efficiency in completing them.
- Areas of focus for modernization includes rehabilitation of family units within the neighbors and elderly units at the Titusville Towers ALF.
- While the number of vouchers it receives limits program growth, Section 8 staff continues to recruit landlords for the program and pursue additional vouchers, as HUD makes funding available.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The Consortium members will support the Housing Authorities' Annual Plans and provide a variety of activities during the year to encourage public housing residents to become more self-sufficient and participate in homeownership. These activities include:

- Offering Purchase Assistance classes along with down payment assistance to support homeownership to residents.
- Inviting Housing Authority staff to attend all various advisory council meetings and participate in annual action planning activities.
- Notifying Housing Authority staff and residents of social service programs which would benefit residents.
- Notifying Housing Authorities of Request for Proposal opportunities.

The Consortium will work with the Housing Authorities to inform residents about the HOME purchase assistance program.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

None of the Public Housing Authorities operating in Brevard County have been designated as troubled.

AP-65 Homeless and Other Special Needs Activities

91.420, 91.220(i)

Introduction

Brevard County is a member agency and has staff on the board of the Brevard Homeless Coalition (BHC), which serves as the lead agency for the Continuum of Care (CoC). The BHC receives funding from HUD to support service delivery to those experiencing homelessness. Brevard County and each member of the HOME Consortium also use CDBG funding to support nonprofits in their delivery of services to the community. These services may vary by year, but the services are generally targeted to those experiencing homelessness and low- and moderate-income families.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The 211 Brevard provides a service that is often viewed as the “frontline” in coordinating service between those in need and those organizations with resources. BHC works with the outreach teams of the National Homeless Veteran’s Support, Volunteers of America, Crosswinds, and the Veteran’s Administration when they attend a weekly Coordinated Housing Assessment Team meeting.

After outreach is conducted and a household or individual is identified and in need of services, BHC utilizes a Coordinated Assessment (CA) that is a uniform way to assess a household’s priority needs in addressing their housing need. Coordinated Assessment increases the efficiency of the service delivery system because it quickly matches a household with available resources that are the best fit for that household. This is done through coordination with BHC and all of the member organizations that provide services throughout the County.

Addressing the emergency shelter and transitional housing needs of homeless persons

There is a need for additional emergency shelter beds and transitional housing to meet the needs of persons experiencing homelessness in Brevard County. There are several agencies that focus on specific groups of people experiencing homelessness and provide high quality services, however gaps may exist in parts of the County where an emergency shelter doesn’t exist to serve a household that may not meet the qualifications of a nearby shelter.

While there is a need for shelter and transitional housing units, the Brevard Homeless Coalition has increased their capacity over the past several years and taken a leadership role in growing their membership. Through increasing the number of nonprofits associated to BHC, there has been a steady increase in organizations that are providing services to meet the needs of those experiencing

homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The BHC has implemented the “housing first” model and has worked to increase the number of permanent supportive housing (PSH) beds that are available in the County. While the current housing market makes increasing the number of units available to those households earning less than 80% AMI, the BHC sees minimizing the number of days a household experiences homelessness as a priority. The BHC relies on its coordinated entry system and HMIS to work as quickly as it can to reasonably match a household’s needs to a provider and resources to meet that need.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

While some publicly funded organizations such as hospitals and the jail do have discharge policies and relationships with BHC members, there is room for greater coordination and formalization of these discharge policies. Representatives from health providers do attend the BHC bi-monthly meetings. As the CoC continues as the leader to address homelessness in the County, HOME Consortium members will work to coordinate with the CoC and those institutions discharging individuals to ensure they are not discharged into homelessness.

BHC members in receipt of McKinney-Vento Act funds do not accept clients who are discharged from institutions into their transitional housing programs. Some BHC members are funded through a Florida Department of Corrections grant to provide transitional housing to clients discharged from jails.

AP-75 Barriers to Affordable Housing

91.420, 91.220(j)

Introduction

The County facilitates an Affordable Housing Advisory Council (AHAC) that regularly meets and work closely with the County Planning and Zoning Department. The AHAC will continue to bring affordable housing barriers and issues to light and provide the County an opportunity to address those issues as they are identified.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Brevard County and the four jurisdictions participate in the State Housing Initiatives Partnership (SHIP) program. To receive and use SHIP funds for the development of affordable housing, they are required to appoint an advisory committee that reviews established policies, procedures, ordinances, and land development regulations impacting housing development each year. This review of policies culminates in a report, the *Affordable Housing Incentives* Report. Some recommendations from the 2021 reports from the Consortium include:

- Consider allowing flexibility in densities for affordable housing by implementing a voluntary inclusionary zoning ordinance
- Multiple actions to encourage accessory dwelling units and tiny homes including development of a user guide for use and application; further study and consideration of appropriate density, intensity; use and impact fee waivers and concurrency exemptions for affordable ADUs and tiny homes; and additional incentives using local housing program funds and lands.
- Continue to allow greater flexibility increasing density and intensity levels to encourage creation of new affordable housing within the County.
- Further study and amend periods of affordability for units realized by incentives.
- Create a county user guide on the use and application of density and intensity bonuses and other County Comprehensive Plan and Code based incentives.

Regarding barriers for households to fairly obtain affordable housing, the Consortium utilizes a Fair Housing Coordinator, employed by Brevard County, who works closely with the local Fair Housing Continuum. The Fair Housing Coordinator ensures that all municipal owned facilities are accessible to all residents.

AP-85 Other Actions

91.420, 91.220(k)

Actions planned to address obstacles to meeting underserved needs

The County has staff that meet regularly with CDBG target area organizations and sit on advisory boards and councils to be aware of barriers and obstacles facing those households with unmet needs. The County will continue to be a partner to those organizations providing services and provide support where possible.

Actions planned to foster and maintain affordable housing

The County works closely with the other HOME Consortium member cities as well as CHDO partners and the Brevard Homeless Coalition (BHC) to understand needs and develop goals and implementation plans that work to address the most pressing needs identified by all partners. Similarly, the County meets with representatives from the target areas identified in this Consolidated Plan. Those target areas also produce 5-year planning documents. The County will continue to align goals and develop projects that meet the needs described by those living within the target areas and other low- and moderate-income areas.

The Brevard County Affordable Housing Advisory Council (AHAC) plays a role in addressing barriers that may exist in the development of affordable housing. Similarly, the County, along with each HOME Consortium City, will be conducting an Assessment of Fair Housing (AFH) in 2022 that will further support the analyses conducted through the SHIP Incentives Reports to identify those possible barriers to affordable housing development and provide some strategies to address those barriers.

Actions planned to reduce lead-based paint hazards

All Housing and Human Services Department Inspectors having completed the online HUD lead based paint course "Healthy Homes and Lead Hazard Control" and they are certified renovators, as defined in 40 CFR Part 745.225. This certification assists the inspectors with identifying the need for further inspection and abatement. All housing units built prior to 1978, regardless of the funding source, will be evaluated for lead-based paint. The housing inspectors will take note of flaking or chipping paint. If lead-based paint is found, a certified professional will be consulted for abatement.

Actions planned to reduce the number of poverty-level families

The County and the Consortium will use CDBG and HOME funds to support a variety of activities that are specifically designed to help low- and moderate-income persons and families break the cycle of poverty. While there is no immediate fix for those households experiencing poverty, there are short-

term and long-term investments that the County plans to make to address both the immediate needs and longer term needs of those households living below the poverty threshold. To address short-term needs, the County uses CDBG funds to provide human services such as providing meal services, recreation services, education services, youth services, and services targeted to immediate needs of the elderly.

Actions planned to develop institutional structure

The BHC continues to make efforts to expand the number and types of organizations that comprise the CoC. The CoC has both ESG, and ESG-CV resources and provides those funds to service organizations. These resources paired with training supports provides incentives for organizations to join the CoC that may fill gaps in services as they become known. Brevard County staff work closely with the CoC and hold at least one seat on the CoC advisory board. BHC will also continue to encourage service providers to utilize HMIS so gaps and can be understood quickly and the CoC may work with its partners to address that gap.

Actions planned to enhance coordination between public and private housing and social service agencies

The County has staff that sit on government boards and advisory councils that regularly consult with private housing and social service agencies. These platforms are a great medium for the County to learn about issues facing the private housing market as well as those agencies that are providing services in the field. The County will continue this role and will build relationships with those organizations to understand needs and needed resources to meet needs.

AP-90 Program Specific Requirements

91.420, 91.220(l)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	0.00%

HOME Investment Partnership Program (HOME) Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:
2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds. See 24 CFR 92.254(a)(4) are as follows:
4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Brevard County HOME Consortium

2022-2026 Consolidated Plan Appendices

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Appendix A: Community Outreach

Community Outreach List

The following table includes all organizations and agencies that Brevard County contacted as part of the Consolidated Plan process. Not all organizations that were contacted responded or contributed to the planning process. For the full list of organizations and agencies that participated in the process, please see PR-10 Consultation section of the Consolidated Plan.

Organization Name	(Continued)
211 Brevard	Eckerd Connects
Abilities Inc. of Florida (CHDO)	Elevate Brevard
Aging Matters	Family Promise of Brevard
Brevard Achievement Center	Florida Office of Human Relations
Brevard Alzheimer's Foundation	Genesis House
Brevard County Legal Aide	Grandparents Raising Grandchildren of Brevard
Brevard County Libraries	Habitat for Humanity of Brevard County
Brevard Family Partnership	Homes for Independence Space Coast, Inc.
Brevard Group Treatment Home	Housing Authority of Brevard County & the Melbourne Housing Authority
Catholic Charities of Central Florida	Housing Authority of the City of Titusville
Central Brevard Sharing Center	Housing for Homeless
Circles of Care, Inc.	North Brevard Sharing Center
City of Cocoa	Planning and Development Offices
City of Melbourne	Ready for Life Brevard Inc.
City of Palm Bay	Resource Center for Disability Solutions
City of Titusville	Salvation Army-North, Central, South
Cocoa Housing Authority	South Brevard Sharing Center
Community Housing Initiatives (CHI)	South Brevard Women's Center
Community Legal Services of Mid-Florida	Space Coast Transportation Planning Organization
Community of Hope	Steward Medical Center
Consortium Public Works Office	United Way Brevard
Crosswinds Transitional Living Center	Volunteers of America
Crosswinds Youth Services	
Daily Bread	
Early Learning Coalition of Brevard County Melbourne office	

Key Informant Interviews

Brevard County organized key informant interviews with organizations that are meeting needs similar to those described in the Consolidated Plan. The following table lists organizations that were contacted to participate in a key informant interview. For the full list of organizations and agencies that participated in the process, please see PR-10 Consultation section of the Consolidated Plan.

Organization Name	(Continued)
Brevard County Emergency Management	DCF Adult Services Program
Brevard County Health Department	Habitat for Humanity
Brevard County Jail Complex	Health First
Brevard County Libraries	NAACP Joint Call (North/Central/South)
Brevard County Natural Resource Director	Parrish Healthcare
Brevard Public Schools	Steward Medical Center
Community Action Agency	Victim Advocate Services-Women's Center

Topic-Oriented Sessions

Brevard County facilitated four topic-oriented sessions with stakeholders to discuss community needs. These sessions included the following topics:

Housing: Organizations active in the development or management of housing were invited to this meeting. The session included a discussion based on the following questions.

Public Opinion

1. What are the main public opinions about multifamily and single-family housing construction? What do you think that's rooted in?
2. What is the local perception of "affordable housing" developments?

Concerns and Barriers to Development

1. What local regulatory barriers exist that prevent affordable housing from being created?
 - a. Zoning
 - b. Permitting- process and fiscal
 - c. Other public policies/regulations
 - d. Construction capacity
2. Do you know of any recent changes to regulations regarding: Parking requirements, Definition of "Family", density/design requirement effects on residential developments, household occupancy limits, building/siting/permit fees?

3. What are the financial barriers to construction of affordable housing?

Development Promotion

1. Have you seen any successful affordable housing developments in the last 5 years? Are there any things the developers did right that could help in constructing additional housing?
2. Have there been any positive government/structural or financing changes in the last 5 years?

General

1. What types of gentrification/displacement have happened in the last 5 years?
2. Are there any parts of the county that don't have a strong housing market? Are there areas with housing you'd consider poor quality?
3. What do you think the local real estate market will look like in 10 years?
4. What could local government do that would increase housing units?
5. What could private organizations/funding groups do that would increase housing units?

Affordable Housing

1. How many assisted units were lost to conversion to market-rate housing over the last 5 years, and how many will likely be lost in the next 5?
2. What are the local challenges for using tenant-based rental assistance like Section 8 Vouchers, HOME TBRA, HOPWA and ESG rental assistance?
3. What are the primary local groups that assist with homeowner housing rehabilitation, weatherization, minor home repair? (Financing or contractors)
4. What are the primary types of special needs housing needed in the County?
 - a. Elderly, frail elderly
 - b. Persons with disabilities (mental, physical, developmental)
 - c. Persons with alcohol or other drug addictions
 - d. Persons with HIV/AIDS and their families
 - e. Farmworkers
5. Have there been any local or statewide legal changes that you know of regarding tenants' rights, rents? Newsworthy tenant issues, discrimination, or lawsuits?

Fair Housing: Each Public Housing Authority (PHA) and organizations providing services to special needs groups were invited to this meeting. The session included a discussion based on the following questions.

1. What populations are you working with and what are their greatest needs and barriers to housing stability? How have their needs changed in the past 3-5 years?
2. What are the services and housing types that will fulfill these needs?
3. What would you identify as barriers to development of housing that is affordable to your residents?
4. Are there particular places in your community that are more affordable or where lower-income people live? Do these places have access to appropriate services and opportunities?

Social Services: Those organizations providing case management and/or other services to the community were invited to this meeting. The session included a discussion based on the following questions.

1. What populations are you working with and what are their greatest needs and barriers to housing stability?
2. How have their needs changed in the past 3-5 years?
3. What are the greatest barriers for people with limited incomes and members of protected classes?
4. Are there particular places in your community that are more affordable or where lower-income people live?
5. What are the top three barriers your clients face in achieving what your agency would consider success?
 - a. Do your clients experience housing discrimination? In what way?
6. Senior Services: What type of food, health, and activity activities are currently in the county? Who gets these services? What is missing, and why?
7. Are there language services within the County?
8. Youth Services: What type of youth services exist? Where are there gaps? Who is served?
9. What types of neighborhood organizing are currently happening? Are there official neighborhood groups? What is the role of neighborhood development/improvement nonprofit organizations?
10. What role does childcare play when looking at local barriers to employment or reducing poverty?
11. What barriers to education exist within ____ (jurisdiction)? Are there enough opportunities for adult job training? How can local workforce training include participation by those in poverty?

Infrastructure: County staff working on grants management for infrastructure projects were invited to this meeting. The session included a discussion based on the following questions.

1. What are the greatest challenges you see in your work for low-income families, seniors, and communities?
2. Are there particular places in your community that are more affordable or where lower-income people live?
3. What are the transportation access and safety issues you see for these populations and places?
4. What services and infrastructure needs are limiting development of housing affordable to Brevard county residents?
5. What are the opportunities to address these issues?

Homelessness: County staff met with the Brevard Homeless Coalition (BHC) to discuss the needs of persons experiencing homelessness in Brevard County. The session included a discussion based on the following questions.

Housing/Shelters

1. What are the primary homeless emergency/overnight shelters available to the homeless population in the County?
2. Are there any small, private, or religious-affiliated shelters?
3. Are there any new emergency shelters in the last 5 years? Loss of shelters?
4. Has there been an increase or loss of transitional housing facilities or funding? Permanent supportive housing? Youth housing or former foster children?
5. Have there been any new or loss of programs like TBRA, rapid rehousing, or other ways to quickly house people?

Homeless Populations

1. What have been the trends in the homeless population in the County over the last 5 years?
 - a. Elderly, frail elderly
 - b. Persons with disabilities (mental, physical, developmental)
 - c. Persons with alcohol or other drug addictions
 - d. Persons with HIV/AIDS and their families
 - e. Farmworkers
2. What caused these changes?
3. Are there factors unique to the County or the region that effect homelessness?

4. Are there any successful projects/initiatives/programs/approaches in the last 5 years?

Policy/ Resources

1. What official government policies are in place that target the homeless?
2. What are the primary sources of funding toward homeless populations within the County?
3. Have there been any positive government/structural or financing changes in the last 5 years?
4. Have these changed in the last 5 years?
5. What policies and strategies have you had success with reducing homelessness in the County?
6. Are there any job training or education resources specifically targeted towards homeless populations?
7. Have there been any local or statewide legal changes that you know of regarding tenants rights regarding eviction or homeless prevention, rents? Newsworthy issues, discrimination, or lawsuits?

Appendix B: Comments from Community Meetings

Public Meetings

The County held various meetings with local community stakeholders and partnering agencies to gather in depth information from individuals and organizations working with communities served by the County. Meetings were organized by affiliated groups and/or topics, including:

- Brevard Homeless Coalition (BHC) Quarterly Meetings
- Affordable Housing Advisory Council (AHAC) Meetings
- Brevard County CDBG Advisory Board Meetings

The following public comments were received from these meetings:

Brevard County Board of County Commissioners Meeting, 5/17/2022

No comments were received during this meeting.

Affordable Housing Advisory Council (AHAC) Meeting, 5/19/2022

Kristin Lortie of Cocoa, FL on Consolidated Planning. Shared that she is a resident of Cocoa and is a member of the Cocoa Cares citizens organization. Became interested in the City of Cocoa's plan process back in November 2021. There has been a lot to learn and I have been learning from the HUD Exchange and other resources and studies. Interested in interacting in an advocacy role. Would like to see more public participation in the process. She stated she has sent in written comments via email to Ian Golden on the consolidated plan and planning process.

She has done a review of the past plans and thinks current plans need more outreach in particular to target areas. The current plan drafts are not showing that there are any public comments. Zero public comments were received for the previous consolidated and action plans. In regards to breakout groups in the 7 communities, she understands that meetings are happening but not seeing feedback from them as resident participation. Need to hear from the vulnerable people impacted and hear it in their own voices. Shared by example the Space Coast TPO Public Participation Plan and measures for effectiveness and is a plan of 72 pages. The Brevard Participation Plan is only 10 pages. The TPO Plan sets goals to get more people to attend with targets for attendance.

The other day at a public hearing on the plans only 2 people made public comments. Need more written comments and participation and hope having these types of targets will encourage people to get creative and stretch further into the communities for

participation. On transportation needs that get mentioned often, not everyone has access to transportation and it is not easy to get to meetings. Having more Zoom meetings can help. The more public participation in my opinion with more voices heard it will easy to get to understand the wisdom of the community. In the current amount of dollars, we don't have a lot of dollars. It is less than \$3 Million to divide up. We need to be careful with these dollars.

I would like to support Mr. Golden in adding another public hearing for the plans and is a great idea. Throughout the plan the word solicits and soliciting the public opinion is included. I am waiting and interested to see the draft plan and anxious to see how this is included. The process seems to be outdated with draft plan copies being available in local libraries. How many people will actually go and access this resource? I am hopeful that staff and the plan consultants will get creative in getting more public input whether positive or negative. The plans will be stronger by including what people have said. I have been scrubbing the plans and not seeing comments from people. What did people say? I would encourage them to be included. I have submitted specific comments via email to Ian Golden. How will these be included? Ian Golden responded that they will be included in the overall final plan document and available for review. Ms. Lortie thanked Ian Golden for clarifying on how they will be included in the process.

Corina Savela of Melbourne, FL representing TLCCS on Affordable Housing Assistance for Senior Citizens. Made comments on critical housing needs of seniors emerging County wide and the need for solutions. We have no where to look for housing for seniors needing affordable rentals. Many long-term residents 80 years and older are losing half of their incomes when a spouse is deceased and are now faced with housing challenges for the first time in their lives at 85 years old. Most of the seniors I deal with are not spending 30% of their income on housing but over 50% of their incomes on housing. They pay their rent and all bills and while being on Medicaid and on SNAP are still not making it. Some see their health deteriorate as they cut back on medications and health care to pay housing related expenses. Some sell their cars and that leads to other problems of routine access to health care and daily nutrition needs. Many do not qualify for additional assistance to help with rapidly rising rents. From my perspective support is needed for residents in their current locations or new housing options at locations for cost burdened low income seniors that only receive \$1,500 a month in Social Security Benefits or \$800 a month from SSI in benefits. For those with incomes above in the \$1,500 to \$1,700 range it is still not enough because they do not qualify for other Federal subsidies or assistance.

Rob Cramp of Rockledge, FL representing Housing for Homeless on Affordable Housing. Shared comments about current needs and deficits for the most vulnerable households, state data resources and studies. Following up on Alan's comments and identifying what the size of the problem is in Brevard County, every three years the Shimberg Center at the University of Florida does a survey of each county on the supply and demand of affordable units. For a household earning at 60% of AMI, about \$45,000

per year, there was a gap of 4,000 units in 2016. It increased to 8,000 units in 2018. As you can imagine this will only be worse now. We will be constructing a new 80-unit tax credit project in Cocoa. It is a Florida Housing Finance Corporation application project. The initial construction costs came in at \$13.6 million and are now up to \$18-19 million. I have considered approaching Lind Graham about approaching the board for additional funding assistance. I wanted to thank you for your assistance with our septic tank project in Titusville. It is completed and came in 15% under budget and is as beautiful as a septic tank can be. Provided information on a tiny home development in Cocoa West and the challenges with impact fees. Mr. Cramp shared that Commissioner Pritchett made a comment about how creative are we getting on developing small multiple family apartments. There is a nine-acre property behind the space Coast Convention Center West of I-95 in Cocoa West that is an old trailer park owned by Braveheart Properties. It is being rezoned to allow for tiny homes. It has been cleared out but has 80 existing slabs that are already connected. The problem is with the impact fees and utilities and connections costs for new units that can be the same as for much larger homes. The fees cost about 2 to 3 thousand dollars per new unit. They are currently building and some efforts are being made to do the right things.

Samantha Obbagy of Merritt Island, FL had questions and made comments about attracting and engaging additional affordable housing developers within and outside of Brevard County. This is my first AHAC meeting in Brevard and I am new here. I have participated with the AHAC and process in the past in Indian River County. Although some of the needs and disparities are different some are the same. As a real estate professional, I see many developers building new market rate housing up and up. We have the lands for affordable housing and limited shares of County dollars. My question is what has been done in past planning efforts, and can be done in new planning efforts to communicate with and attract additional developers of affordable housing to Brevard County?

Robert Klimkowski of Melbourne, FL had questions about amounts and use of Federal housing funds. Had comments about Community Land Trusts, housing plans for the whole population and preventing loss of affordable housing inventory. Discussed the role of CHDOs, non-profits and churches in use of public funding and land trusts in Brevard for long term affordability. Advocated for the use of accessory dwelling units. Mr. Klimkowski stated he was here to talk about proactive asset management in the form of community land trusts to hedge against an inflated and speculative market. I have a few questions:

1. What are the dollar amounts per person assisted to the amount of federal funds that were allocated?
2. The total amount of HUD funds in reserve currently for our fiscal year?
3. What are the number of people assisted in relation to the amount of dollars allocated?
4. How many of the homes assisted are for residents compared to foreign corporate

landlords such as Blackstream, that are leveraging trillions of dollars against ma and pa landlords, renters and entry level new home buyers?

My proposal is for land retention in the form of community land trusts to acquire surplus lands and equities to use as capital for community housing development organizations and eventually leverage with use of State SHIP housing funds. Establish a loan path to development and best practices for CHDOs and CLTs for long term projects and sustainable housing. Not just for the 3 to 5-year mark, or 5 to 10-year mark, but to set a 20 to 50 to 100-year mark if possible using this type of proactive asset management. Create a viable and sustainable affordable and workforce housing trust fund, first with general fund dollars and HUD funding per a template. Next would be to sunset Federal funding after using funds to accompany land trusts and retain ownership of the land and keep subsidies here in Brevard County while the tenant will gain equity in the home while using a 99-year lease for the land. When we subsidize now such as the HUD subsidy, when someone purchases a house at \$150,000 and sells at \$300,000 Brevard loses the subsidy dollars and there is no retention of the land. Separating the land and house with a 99-year lease allows the owner of the house to gain and retain equity over many years but the land remains in trust. There is a scarcity in land and water. What we are doing now is not sustainable over the next 3 to 5 years. Paying rents in the amounts of \$3,000 to \$5,000 when we do not have the money.

Impact and linkage fees according to the Florida Housing Coalition are not solving the issue alone. I support the use of accessory dwelling units and granny flats and I believe there are existing statutes available to the County to allow them. I viewed the Manatee County Consortium plan process that was over 6 hours long. I saw the land trust model for retention of value and the use of community land trusts. Viera is a master planned community that has had success because it does not sell many of their properties. They lease for the long term. The County can do the same for housing with 501-3c's and CHDOs and have a 300-year legacy. Would like to see a trust called the Legacy Land Trust. We don't need a plan for 5-10-15 years but a plan out to 20-30-50 to 500 years. Need to look at our population as a whole. Recently a subdivision in Palm Bay sold for 45 million dollars and will be managed as rentals. Things will only be getting worse. We don't want to be destitute and homeless in our own land. Commissioner Pritchett mentioned that her church purchased an apartment complex for affordable housing. I would like to see more of these in long term portfolios and as stewards. I also have looked at the Emergency Rental Assistance RFP and believe non-profits with proven track records should receive the funding. Government should be involved if non-profits can do the work successfully.

Affordable Housing Advisory Council (AHAC) Meeting, 6/16/2022

**Public Comments on Consolidated Plan and Action Plan, June 16, 2022
Before the Brevard County Affordable Housing Advisory Committee**

Rosa Reich resident of Melbourne Florida. I am here as an advocate for affordable housing. I am recently retired and over the years have worked in both social services and housing capacities locally including with Brevard County. The number one need I see is for single residency occupancy rental units or SROs. Those renters on SSI or SSD are not able to increase their incomes. On affordable housing meaning 30% of AMI and so forth these persons receiving \$725 a month from social security disability cannot afford a fair market rent for a two-bedroom apartment at \$1,100 to \$1,200. I would encourage developing future construction incentives and in future RFPs for developers to create SROs and 1-bedroom rental units. This is not just a niche market but is a day to day challenge as people cannot find 1-bedroom units even if they have a Section 8 voucher.

Kristen Lortie resident of Cocoa Florida. I am a supporter of citizen engagement and public participation processes. I thought the Community Land Trust presentation was very helpful. There are two categories that I would like to make comments on. One is on the process of getting public input and the second is on the draft plan itself that I would like to share. First on the public participation I was hoping to see a very inclusive process to get meaningful public input and by reaching out to target communities. There are not a lot of people here. I see some representatives but would like to see more presentations in the roll out of the plan. Not seeing it this way with presentations that really reach the public. Changes have been made to the County website on the plan including a response form. The website on the plan is still hard to find and confusing to those who would like to review and provide comments. The plan page does not even say that the plan is open for public input and comment and needs to be included.

Public Comments, 6/6/2022 – 7/5/2022

The following written comments were submitted during the Consolidated Plan public comment period from June 6 to July 5, 2022. **Text in green** represents responses provided by Brevard County to the person who submitted the comment.

6/12/2022

These instructions are an improvement over last week's website, and still unlikely to garner public participation in reviewing and commenting on the draft plan. I do not see these instructions connecting with target outreach individuals to solicit meaningful public input. My comments submitted to the housing department by email have been omitted from the draft plan. There is no reason these comments need to wait until after the public comment period to be included.

Thank you for your comment. All comments received during the public comment period and a response will be included in the final Consolidated Plan submitted to HUD.

6/18/2022

Some of these funds should go to helping families like mine. I have an Autistic little boy. I am a disabled Single Mom myself and I also help care for my disabled Mother. I have worked for 20 years already and am fighting for my disability still. We have never been helped with housing even during COVID. So my suggestion would be to help my family and the economy by helping us buy a house.

Thank you for your comment. The Brevard County Housing and Human Services Department funds and administers several housing programs, please see a current list here ->
<https://www.brevardfl.gov/HousingAndHumanServices/Home>

6/27/2022

Dear Natasha,

I have briefly gone into the subject document.

Regarding homeless people I have met some homeless people:

- 1) Who are homeless by choice
- 2) Who are homeless because they have trouble getting along with people.
- 3) Who are homeless because of addiction.
- 4) Who are kicked out of their home because of drugs, stealing, bad habits, hygiene, etc.
- 5) Who are homeless because they do not want to work.
- 6) Who are homeless partly because they are depressed, dysfunctional, neurotic, psychotic, disabled mentally, etc.
- 7) Who are homeless because parents, siblings, cousins, and friends cannot seem to help them because they are hard to get along with.

I have had two sons - both on drugs - who have been homeless by their addictions. I believe that all homeless should be interviewed for reasons that they are homeless.

I believe that you are wasting your time if you do not find out why they are homeless. It is not just a matter of money in most cases.

Thank you,

.

Stan Johnston, PE

(76 years old)

Thank you for your comment. The Continuum of Care (CoC) in Brevard County is operated by the Brevard Homeless Coalition. The Brevard County Housing and Human Services supports the CoC's work through providing funding. The County understands each person experiencing homelessness has a unique circumstance and the BHC will work to provide supports that meet each person's needs.

7/2/2022

Stakeholders of the Brevard County HOME Plan,

**Re: 30-Day Public Comment Period for 2022-2026 Consolidated Plan Brevard County HOME Consortium:
Brevard County, City of Cocoa, City of Melbourne, City of Palm Bay, City of Titusville Prepared by The Cloudburst Group**

I am a concerned citizen writing to participate in the Draft Consolidated Plan released the week of June 6th. I look forward to my comments to be included in the 5-year plan as stated on the public notice. ***This email is being copied to multiple stakeholders in Brevard County that are connected with the plan, and that are responsible for assisting with housing & community solutions in Brevard County.***

My comments are in 2 categories:

- 1) Category 1: Comments about the Brevard County Housing & Human Services process of soliciting public input;**
- 2) Category 2: Comments about the DRAFT 2022-2026 Consolidated plan.**

Category 1: Process of soliciting public input during the current 30-day review period is invisible to the public:

- **The Brevard County website location is not easy to locate or user friendly.**
 - The revisions made after my comments last week (to encourage participation) are still inadequate to being user friendly;
 - Due to the unfriendly Brevard website narration, I uploaded the draft plan and posted my own link on social media, so as not to confuse a reader;
 - The website does not even make the title of the plan clear to the reader (it is called "Draft Consolidated Plan Tracked Changes" - who would know what this means?;
 - Please review the Brevard website location to see if an individual can easily navigate it to determine how to participate, and even which (of the 3) attachments is under review as it is not labeled that it is for public comment: [Link to Brevard Website with Draft Plan](#)
- Thank you for your comment, but the Public Comment Period (June 6 to July 5, 2022) is to solicit comments specific to Brevard County's Consolidated Plan. All comments

relating to process and the approved Citizen Participation Plan will be retained for the next scheduled update to that plan.

- **There has been no observable social media publicity and notification press release by the county to let the public know the draft plan is in the 30-day review period, and to encourage citizen participation.**
 - I am signed up for county notifications (after providing feedback) a release was issued by email;
 - The email release is does not provide a welcoming format or dialogue for public participation (see attached);
 - The county should address the current accessibility issues and **extend the public comment period past July 5th**;
 - The "press release" on the social media platform did not explain to citizens why they should consider participating.
 - Please see attached for the "Facebook Press Release" AND the resulting link location:
 - Brevard County does a better job of publicizing a crossing guard and being closed for the 4th of July holiday than it does at advertising a public engagement period for community planning on some of the most pressing issues in the county.
 - Do residents benefit by the (8) hard copy locations taking up most of the space?
- Thank you for your comment, but the Public Comment Period (June 6 to July 5, 2022) is to solicit comments specific to Brevard County's Consolidated Plan. All comments relating to process and the approved Citizen Participation Plan will be retained for the next scheduled update to that plan.
- **The obscure website page is confusing to navigate, even for someone who is aware of what they are looking for. How would the website reach a Target Outreach Community Resident and encourage their participation?**
 - A much better participation rollout example from Orange County example is here: link to [BETTER Example of Orange County Participation Website](#)
- Thank you for your comment, but the Public Comment Period (June 6 to July 5, 2022) is to solicit comments specific to Brevard County's Consolidated Plan. All comments relating to process and the approved Citizen Participation Plan will be retained for the next scheduled update to that plan.
- **What are the county's participation goals, and how does the county intend to reach the community?**

- I previously shared an example of the Space Coast TPO measurable reporting goals for public participation (attached). What are the county's goals for measuring citizen participation?
- Thank you for your comment, but the Public Comment Period (June 6 to July 5, 2022) is to solicit comments specific to Brevard County's Consolidated Plan. All comments relating to process and the approved Citizen Participation Plan will be retained for the next scheduled update to that plan.
- **June 16th Affordable Housing Meeting would be nearly impossible for a citizen to know about the public input hearing based on the county's lack of publicity;**
 - Why aren't the meeting materials posted online, the meetings recorded, and the dates included in the rest of the Brevard calendar?
 - What if a citizen wished to participate remotely?
 - The CLT consultant logged in remotely, so the technology is available.
 - Why isn't information made available for citizens that may not have adequate transportation to attend in person?
- Thank you for your comment, but the Public Comment Period (June 6 to July 5, 2022) is to solicit comments specific to Brevard County's Consolidated Plan. All comments relating to process and the approved Citizen Participation Plan will be retained for the next scheduled update to that plan.
 - **Public comment period at "public input meetings" is too brief with a strict 3-minute limit;**
 - There were only 4 public commenters at the June 16th meeting; the affordable meeting board chair refused to permit speakers additional time.
 - Could the housing committee have extended the input to 5-minutes?
 - I took the time to prepare comments, and was cut off at 3-minutes during the public input period;
 - **Extending the time allowed would show good faith that the county wished to hear from the public.**
 - How is the public served by the tightly structured Roberts Rules of order format for receiving public input?
 - Many people are intimidated to make a comment in a public setting.
 - Would a more informal discussion-type format make public attendees feel more welcome?
 - What can the county do to assist the public including Target Outreach Communities feel more welcome at county meetings?

- Thank you for your comment, but the Public Comment Period (June 6 to July 5, 2022) is to solicit comments specific to Brevard County's Consolidated Plan. All comments relating to process and the approved Citizen Participation Plan will be retained for the next scheduled update to that plan.
- **Category 2: DRAFT 2022-2026 Consolidated Plan Brevard County HOME Consortium.** Below are comments regarding the draft plan, and to be added to the comments I submitted on May 19th (and that were not included in the DRAFT plan released the week of June 6th):
 - **Citizen comments submitted have been OMITTED from the DRAFT plan, with a reference that they will be added after the comment period.** This lack of inclusion prevents citizens from reviewing our comments being included in the DRAFT plan to ensure that they were complete and accurate.
 - Citizens that have taken the time to submit comments should have our comments included in the DRAFT plan, and not have to wait for the final plan release to review them;
 - Lack of inclusion of citizen feedback denies citizens from ensuring our participation has been documented;
 - A draft plan is created over several weeks of work. The ultimate purpose of the Consolidated Plan and each Annual Action Plan is to be seen as a grant application. It would not be feasible with the current County staff to make live updates to the draft document to include every comment received. We appreciate the public's input and do address comments. The comment and each response are included in the plan as it gets submitted to HUD.
 - **Big Picture commentary on the DRAFT plan:**
 - The plan outcomes show a **miniscule** impact for the goals stated in the plan and the dollars allocated, and no planning that will markedly address the needs, yet the introduction states in the introduction that *"This Consolidated Plan is **wholly focused on addressing the needs of low- and moderate-income households.**" and that "The strategies and resources in this Consolidated Plan will work to alleviate just **some of the hardships** faced by these low- and moderate income households."*
 - Will the plan seek to address even "some of the hardships", or would it be more accurate to say it will alleviate a "miniscule amount of the hardships"?
 - In the 5 years from 2016-2022, only 61 households were assisted with HOME funding (according to page 1);
 - *The dollar amount that was provided for HOME and CDBG funding was not referenced and would be helpful for the reader;*

- The current plan indicates (on P. 165) that only 26 homes will be assisted in year one, and 0 homeless families or individuals will be assisted in year 1.
 - These numbers are precious few given the dollars provided.
 - Are the dollars being maximized for the tasks? It seems more information would be helpful to provide insight.
 - *There are 223 references to homeless in the document, yet 0 homeless families or individuals will be assisted in the current plan?*
- The Brevard County Housing and Human Services Department understands that the funds described in the Consolidated Plan will not meet all of the needs described. The Consolidated Plan acts as a framework for the County to build its goals and objectives utilizing identified funds as well as any additional funds through grants and partnerships. The Consolidated Plan itself encompasses funding that has other purposes than housing (for example, CDBG and funds that each municipality has been allocated) and is rarely enough for all needs within the County
 - Per pages 1 and 3, the number one and two goals over the next 5 years are to increase affordable housing (rental and owner) with over \$1.1M dedicated to the first 2 goals (p. 3), yet numbers of those that will be assisted by this funding (26 households) seems insignificant;
 - The strategic planning section does not explain how the county intends to address the issue to meet the actual need;
 - There is no discussion of providing a county homeless shelter in Brevard County.
 - For a county of 600K residents, it's notable that there is not even any discussion of it, given the high priority given to addressing housing solutions;
 - p. 68 states that Brevard County "can" use CDBG funds to "fund the construction, rehabilitation, or installation of public facilities" that include a homeless shelter, and yet no mention is made of this possibility in the plan.
 - Instead of considering assisting the homeless, Brevard has opted to use \$398K in CDBG funding (its largest \$\$ amount) on a sidewalk project.
- We appreciate this feedback. The amount of funds dedicated to each goal at this point is an estimate. The housing market in Brevard County has made it difficult to conduct affordable housing projects at a scale that you may find more impactful. We believe it is still best to use the funds to support as many families as possible the funds provided.
- **P 1 "Evaluation of Past Performance" (of prior plan)**
 - No evaluation of past performance is included. How does the county view its ability to meet the needs of its residents? What could be improved?

- Simply stating that the pandemic had an impact seems insufficient to reference as an evaluation of performance;
 - While 6 bullet points are referenced as to actions that occurred, more detail is needed to evaluate the spending of the funds for the items.
- Thank you for this feedback. The County publishes a Consolidated Annual Performance and Evaluation Report (CAPER) each program year that describes in much greater detail what the County has done with the funds in any given program year. [Please see this link to HUD Exchange](#) for a full list of the County's past CAPERs submitted to HUD.
- **P 14 "Summary of citizen participation process/Efforts made to broaden citizen participation. Summarize citizen participation process and how it impacted goal setting."**
 - No reference is made to clarify any "efforts made to broaden citizen participation."
 - **P. 23 states that TWO Surveys were sent out (Resident and Public Agency Survey), yet neither survey is included in the DRAFT plan in its entirety.**
 - Neither survey is included in the plan. The surveys would be helpful to the reader to review.
 - Not including the surveys provides **low visibility** for the reviewer into the actual surveys sent, and which should be included in the section or the Appendix of the report so that the reviewer can see the questions that were asked of respondents for each survey;
 - - While the results of the surveys are stated to be "woven in" the report, the reviewer should have access to the raw data that was **"woven in"**;
 - There appears to be no data as to what areas of the county the 1,000 survey responses came from, how many individuals were reached from the Target Outreach Categories, how many people answered each question, etc.
 - After review of the document, a reviewer can come to the conclusion that the county efforts have been strictly token efforts for citizen participation;
 - Numerous efforts could have been taken to encourage meaningful public participation, and to broaden citizen participation;
- Thank you for the comment. The surveys are still available on the Brevard Housing and Human Services webpage for residents to complete. The top 3 scoring issues in each category were made explicit in the Draft Consolidated Plan on page 71. Also, the survey results were presented in the CDBG-Advisory Committee meeting, as well as shared with stakeholders in the topic-oriented sessions. The County will include the survey results sheet as an appendix in the final draft of the Consolidated Plan.

- **P 15 - 21 Lack of clarity on who participated in the various Stakeholder and Resident meetings, what dates they occurred, and what was said at the meetings;**
 - **No DATES** for any meetings are included;
 - **Summary information is not included** on how many participants for each meeting to include participants, # of agency representatives, # of staff, and # of Target Outreach categories represented;
 - No meeting minutes are included in an appendix;
 - Information is not included as to the feedback provided by Stakeholders that attended;
 - Actions of the Brevard Housing and Human Services are not easy to locate for Brevard residents.
 - Meetings are listed separately from the commission meetings, and meeting materials must be requested directly from the county;
 - In a time when technology reduces numerous barriers to access, making access easy for Brevard residents who wish to follow stakeholder meetings should be priority for all stakeholder and county meetings;
 - Lack of specificity on meeting details provides little insight into the meeting content;.
 - Outside of attending the monthly Affordable Housing Committee meeting, it appears that the other agency meetings are not announced anywhere or open to the public?
 - The Coc Meetings sound well attended by 70 agencies. *Is the public made welcome to attend? If so, where are meetings publicized?*
 - No meeting recordings are noted. Recorded meetings would benefit public access.
 - With the monthly affordable housing meetings non-recorded, it is unlikely other agency meetings are recorded;
 - Recorded meetings reduce barriers to access (time limitations, transportation requirements, etc.).
- Thank you for this feedback. The County will include a summary of the topic-oriented sessions in the final Consolidated Plan draft. All Housing and Human Services Advisory Council meeting dates and times can be found at the following location: Brevard County Events and Meetings (brevardfl.gov). The Housing and Human Services Department is required to record all Public Meetings in accordance with the Florida Sunshine Law and local policies.
- **P. 24 Chart "Public Hearing" does not include the public comments that were provided at the hearing:**
 - There were 2 public commenters at the First Public Input Hearing in April. Their comments are not included in the DRAFT report and should be included;
 - Lack of inclusion of public commenters taking the time to submit our input reflects poorly on the process as being non-inclusive and non-transparent;

- There should be **separate rows listing the public input** for the First Public Input Hearing at the April Commissioners Meeting, the Public Input Hearing at the May Affordable Housing Meeting, the Public Input June Meeting, any additional hearings, and the Final Hearing where the plan will be adopted;
 - There are **no public comments included in any category** on P. 24, including all the prior Stakeholder meetings?
 - The DRAFT plan includes a **complete lack of transparency into any comments provided by any stakeholders**;
 - **No Citizen Participation Goals are included in the plan**;
 - **The community survey is the only outreach to Target Communities listed. Why aren't more avenues of outreach included to include citizens and Individuals in Target Communities?**
- All public comments received during the public comment period are included in the Consolidated Plan submitted to HUD, as well as responses to those comments. The County does not currently have Citizen Participation Goals, we may consider adding those to a future update to the Citizen Participation Plan.
- **P. 92 Table 57 Housing facilities for the homeless - Table not clear**
 - This table is confusing as the columns are not lined up;
 - No totals are included. **Totals for each category should be included;**
 - Adding up totals myself, there are only (205) Year-round emergency beds in the entire county (yet p. 95 says 337 emergency beds).
 - There are no additional beds "under development" - why not?
 - There are some totals on page 95 narrative - totals should be included on the Table.
- Thank you for this comment. Table 57 that was on page 92 (now page 109) has been edited so that the columns are clearly aligned. The current layout for Table 57 (rows and columns) is based on a required data table for grantees to include in the Consolidated Plan. Brevard County used 2021 Housing Inventory County (HIC) data to populate the table to fulfill this requirement. For more information on the 2021 HIC data, please see the URL in Appendix E for the 2021 HIC data.
- Please note that the sum of 205 Emergency Shelter beds from Table 57 does not include Transitional Housing beds, while the data you referenced on page 95 (now page 111) references the number of Emergency Shelter, Safe Haven, and Transitional Housing beds for the CoC. Please see 2021 HIC data for the CoC for a complete breakdown of the data.
- The County collaborates closely with the Continuum of Care (CoC) and plays a support role to the approach to addressing homelessness and emergency beds/housing in Brevard County.

- **P. 95 references "The 2021 Homeless Assistance Programs Housing Inventory County Report"**
 - *This report should be included in an appendix, and if too long a website provided to locate the report*
- **P. 145 and P. 168 "Reaching out to homeless persons (especially unsheltered persons) and assessing/addressing their individual needs"**
 - The plan references the 211 phone number as the primary "**outreach**" to unsheltered persons;
 - The 211 number is not an **out**reach number, it is an **in**reach number;
 - The county should have an outreach mechanism to this population;
 - No data is given as to how many individuals have been assisted by the number. Should data be included in the plan to show the extent of the reach?
 - No visibility or data is provided as to how many individuals are assisted in Brevard County (and to what extent) through the agencies noted that provide any shelter.
 - It would be helpful to gauge the extent of housing solutions the county is providing in aggregate compared to the need
- Thank you for this feedback. No specific data was received on the number of individuals directly contacted through any outreach mechanism. The Brevard County Housing and Human Services Department supports the Continuum of Care (CoC), operated by the Brevard Homeless Coalition, to conduct and coordinate this work.
- **P. 157-163 Funding Allocations not in alignment with priorities?**
 - **Project 3 p. 158: \$398K in County CDBG Funding is going for a sidewalk?**
 - Design and completion of a sidewalk in the Bernice Jackson Park in Sharpes, FL for \$398,707.17. This is the largest allocation for the county CDBG funding. *Given the significant needs throughout the county, how is a \$398K sidewalk determined to be the highest priority for the county CDBG funding?*
 - **P. 124 Strategic Plan Priority 1 states: The need for affordable housing is the utmost priority throughout the County.**
 - **Project 4 p. 159: loan repayment for construction of health dept clinic and 19,000 ft. 12' water main with fire hydrants for \$243K.**
 - What were the circumstances of the water mains being included, and was this the only funding option to fund them?
 - **Project 5. \$274K administration for CDBG Program: *Is over a quarter million dollars needed to oversee the other 4 CDBG funding lines items for the county?***
 - Total allocation for County CDBG is \$1.3M.
 - *Is the county simply allocating a large administration fee for itself, and despite allocating funding to only a handful of projects?*

- One project is the \$398K sidewalk, another is a Section 108 Loan repayment.
- **Project 11 additional \$120,92K for administration for HOME program** (total \$395,347 administration) to manage \$1.372M in CDBG plus \$550K in HOME funds?
 - If so, this is a generous administration fee for the county to administer 2 programs.
 - P 148 "Up to 20% of the CDBG program and 10% of the HOME program may be reserved to pay for staff costs incurred to administer the programs. There are no direct outcomes tied to this goal, however this funding is used to maintain the County's capacity to plan for and implement the CDBG and HOME programs."
 - *Does the county require use of all these funds for administration, especially given that several projects do not appear to be time-intensive?*
- Thank you for your comment. There are relevant caps to the CDBG and HOME programs, 20% for CDBG, and 10% for HOME. The County utilizes the allowable percentages to carry-out the programmatic requirements of each funding source which includes areas such as planning, project oversight, reporting, and monitoring.
- **Project 10: p. 162 Only \$30K for tenant based rental assistance** for Melbourne (out of \$2.6M in funding for HOME and CDBG)?
 - *From the report it looks like there is a lot greater need than \$30K in Brevard County for rental assistance?*
- At this time, only the City of Melbourne implements a Tenant-Based Rental Assistance (TBRA) program. Melbourne elects to dedicate \$30,000 of their allocated funds towards that program.
- **P. 140 Strategic Plan:** "All HOME funds will be used to assist families who are at or below 80% of AMI. In the 2022 program year, an estimated 20 households will be provided with assistance."
 - *With \$1.3M in available HOME funding, the best the county can do is to assist (only) 20 households?*
- The County recognizes that the funds and the amount of households to be assisted is not able to meet the need.
- **P. 132 Strategic Plan additional funding:** "The County received a total of \$2,124,588 in CDBG-CV funding (in 2020). The use of funds includes the priorities listed in the CDBG-CV RFP for Public Services and Admin. That funding is reflected in the 2019 Annual Action Plan per guidance by HUD.

- *Why is the reader required to track down the 2019 Annual Action Plan to find out what the 2020 CDBG funding was spent on? Why isn't a summary of the allocations/spending provided on p. 132?*
- This is in reference to CDBG-CV funding, separate from regular CDBG entitlement funds. The Consolidated Plan is intended to address 2022-2026 funds. Although there is overlap, the CDBG-CV funding was approved through Substantial Amendments to previous plan years.
 - **P. 131 Strategic Plan: \$4,524,586 in HOME-ARP funding** is set to be received by the county in 2022 to "assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, by providing rental assistance, supportive services, and non-congregate shelter (NCS).
 - *Despite it being a separate consultation and engagement process, it seems relevant to include more discussion in the 5-year plan on what the county may be considering for the pending \$4.5M in funding, especially given the county is doing nothing in the draft 2022-26 plan to directly address homelessness.*
 - *There are several categories that a homeless individual is required to fall under to qualify for local assistance. Is anything being done to reduce barriers to access?*
- The HOME-ARP Allocation process will begin in 2022, and is a funding source that may support some of the needs described in the Consolidated Plan, however it will have its own engagement process and allocation plan which HUD must approve before any funds can be expended.
 - **P. 143 references a "2021 Affordable Housing Incentives Report".**
 - *If the report is a reasonable length it would be helpful to include in an appendix. If it is a lengthy report a website address location could be included.*
- Thank you for this feedback. The County will include the Incentives Report as an appendix in the final version of the Consolidated Plan.
 - **P. 148 Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families**
 - *"To address long-term needs of those families living below the poverty threshold, the County will expend HOME funds to increase the housing stock that is affordable to those families earning less than 80% of the AMI."*
 - *Given the county will only be assisting 5 additional households (per page 165) through increased/acquired housing*

- stock, it seems that something more in the goals, programs and policies are needed;*
- *Should the plan reference the Communities Land Trust presentation that was just given to the Affordable Housing Committee, and would present additional housing options for the county?*
 - Affordable Housing Advisory Committee (AHAC) and the Brevard County HOME Consortium are currently reviewing multiple new activities for Brevard County, which will enhance current strategies regarding creating and maintaining affordable housing. Brevard County is assessing the Community Land Trust (CLT) program and if we decide to move forward, we will address CLT's in future Action Plans as applicable.
 - **P. 168 Action Plan for homelessness "*Addressing the emergency shelter and transitional housing needs of homeless persons*"**
 - States a need for more emergency and transitional beds, but does not state the current number of beds, and the needed number of beds, to give the reader some context of the size of the current shortfall.
 - *It would help to provide the information on current number of beds, needed number of beds, and how many beds the Brevard Homeless Coalition has added over the past several years that have "increased their capacity."*
 - Thank you for the feedback. This information would be helpful to have. The County may coordinate with the Brevard Homeless Coalition to understand if there is a clear number of beds that are needed to meet the need.
 - **P. 171 "Actions planned to reduce the number of poverty-level families."**
 - While general community services are noted, there are no actions referenced that will reduce the number of poverty-level families.
 - Community services are intended to support low- and moderate-income families, ultimately lifting them out of poverty.
 - **P. 171 "Actions planned to address obstacles to meeting underserved needs" and "Actions planned to foster and maintain affordable housing"**
 - Will anything be changed or added? References here are to continue going to meetings and continue doing what the county is already doing.
 - *Are there no additional actions or strategies that will be implemented given the current housing and poverty crises?*
 - **P. 172 "Actions planned to develop institutional structure"**

- Section references adding more service agencies to the Continuum of Care.
- Is adding more agencies to the network, the same as "developing institutional structure"?
- The Housing and Human Services Department does not oversee the Brevard Homeless Coalition but does believe that adding organizations to the CoC that may serve a different population, or widen existing services to meet more needs, would develop additional institutional infrastructure. Brevard County, as a member agency in the Brevard Homeless Coalition, can provide recommendations, suggestions, and offer guidance, but is unable to dictate action since the Brevard Homeless Coalition is a separate leadership and administration organization.

In closing, the 2022-26 DRAFT plan provides a useful starting place to analyze demographic data, and I note the following summary observations:

- There have been inadequate steps taken to encourage meaningful public engagement into the draft plan including community planning;
- There are not adequate statistics provided to understand what (if any) percentage of the actual need that the county will address with the proposed plan;
- The dollars noted seem to be excessive for the aid given to a small number of families;
- There is not an adequate plan to address the county problem provided in the proposed plan;
- There is not adequate background data for a reader to assess key content that has gone into the plan (see comments above);
- Much more should be done immediately to encourage meaningful public engagement in the current housing crisis, including engaging Target Outreach Community individuals in developing community-centric solutions and to welcome their participation in local stakeholder meetings;
- **The draft plan has much more potential to be a community tool than the current process reflects;**
- The draft plan should include the number of individuals that provided comments, and our comments should be included as written;
- A 30-60 minute recorded public presentation on the draft plan would be helpful for the public record.
 - There is so much data to digest that a public (and publicized) stakeholder presentation would be very helpful for interested residents.
- Per p. 47, **30% of the county is cost-burdened for housing.** This is an issue that requires more visibility and solutions.
 - *P. 59 With current funding, the County's housing authorities do not have sufficient resources to meet the needs of existing tenants as well as the population at large. This should be given more attention to consider what would be needed to address the current housing and affordability crisis.*

- Thank you for these comments and the overall feedback of the Consolidated Plan. We appreciate the time you have taken in reading the document and providing both project-level feedback and high-level strategy/goal feedback and comments.
- The Housing and Human Services Department will work to create Plans and Reports that are as concise and digestible as possible for the public as to limit barriers, while also meeting the requirements of HUD.

Per the public notice to citizens, ***"The County will respond within 15 days, in writing, to any public comments and will include them in the Plan and Action Plan."***

I look forward to my comments being responded to within 15 days, to reviewing the final plan, and to my comments being included in the Plan and Action Plan.

Regards,

Kristin Lortie, *Concerned Brevard Resident that believes in Community Participation in Public Planning Processes*

7/3/2022

Hello Ms Jones,

My name is Sylvia Sirmons, I have been working in the Lipscomb Ave Corridor to bring the Community together on the power that they could have if they work together, and stand up for their community. I'm a transplant from Indiana, who grew up on Community Development, for disadvantaged families. I raised my twin boys on Medicaid and Public Assistance. \$200 a month, and \$199 a month in Food Stamps, I received my GED, and then an Associates Degree. I lived exactly what the people are feeling right now. I want to be assistance to my community that I adopted. By living in the 32901 community of Brevard County I want to be assistance to where I can help Families with housing, food insecurities and over all well being for our diverse community. A Community of Veterans, College and Retirees, Disadvantaged and Advantaged. I have been inquiring about Tiny Homes, Container homes, and businesses, and acquiring land on my own. I keep running into people who ask, What Church am I Affiliated with? I'm a Non- Denominational Ordained Minister that cares about all people regardless of your religious affiliation. If I can be of any help to you or the Cause in any way, please call upon me, I am an advocate for all.

Thank you for your comment. We appreciate your willingness to support the community.

7/3/2022

I would suggest to change zoning to allow tiny homes. Also we should allow 4-6 unit garden apartments in residential single family zoning.

Thank you for your comment. The Brevard County Affordable Housing Advisory Council was created to review policies and procedures, ordinances, and land development regulations that affect the

production of affordable housing. Please see their website for additional opportunities to submit comments. (<https://www.brevardfl.gov/HousingAndHumanServices/AdvisoryBoards>)

7/3/2022

Please consider changing zoning in more areas to allow for homes less than 1000 square feet. When the people that work in our restaurants, stores, bars etc. can no longer afford to live here, what happens then? Having roommates is great when your young and just starting out. But a family with 2 working parents cannot afford housing in Brevard County.

Thank you for your comment. The Brevard County Affordable Housing Advisory Council was created to review policies and procedures, ordinances, and land development regulations that affect the production of affordable housing. Please see their website for additional opportunities to submit comments. (<https://www.brevardfl.gov/HousingAndHumanServices/AdvisoryBoards>). We understand your concern regarding the affordability of Brevard County and plan to use the funds available to address these issues.

7/3/2022

You are listed as the person I am to contact regarding the Brevard County HOME Consortium Consolidation Plan. In becoming aware of and reading the plan I find myself with some questions. How much is being saved by this consolidation? Will there be fewer or more staff working on solving affordable housing issues? Is the money that is projected to be saved being allocated back into affordable housing? The amount of money mentioned is not anywhere near what is needed unless there are other funding not mentioned to provide a solution to the problem. I could not find a form on the website so I am not sure if there is anything else I should be questioning or information I should be supplying. Given it is a holiday weekend and offices will not be open, I hope you have to read this email on Tuesday. I am not sure if there actually is anything else I can do that would make a difference or if this is already a done deal and my efforts are futile.

Thank you for your comment.

The Consolidated Plan is the term that is used by HUD. The plan combines all of the HUD funding into a single plan. Combining all HUD funding into a single plan and submission inevitably saves some money, but we are not able to provide a precise monetary value.

The money that is described in the Consolidated Plan will support a variety of issues, one of them being affordable housing.

The money described in the Consolidated Plan comes from HUD as the County is an entitlement grantee. The amount of money is determined by a calculation made by HUD. The Housing and Human Services Department does make every effort to leverage these federal funds into other funding sources to increase the total amount of funds available to address the needs described in the Consolidated Plan.

7/3/2022

I would like to suggest Slum Lord Laws. Too many places are taking advantage of inflation rates without updating anything to meet the cost being charged. This is causing poor relations with locals and landlords, pushing locals to look outside of the county for housing. If we can fine landlords for neglecting basic upgrades for basic quality of life, funding recieved will be not wasted on poor quality properties in the county. We should be able to save money by relocating fines back into the housing funds or emergency services. This should also be able to help regulate the cost of living. With Slum Lord Laws in place, we can put caps on rent increases on poor quality properties. Once critia is met- adjustments to the cap should be allowed to be adjusted per the City. This builds trust with the locals and ensures we have landlords being responsible for their properties. This concludes my suggestion.

Thank you for your comment. The Brevard County HOME Consortium (Brevard County and each participating City) all contribute some of the HUD funds, described in the Consolidated Plan and Annual Action Plan, each year to fair housing activities. These fair housing activities fund staff that ensure true fair housing violations get escalated to the right agency. Similarly, Brevard County coordinates with agencies to address tenant-landlord disputes.

We understand your concern and will continue to fund fair housing activities that work to minimize landlord-tenant issues, which may include standards of housing quality.

7/4/2022

Reading through the County's Consolidated Plan, it appears that not nearly enough is being done to increase the number of affordable rental properties for employed individuals beyond areas set aside public housing or similar types of congregated living. Living beach-side, I also hoping to see plans to encourage rental property owners to maintain their properties as long-term rental units as opposed to converting homes and multiple unit structures to vacation rentals. I see a recognition of this problem, but no plans to address diminishing affordable housing on the beach due to this problem. Additionally, I could see no measures in place to protect renters from exorbitant increases in monthly rent. I was also concerned that many of the figures for cost of housing are dated, much of it coming from 2017 figures. Housing prices of all types have risen substantially since 2017, and, as you are aware, have risen even further due to the pandemic and all that followed. I can see that a lot of work went in to the completion of the Consolidated Plan, but it seems to lack a wholistic approach that addresses the causes and urgency of diverse housing needs county-wide. May I also say that perhaps more could be done by the county to bring in meaningful manufacturing jobs for citizens to help with increasing economic difficulties. I am the owner of a long-term and a vacation rental property. I also come from a family that ran manufacturing firms in Brevard County from the 1960's until recently, so feel a deep commitment to Brevard and working class families in this county.

Thank you for your comment. Some of the County HOME funds do support renters through a Tenant Based Rental Assistance (TBRA), this program currently is active in Melbourne City. The reserves funds each year for Community Development Housing Organizations (CHDO) that come to the County with projects that may include rental housing.

We understand some of the data is dated in the Consolidated Plan, this is the latest dataset that HUD has made available. The CHAS dataset is a special tabulation based on ACS data specifically done for HUD. The County attempted to supplement this data with more recent data, such as Zillow data.

We appreciate your commitment to Brevard and its working-class families. The County Human Services and Housing Department makes every attempt to leverage the HUD funds made available each year to fund impactful programs, that are specifically geared towards low- and moderate-income families.

7/4/2022

Change zoning to allow tiny homes, RVs and Travel Trailers. Allow 4-6 unit garden apartments in residential single family zoning. Free up the amount of apartments that are 55+ and allow all types of incomes and stabilities to find resolve in these communities. Prepare zoning and building/construction for affordable housing areas. Don't forget that you have a College here. Make housing affordable for College Grads and College Students who need somewhere stable to reside so that they can improve and grow their career.

Thank you for your comment. Although the Consolidated Plan does not address zoning, ordinances, or permitting, the County will be engaged in the Assessment of Fair Housing (AFH) in the coming months. This Assessment of Fair Housing will more directly engage with the issues you have outlined in your comment. We will consider your comments here as information to also include in the AFH.

7/4/2022

Disturbing lack of funds for this problem. Administration cost 2nd highest amount is, again, disturbing. Government is bound to work for the people, not the enrichment of the few.

Thank you for the comment. The amount of funds is rarely enough to address all of the housing, infrastructure, service, and public improvement needs in the County. The Administration costs cover staff to administer the CDBG and HOME programs and are limited to a percentage of each year's allocation. 20% for CDBG and 10% for HOME.

7/4/2022

We need more than 10 new units for low-income housing. Ten additional seems like an extremely low number considering the population growth in the area and the median housing/rental costs. The county needs to be forward thinking and innovative. For example, we could build tiny home communities. The current plan seems short-sighted.

The 2022 Annual Action Plan is only the plan for the federal HUD funds (CDBG and HOME) for 2022. Understanding the resources are limited and given the current market the expected funds the County receives will not meet the entire need.

7/4/2022

The proposed plan to rehabilitate 25 rental housing units and 30 homeowner units, add 10 housing units, and provide financial assistance to 15 households is woefully inadequate to the current housing crisis in Brevard County. It is a slap in the face to renters like me who experienced a 25% rent increase this year.

The 2022 Annual Action Plan is only the plan for the federal HUD funds (CDBG and HOME) for 2022. Understanding the resources are limited and given the current market the expected funds the County receives will not meet the entire need.

7/4/2022

Thank you for the opportunity to share opinion about the rent, what I want to give my opinion on, it's that brevard it is not a retirement place anymore,I see a lot of youth and those youth they get around 12 to 14 dollars no more average, most of them they live as roommates maybe 4 in house, my heart melts how I see them working many jobs,the elderly say they are lazy and they are not, not future for them to get married and have kids,so what happens they can't get married create a family and that creates a lot drug abuse and alcohol and promiscuity that open doors for diseases,and here in brevard the companies pay so low that is impossible to people at least to have a normal life working one job they stressed, mad all the times ,because everything goes against them.

Thank you for your comment. All of the funds described in the Consolidated Plan will fund activities that are geared to support low- and moderate-income families.

7/5/2022

Here are my basic reactions:

My personal observation is that Brevard seems to have a significant number (also and increasing number) of Very Low Income residents.

I am aware that there is a serious problem for many of these Very Low Income residents in finding and maintain housing: people "living rough" in the park or other spaces, sometimes with children. The conditions making it impossible for them to get and sustain a job, basically trapping them in a cycle of poverty and unproductively.

The numbers/plans in the Plan do not appear to really address this problem but rather focus on improving a limited number of houses.

I am concerned that inadequate steps have been taken to encourage meaningful public engagement in the draft plan. More should be done immediately to encourage meaningful public discussion about the current housing crisis, including developing UNDERSTANDABLE SUMMARIES and community-focused solutions and welcoming their inclusion in local stakeholder meetings. There is

so much data to digest in the plan that a public (and publicized) stakeholder presentation would be very helpful for interested residents.

I could not find statistics in the Plan to understand what (if any) percentage of the actual need the county will be addressed with the proposed plan. The plan indicates that 30% of the county is cost-burdened with housing, yet I could not find how the Plan actually meets that need.

As a matter of basic Christian and civic values, especially where millions of dollars are available and must be spent, we should ENSURE that the "least among us" are provided with meaningful housing. If the Plan does not meet that test—I strongly urge that it be revised to do so.

Please keep me apprised of your continued efforts.

Thank you for your comment. The funds received by the County are limited and may not meet the entire need of the County. The Consolidated Plan focuses only on those federal funds received from the Department of Housing and Urban Development (HUD).

In developing this plan, the County presented at and facilitated over 6 stakeholder meetings, and 4 public meetings (2 CDBG Advisory Council meetings and 2 Affordable Housing Advisory Council meetings). Similarly, the Consolidated Plan considered survey results from over 1,000 unincorporated Brevard County residents, and input from other organizations providing services to the community.

7/5/2022

Ms. Jones,

I am sending on one more suggestion to update the Public Participation Plan, provide a 30-day comment period, include public participation goals, and make the plan easily available on the county website. Currently it is not available on the website and is invisible to the public.

I posted the following on the county survey link:

"The public participation plan should be updated. It is clearly lacking in connecting with the public. For example, dropping hard copies off at the local public libraries for a 30-day comment period is outdated and will reach 0 Brevard residents or target outreach individuals.

I have submitted numerous suggestions on garnering meaningful public input. These suggestions should be incorporated into an updated Public Participation Plan, and posted on the county website.

Currently I am one of the only Brevard residents that has researched HUD requirements sufficient to know that the county even has an INVISIBLE public participation plan, and that is only available upon making a specific information request to the county."

I request my comment to be included in the updated plan, and to receive a response from the county, as indicated in the public input announcement.

Regards,

Kristin Lortie, Supporter of Meaningful Public Engagement Opportunities for a Healthier Brevard County

Thank you for this feedback. The Housing and Human Services Department will consider these, and your other suggestions, when an update to the Citizen Participation Plan is made.

Vinnie Richardson, Christian Housing Ministries, 7/5/2022

The following is a statement and response to the Fiscal Year 2022 – 2026 Consolidated Plan and Fiscal Year 2022 - 2023 Annual Action Plan:

1. Christian Housing Ministry, Inc. (CHM) is a grass roots 501c3 housing nonprofit organization that grew out of the specific request from low, very low- and moderate-income families request for resolving their housing needs to Brevard County residents. These were primarily families who felt they were not being equally served.
2. CHM has been utilizing a professional Housing Counseling Program established, trained and approved by HUD that is meant to not just give information and referrals, but to provide Comprehensive HUD Approved Counseling sessions until the family has obtained a sustainable housing situation. However, in bringing this program to Brevard County, CHM has been faced with several obstacles that we feel should be addressed in the Consolidated Plan.
3. Many of these homeless families have been denied services and determined ineligible for a variety of programs that currently exist; after being screened for mostly one time only information and referral services.
4. There needs to be more openness to the eligibility criteria being used to deny Brevard County low-income families perhaps thousands of dollars in benefits on an ongoing regular basis. The county should invest in providing low income their rights to know why they are being denied. This information needs to be shared among ALL nonprofits who is providing services to the public, not just nonprofits who pay the \$1100.00 to become members of the Brevard Homeless Coalition (BHC).
5. Currently, BHC and their members is utilizing Brevard 211 to provide information and referral services to low-income families. It doesn't appear that most of the Customer Service Representatives answering the phones have the HUD Approved Housing Counseling formal training established and legislated in 2017 by HUD. This is not meant to criticize the service being offered by 211 but to add to the services

they already provide. The County to need provide a leading role in ensuring that this happens; not just leave it to the discretion of each organization.

6. HUD does require program designs and eligibility criteria to be established by each funding source but it appears there is no general dissemination of this information to the nonprofits who are working with eligible families. CHM need to given the written program designs of each program and the sharing of this information needs to be encouraged by the County.
7. Since there is no structured Fair Housing Program in Brevard County, leading a shared request for complete disclosure of eligibility criteria to ALL nonprofits would help to ensure low-income families that their rights are important and that we seek openness in all determinations of the variety of housing programs.
8. While the Consolidated Plan does make the following statement:

“Actions planned to enhance coordination between public and private housing and social service agencies -The County has staff that sit on government boards and advisory councils that regularly consult with private housing and social service agencies. These platforms are a great medium for the County to learn about issues facing the private housing market as well as those agencies that are providing services in the field. The County will continue this role and will build relationships with those organizations to understand needs and needed resources to meet needs”; CHM feel our recommendations would add greatly to your current approach.

Thank you for assistance you can give in addressing the above matters in the Consolidated Plan. I have low-income members of the Brevard Community who are willing to testify before any committee to substantiate any of the claims above, as I may have missed some.

Sincerest Regards,

Vinnie Richardson

Thank you for your comment. Brevard County Housing and Human Services is willing to meet with you to address specific concerns that are related to programs we administer. We would suggest you contact other agencies that you had mentioned directly to voice your concerns.

7/6/2022

Ms. Jones,

Fyi I just reviewed the Orange County website.

Their citizen plan IS being updated, and their new draft plan is prominently placed on the website. Brevard County's Citizen outdated Participation Plan could only be obtained by information request to the county.

Brevard County receives hundreds of thousands of dollars in administration funds from HUD programs, and has done only a token effort to include public engagement. This should be immediately addressed to demonstrate that Brevard wants to include and welcome citizen participation.

Here is the citizen-friendly Orange County website: <https://youroclplans.com/>

Here is the more data heavy Orange County website where the draft Citizen Participation Plan is located: <https://www.orangecountyfl.net/NeighborsHousing/CommunityDevelopment.aspx#.YsVI-2kpDTh>

Attached is the Citizen Participation Plan highlighted on the Orange County website.

I just remembered that the county also made it cumbersome to review the agency funding submissions for the CDBG grant funding, initially invoicing me \$159 to review a single agency RFP response. Citizens should have access to attend the RFP selection process meetings, and to review any RFP submissions, and without the hassle and cost incurred.

Information on the process should be made readily available to those that inquire, and posted on the website wherever possible.

Kristin Lortie, Supporter of an Updated and Relevant Citizen Participation Plan for Brevard County

Thank you for your comment, but the Public Comment Period (June 6 to July 5, 2022) is to solicit comments specific to Brevard County's Consolidated Plan. All comments relating to process and the approved Citizen Participation Plan will be retained for the next scheduled update to that plan.

Public Hearing, 8/2/2022

This section will be updated following the public hearing which is scheduled for 8/2/2022 at 5:00 PM.

Appendix C: Survey Questions and Results

Public Service Agency Questionnaire

The Public Service Agency Questionnaire included the following questions:

1. Please indicate the services needed by the customers you serve:
 - Adult Day Care Services
 - Child Care Services
 - Drug / Alcohol Substance Abuse Services
 - Food Bank / Food Programs
 - Handicapped Services
 - Health Services
 - HIV / Aids Health Services
 - Housing / Homeless Service
 - Literacy Services
 - Mental Health Services
 - Other Special Needs
 - Pharmaceuticals
 - Senior Services
 - Transportation Services
 - Transitional Housing / Emergency Shelters
 - Youth Services
 - Other
2. Does your organization serve low to moderate income clients in any of the following categories?
 - Abused / Battered Women
 - Children
 - Handicapped / Disabled
 - HIV / Aids Patients
 - Homeless
 - Mentally Challenged
 - Seniors
 - Youth
 - Other
3. Based on your agency's goals for next fiscal year (Enter the number of low to moderate-income clients that you plan to serve).

Short answer

4. Based upon your agency's capacity, please quantify the number of people and the financial (\$) gap between your short-term (1 year) capacity and the perceived short-term (1 year) need by low to moderate-income people.
 - Short Term People Gap:
Short Answer
 - Short Term Financial Gap:
Short Answer
5. Based on your agency's long-term goals for the next fiscal year (Enter the number of low to moderate-income clients that you plan to serve).
 - Short Term People Gap:
Short Answer
 - Short Term Financial Gap:
Short Answer
6. Please indicate any assistance that you need to help increase your capacity as a public service agency:
 - Board Development
 - Fundraising
 - Grant Writing
 - Measures / Objectives
 - Other
7. Please indicate how much your agency will require from all sources in total funding over the next five years?
Short answer
8. Please indicate your agency's current funding source(s):
 - Business Contributions
 - Federal Government
 - Foundations
 - Fund Raising
 - State Contributions
 - Trusts – Endowments
 - United Way
 - Other
9. Please indicate if you plan to apply for funding through Community Development Block Grant (CDBG) Public Service programs over the next 5 years? If "Yes", please indicate how much by jurisdiction:
 - Brevard County
 - i. Yes

ii. No

- Total C.D.B.G. Funding (Brevard County)

Short Answer

10. Please indicate if you plan to apply for funding through Community Development Block Grant (CDBG) Public Service programs over the next 5 years? If "Yes", please indicate how much by jurisdiction:

- Cocoa

i. Yes

ii. No

- Total C.D.B.G. Funding (Cocoa)

Short Answer

11. Please indicate if you plan to apply for funding through Community Development Block Grant (CDBG) Public Service programs over the next 5 years? If "Yes", please indicate how much by jurisdiction:

- Melbourne

i. Yes

ii. No

- Total C.D.B.G. Funding (Melbourne)

Short Answer

12. Please indicate if you plan to apply for funding through Community Development Block Grant (CDBG) Public Service programs over the next 5 years? If "Yes", please indicate how much by jurisdiction:

- Palm Bay

i. Yes

ii. No

- Total C.D.B.G. Funding (Palm Bay)

Short Answer

13. Please indicate if you plan to apply for funding through Community Development Block Grant (CDBG) Public Service programs over the next 5 years? If "Yes", please indicate how much by jurisdiction:

- Titusville

i. Yes

ii. No

- Total C.D.B.G. Funding (Titusville)

Short Answer

Public Service Agency Questionnaire Results

PUBLIC SERVICE AGENCY SURVEY FY: 2022-2027

12 Agency Responses

1.) Please indicate the services needed by the customers you serve.			
Adult Day Care Services	5		
Child Care Services	7		
Drug/Alcohol Substance Abuse	9		
Food Bank/Food Programs	10		
Handicapped Services	6		
Health Services	6		
HIV/Aids Health Services	4		
Housing/Homeless Service	12		
Literacy Services	3		
Mental Health Services	8		
Other Special Needs	2		
Pharmaceuticals	3		
Senior Services	5		
Transportation Services	10		
Transitional	8		
Youth Services	6		
Other, Specify			
2.) Does your organization serve low to moderate income clients in any of the following categories?			
Abused/Battered Women	9	Homeless	11
Children	8	Seniors	6
Handicapped/Disabled	7	Youth	8
HIV/Aids Patients	3	Other, Specify:	
Mentally Challenged	8		
3.) Based on your agency's goals for next fiscal year (Enter the number of low to moderate-income clients that you plan to serve.			
Short Term Low/Mod Clients:	14,987		
4.) Based upon your agency's capacity, please quantify the number of people and the financial (\$) gap between your short-term (1 Year) capacity and the perceived short-term (1 Year) need by low to moderate-income people.			
Short Term People Gap:	14,350		
Short Term Financial Gap:	\$ 1,510,216		
5.) Based on your agency's long-term goals for the next fiscal year (Enter the number of low to moderate-income clients that you plan to serve).			
Long Term Low/Mod Clients:	14,275		

Based upon your agency's capacity, please quantify the number of people and the financial (\$) gap between your long-term (5 Year) capacity and the perceived long-term (5 Year) need by low to moderate-income people.			
Long Term People Gap:		14,840	
Long Term Financial Gap:		\$ 2,832,824	
7.) Please indicate any assistance that you need to help increase your capacity as a public service agency.			
Board Development	2	Measures/Objectives	2
Fundraising	5	Program Evaluation	
Grant Writing	6	Other, Specify	
Please indicate how much your agency will require from all sources in total funding over the next five (5) years?			
Total Five (5) Year Funding:		\$ 147,098,236	
8.) Please indicate your agency's funding sources?			
Business Contributions	4	Trusts/Endowments	2
Federal Government	6	United Way	3
Foundations	3	Other, Specify Fees for service/i	1
Fund Raising	4		
State Contributions	3		
11.) Please indicate if you plan to apply for funding through CDBG Public Service programs over the next five (5) years? If "Yes", please indicate how much by jurisdiction?			
Yes, Brevard County	4	Total CDBG	\$ 500,000
Yes, Titusville	1	Total CDBG	\$ 10,000
Yes, Cocoa	2	Total CDBG	\$ 110,000
Yes, Melbourne	2	Total CDBG	\$ 60,000
Yes, Palm Bay	2	Total CDBG	\$ 110,000

Note: Questions 9 thru 13 from the questionnaire are summarized under Question 11 in the questionnaire results.

Community Surveys

The Brevard County HOME Consortium distributed the following community surveys:

1. Brevard County Community Survey
2. City of Cocoa–Consolidated Plan Community Needs Assessment Survey
3. City of Melbourne Community Survey
4. City of Palm Bay Community Needs Assessment Survey
5. City of Titusville Community Needs Survey



COMMUNITY SURVEY 2021

Brevard County is conducting a survey to identify priority needs within the low to moderate income areas within unincorporated Brevard County. Your input will be used to develop the 2022-2027 Brevard County Consolidated Plan, Annual Action Plan, and the development or update of neighborhood plans and other future neighborhood planning activities.

In order for your input to be included, please return your completed survey in the enclosed envelope on or before October 31, 2021, or you may complete the survey on our website at: www.brevardfl.gov/HumanServices/PlansAndReports.

What street, road, or avenue do you live on? _____

What is your zip code? _____

Using the range from 1 to 3, please check the need level for each of the following items (1 – indicates the lowest need, 2 indicates the moderate need, and 3 indicates the highest need).

PUBLIC SAFETY, CRIME & NUISANCES

	1	2	3
Street / Public Area Lighting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anti-Crime Programs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speeding Vehicles, Traffic Calming needs (speed humps)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None / No Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PUBLIC SERVICES

	1	2	3
Youth Education Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Youth Recreation Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senior Programs: Social / Recreation / Cultural / Computers / Nutrition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Childcare Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Nutrition Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Counseling & Mental Health Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Case Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homeless Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None / No Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE RETURN SURVEY BY OCTOBER 31, 2021

INFRASTRUCTURE	1	2	3
Sidewalk Improvements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Sewer Improvements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drainage Improvements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None / No Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NEIGHBORHOOD SERVICES / ENHANCEMENTS	1	2	3
Demolition: Abandoned Houses / Buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Off Street Bike & Pedestrian Paths / Trails	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None / No Need	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PUBLIC FACILITIES	1	2	3
Youth / Adult Program Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None / No Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

HOUSING	1	2	3
Affordable & Safe Rental Units	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single-Family Home Development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senior Housing Facilities / Units	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homeowner Repair/ Rehab Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multifamily Home Development / Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Purchase Assistance Programs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rental Security & Utility Deposit Assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing Weatherization / Energy Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accommodations for Seniors Aging in Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None / No Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ECONOMIC DEVELOPMENT	1	2	3
Small Business Development & Job Creation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vocational / Job Skills Training & Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
None / No Needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE RETURN SURVEY BY OCTOBER 31, 2021



City of Cocoa—Consolidated Plan Community Needs Assessment Survey

The City of Cocoa receives approximately \$175,690 in federal Community Development Block Grant (CDBG) funds and \$85,105 in HOME funds each year. CDBG funds must meet national objectives of benefiting low- and moderate-income citizens, aiding in the elimination of slum and blight, or meeting an urgent need (i.e. national disaster). HOME funds are spent on facilitating affordable housing. The City wants you to have a voice in how the money is invested. Please assist us by completing and submitting the survey to the Community Services Department, by email iberardi@cocoafi.org or in person.

Consider the needs in your community and how they can be improved. Rate the need level for each of the following items and circle the one that best applies with the number “1” as the lowest need and “4” as the highest need.

Using the range from 1 - 4, 1 indicates lowest need, 4 indicates the highest need

Community Facilities	Low			High	Community Services	Low			High
Senior Centers	1	2	3	4	Senior Activities	1	2	3	4
Youth Centers	1	2	3	4	Youth Activities	1	2	3	4
Childcare Centers	1	2	3	4	Child Care Services	1	2	3	4
Community Centers	1	2	3	4	Anti-Crime Programs	1	2	3	4
Parks and Recreation Facilities	1	2	3	4	Health Services	1	2	3	4
					Transportation Services	1	2	3	4
Infrastructure	Low			High	Neighborhood Services	Low			High
Drainage Improvements	1	2	3	4	Code Enforcement	1	2	3	4
Water/Sewer Improvements	1	2	3	4	Demolition of Unsafe Buildings	1	2	3	4
Sidewalk Improvements	1	2	3	4	Emergency Home Repairs	1	2	3	4
Street Lighting/Streetscape	1	2	3	4					
Special Needs Services	Low			High	Business & Jobs	Low			High
Centers/Services for Disabled	1	2	3	4	Employment Training	1	2	3	4
Accessibility Improvements (ADA)	1	2	3	4	Business Mentoring	1	2	3	4
Domestic Violence Services	1	2	3	4	Job Creation/ Retention	1	2	3	4
Substance Abuse Services	1	2	3	4	Building Façade Improvements	1	2	3	4
Homeless Services/ Shelters	1	2	3	4					
Neglected/Abused Children Services	1	2	3	4					
Housing		Low			High				
Residential Rehab (Repairs)		1	2	3	4				
Homeownership Assistance		1	2	3	4				
Housing for Disabled		1	2	3	4				
Senior Housing		1	2	3	4				
Single Family Housing		1	2	3	4				
Affordable Rental Housing		1	2	3	4				
Fair Housing		1	2	3	4				
Energy Efficient Improvements		1	2	3	4				

RETURN SURVEY TO: iberardi@cocoafi.org or via fax at (321) 433-8543 or in person at 65 Stone St, Cocoa, FL 32922



RESP. ID # _____
Office use only

Housing & Urban Improvement Division, City of Melbourne

COMMUNITY SURVEY

The City of Melbourne Housing and Urban Improvement Division, in conjunction with the Brevard County HOME Consortium, is conducting a survey to identify community priorities for the expenditure of Federal and State assistance to low and moderate-income families/households.

The survey results will be one tool used to develop the 2022-2027 Consolidated Plan that prioritizes the expenditures of these funds.

Please help us by completing the survey. Your responses will remain anonymous. Check the box in front of each community priority in the list below that is important to you or your household (**YOU MAY SELECT UP TO 3 CHOICES IN EACH CATEGORY**) as well as, the household information at the end of the survey. Use the box at the bottom of the page to list any community priorities that you believe should be added to the list. Persons with disabilities or non-English speaking respondents, needing assistance completing the survey, should call the Housing & Urban Improvement Division office at (321)608-7530.

COMMUNITY PRIORITIES BY CATEGORY

HOUSING – UP TO 3 CHOICES

- ☐ Affordable rental units
- ☐ Rental assistance
- ☐ Affordable housing available for purchase
- ☐ Purchase assistance for first-time homebuyers
- ☐ Help with housing for people with special needs
- ☐ Domestic violence shelters
- ☐ Emergency shelters/homeless facilities
- ☐ Help with home repair
- ☐ Foreclosure prevention assistance

COMMUNITY APPEARANCE – UP TO 3 CHOICES

- ☐ Abandoned cars and junk in yards
- ☐ Litter and junk on vacant lots and roadsides
- ☐ Overgrown lots, yards and roadsides
- ☐ Abandoned/dilapidated homes
- ☐ Commercial vehicles parked in residential neighborhoods
- ☐ Rundown buildings other than homes
- ☐ Business storefronts that need improvement

ECONOMIC/JOB DEVELOPMENT – UP TO 3 CHOICES

- ☐ Employment opportunities
- ☐ Job placement services
- ☐ Job training
- ☐ Higher paying jobs
- ☐ Small business assistance

PUBLIC SAFETY – UP TO 3 CHOICES

- ☐ Gang issues/gang violence in neighborhoods
- ☐ Drug sales in neighborhoods
- ☐ Loud music/noise in neighborhoods
- ☐ Fire protection
- ☐ Police presence/protection
- ☐ Speeding in neighborhoods
- ☐ Safer school bus stops

COMMUNITY PRIORITIES BY CATEGORY

HUMAN SERVICES – UP TO 3 CHOICES

- ☐ Food banks/food programs
- ☐ Drug/alcohol treatment
- ☐ Public transportation
- ☐ Prescription purchase assistance
- ☐ Health services
- ☐ Mental health services
- ☐ Senior services
- ☐ Handicap/disability services
- ☐ Affordable child care
- ☐ After school programs
- ☐ Youth Services
- ☐ Family counseling
- ☐ Help with homelessness
- ☐ Park/Recreation programs

PUBLIC FACILITIES – UP TO 3 CHOICES

- ☐ Park facilities
- ☐ Senior centers
- ☐ Community centers/meeting places
- ☐ Youth centers
- ☐ Child care facilities
- ☐ Health facilities
- ☐ Bus stop shelters/benches
- ☐ Wheelchair/handicap accessibility

INFRASTRUCTURE – UP TO 3 CHOICES

- ☐ Pave roads in neighborhoods
- ☐ Improve hazardous intersections
- ☐ Widen main roadways
- ☐ Street lights
- ☐ Sidewalks
- ☐ Fire hydrants
- ☐ Flood/drainage improvements
- ☐ City water/sewer service hook-up assistance

OTHER COMMUNITY PRIORITIES (WRITE-IN ANY IMPORTANT COMMUNITY PRIORITIES NOT LISTED ABOVE, IN THIS BOX.)

HOUSEHOLD SIZE/COMBINED HOUSEHOLD INCOME/MELBOURNE RESIDENCE

<input type="checkbox"/> 1 Person	<input type="checkbox"/> ≤\$15,300 to 40,700	<input type="checkbox"/> 5 Persons	<input type="checkbox"/> >\$31,040 to \$62,750
<input type="checkbox"/> 2 Persons	<input type="checkbox"/> >\$17,450 to \$46,500	<input type="checkbox"/> 6 Persons	<input type="checkbox"/> >\$35,580 to \$67,400
<input type="checkbox"/> 3 Persons	<input type="checkbox"/> >\$21,960 to \$52,300	<input type="checkbox"/> 7 Persons	<input type="checkbox"/> >\$40,120 to \$72,050
<input type="checkbox"/> 4 Persons	<input type="checkbox"/> >\$26,500 to \$58,100	<input type="checkbox"/> 8 Persons	<input type="checkbox"/> >\$44,660 to \$76,700

Community Needs Assessment Survey

The City wants to hear from you!

The City of Palm Bay receives housing and community development grant funds annually from the state and federal government. In an effort to ensure that these grant funds meet the needs of the local community, the City requests community input and participation in surveys.

As part of the continued allocation of federal grant funds from the U.S. Housing & Urban Development (HUD), in the form of Community Development Block Grant (CDBG) and the HOME Investment Partnership Program, the City is required to submit a Consolidated Plan outlining its local priority needs to be funded over the next five years. The CDBG and HOME address needs that principally impact low- and moderate-income populations, to include affordable housing, economic development activities and job creation, capital improvements and infrastructure projects, public services, public facility improvements, and senior and special needs projects within Palm Bay city limits for the next five years.

In preparation for the upcoming *5-Year Consolidated Plan for Fiscal Years 2021- 2025*, the City **continues to request** your participation in the Community Needs Assessment Survey. Please take a few minutes to complete the survey. Your input is appreciated.

Community Facilities

Consider the needs in your community and how they can be improved. Rate the level of need for each of the following items and select the priority number that best applies with the number "1" as the lowest need and "4" as the highest need.

Senior Centers

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Youth Centers

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Childcare Centers

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need

- ☐ 4: Highest need

Community Centers

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Parks & Recreation Facilities

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Page 2

Community Services

Consider the needs in your community and how they can be improved. Rate the level of need for each of the following items and select the priority number that best applies with the number "1" as the lowest need and "4" as the highest need.

Senior Activities

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Youth Activities

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Child Care Services

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Anti-Crime Services

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Health Services

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Transportation Services

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Page 3

Infrastructure

Consider the needs in your community and how they can be improved. Rate the level of need for each of the following items and select the priority number that best applies with the number "1" as the lowest need and "4" as the highest need.

Drainage Improvements

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Water/Sewer Improvements

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Sidewalk Improvements

- ☐ 1: Lowest need

- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Street Lighting/Streetscape

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Page 4

Neighborhood Services

Consider the needs in your community and how they can be improved. Rate the level of need for each of the following items and select the priority number that best applies with the number "1" as the lowest need and "4" as the highest need.

Code Enforcement

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Demolition of Unsafe Buildings

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Emergency Home Repairs

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

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Special Needs Services

Consider the needs in your community and how they can be improved. Rate the level of need for each of the following items and select the priority number that best applies with the number "1" as the lowest need and "4" as the highest need.

Centers/Services for Disabled

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Accessibility Improvements (ADA)

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Domestic Violence Services

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Substance Abuse Services

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Homeless Services/Shelters

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Neglected/Abused Children Services

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Business & Jobs

Consider the needs in your community and how they can be improved. Rate the level of need for each of the following items and select the priority number that best applies with the number "1" as the lowest need and "4" as the highest need.

Employment Training

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Business Mentoring

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Job Creation/Retention

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Building Facade Improvements

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Housing

Consider the needs in your community and how they can be improved. Rate the level of need for each of the following items and select the priority number that best applies with the number "1" as the lowest need and "4" as the highest need.

Residential Rehab (Repairs)

- ☐ 1: Lowest need

- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Homeownership Assistance

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Housing for Disabled

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Senior Housing

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Single Family Housing

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Affordable Rental Housing

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need

Fair Housing

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need

- ☐ 4: Highest need

Energy Efficient Improvements

- ☐ 1: Lowest need
- ☐ 2: Low need
- ☐ 3: Moderate need
- ☐ 4: Highest need



COMMUNITY SURVEY 2020

This community-based survey will gather opinions regarding issues, needs, and priorities from citizens for use in the preparation of the City of Titusville's 2021-2025 Community Development Block Grant (CDBG) Consolidated Plan. The Neighborhood Services Department of the City of Titusville, in conjunction with the Brevard County HOME Consortium, is conducting this survey to identify community priorities for the expenditure of Federal grant funds to low- and moderate-income families. The survey results will be one tool used to develop the 2021-2025 Consolidated Plan that prioritizes the expenditure of these funds. Please help us by completing the survey. Your responses will remain anonymous. Check the box in front of each community priority in the list below that is important to you and your family (you may select up to 3 choices in each category) as well as, the household information at the end of the survey. Use the box at the bottom of the page to list any community priorities that you believe should be added to the list. Please return your completed survey to **City of Titusville Neighborhood Services Department, P.O. Box 2806, Titusville, FL 32781**, or hand deliver to the department at the **Harry T. Moore Social Service Center, 725 S. De Leon Avenue**. Persons with disabilities or non-English speaking respondents, needing assistance completing this survey, should call the **Neighborhood Services Department at 321-567-3997**.

PLEASE PICK THE TOP THREE (3) CHOICES FOR EACH QUESTION

<p>What problems or issues, if any, do you feel need the most attention to improve your neighborhood as a desirable place to live and work?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Affordable Housing/Rehabilitation <input type="checkbox"/> Community/Neighborhood Policing Program <input type="checkbox"/> Crime/Drugs/Violence/Safety <input type="checkbox"/> Drainage/Flooding/Ditches/Sewer <input type="checkbox"/> Roads/Streets <input type="checkbox"/> Social & Human Services Needs <input type="checkbox"/> Traffic Safety/Transportation <input type="checkbox"/> None/No Needs <input type="checkbox"/> OTHER (write in) 	<p>What three issues in your neighborhood would you want addressed?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Access to Social/Human Services <input type="checkbox"/> Crime/Police Protection <input type="checkbox"/> Drainage & Flooding <input type="checkbox"/> Keeping Area Clean & Maintained <input type="checkbox"/> Sidewalks <input type="checkbox"/> Beautification <input type="checkbox"/> Speeding <input type="checkbox"/> Street Lighting <input type="checkbox"/> Street Repair <input type="checkbox"/> Youth Activities/Daycare
<p>What specific traffic safety or transportation issues or needs, if any, are there in your neighborhood?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Bus/Public Transit Access/Transit Shelters <input type="checkbox"/> Off Street Bike Paths <input type="checkbox"/> Sidewalks Maintenance <input type="checkbox"/> Speeding/Traffic Claming Methods <input type="checkbox"/> Street Lighting/Improved Lighting <input type="checkbox"/> None/No Needs <input type="checkbox"/> OTHER (write in) 	<p>What specific crime issues or problems, if any, are there in your neighborhood?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Drugs/Drug Trade <input type="checkbox"/> Juvenile Crime/Bullying <input type="checkbox"/> Need More Neighborhood Police & Patrols <input type="checkbox"/> Theft/Burglary <input type="checkbox"/> Vandals/Vandalizing Property <input type="checkbox"/> None/No Needs
<p>What specific nuisances or possible code violations, if any, are in your neighborhood?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Abandoned Houses/Lots/Buildings <input type="checkbox"/> Ditches/Retention upkeep <input type="checkbox"/> Littering <input type="checkbox"/> Noise nuisances <input type="checkbox"/> Speeding <input type="checkbox"/> Suspicious Activity <input type="checkbox"/> Yards Need Cleaning <input type="checkbox"/> None/No Needs <input type="checkbox"/> OTHER (write in) 	<p>What three things do you feel local government or other service providers do the best in your neighborhood?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Crime/Drugs/Public Safety <input type="checkbox"/> Drainage and Flooding <input type="checkbox"/> Keeping Area Clean/Maintained <input type="checkbox"/> Parks & Recreation <input type="checkbox"/> Schools <input type="checkbox"/> Social & Human Service Needs <input type="checkbox"/> Transportation <input type="checkbox"/> Youth Activities & Daycare <input type="checkbox"/> OTHER (write in)
<p>What specific social or human service needs, if any, are needed in the city?</p> <ul style="list-style-type: none"> <input type="checkbox"/> After School Programs or Facilities <input type="checkbox"/> Counseling/Mental Health <input type="checkbox"/> Daycare Programs or Facilities <input type="checkbox"/> Elder Care Programs or Facilities <input type="checkbox"/> Healthcare Programs or Facilities <input type="checkbox"/> Homeless Programs or Facilities <input type="checkbox"/> Job Skills/Training <input type="checkbox"/> Transportation <input type="checkbox"/> Youth Programs or Facilities <input type="checkbox"/> None/No Needs 	<p>What specific park or recreation issues or needs, if any, are needed in your neighborhood?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Clean Up Parks <input type="checkbox"/> Create Community Gardens <input type="checkbox"/> Make Parks More Usable/Safer <input type="checkbox"/> More Funded Recreation Programs <input type="checkbox"/> None/No Needs <p>What street do you live on?</p> <p>What is your Zip Code?</p> <p>Do you live within the Target Area as defined on the map (see reverse page)?</p>

Other Priorities (write in any important community priorities not listed above:

Gender (circle): Male Female No Response				
How many years have you lived in your neighborhood? (circle)				
6 years or less	6 to 10 years	10 years or more	20 years or more	
What is your age group? (circle)				
5 to 15	16 to 30	31 to 40	41 to 50	51 to 64 65+
HOUSEHOLD SIZE			COMBINED HOUSEHOLD INCOME	
<input type="checkbox"/> 1 person	<input type="checkbox"/> 5 persons	<input type="checkbox"/> < \$36,000	<input type="checkbox"/> \$52,001 – 56,000	
<input type="checkbox"/> 2 persons	<input type="checkbox"/> 6 persons	<input type="checkbox"/> \$36,001 - \$42,000	<input type="checkbox"/> \$56,001 - \$61,000	
<input type="checkbox"/> 3 persons	<input type="checkbox"/> 7 persons	<input type="checkbox"/> \$42,001 – \$47,000	<input type="checkbox"/> \$61,001 - \$63,000	
<input type="checkbox"/> 4 persons	<input type="checkbox"/> 8 or more	<input type="checkbox"/> \$47,001 - \$52,000	<input type="checkbox"/> \$63,001 or more	

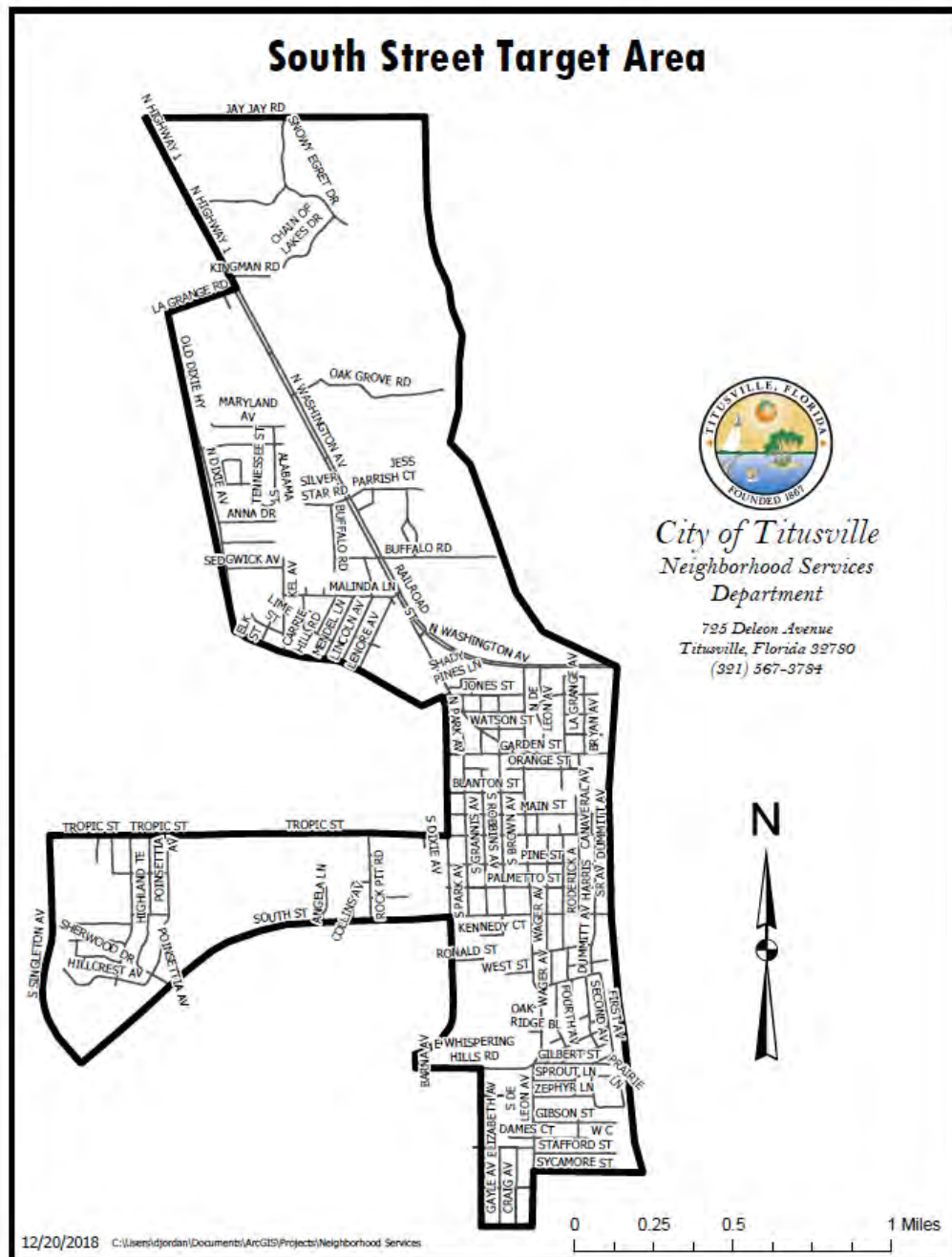
PLEASE DO NOT RETURN MORE THAN ONE SURVEY PER HOUSEHOLD.

THE FOLLOWING COMMUNITY MEETING HAS BEEN SCHEDULED FOR ADDITIONAL INPUT:

- CITY HALL COUNCIL CHAMBERS, THURSDAY, NOVEMBER 14, 2019 AT 6:00 P.M.*

YOU MAY RETURN YOUR SURVEY FORM AT THIS MEETING

TARGET AREA MAP



Community Survey Results

The following pages summarize the results from the Brevard County HOME Consortium's community surveys:

1. Brevard County Community Survey
2. City of Cocoa–Consolidated Plan Community Needs Assessment Survey
3. City of Melbourne Community Survey
4. City of Palm Bay Community Needs Assessment Survey
6. City of Titusville Community Needs Survey

Brevard County Community Survey

Total Survey Responses: 1,014

1. Public Safety, Crime, Nuisances					
	Low	Moderate	High	No Needs	
Street/Public Area Lighting	274	265	363	0	40%
Anti-Crime Programs	225	302	363		41%
Speeding vehicles, traffic calming needs (speed humps)	280	203	399	0	45%
None/No Needs				73	
Other:					
Total	779	770	1125	73	
2. Public Services					
Youth Education Activities	272	245	309		37%
Youth Recreation Activities	244	256	320		39%
Senior Program:					
Social/Recreation/Cultural/Computers/Nutrition	219	293	350		41%
Childcare Services	308	240	230		30%
Community Nutrition Needs	271	291	239		30%
Counseling & Mental Health Services	216	241	339		43%
Case Management	304	246	217		28%
Homeless Services	214	221	419		49%
Special Needs	277	242	263		34%
Transportation	224	257	305		39%
None/No Needs				107	
Other:					
Total	2549	2532	2991	107	
3. Infrastructure					
Sidewalk Improvements	271	187	349		43%
Water Sewer Improvements	213	175	394		50%
Drainage Improvements	203	188	420		52%
None/No Needs				131	
Other:					
Total	687	550	1163	131	
4. Neighborhood Services/Enhancements					
Demolition: Abandoned Houses/Buildings	324	166	262		35%
Off Street Bike & Pedestrian Paths/Trails	227	198	328		44%
None/No Needs				196	
Other:					
Total	551	364	590	196	

5. Public Facilities

	Low	Moderate	High	No Needs
Youth/Adult Program Facilities	240	242	222	
None/No Needs				270
Other:				
Total	240	242	222	270

6. Housing

Affordable & Safe Rental Units	241	154	345	47%
Single-Family Home Development	278	172	245	35%
Senior Housing Facilities/Units	220	198	327	44%
Homeowner Repair/Rehab Program	158	219	403	52%
Multifamily Home Development/Rehabilitation	325	162	204	30%
Fair Housing	253	162	293	41%
Purchase Assistance Programs	226	179	295	42%
Rental Security & Utility Deposit Assistance	285	174	266	37%
Housing Weatherization/ Energy Program	180	209	354	48%
Accommodations for Seniors Aging in Place	146	197	433	56%
None/No Needs				139
Other:				
Total	2312	1826	3165	139

7. Economic Development

Small Business Development & Job Creation	189	186	363	
Vocation/Job Skills Training & Services	172	168	426	
None/No Needs				227
Other:				
Total	361	354	789	227

Other Priorities Responses:

Other Priorities

Public Safety:

- 1 Need road maintenance - Satellite Blvd needs to be paved
- 2 Need stop signs
- 3 Need Police patrols/neighborhood watch program
- 4 Noise & nuisance control
- 5 Dead tree, overgrown lots
- 6 Drug traffic/user
- 7 Speeding problem
- 8 Troubled kids
- 9 Traffic
- 10 Limited lighting
- 11 Homeless/vagrancy
- 12 Claims of rampant prostitution - per survey response on Hendry Ave.
- 13 Request redesign intersection of Lake/Peachtree - per survey response on Lake Drive
- 14 Better street lights
- 15 Conditions of roads/need improvements
- 16 Lake needs severe cleaning/clearing - as reported by survey on E. Lakeview Blvd.
- 17 Installation of speed humps on A Lane has diverted speeding/loud music traffic onto
- 18 Squatting in houses on Magnolia Ct.
- 19 Speed humps were removed on Pine Street - requests to reinstall
- 20 Asphalt Paving - Bevis Road
- Litter, commercial waste, County
- 21 maintenance of infrastructure
- 22 Cars not stopping at 4-way sign on Marshall/Grove
- 23 Extend sidewalks North on Central Ave., south side of Micco & Riverview & Holly, need sidewalks on
- 24 Help the Indian River Lagoon
- 25 Stop overdevelopment in Micco
- 26 Public swimming pool
- 27 Education Programs & Additional Programs; volunteer programs for Citizens to help Citizens
- 28 Parking overnight in parks / Private park
- 29 Humane Services/animal abuse prevention/animal shelter/rescue & rehome
- 30 Storm Drains in areas like Micco
- 31 Fire Hydrants
- 32 Median Mowing Frequency/landscape improvements
- 33 Run County water to the area
- 34 Better yard waste pickup/regular road yard waste pick-up/crack down on dumping by outside business
- 35 Mosquito spraying
- 36 Change school bus stop that is at a bar area
- 37 US 1 needs bike & pedestrian lane(s)

Neighborhood Services Enhancements:

- 1 Illegal tenants living in shipping containers and RVs
- 1 No sidewalk on Bay or School St.
- 2 Empty field with homeless people and drugs
- 3 Trailers on vacant properties
- 4 Grass needs to be cut timely
- 5 Properties needs to be cleaned
- 6 Code Enforcement
- 7 Remove inoperable vehicles
- 8 Demo abandoned houses
- 9 Would like Road signs that state 1, Children at Play & 2, Noise Ordinance violation
- 10 Speed limit signs, enforcement
- 11 Litter, commercial waste
- 12 Feral Cats
- 13 Landscaping: public areas and streets
- 14 Improve maintenance on path.
- 15 Enhance/facilitate those not in a car
- 16 Blight Officer needed
- 17 Public Scooter (share-n-go program)
- 18 All sidewalks & Barefoot Bay streets should be usable for golf carts
- 19 Other parks w/trails nearby
- 20 Would like bike paths
- 21 Dog park
- 22 Enforce deed restrictions
- 23 Illegal dumping
- 24 Speedy trash pick up
- 25 Concern over known drug locations
- 26 Create and maintain green spaces including community gardens.
- 27 Severe Mold Issues & Health
- 28 A lot of mold in apartment need to be fixed 1 day
- 29 Water Front/River Front Enhancements
- 30 Help more in East Mims
- 31 Cars on property being worked on. Being used as a dealer
- 32 Remove abandoned homes
- 33 Non-permitted house additions plus junk vehicles, old tires, etc. piling up
- 37 Scheduled trash pick up

Neighborhood Service "Other" Responses, Continued:

- 38 Installation of extended ingress to Shug Harbor Village from US 1/need left turn lane into Snug Harbor Village
- 39 Pot holes
- 40 Unleashed dogs/stray cats
- 41 Community Center to advertise services
- 42 Day trips for seniors
- 43 Four wheelers and dirt bikes speeding on the roads
- 44 Medical Practice/Clinic with Specialists
- 45 Need bus stop on US1 near Exuma Dr
- 46 Mowing of Rt 1 median
- 47 Speed limit Sign
- 48 Community Help for disabled homes
- 49 Parking Enforced
- 50 Water Drainage-Wiley Ave.
- 51 Cut grass Sidewalk
- 52 HOA's blocking sidewalks so children are forced on to the streets on Snook Place
- 53 Code enforcement
- 54 Need stop signs

Public Services:

- 1 Need internet
Our household trees & limbs block the
- 1 street view
- 2 Deadend Street houses/trailer park
- 3 Drug Control
- 4 Safe environment for families
- 5 Graveyard needs to be cleared of homeless
- 6 Elderly walkers/speeding cars
- 7 Assistance for the disabled
- 8 Need better bus system/more bus routes
- 9 Banks of ditches need to be addressed
- 10 Sidewalk cracks everywhere - stated by survey on Smart Street
- 11 Individual Residential Mailbox
- 12 Need officer patrol
- 13 Fines for littering, public intoxication, etc
All empty space on Grove Blvd next to
Gardendale School for public use. Eg.,
- 14 throwing the ball
Community assistance from Parks and Rec
- 15 by supporting cultural programs
- 16 Need street sweepers and road repair, repair Sea Ray Rd Bridge
- 17 More spraying for mosquitos

- 18 Farmers Market
- 19 Park Improvements/Beach Access
- 20 Home Health Services for elderly & handicap
- 21 Family recreation like mini golf or indoor sports area
- 22 Community check-in on elderly that live alone
- 23 Special needs gets plenty of help; think about others
- 24 Stop taking away money from the special needs programs
- 25 Music education for youth
- 26 Too many homeless on USI by bridge; they sleep in the woods / homeless people living at bus stops
- 27 No real public transportation in parts of the county
- 28 Would like a Mobil Fresh Produce program
- 29 Groceries and Prescription deliveries
- 30 Veterans Services
- 31 Food for Seniors
- 32 Bus come up into East Mims
- 33 More centers for kids to be active in like. Playgrounds
- 34 Senior Group(s)/walks for seniors in area
- 35 Needs for homeless/control makeshift camps
- 36 Need water/sewer
- 37 Trash Clean up
- 38 No shops nearby
- 39 Need internet

Infrastructure:

- 1 Need City water
- 2 Ditches need to be cleaned regularly
- 3 Pot hole on Allen St. Drain needs a lock
- 4 Water main needs to be fixed
- 5 Speeders
- 6 Ditches flood
- 7 Street flooding
- 8 Widen Road
- 9 Garbage removal from sidewalk
- 10 No sidewalks
- 11 Debris in the streets
- 12 Drainage very poor - as reported by survey on Brockington Circle
- 13 Concrete on drains need repair on Tomlin Drive
- 14 Trash Collection

Public Facilities:

- 1 YMCA
- 2 Request open of Food Stamp office in area
- 3 Local Park Center needs foliage control
- 4 Computer classes for all ages
- 5 Neighborhood park field fenced off, no access for residents
- 6 Jordan Rd/Alma Blvd parth is overgrown with grass
- 7 Need trash cans in public areas to stop littering of storm drains
- 8 Need more parks/fishing sports/conservation areas
- 9 Library is not maintained as well as other in the county
- 10 Park & Ride (for rideshare or Uber)
- 11 More events year round, not just for snowbirds
- 12 More boat ramps
- 13 Would like outside gym at Micco Park
- 14 All A&E Programs Facilities
- 15 Affordable program/local safe program

Housing:

- 1 Help Eldely with overgrowth & lawn equipment needs
- 2 Neighborhood watch programs/services
- 3 Junk at the end of the street
- 4 Assistance for disabled repairs
- 5 Enforce Code Restrictions/clean up community
- 6 Broken down cars & junk in yards is bringing property values down
- 7 Some homes flood sewer water when it rains causing smell throughout community -
- 8 Trash between Jordan Rd apartments, the high school, and CVS.
- 9 Too many rentals for drug activity/pedophilia
- 10 No additional development
- 11 stop allowing snowbirds to buy before Florida residents
- 12 Senior check in services for seniors who live alone
- 13 Need Rent Control
- 14 Regular maintenance and inspection of all buildings
- 15 Drug rehab & shelters along w/funding
- 16 Too many stray animals (dogs & cats) roaming around

Economic Development:

- There is many educational options, but no safe way
- 1 to get there without personal transportation
 - 2 Need jobs, factories, mall, entertainment
 - 3 Assistance to small BIPOC businesses
 - 4 Job training for people with disabilities
Small business meetings to ensure registered
 - 5 business owner with proper licenses and insurance
 - 6 Help the people at \$12.00 \$15.00 an hour
Assistance to develop small businesses and
 - 7 affordable loans

Infrastructure "Other" Responses Continued:

- 15 Flood zone improvements
- 16 Retention pond maintenance
- 17 Poor water pressure and drainage
- 18 Park Improvements/Beach Access
- 19 More bus routes, i.e.. From Winn Dixie to Publix & Walmart
- 20 Home Health Services for elderly & handicap
- 21 Family recreation like mini golf or indoor sports area
- 22 Community check-in on elderly that live alone
- 23 Special needs gets plenty of help; think about others
- 24 Stop taking away money from the special needs programs
- 25 Music education for youth
- 26 Too many homeless on US1 by bridge; they sleep in the woods / homeless people living at bus stops
- 27 No real public transportation in parts of the county
- 28 Would like a Mobil Fresh Produce program
- 29 Groceries and Prescription deliveries
- 30 Veterans Services
- 31 Environmental mitigation
- 32 Pick up more Tree Branch
- 33 Pot Holes/Road Improvement
- 34 Keep Sidewalk cleaner (weeds)
- 35 Help people in home
Clean out manholes on Canaveral Groves
- 36 Blvd.
- 37 Sidewalk improvements needed along US 1
- 38 Improve the quality of water and the billing system; water is very expensive here
- 39 Need City water in the area of Sand Dollar Lane
- 40 US 1 needs mowing
- 41 Walk-up bridge is in need of attention; filthy
- 42 Clean up ponds - Williams Point
- 43 Clean up areas on children's path to school

City of Cocoa–Consolidated Plan Community Needs Assessment Survey

Results	127 Total Surveys						
	HIGH Priorities				MEDIUM Priorities		
425-400					393-376		
422 Neglected and Abused Children Services					392 Energy Efficient Improvements		
420 Anti-Crime Programs					391 Child Care Services		
417 Youth Activities					390 Steet Lighting		
415 Job Creation and Retention					387 Housing for Disabled		
411 Affordable Rental Housing					385 Centers/ Services for disabled		
408 Homeless Services and Shelters					383 Youth Centers		
408 Fair Housing					381 Drainage Improvements		
404 Domestic Violence					381 Water and Sewer Improvements		
403 Health Services					380 Emergency Home Repairs		
402 Employment and training Services					380 Transportation Services		
394 Homeownership Assistance					377 Sidewalk Improvements		
394 Single Family Housing					376 Business Mentoring		
					376 Substance Abuse Services		

	LOW Priorities			
375-327				
373 Residential Rehab Repairs				
370 Accessibility Improvements ADA				
369 Childcare Center				
364 Demolition of unsafe Bldgs				
363 Senior Housing				
361 Building Façade Improvements				
358 Parks and Rec				
357 Community Center				
338 Senior Activities				
333 Senior Centers				
327 Code Enforcement				

City of Melbourne Community Survey

Number of Surveys	305	
HOUSING		
Affordable rental units	182	24%
Help with Home repair	134	18%
Help with housing for people with special needs	100	13%
Emergency shelters/homeless facilities	96	13%
Affordable housing available for purchase	73	10%
Domestic Violence shelters	67	9%
Purchase assistance for first-time homebuyers	54	7%
Foreclosure prevention assistance	37	5%
Rental Assistance	15	2%
Total	758	100%

Community Appearance		
Abandoned cars and junk in yards	134	21%
Overgrown lots, yards and roadsides	129	20%
Abandoned/dilapidated homes	114	18%
Rundown buildings other than homes	107	17%
Business storefronts that need improvements	99	16%
Commercial vehicles parked in residential neighborhoods	39	6%
Litter and junk on vacant lots and roadsides	12	2%
Total	634	100%

Economic/Job Development		
Employment opportunities	196	27%
Job training	177	25%
Job placement services	140	19%
Higher paying jobs	113	16%
Small Business assistance	93	13%
Total	719	100%

Public Safety		
Drug sales in neighborhoods	168	23%
Police presence/ protection	131	18%
Gang issues/gang violence in neighborhoods	128	17%
Speeding in neighborhoods	95	13%
Loud music. Noise in neighborhoods	84	11%
Safer school bus stops	69	9%
Fire Protection	62	8%
Total	737	100%

Human Services		
Senior services	110	13%
Food banks/food programs	99	11%
Public transportation	92	11%
Help with homelessness	89	10%
Prescription purchase assistance	70	8%
Affordable child care	69	8%
Family Counseling	59	7%
Drug /alcohol treatment	57	7%
Health services	47	5%
Mental health services	44	5%
Youth Services	42	5%
After school programs	39	4%
Handicap/disability services	32	4%
Park/recreation programs	24	3%
Total	873	100%
Public Facilities		
Bus stop shelters/benches	137	19%
Senior centers	118	16%
Youth centers	92	12%
Health facilities	92	12%
Wheelchair/handicap accessibility	86	12%
Child care facilities	81	11%
Community centers/meeting places	75	10%
Park facilities	59	8%
Total	740	100%
Infrastructure		
Street lights	152	19%
Sidwalks	144	18%
Pave roads in neighborhoods	124	16%
Improve hazardous intersection	116	15%
Flood/drain improvements	101	13%
Widen main roadways	82	10%
City water/sewer services hook up assistance	51	6%
Fire hydrants	28	4%
Total	798	100%

“Other” Needs Identified by Respondents:

HOUSING		
Affordable housing/Macedonia Missionary Baptist Church		
Help people that need home assistance that don't have more		
Community Appearance		
Remove prostitutes off US1 between University and New Haven		
People using open private lots as a hangout/ prostitution and drug activities in the neighborhood		
Economic/Job Development		
Affordable vocational training		
Public Safety		
Bus services to entrance of medical facilities		
More transportation for elderly and handicap		
Shuttle buses from Palm Bay/North Melbourne to Daily Bread		
Public Schools Safety School Resource officers		
Stop signs		
Bus routes east/west from indialantic and to 95		
No turn on red may help dangerous intersection at Strawbridge and Livingston.		
Difficult and dangerous for seniors to cross the street on foot even with the walk sign		
relieve parking problem in trinity tower area ticket illegal parking		
More time at the walk signs to cross over		
Please put signs up that sidewalks are for walking and put signs up "no bikes on sidewalk"		
To many bikes on sidewalk. They ask us to move so they can go by. Sidewalk is for walking.		
Speed bumps are needed for swan street		
Human Services		
Do something for the homeless. They are laying around on the sidewalks and in downtown areas very dangerous		
Supervision in areas used by homeless-Parks Facilities, Public Libraries, Bus system		
Public Facilities		
Need more enclosed bus stop areas		
Brothers Park needs renvation		
Outside restrooms and paving for parking are needed at Brothers Park		
Infrastructure		
Melbourne badly needs road work done all over		
Improve side walks all over Melbourne area		
Babcock St. North of Hibiscus needs repaving badly		
Improve on-site parking availability		

City of Palm Bay Community Needs Assessment Survey

Total Survey Responses: 628

1. Community Services		Low	Moderate	High	No Needs	
	Anti-Crime Services	44	207	333	44	53%
	Transportation Services	117	260	191	60	30%
	Other:					
	Total	161	467	524	104	
2. Public Services						
	Neglected/Abused Children Services	59	161	372	36	59%
	Substance Abuse Services	85	238	252	53	40%
	Domestic Violence Services	103	266	216	43	34%
	Youth Activities	58	244	265	61	42%
	Child Care Services	137	264	128	99	20%
	Health Services	69	223	296	40	47%
	Senior Activities	157	284	85	102	14%
	Homeless Services/Shelters	98	203	257	70	41%
	Centers/Services for Disabled	119	287	155	67	25%
	Other:					
	Total	885	2170	2026	571	
3. Infrastructure						
	Street/Public Area Lighting	102	199	279	48	44%
	Sidewalk Improvements	132	201	233	62	37%
	Water Sewer Improvements	95	219	261	53	42%
	Drainage Improvements	79	210	292	47	46%
	Other:					
	Total	408	829	1065	210	
4. Neighborhood Services						
	Code Enforcement	152	210	137	129	22%
	Demolition of Unsafe Buildings	187	192	136	113	22%
	Emergency Home Repairs	163	250	146	69	23%
	Other:					
	Total	502	652	419	311	

City of Titusville Community Needs Survey

Total Survey Responses:

What problems or issues, if any, do you feel need the most attention to improve your neighborhood as a desirable place to live and work?	
Affordable Housing/Rehabilitation	8
Community/Neighborhood policing	13
Crime/Drugs/Violence/Safety	15
Drainage/Flooding/Ditches/Sewer	16
Roads/Streets	22
Social & Human Service Needs	4
Traffic Safety/Transportation	6
None/No Needs	3
Other	4

What specific traffic safety or transportation issues or needs, if any, are there in your neighborhood?	
bus/public transit access/transit shelters	11
off street bike paths	11
sidewalk maintenance	20
speeding/traffic calming methods	13
Street lighting/improved lighting	14
none/no needs	7
Other	2

What specific social or human services needs, if any, are needed in the city?	
after school programs and facilities	9
counseling/mental health	9
day programs or facilities	1
elder care programs or facilities	10
healthcare programs or facilities	6
homeless programs or facilities	17
job skills/training	12
transportation	10
youth programs or facilities	10
None/No needs	7

What three issues in your neighborhood would you want addressed?	
access to social/human services	3
Crime/police protection	15
drainage & flooding	13
keeping area clean and maintained	11
sidewalks	8
beautificalton	9
speeding	10
street lighting	12
street repair	23
youth activities/daycare	1

Whate specific crime issues or problems, if any, are there in your neighborhood?	
Drugs/drug trade	13
juvenile crime/bullying	3
need more neighborhood police & patrols	18
theft/burglary	12
vandals/vandalizing property	5
none/no needs	11

What three things do you feel local government or other service providers do the best in your neighborhood?	
crime/drugs/public safety	6
drainage and flooding	15
keeping area clean/maintained	11
Parks and Recreation	13
schools	8
social & human service needs	3
transportation	4
Youth activities and daycare	5
none	3

What specific park or recreation issues or needs, if any, are needed in your neighborhood?	
clean up parks	5
create community gardens	13
make parks more useable/safer	14
More funded rec programs	8
None/No Needs	11

Gender	
Male	20
Female	18
Undetermined	2

What is your age group?	
5 to 15	
16 to 30	2
31 to 40	3
41-50	2
51-64	16
65 & up -	14
No Response	3

INCOME	
< \$36,000	13
36,000-42,000	3
42,001-47,000	5
47,001-52,000	
52,001-56,000	2
56,001-61,000	1
61,001 or more	6
No Response	10

Years lived in Neighborhood?	
≤ 6	17
6-10	2
≥10-20	8
≥20	12
No Response	3

Household size	
1-person	14
2-person	23
3-person	1
4-person	1
5-person	
6-person	
7-person	
8 or more	
No Response	2

Do you live in the Target Area	
Yes	34
No	2
No Response	3

Appendix D: Brevard County Public Notices

Brevard County Public Hearing Notices

PUBLIC HEARING AND PUBLIC MEETING NOTICE - BREVARD HOME CONSORTIUM COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) and HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

Brevard County will conduct a public hearing and public meeting as follows:

Public Hearing on the Fiscal Year 2022 – 2026 Consolidated Plan and Fiscal Year 2022 -
2023 Annual Action Plan

**May 17, 2022 at 9:00 AM
2725 Judge Fran Jamieson Way, Viera
1st floor, Building C, Commission Chambers
Brevard County Board of County Commissioners**

Public Meeting on the Fiscal Year 2022 – 2026 Consolidated Plan; Fiscal Year 2022 -
2023 Annual Action Plan; Review of the 2021-2022 HOME Investment Partnerships
Program (HOME) Consortium's and Community Development Block Grant (CDBG)
Consolidated Annual Performance and Evaluation Report (CAPER); and Review proposed
fiscal year 2022-2023 funding priorities

**May 19, 2022 at 4:30 PM
2725 Judge Fran Jamieson Way, Viera
2nd Floor - Building C, Space Coast Room
Affordable Housing Advisory Committee**

The purpose of the Public Hearing and Public Meeting is to solicit the views of the citizens regarding the following:

- ❖ housing and community development needs
- ❖ priority non-housing community development needs
- ❖ the development of proposed activities
- ❖ review of program performance

Every five years, the Brevard HOME Consortium conducts a public meeting and public hearings to receive input before developing its Consolidated Plan which establishes priorities for funding programs and projects.

Each year an annual Action Plan is developed to utilize funds received from the United States Department of Housing and Urban Development (HUD) to fund local CDBG and HOME programs and projects based on the current Consolidated Plan's established needs and priorities.

The CDBG Program's primary objective is the development of viable communities by providing decent housing, a suitable living environment and expanding economic opportunities, principally for persons of low to moderate income. Based on historical data, Brevard County could be awarded an estimated \$1,464,890 annually for the next five (5) years. These funds may be used for infrastructure, public services, demolition, and public facilities.

The HOME Program's primary objective is the creation and sustainability of affordable housing for low to moderate income households. HOME Program funds are received by Brevard

County on behalf of the Brevard HOME Consortium, consisting of Brevard County and the cities of Titusville, Cocoa, Melbourne and Palm Bay. The anticipated amount of HOME funds for Fiscal Year 2022-2023 will be \$1,248,404 plus any program income on hand. The breakdown of HOME is as follows: Brevard County \$528,750.05, Titusville \$133,846.14; Cocoa \$79,466.77; Melbourne \$254,969.09; and Palm Bay \$251,371.95. Based on historical data, Brevard County HOME Consortium could be awarded an estimated \$1,248,404 annually for the next five (5) years. These funds may be used for the acquisition, construction, rehabilitation of housing, purchase assistance or for direct assistance to renters.

There will be a 30-day public comment period from June 6, 2022 to July 5, 2022, for the Consolidated Plan, Annual Action Plan and the proposed use of funds. During this period, a draft of both the Consolidated Plan and Action Plan will be available for public review on the County's Web site: <https://www.brevardfl.gov/HousingAndHumanServices/PlansAndReports> and at the following locations:

Brevard County Housing & Human Services 2725 Judge Fran Jamieson Way; B-106 Viera, FL 32940 (321) 633-2076	City of Palm Bay Housing & Neighborhood Development Services 120 Malabar Rd, SE Palm Bay, FL 32907 (321) 952-3429	City of Cocoa Community Development 65 Stone Street Cocoa, FL 32922 (321) 433-8511	City of Titusville Neighborhood Services Department Harry T. Moore Social Service Center 725 DeLeon Avenue Titusville, FL 32780 (321) 567-3783
Titusville Public Library 2121 S. Hopkins Avenue Titusville, FL 32780 (321) 264-5026	City of Melbourne Housing and Urban Improvement 695 East University Blvd. Melbourne, FL 32901 (321) 608-7530	Franklin DeGroodt Public Library 6475 Minton Rd. S.W. Palm Bay, FL 32908 (321) 952-6317	Catherine Schweinsberg Rood Central Brevard Public Library 308 Forest Ave. Cocoa, FL 32922 (321) 633-1792

Agencies, groups and individuals are invited and encouraged to attend these meetings and share their ideas and comments with county staff, advisory councils and the general public.

Please address any written comments to: Brevard County Housing & Human Services Department, Attention: Natasha Jones, Special Projects Coordinator, 2725 Judge Fran Jamieson Way, Building B, Suite B-106, Viera, FL 32940.

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 Brian Breslin in the Housing and Human Services Department, no later than 48 hours prior to the meeting, at (321) 633-2076.



**Classified Ad Receipt
(For Info Only - NOT A BILL)**

Customer: BREVARD COUNTY HOUSING & HUMAN
Address: 2725 JUDGE FRAN JAMIESON WAY
MELBOURNE FL 32940
USA

Ad No.: 0005237268
Pymt Method Invoice
Net Amt: \$810.48

Run Times: 1
Run Dates: 05/02/22

No. of Affidavits: 1

Text of Ad:

AD#5237268

05/02/2022

**PUBLIC HEARING AND PUBLIC MEETING NOTICE - BREVARD HOME CONSORTIUM
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)
and HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)**

Brevard County will conduct a public hearing and public meeting as follows:

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May 17, 2022 at 9:00 AM
2725 Judge Fran Jamieson Way, Viera
1st floor, Building C, Commission Chambers
Brevard County Board of County Commissioners

Public Meeting on the Fiscal Year 2022 – 2026 Consolidated Plan; Fiscal Year 2022 - 2023 Annual Action Plan; Review of the 2021-2022 HOME Investment Partnerships Program (HOME) Consortium's and Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER); and Review proposed fiscal year 2022-2023 funding priorities

May 19, 2022 at 4:30 PM
2725 Judge Fran Jamieson Way, Viera
2nd Floor - Building C, Space Coast Room
Affordable Housing Advisory Committee

The purpose of the Public Hearing and Public Meeting is to solicit the views of the citizens regarding the following:

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Every five years, the Brevard HOME Consortium conducts a public meeting and public hearings to receive input before developing its Consolidated Plan which establishes priorities for funding programs and projects.

Each year an annual Action Plan is developed to utilize funds received from the United States Department of Housing and Urban Development (HUD) to fund local CDBG and HOME programs and projects based on the current Consolidated Plan's established needs and priorities.

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Brevard County
Housing & Human Services
2725 Judge Fran Jamieson Way; B-106
Viera, FL 32940
(321) 633-2076

City of Palm Bay
Housing & Neighborhood
Development Services
120 Malabar Rd, SE
Palm Bay, FL 32907
(321) 952-3429

City of Cocoa
Community
Development
65 Stone Street
Cocoa, FL 32922
(321) 433-8511

City of Titusville
Neighborhood
Services Department
Harry T. Moore Social
Service Center
725 Deleon Avenue
Titusville, FL 32780
(321) 567-3783
Catherine
Schweinsberg Rood
Central Brevard
Public Library
308 Forest Ave.
Cocoa, FL 32922
(321) 633-1792

Titusville Public Library
2121 S. Hopkins Avenue
Titusville, FL 32
(321) 264-502

City of Melbourne
Housing and Urban Improvement
695 East University Blv
Melbourne, FL 329
(321) 608-7530

Franklin DeGroodt
Public Library
6475 Minton Rd.
S.W.
Palm Bay, FL
32908
(321) 952-6317

Agencies, groups and individuals are invited and encouraged to attend these meetings and share their ideas and comments with county staff, advisory councils and the general public.

Please address any written comments to: Brevard County Housing & Human Services Department, Attention: Natasha Jones, Special Projects Coordinator, 2725 Judge Fran Jamieson Way, Building B, Suite B-106, Viera, FL 32940.

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 Brian Breslin in the Housing and Human Services Department, no later than 48 hours prior to the meeting, at (321) 633-2076.





Classified Ad Receipt (For Info Only - NOT A BILL)

Customer: BREVARD COUNTY HOUSING & HUMAN
Address: 2725 JUDGE FRAN JAMIESON WAY
MELBOURNE FL 32940
USA

Ad No.: 0005283313
Pymt Method Invoice
Net Amt: \$797.44

Run Times: 1
Run Dates: 06/06/22

No. of Affidavits: 1

Text of Ad:

AD#5283313 6/6/2022

BREVARD HOME CONSORTIUM 2022-2026 CONSOLIDATED PLAN
2022-2023 ANNUAL ACTION PLAN
PUBLIC NOTICE

NOTICE TO CITIZENS: Brevard County is the recipient of federal grant funds through programs administered by the United States Department of Housing and Urban Development (HUD). These federal grants include the Community Development Block Grant (CDBG) Program, and the HOME Investments Partnership (HOME) Program. These programs are designed primarily to assist the County's low and moderate-income residents. Brevard County receives and administers HOME funds through the Brevard HOME Consortium for the purpose of qualifying for HOME funds. The Consortium is comprised of the County, as lead agency, and the cities of Titusville, Cocoa, Melbourne and Palm Bay. In order to streamline the administration of the programs, HUD has consolidated all of the local planning and citizen participation requirements for the aforementioned grant programs into a single administrative process called "The Consolidated Plan."

CONSOLIDATED PLAN SUMMARY: The Consolidated Plan is the result of analyzing data and input from many sources. The 2022-2026 Consolidated Plan is being developed through the collaborative efforts and input from County and City staff, local and community-based non-profits and for-profits as well as local residents. These efforts include a needs assessment survey, community and neighborhood meetings, and public hearings that were conducted throughout the County. The meetings and hearings were held to determine goals, priorities, and activities to be undertaken and identified in the Consolidated Plan and each year's Action Plan.

ONE YEAR 2022-2023 ACTION PLAN: Based on the information and analysis in the Consolidated Plan, the County annually develops a one-year Action Plan. The Action Plan sets priorities and allocates the County's Fiscal Year 2022-2023 CDBG funds and Consortium's HOME funds for activities in the upcoming program year (October 1, 2022-September 30, 2023). Each of the Consortium members receives CDBG funds directly from HUD and is individually responsible for developing their own CDBG Action Plan.

The County follows an adopted Citizen Participation Plan, which provides for scheduled public hearings and encourages citizens, service providers, and interested individuals to provide input. During the development of the Consolidated Plan and Action Plan, meetings were held at different stages of the process to provide the greatest possible citizen participation, consultation, and partnership-building benefits.

The following are the proposed allocations and funding recommendations for the use of County CDBG and Consortium HOME funds for Fiscal Year 2022-2023; CDBG PROGRAM (Brevard County only): allocation is \$1,372,105. The allocation breakdown is proposed as follows:

Public Service Projects	Allocation
Public Service Projects	\$205,815.75
Capital Improvement Projects/Demolition:	
Demolition/Land Clearance	\$250,000.00
Public Infrastructure Improvements:	Suitable Living Environment
	\$398,707.17
Section 108 Loan Repayment	\$243,161.08
Administration	\$274,421.00

HOME INVESTMENT PARTNERSHIPS PROGRAM: The Brevard HOME Consortium's Fiscal Year 2022-2023 total allocation is \$1,300,662. The estimated allocation breakdown is as follows: Brevard County \$550,883.45; Titusville \$139,448.92; Cocoa \$82,793.23; Melbourne \$265,642.06; Palm Bay \$261,894.34. The Affordable Housing Council's recommendations for the County are noted below. Totals for the Consortium are also noted:

STRATEGY	COUNTY	CITIES	TOTAL
Community Housing Development Organization	\$79,665.88	\$115,433.42	\$195,099.30
15% Set-Aside as Required by Regulation	\$0	\$252,681.92	\$252,681.92
Homeownership Rehab/Repair/Replacement/New Construction	\$398,329.39	\$174,486.86	\$572,816.25
Down Payment/Purchase Assistance	\$0	\$119,998.33	\$119,998.33
Fair Housing Administration	\$9,140	\$0	\$9,140
Tenant Based Rental Assistance	\$0	\$30,000	\$30,000
Administration	\$63,748.18	\$57,178.02	\$120,926.20
TOTAL	\$550,883.45	\$749,778.55	\$1,300,662

THIRTY-DAY PUBLIC COMMENT PERIOD: There will be a 30-day public comment period from June 6, 2022 to July 5, 2022, until 5:00 PM for the Consolidated Plan, Annual Action Plan and the proposed use of funds. During this period, a draft of both the Consolidated Plan and Action Plan will be available for public review on the County Web site: <https://www.brevardfl.gov/HousingAndHumanServices/PlansAndReports> and at the following locations:

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City of Cocoa Community Development 65 Stone Street Cocoa, FL 32922 (321) 433-8511	City of Titusville Neighborhood Services Department 725 DeLeon Avenue Titusville, FL 32780 (321) 567-3783
Titusville Public Library	City of Melbourne

2121 S. Hopkins Avenue
Titusville, FL 32780
(321) 264-5026

Housing and Neighborhood
Improvement
695 East University Blvd.
Melbourne, FL 32901
(321) 674-5734

Franklin T. DeGroodt Public Library
6475 Minton Rd. S.W.
Palm Bay, FL 32908
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Catherine Schweinsberg Rood Central
Brevard Public Library
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Cocoa, FL 32922
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PUBLIC HEARINGS: The final public hearing on the proposed Plan and Action Plan is scheduled to be held on August 2, 2022 at 5:00 PM for final action and adoption. The public hearing will be held during the Brevard County Board of County Commissioners meeting, 1st floor Commission Chambers, Building C, 2725 Judge Fran Jamieson Way, Viera, FL 32940. The County will respond within fifteen (15) days, in writing, to any public comments and will include them in the Plan and Action Plan.

ADDITIONAL INFORMATION: 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 Brian Breslin in the Housing and Human Services Department, no later than 48 hours prior to the meeting, at (321) 637-5347. If a person desires to appeal any decision made by this Board, agency or commission (as appropriate) with respect to any matter considered at this meeting or hearing, such a person will need a record of this proceeding and that, for such purposes, such person may need to ensure that a verbatim record of this proceeding is made, at his/her own expense, which record includes testimony and evidence upon which any such appeal is to be based.

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2022-2023 ANNUAL ACTION PLAN
PUBLIC NOTICE**

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Brevard County Housing & Human Services 2725 Judge Fran Jamieson Way; B-106 Viera, FL 32940 (321) 633-2076	City of Palm Bay Housing & Neighborhood Development Services 120 Malabar Rd, SE Palm Bay, FL 32907 (321) 952-3429	City of Cocoa Community Development 65 Stone Street Cocoa, FL 32922 (321) 433-8511	City of Titusville Neighborhood Services Department 725 DeLeon Avenue Titusville, FL 32780 (321) 567-3783
Titusville Public Library 2121 S. Hopkins Avenue Titusville, FL 32780 (321) 264-5026	City of Melbourne Housing and Neighborhood Improvement 695 East University Blvd. Melbourne, FL 32901 (321) 674-5734	Franklin T. DeGroodt Public Library 6475 Minton Rd. S.W. Palm Bay, FL 32908 (321) 952-6317	Catherine Schweinsberg Rood Central Brevard Public Library 308 Forest Ave. Cocoa, FL 32922 (321) 633-1792

WRITTEN COMMENTS: Please address any written comments to: Brevard County Housing & Human Services Department, Attention: Natasha Jones, Special Projects Coordinator, 2725 Judge Fran Jamieson Way, Building B, Suite B-106, Viera, FL 32940.

PUBLIC HEARINGS: The final public hearing on the proposed Plan and Action Plan is scheduled to be held on August 2, 2022 at 5:00 PM for final action and adoption. The public hearing will be held during the Brevard County Board of County Commissioners meeting, 1st floor Commission Chambers, Building C, 2725 Judge Fran Jamieson Way, Viera, FL 32940. The County will respond within 15 days, in writing, to any public comments and will include them in the Plan and Action Plan.

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Other Public Announcements

Affordable Housing Advisory Committee Meeting Public Agenda, 5/19/2022



Housing and Human Services

2725 Judge Fran Jamieson Way
Building B, Suite 106
Viera, Florida 32940

Brevard County Affordable Housing Advisory Committee Meeting
Thursday, May 19, 2022 at 4:30 PM
Space Coast Room, Building C, Second Floor
Brevard County Government Center, Viera, Florida 32940

Regular Meeting Agenda

Call Meeting to Order & Welcome:

New Business:

- Presentation: Brevard County 2022-2026 HUD Consolidated Plan Process and Assessment of Fair Housing, Cloudburst Consultants.
AHAC Committee Comments.

Regular Meeting Closed. Public Meeting Opened

Review:

- Brevard County Consolidated Plan, Fiscal Years 2022–2026
- Brevard County Annual Action Plan Fiscal Year 2022-2023 Annual Action Plan
- Brevard County HOME Program Consortium & CDBG Consolidated Annual Performance and Evaluation Report (CAPER) 2021-2022
- Review proposed fiscal year 2022-2023 funding priorities
- Public Comments.

Public Meeting Closed. Regular Meeting Opened

- Brevard County Uniform Advisory Board Protocols & Requirements 2022

Meeting Minutes: March 17, 2022

Staff Reports: Brevard County Housing and Human Services Department

Public Comment: (Limited to 3 Minutes Each),

Adjournment:

Next Meeting Date: Thursday, June 16, 2022 at 4:30 PM, Brevard County Government Center, Viera.

Phone (321) 633.2007 • Fax (321) 633.2170
Website: www.BrevardFL.gov

Annual Action Plan Press Release, 6/17/2022



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson Way
Viera, Florida 32940

www.brevardfl.gov

Office: (321) 633-2000

Fax:

BOARD OF COUNTY COMMISSIONERS

Don Walker
Communications Director
(321) 690-6843
don.walker@brevardfl.gov

FOR IMMEDIATE RELEASE

Friday, June 17, 2022 8:15 AM

Public Notice: Brevard Home Consortium Annual Action Plan

Brevard County, FL. -- Brevard County is the recipient of federal grant funds through programs administered by the United States Department of Housing and Urban Development (HUD). These federal grants include the Community Development Block Grant (CDBG) Program and the HOME Investments Partnership (HOME) Program. These programs are designed to assist our low- and moderate-income residents. Brevard County will receive approximately \$1,372,105 in CDBG funds and \$550,883 in HOME funds next year. In order to streamline the administration of the programs, HUD has consolidated all of the local planning and citizen participation requirements for the aforementioned grant programs into a single administrative process called "The Consolidated Plan."

The Consolidated Plan is the result of analyzing data and input from many sources and the County will be seeking public input/comments now through July 5, 2022. The draft Plan is physically available for review at these locations:

Brevard County

Housing & Human Services
2725 Judge Fran Jamieson Way; B-106
Viera, FL 32940
(321) 633-2076

City of Palm Bay

Housing & Neighborhood Development Services
120 Malabar Rd. SE
Palm Bay, FL 32907
(321) 952-3429

City of Cocoa

Community Development
65 Stone Street
Cocoa, FL 32922
(321) 433-8511

City of Titusville

Neighborhood Services Department
725 DeLeon Avenue
Titusville, FL 32780
(321) 567-3783

Titusville Public Library

2121 S. Hopkins Avenue
Titusville, FL 32780
(321) 264-5026

City of Melbourne

Housing and Neighborhood Improvement
695 East University Blvd.
Melbourne, FL 32901
(321) 674-5734

Franklin T. DeGroot Public Library

6475 Minton Rd. S.W.
Palm Bay, FL 32908
(321) 952-6317

Catherine Schweinsberg Rood Central Brevard Public Library

308 Forest Ave.
Cocoa, FL 32922
(321) 633-1792

The draft Plan is also available for download on the Brevard County Housing and Human Services Department website <http://www.brevardfl.gov/HousingAndHumanServices/PlansAndReports>.

Comments regarding the draft Plan can be mailed to: Brevard County Housing & Human Services Department, Attention: Natasha Jones, Special Projects Coordinator, 2725 Judge Fran Jamieson Way, Building B, Suite B-106, Viera, FL 32940 or emailed to Natasha Jones (natasha.jones@brevardfl.gov) or Linda Graham (linda.graham@brevardfl.gov).



Consolidated Plan Public Comment (Website Submission Option)

URL: <https://www.brevardfl.gov/HousingAndHumanServices/PlansAndReports>

The Consolidated Plan

Brevard County is the recipient of federal grant funds through programs administered by the United States Department of Housing and Urban Development (HUD). These federal grants include the Community Development Block Grant (CDBG) Program and the HOME Investments Partnership (HOME) Program. These programs are designed to assist our low- and moderate-income residents. Brevard County will receive approximately \$1,372,105 in CDBG funds and \$550,883 in HOME funds next year. In order to streamline the administration of the programs, HUD has consolidated all of the local planning and citizen participation requirements for the aforementioned grant programs into a single administrative process called "The Consolidated Plan."

The Consolidated Plan is the result of analyzing data and input from many sources and the County will be seeking public input/comments now through July 5, 2022. Comments can be mailed to: Brevard County Housing & Human Services Department, Attention: Natasha Jones, Special Projects Coordinator, 2725 Judge Fran Jamieson Way, Building B, Suite B-106, Viera, FL 32940, emailed to Natasha Jones (natasha.jones@brevardfl.gov) or Linda Graham (linda.graham@brevardfl.gov), or entered below.

* indicates a required field

First Name *

Last Name *

Address 1*

Address 2



City *

State *

Zip *

Please provide your comments and suggestions in the space provided. We encourage any and all comments and suggestions to help us serve the community better.

Comments and Suggestions

New code

Please type the code above

Appendix E: Related Resources and Reports

Organization	Resource/Report	URL
Brevard Homeless Coalition	Brevard County CoC Strategic Plan 2019-2022	http://brevardhomelesscoalition.org/wp-content/uploads/2022/04/Brevard-CoC-Strategic-Plan-2019-2022.pdf
East Central Florida Regional Planning Council	East Central Florida Regional Resiliency Action Plan	http://ftp.ecfrpc.org/Projects/East%20Central%20Florida%20Regional%20Resiliency%20Action%20Plan.pdf
Space Coast Area Transit	2021-2025 Transportation Disadvantaged Service Plan	https://www.spacecoasttpo.com/what-we-do/planning/transit-plans
US Department of Housing and Urban Development	HUD 2021 Continuum of Care Homeless Assistance Programs (Housing Inventory Count)	https://files.hudexchange.info/reports/published/CoC_HIC_CoC_FL-513-2021_FL_2021.pdf
US Department of Housing and Urban Development	The 2021 Annual Homeless Assessment Report (AHAR) to Congress	https://www.huduser.gov/portal/sites/default/files/pdf/2021-AHAR-Part-1.pdf
US Department of Housing and Urban Development	HUD 2021 Continuum of Care Homeless Assistance Programs Homeless Populations and Subpopulations (Point In Time Count)	https://files.hudexchange.info/reports/published/CoC_PopSub_CoC_FL-513-2021_FL_2021.pdf
SHIP	2021 Affordable Housing Incentives Report	Report provided on following page.



BOARD OF COUNTY COMMISSIONERS

Housing & Human Services Department

2725 Judge Fran Jamieson Way
Building B, Suite 103
Viera, Florida 32940

Affordable Housing Advisory Committee
Incentive Strategies Evaluation and Recommendation Report 2021-2022

Background Information:

Annually the Brevard County Affordable Housing Advisory Committee (AHAC), pursuant to Section 420.9076(4) of the Florida Statutes, must review the established policies and procedures, ordinances, land development regulations, the housing element of the local government comprehensive plan and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.

The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the comprehensive plan and corresponding regulations, ordinances, and other policies.

At a minimum, each advisory committee shall submit a report, to the local governing body that includes recommendations on and annually thereafter evaluate the implementation of, affordable housing incentives as described in 420.9076(4) of the Florida Statutes.

On May 20, 2008, the Brevard County Board of County Commissioners (BOCC) adopted Ordinance 08-16 putting in place the requirements of Section 420.9076(4) of the Florida Statutes. On November 3, 2011, during a Public Hearing, the Affordable Housing Advisory Committee approved, by a unanimous vote, the following Board of County Commissioner approved State Housing Initiative Partnership (SHIP) Affordable Housing Incentive Strategy recommendations:

- (a) Expedited Permitting: The processing of approvals of development orders or permits, as defined in s.163.3164 (7) and (8), for affordable housing projects to be expedited to a greater degree than other projects.
- (b) Impact Fee Waivers or Modification: The modifications of impact-fee requirements, including reduction or waiver of fees, and alternative methods of

fee payment for affordable housing.

- (c) Density Flexibility: The allowance of flexibility in densities for affordable housing.
- (d) Reservation of County Infrastructure: The reservation of infrastructure capacity for housing for very-low-income, low-income persons, and moderate-income persons.
- (e) Accessory Dwelling Units: The allowance of affordable accessory residential units in residential zoning districts.
- (f) Parking & Setbacks: The reduction of parking and setback requirements for affordable housing.
- (g) Flexible Lot Configuration: The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) Street Requirements: The modification of street requirements for affordable housing.
- (i) Ongoing Process Review: The establishment of a process by which a local government considers, before adoption of policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- (j) Land Bank Inventory: The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) Development Near Transportation Hubs, Corridors, Major Employment Centers and Mixed-Use Developments: The support of development near transportation hubs and major employment centers and mixed-use developments.

Recommendations and evaluation of local government implementation of previously recommended local housing strategies

Public Hearing:

On November 18, 2021 a Public Hearing and Meeting was advertised in the Florida Today newspaper. The Public Hearing and Meeting was held on December 2, 2021 at the Brevard County Government Center 2725 Judge Fran Jamieson Way, Viera, Florida 32940 at 4:00pm in the Space Coast Room, Second Floor, Building C.

Incentives & Recommendations:

- a. **Expedited Permitting**: processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects are expedited to a greater degree than other projects.

Information Reviewed: Ordinance No. 07-18, The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009 and the Brevard County Codes

of Ordinances (Article XVII).

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances, Codes and Comprehensive Plan Policies which put in place:

- A process to facilitate the movement of projects through the permitting process, with priority given to developments with affordable housing units.
- Policies and Ordinances to continue and develop procedures to expedite review of affordable housing developments and housing for essential employees and special needs groups, and
- Fee waivers and refunds for workforce and affordable housing.

This process is still in place and available for use. Brevard County Planning and Development remains efficient and timely in processing all development review applications. Limited funds are available from Brevard County Housing and Human Services Department refunding permit fees as new affordable housing development projects arise.

Recommendation: Continue current process and monitor site development plans, land subdivision applications and building permits for affordable housing, to ensure they are being expedited to the greatest extent possible.

- b. **Impact Fee Waivers or Modifications:** The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Information Reviewed: Ordinance No. 07-18, The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009, the Brevard County Codes of Ordinances (Article XVII).

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances, Codes and Comprehensive Plan Policies which put in place:

- Fee waivers and refunds for workforce and affordable housing.

The process continues to be available for deferral of Transportation Impact Fees when needed.

Recommendation: Continue the processes established in Section 62-6303 of the Brevard County Code and Ordinance 07-18. Study and consider existing and additional fee deferrals, waivers and new fees permitted per changes and additions to Florida Statutes in HB 1399 (2020) and other established best practices by local governments statewide.

- c. **Density Flexibility:** The allowance of flexibility in densities for affordable housing.

Information Reviewed: Ordinance No. 07-18, The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009 and the Brevard County Codes of Ordinances (Article XVII).

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances, Codes and Comprehensive Plan Policies which put in place:

- A twenty-five percent (25%) density bonuses for developments located within zoning or future land use category with a density of six units per acre or greater, and with a minimum 30 percent of units designated as affordable, that is consistent with the criteria in the County Comprehensive Plan, provided that the overall residential development density does not exceed the density in the next highest residential future land use designation.

Density Flexibility remains available through the County Land Development Regulations and The County Comprehensive Plan in multiple Future Land Use Categories and Zoning Classifications County wide.

Recommendation: Continue to allow greater flexibility increasing density and intensity levels to encourage the creation of new affordable housing within the County through use of the above referenced Ordinances and Codes. Study and consider increasing as of right density and intensity bonuses to levels that meet market development feasibility in the production of affordable residential units. Study and amend periods of affordability for units realized by incentives. Create a County User Guide on the use and application of density and intensity bonuses and other County Comprehensive Plan and Code based incentives.

- d. **Reservation of County Infrastructure:** The reservation of infrastructure capacity for housing for very-low-income, low-income persons, and moderate-income persons.

Information Reviewed: Brevard County Code of Ordinances (Article IV)

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the Brevard County Code of Ordinances Article IV, which continues to put in place concurrency management which ensures that public facilities and services needed to support development are available concurrent with the impacts of such development and that development orders and development permits are issued in a manner that will not result in a reduction in the levels of service below the adopted level of service standards adopted by Brevard County for public facilities and services.

The concurrency management process remains in effect for Brevard County and with no negative impacts to public facilities and services. There has been no need to create

Phone (321) 633-2607 • Fax (321) 633-2626
Website: BrevardFL.gov

concurrency capacity and exemption areas for affordable housing. County continues to monitor and will act accordingly.

Recommendation: Continue established procedure. Monitor and promote new uses as local regulation allows. Study and consider concurrency exemptions for affordable housing units and those developed in mixed use centers and corridors along established transit routes and hubs.

- e. **Accessory Dwelling Units and Tiny Homes:** The allowance of affordable accessory residential units and Tiny Homes in residential zoning districts.

Information Reviewed: Brevard County Ordinance No. 07-18 and The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009.

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinance and Comprehensive Plan which calls for county staff to:

Study accessory units as a method for use by private families and individuals in the provision of affordable/workforce housing opportunities and solutions on their own properties, in areas with established infrastructure. The Comprehensive Plan also indicates that the County will consider land development regulations and other ordinances as needed that will regulate the use of accessory dwelling units as permitted by state statute.

The County code continues to allow units and tiny homes in multiple zoning classifications. Review and monitoring of the code will continue. A development order in the Viera Development of Regional Impact allows for the use of accessory dwelling units in some residential projects.

Recommendation: Continue established procedure. Monitor and promote new uses and local regulation changes consistent with changes and additions to the Florida Statutes and in HB 1339 (2020). Consolidate Accessory Units and similar units into one section of the County Code. Develop a User Guide for use and application. Study and consider density, intensity and impact fee waivers and concurrency exemptions for affordable accessory units and tiny homes. Consider incentivizing the development of accessory units and tiny homes in permissible areas with local housing program funds and lands.

- f. **Parking and Setbacks:** The reduction of parking and setback requirements for affordable housing.

Information Reviewed: Ordinance No. 08-16 and the Brevard County Codes of Ordinances (Article XVII).

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinance which calls for:

- Flexible parking and setback in projects containing affordable house
- Flexible design requirements and criteria for developments providing a minimum of 30 percent of affordable or workforce housing.

Flexibility remains available through the County Land Development Regulations and the County Comprehensive Plan in multiple Future Land Use Categories and Zoning Classifications County wide. It has been used in one multiple family apartment development.

Recommendation: Continue established procedure. Monitor and promote new uses as local regulation allows. Study and consider additional public and private parking space number, area, aisle width, landscaping and setback reductions and waivers consistent with project market feasibility and other established best practices by local governments statewide.

- g. **Flexible Lot Configuration:** The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Information Reviewed: Brevard County Ordinance No. 07-18 and The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009.

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances and Codes which allows:

- Flexible design requirements and criteria for developments providing a minimum of 30 percent of affordable or workforce housing.

Flexibility remains available through the County Land Development Regulations and The County Comprehensive Plan in multiple Future Land Use Categories and Zoning Classifications County wide.

Recommendation Continue established procedure. Monitor and promote new uses as local regulation allows. Study and consider other established best practices by local governments statewide.

- h. **Street Requirements:** The modification of street requirements for affordable housing.

Information Reviewed: Brevard County Ordinance No. 07-18 and The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009.

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances and Codes which allows:

- Flexible design requirements relating to roads, driveways and parking lots for developments providing a minimum of 30 percent of affordable or workforce housing.

Flexibility remains available through the County Land Development Regulations and The County Comprehensive Plan in multiple Future Land Use Categories and Zoning Classifications County wide. It has been used in single family subdivisions.

Recommendation: *Continue established procedure. Monitor and promote new uses as local regulation allows. Study and consider additional public and private street width and street related infrastructure reductions and waivers consistent with project market feasibility and other established best practices by local governments statewide.*

Ongoing Process Review: The establishment of a process by which a local government considers, before adoption of policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

Information Reviewed: Ordinance 08-16

Review Synopsis: Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinance with puts in place

- An ongoing review process for review of county policies, ordinances, regulations and Comprehensive plan provisions that significantly impact the cost of housing.

The process remains in effect for Brevard County with no negative impacts to date that have impacted affordable housing costs or production. The County continues to coordinate and monitor and will act accordingly.

Recommendation: *Continue established procedure in accordance with Section 420.9076(4) of the Florida Statutes.*

- j. **Land Bank Inventory:** The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Information Reviewed: Brevard County Ordinance No. 07-18, The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009.

Review Synopsis Staff presented the AHC with information pertaining to current practices and overviewed the above Ordinances and Plans that established an affordable housing trust fund and unit/land mitigation bank for receipt of non-ad valorem revenues and residential land and density equivalent units for use in the development and rehabilitation of affordable housing. And, a continuous review process supporting the review of county owned land for its suitability for affordable housing use.

The review process has been continuously monitored and implemented. Lots have been transferred to the Housing and Human Services Department for use as affordable housing. The Housing and Human Services Department uses an Affordable Housing Location Evaluation Matrix when evaluating transfers of properties to the land bank inventory. Lots have been transferred to affordable housing developers and some sold with proceeds placed in the local affordable housing trust fund. A few lots remain available in the inventory for use in new affordable housing development.

Recommendation: Continue established procedure. Allocate current lot inventory to developers of affordable housing. Study and consider further expanding program to include the evaluation and transfer of land and housing units from the County delinquent property tax certificate sales program for the development and preservation of affordable housing Countywide. Study and consider other established best practices by local governments statewide. Study, consider, encourage and fund the development of a County Wide Community Land Trust to keep housing units produced with public lands, funds, incentives and waivers affordable for longer periods of time.

- k. **Development Near Transportation Hubs, Corridors, Major Employment Centers and Mixed-Use Developments:** The support of development near transportation hubs and major employment centers and mixed-use developments.

Information Reviewed: Brevard County Ordinance No. 07-18 and The Housing Element of the 1988 Brevard County Comprehensive Plan as amended in December 2009.

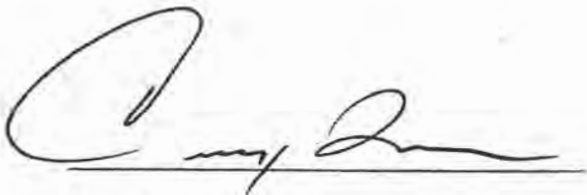
Review Synopsis: Staff presented the AHC with information pertaining to current practices and the above Ordinances, plans which puts in place a location evaluation matrix included in the land development regulations and used in request for proposals issued by the Housing and Human Services Department to determine

favorable locations for affordable /work force housing and to determine eligibility for funding and incentives.

The process continues and remains available through the County Land Development Regulations and The County Comprehensive Plan, in multiple Future Land Use Categories and Zoning Classifications County wide. The Housing and Human Services Department uses an Affordable Housing Location Evaluation Matrix when evaluating; affordable housing projects requesting funding and use of incentives, and transfers of properties to the land bank inventory.

Recommendation: Continue established procedure, monitor and promote use. Study and consider increasing as of right density and intensity bonuses to levels that meet market development feasibility in the production of affordable residential units in these locations. Study and consider concurrency exemptions and impact fee waivers for affordable housing units developed in mixed use centers, corridors and along established transit routes and hubs. Include in a County User Guide on the use and application of density and intensity bonuses and other County Comprehensive Plan and Code based incentives.

On December 2, 2021 at a publicly noticed Public Hearing and Meeting, an evaluation of the implementation of Brevard County's local housing incentive strategies was conducted by the Brevard County Affordable Housing Advisory Committee and the above recommendations were approved by an affirmative vote of the majority of the membership.



Corey Lancaster, Chair
Brevard County Affordable Housing Advisory Committee

Date: 12/2/2021

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

ATTEST:

Rachel Sadoff, Clerk of Court

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: _____
Kristine Zonka, Chair

Date: _____

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2022, 2023 [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk of Court

By: _____
Kristine Zonka, Chair

Date: _____

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk of Court

By: _____
Kristine Zonka, Chair

Date: _____

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Subsidy layering -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk of Court

By: _____
Kristine Zonka, Chair

Date: _____

Emergency Solutions Grants Certifications

The Emergency Solutions Grants Program recipient certifies that:

Major rehabilitation/conversion/renovation – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation.

If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion.

In all other cases where ESG funds are used for renovation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the recipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the recipient serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The recipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for these individuals.

Matching Funds – The recipient will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The recipient has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the recipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the recipient undertakes with assistance under ESG are consistent with its consolidated plan.

Discharge Policy – The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk of Court

By: _____
Kristine Zonka, Chair

Date: _____

Housing Opportunities for Persons With AIDS Certifications

The HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under that program shall be operated for the purpose specified in the consolidated plan:

1. For a period of not less than 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For a period of not less than 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk of Court

By: _____
Kristine Zonka, Chair

Date: _____

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.



PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Chair, Board of County Commissioners
APPLICANT ORGANIZATION Brevard County-BOCC- Community Development Block Grant	DATE SUBMITTED 

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ASSURANCES - NON-CONSTRUCTION PROGRAMS

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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Chair, Board of County Commissioners
APPLICANT ORGANIZATION Brevard County BOCC-HOME Investment Partnerships Program	DATE SUBMITTED 

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ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

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	Chair, Board of County Commissioners
	DATE SUBMITTED
APPLICANT ORGANIZATION	
Brevard County BOCC- Community Development Block Grant	

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ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
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APPLICANT ORGANIZATION	DATE SUBMITTED
Brevard County BOCC-HOME Investment Partnerships Program	

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Application for Federal Assistance SF-424

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		* If Revision, select appropriate letter(s): <div style="border: 1px solid black; height: 15px; width: 100%;"></div> * Other (Specify): <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
* 3. Date Received: <div style="background-color: yellow; border: 1px solid black; height: 15px; width: 100%;"></div>		4. Applicant Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
5a. Federal Entity Identifier: <div style="border: 1px solid black; padding: 2px;">N/A</div>			5b. Federal Award Identifier: <div style="border: 1px solid black; padding: 2px;">B22-UC-12-0011</div>		
State Use Only:					
6. Date Received by State: <div style="border: 1px solid black; width: 80px; height: 15px;"></div>		7. State Application Identifier: <div style="border: 1px solid black; width: 200px; height: 15px;"></div>			
8. APPLICANT INFORMATION:					
* a. Legal Name: <div style="border: 1px solid black; padding: 2px;">Brevard County Housing and Human Services (CDBG)</div>					
* b. Employer/Taxpayer Identification Number (EIN/TIN): <div style="border: 1px solid black; padding: 2px;">59-6000523</div>			* c. UEI: <div style="border: 1px solid black; padding: 2px;">106520666000</div>		
d. Address:					
* Street1: <div style="border: 1px solid black; padding: 2px;">2725 Judge Fran Jamieson Way; Suite 106</div>					
Street2: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>					
* City: <div style="border: 1px solid black; padding: 2px;">Viera</div>					
County/Parish: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>					
* State: <div style="border: 1px solid black; padding: 2px;">FL: Florida</div>					
Province: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>					
* Country: <div style="border: 1px solid black; padding: 2px;">USA: UNITED STATES</div>					
* Zip / Postal Code: <div style="border: 1px solid black; padding: 2px;">32940-8666</div>					
e. Organizational Unit:					
Department Name: <div style="border: 1px solid black; padding: 2px;">Housing and Human Services</div>			Division Name: <div style="border: 1px solid black; padding: 2px;">Brevard County BOCC</div>		
f. Name and contact information of person to be contacted on matters involving this application:					
Prefix: <div style="border: 1px solid black; padding: 2px;">Mr.</div>		* First Name: <div style="border: 1px solid black; padding: 2px;">Ian</div>			
Middle Name: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>					
* Last Name: <div style="border: 1px solid black; padding: 2px;">Golden</div>					
Suffix: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>					
Title: <div style="border: 1px solid black; padding: 2px;">Director</div>					
Organizational Affiliation: <div style="border: 1px solid black; padding: 2px;">Housing and Human Services</div>					
* Telephone Number: <div style="border: 1px solid black; padding: 2px;">321-633-2007</div>			Fax Number: <div style="border: 1px solid black; padding: 2px;">321-633-2026</div>		
* Email: <div style="border: 1px solid black; padding: 2px;">Ian.Golden@BrevardFl.Gov</div>					

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*** Other (specify):**

*** 10. Name of Federal Agency:**

United States Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Entitlement Grant-Community Development Block Grant Program

*** 12. Funding Opportunity Number:**

N/A

*** Title:**

N/A

13. Competition Identification Number:

N/A

Title:

N/A

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

This application includes Brevard County's community development, infrastructure, public facilities and public improvements, and public services program.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant 8/11

* b. Program/Project 8/11

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2022

* b. End Date: 09/30/2023

18. Estimated Funding (\$):

* a. Federal	1,372,105.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	1,372,105.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mrs. * First Name: Kristine

Middle Name:

* Last Name: Zonka

Suffix:

* Title: Chair, Board of County Commissioners

* Telephone Number: 321-607-6901 Fax Number:

* Email: D5.Commissioner@BrevardFL.Gov

* Signature of Authorized Representative:

* Date Signed:

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

N/A

5b. Federal Award Identifier:

M22-DC-12-0200

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Brevard County Housing and Human Services (HOME)

* b. Employer/Taxpayer Identification Number (EIN/TIN):

59-6000523

* c. UEI:

106520666000

d. Address:

* Street1: 2725 Judge Fran Jamieson Way; Suite 106

Street2:

* City: Viera

County/Parish:

* State: FL: Florida

Province:

* Country: USA: UNITED STATES

* Zip / Postal Code: 32940-8666

e. Organizational Unit:

Department Name:

Housing and Human Services

Division Name:

Brevard County BOCC

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr.

* First Name: Ian

Middle Name:

* Last Name: Golden

Suffix:

Title: Director

Organizational Affiliation:

Housing and Human Services

* Telephone Number: 321-633-2007

Fax Number: 321-633-2026

* Email: Ian.Golden@BrevardFl.Gov

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

United States Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

Entitlement Grant-HOME Investment Partnerships Program

* 12. Funding Opportunity Number:

N/A

* Title:

N/A

13. Competition Identification Number:

N/A

Title:

N/A

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

This application includes Brevard County and cities of Titusville, Cocoa, Melbourne, and Palm Bay's housing assistance programs.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant

8/11

* b. Program/Project

8/11

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

10/01/2022

* b. End Date:

09/30/2023

18. Estimated Funding (\$):

* a. Federal

1,300,662.00

* b. Applicant

* c. State

* d. Local

* e. Other

* f. Program Income

* g. TOTAL

1,300,662.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a. This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

Mrs.

* First Name:

Kristine

Middle Name:

* Last Name:

Zonka

Suffix:

* Title:

Chair, Board of County Commissioners

* Telephone Number:

321-607-6901

Fax Number:

* Email:

D5.Commissioner@BrevardFl.Gov

* Signature of Authorized Representative:

* Date Signed:



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.8.

8/2/2022

Subject:

Amendment to Brevard County Code Chapter 2, Article VIII, Section 2-247(2) Requiring a Majority Plus One Vote for Non-Competitive Leases or Sales of County Property of Nominal Value

Fiscal Impact:

N/A

Dept/Office:

District 3 Commission Office

Requested Action:

It is requested that the Board pass the attached ordinance, reinstating the majority plus one requirement for a nominal sale or lease.

Summary Explanation and Background:

In February of 2021, a change to section 2-247 of Brevard County Code was implemented. This change eliminated the requirement for a supermajority vote to approve nominal sales and leases. The issue was brought back for discussion at the July 19, 2022 meeting where a motion was passed directing the County Attorney's Office to draft the amendment language and advertise the change to ordinance. This change reinstates the majority plus one requirement for non-competitive sales and leases. A copy of the proposed ordinance is attached.

Clerk to the Board Instructions:

ORDINANCE 2022-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA, CHAPTER 2, ARTICLE VIII, SECTION 2-247(2) REQUIRING A MAJORITY PLUS ONE VOTE FOR NON-COMPETITIVE LEASES OR SALES OF COUNTY PROPERTY OF NOMINAL VALUE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREA ENCOMPASSED; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE.

WHEREAS, the Board of County Commissioners of Brevard County, Florida, (the "Board") has reviewed the existing ordinance pertaining to the non-competitive lease or sale of County property; and

WHEREAS, the Board seeks to ensure that certain leases and/or sales that are requested below market value require a supermajority vote of the Board in order for such sale or lease to be approved; and

WHEREAS, the Board desires to update the existing voting requirements relating to non-competitive leases or sales of County property in order to ensure the County's interests are being protected and safeguarded.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that Section 2-247(2) of the Code of Ordinances of Brevard County, Florida, is amended to read as follows:

SECTION 1. SUPERMAJORITY REQUIREMENT FOR NOMINAL LEASE OR SALE.

Section 2-247(2) of the Code of Ordinances of Brevard County Florida is hereby amended to read as follows (underline indicates an addition to the Ordinance, a strikethrough indicates a deletion):

The proposed lease or purchase must be brought up as a regular agenda item at a duly noticed regular public meeting of the county commission at which members of the public are afforded the opportunity to comment on the proposed sale or lease. A copy of this article shall be made available for review by any member of the public at the location where members of the public sign up to speak on the item. If the board of county commissioners is satisfied that the proposed use of the property will serve the public interest; will serve a public purpose; is in the best interest of the county; and make a finding that the property is either likely to be not needed for county purposes in the future or will be used in a manner compatible with county purposes, the board of county

commissioners may, in its sole discretion, authorize the sale or entry into a lease for rent, whether nominal or otherwise, as the board of county commissioners may fix, regardless of the actual value of the lease. If the value of such sale or lease is of nominal value, then a majority plus one vote of the board of county commissioners shall be required. For purposes of this section, nominal value shall mean a token value that does not bear a direct relationship to the fair market value.

SECTION 2. CONFLICTING PROVISIONS. Unless preempted by law, in the case of a direct conflict between any provision of this Ordinance and a portion or provision of any applicable Federal, State or County law, rule, code or regulation, the more restrictive shall apply.

SECTION 3. SEVERABILITY. If any section, subsection, clause, phrase, word, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such invalid or unconstitutional portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance, provided the remaining portions effectuate the purpose and intent of this Ordinance.

SECTION 4. AREA ENCOMPASSED. This Ordinance shall take effect in the unincorporated areas of Brevard County, Florida.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon filing with the Department of State, per Section 125.66, Florida Statutes.

SECTION 6. INCLUSION IN THE CODE. It is the intention of the Board that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of Brevard County, Florida.

DONE, ORDERED, AND ADOPTED, in Regular Session, this ____ day of August, 2022.

ATTEST:

**BOARD OF COUNTY
COMMISSIONERS OF BREVARD
COUNTY, FLORIDA**

Rachel Sadoff, Clerk

Kristine Zonka, Chair
As approved by the Board on _____



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

J.1.

8/2/2022

Subject:

Item moved to Public Hearing

Fiscal Impact:

Dept/Office:

Requested Action:

Summary Explanation and Background:

Clerk to the Board Instructions:



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

J.2.

8/2/2022

Subject:

Resolution calling for a Referendum of Bond Issue for Environmentally Endangered Lands

Fiscal Impact:

With voter approval, \$50M in Bonds to be paid for by a 20 year ad valorem tax not exceeding .1465mils

Dept/Office:

District 5 / D5

Requested Action:

Request that the Board consider adopting the attached Resolution calling for a Referendum of Bond Issue for the continuation of the Environmentally Endangered Lands Program.

Summary Explanation and Background:

This Resolution provides for a bond referendum on the November 8, 2022 ballot for the voters to consider whether Brevard County should issue bonds, not to exceed \$50M, to extend the Environmentally Endangered Lands Program which bonds would fund the acquisition and management of said lands. The bonds would be paid over a period of 20 years from an ad valorem tax levy not exceeding .1465 mills. The Resolution has been reviewed by the County Attorney's Office and the County's Bond Counsel.

Clerk to the Board Instructions:

Return a signed copy of the resolution to the Supervisor of Elections, the County Manager, and the County Attorney

RESOLUTION NO. 2022- _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, ORDERING AND PROVIDING FOR A SPECIAL ELECTION BOND REFERENDUM TO BE HELD AT THE GENERAL ELECTION ON NOVEMBER 8, 2022, ON THE QUESTION AS TO WHETHER BREVARD COUNTY SHOULD ISSUE GENERAL OBLIGATION TAX BONDS NOT EXCEEDING \$50,000,000 TO EXTEND THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM FOR THE PURPOSE OF FUNDING THE ACQUISITION AND MANAGEMENT OF ENVIRONMENTALLY ENDANGERED LANDS WITH THE BONDS TO BE PAID OVER A PERIOD OF TWENTY YEARS FROM AN AD VALOREM TAX LEVY NOT EXCEEDING 0.1465 MILLS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA as follows:

SECTION 1. AUTHORITY FOR RESOLUTION. This resolution is adopted pursuant to Chapter 125, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby found and determined as follows:

A. Brevard County desires to provide funding for the acquisition and management of environmentally endangered land and water areas (the "Project").

B. Issuance by the County of its general obligation tax bonds, in an amount not to exceed Fifty Million Dollars and No Cents (\$50,000,000.00), payable from the proceeds of an annual ad valorem tax not exceeding 0.1465 mills for a period of twenty (20) years levied on all taxable property within the County is the most appropriate and effective method of financing the Project.

C. Chapter 125, Florida Statutes, and Article VII, Section 12 of the Florida Constitution, authorize the County to issue such bonds upon approval by a majority of the electors voting in a bond referendum conducted pursuant to law.

D. November 8, 2022, is an appropriate and desirable date for the conduct of the bond referendum election.

E. All things required to be done prior to the calling of a bond referendum within the County on the issuance of the proposed bonds have been done and it is now desirable to call the necessary bond referendum.

F. The types of projects and lands sought to be acquired for preservation and upon which the bond proceeds may be spent include, but are not limited to, those depicted in Exhibit A, attached hereto.

G. For the purposes of this resolution, passive recreational opportunities may include greenways and trails connecting existing environmentally endangered lands owned governmental agencies and environmentally endangered lands to be acquired with the proceeds obtained from the bonds issued under the authority of this resolution.

H. The interests in land that may be acquired using the bond proceeds include fee simple, conservation easements and other innovative ownership techniques that promote the protection of environmentally endangered land and water areas.

I. It is the intent that the bond proceeds will be used for the expressed purpose of acquiring environmentally endangered land and water areas from willing sellers.

SECTION 3. BONDS. The proposed bond issue (the Bonds) to be submitted to the electorate for referendum approval consists of the issuance of general obligation tax bonds of the County in an aggregate principal amount not exceeding Fifty Million Dollars and No Cents (\$50,000,000.00), in one or more series as determined by subsequent resolution, bearing interest payable at such rate or rates not exceeding the maximum legal rate, as shall be determined at the time of the sale thereof, and maturing not later than twenty (20) years from the date of issuance for the purposes set forth in this resolution. The Bonds and the interest thereon will be payable from an ad valorem tax not exceeding 0.1465 mills levied on all taxable property in the County to provide funding for the continuation of acquisition and management of environmentally endangered land and water areas.

SECTION 4. BOND REFERENDUM. A special election bond referendum (bond referendum) is hereby ordered to be held concurrent with the general election in Brevard County on November 8, 2022, to determine whether or not the Bonds shall be issued.

SECTION 5. NOTICE OF BOND REFERENDUM. This resolution shall be published in full as a part of the notice of the bond referendum, together with a notice in substantially the form attached hereto as Exhibit B, in *Florida Today*, a newspaper of

general circulation in the County, such publication to be made at least twice, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held with the first such publication to occur at least 30 days prior to the date of the election.

SECTION 6. PLACES OF VOTING, INSPECTORS, CLERKS. As provided by law, the polls will be open at the voting places on the date of such bond referendum. All qualified electors residing within Brevard County shall be entitled and permitted to vote at such bond referendum on the proposition provided below. The places of voting and the inspectors and clerk for the bond referendum shall be those designated by the Supervisor of Election of Brevard County.

SECTION 7. OFFICIAL BALLOT. The ballots to be used in the bond referendum shall contain a statement of the description of the proposed issuance of bonds, and shall be in substantially the following form:

BALLOT
Brevard County, Florida

Caption: Environmentally Endangered Land and Water Areas Bond Referendum

Shall Brevard County issue bonds to extend the Environmentally Endangered Lands program to acquire, improve and maintain wildlife habitat, wetlands, woodlands, and lands that protect Indian River Lagoon and St Johns River, and maintain and improve nature education centers, with citizen oversight, which bonds don't exceed \$50,000,000 aggregate principal amount, bear interest not exceeding maximum legal rate, mature twenty years from issuance and are payable from levying annual ad valorem taxes not exceeding 0.1465 mills?

For the bonds _____

Against the bonds _____

SECTION 8. ABSENTEE VOTING. The form of ballots to be used in such bond referendum for absentee voters shall be the same as used at the polling places for said referendum.

SECTION 9. PRINTING OF BALLOTS. The Supervisor of Elections for Brevard County is hereby authorized and requested to (a) have sample ballots printed and to deliver such sample ballots to the inspectors and clerks on or before the date and time for opening of the polls for such bond referendum and (b) have official ballots for use in such bond referendum election printed and delivered in accordance with law.

SECTION 10. PAYMENT OF REFERENDUM EXPENSES. The County Manager is hereby authorized and directed to approve the payment of lawful expenses associated with conducting the bond referendum election and the clerk of the Board of County Commissioners is hereby authorized and directed to disburse funds necessary to pay such expenses.

SECTION 11. VOTER REGISTRATION BOOKS. The Supervisor of Elections for Brevard County is hereby authorized and requested to furnish to the inspectors and clerks at each place where the votes are to be cast in such bond referendum, applicable portions of the registration books or certified copies thereof showing the names of the qualified electors residing in the County.

SECTION 12. ELECTION PROCEDURE. The bond referendum shall be held and conducted in the manner prescribed by law and shall, as soon as practicable, be returned to and canvassed by the Board of County Commissioners of Brevard County. The result shall show the number of qualified electors who voted at such bond referendum and the number of votes cast respectively for and against approval of the bonds. Upon certification by the Board of County Commissioners, the results shall be recorded in the minutes of the Board.

SECTION 13. ELECTION RESULTS. If the majority of the votes cast at such bond referendum shall be "For Bonds," the issuance of the Bonds shall be approved and the Bonds shall be issued as hereafter provided by the Board of County Commissioners of Brevard County, Florida.

SECTION 14. SEVERABILITY. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, sentence or paragraph hereof.

SECTION 15. REPEALING CLAUSE. All resolutions or other actions of the County which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

SECTION 16. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

DONE AND ADOPTED in Regular Session of the Board of County Commissioners of Brevard County, Florida, this ___ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

BY: _____
Kristine Zonka, Chair
(as approved by the Board on _____)

EXHIBIT A Environmentally Endangered Lands Program Project Areas

Legend Projects ACQ STATUS

Acquired Status

- Acquired
- Proposed Properties

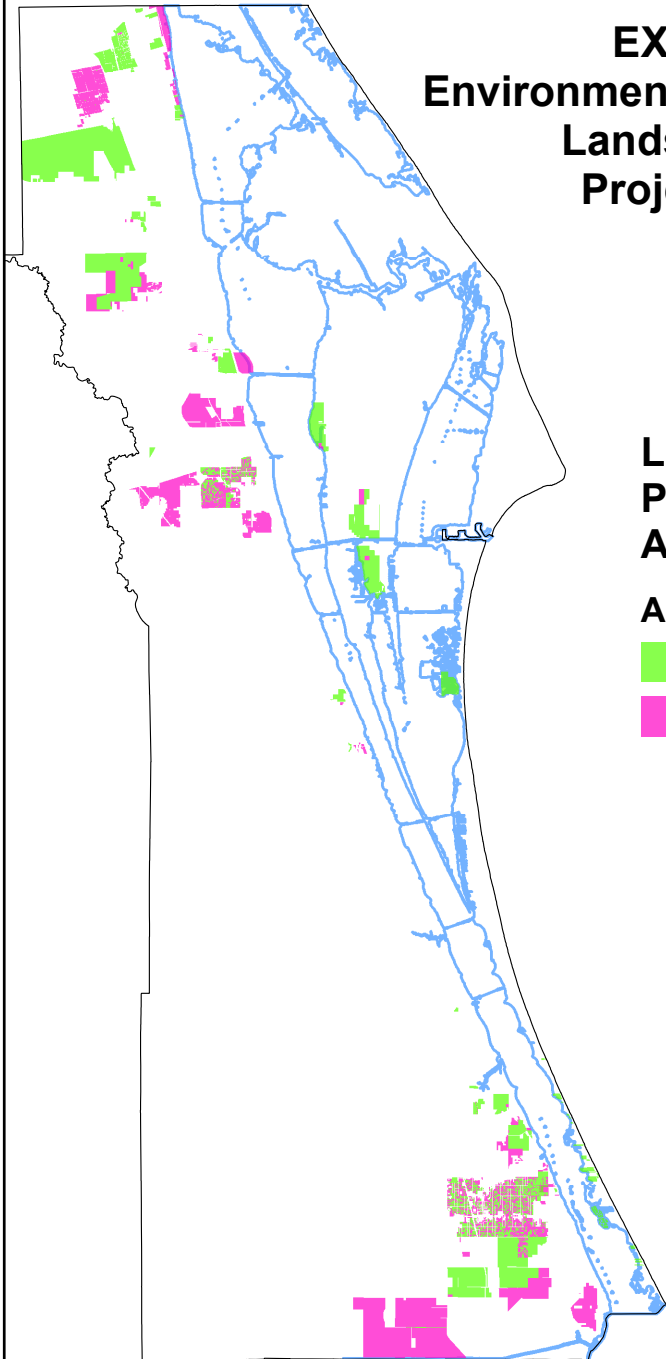


Exhibit "B"

NOTICE OF SPECIAL ELECTION BOND REFERENDUM ON THE QUESTION AS TO WHETHER BREVARD COUNTY SHOULD ISSUE GENERAL OBLIGATION TAX BONDS NOT EXCEEDING \$50,000,000 TO EXTEND THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM FOR THE PURPOSE OF FUNDING THE ACQUISITION AND MANAGEMENT OF ENVIRONMENTALLY ENDANGERED LANDS, WITH THE BONDS TO BE PAID OVER A PERIOD OF TWENTY YEARS FROM AN AD VALOREM TAX LEVY NOT EXCEEDING 0.1465 MILLS

Pursuant to law and the Brevard County Home Rule Charter, notice is hereby given that a referendum election shall be held on the question as to whether Brevard County should issue general obligation tax bonds not exceeding \$50,000,000 to extend the Environmentally Endangered Lands Program for the purpose of funding the acquisition and management of environmentally endangered lands, with the bonds to be paid over a period of twenty years from an ad valorem tax levy not exceeding 0.1465 mills. The referendum election shall be held on November 8, 2022, at which the question described in the following resolution number 2022-_____ adopted by the Board of County Commissioners of Brevard County, Florida, on the _____ day of _____, 2022 shall be submitted to the electors:

[Set forth Resolution in full]



Operations and Funding Status Report
Brevard County
Environmentally Endangered Lands Program Referendum

Summary Overview

The Brevard County Environmentally Endangered Lands Program referendum and associated operational funding will sunset in 2024. Currently there is no mechanism in place to fund program operations beyond 2024. The following is a brief history summary of EEL Program funding.

1. In August 1990 Brevard County voters approved the first referendum for the EEL Program. It provided for an ad valorem tax with a maximum millage of 0.25 mil for 20 years and allowed bonding of up to \$55 million. \$43,090,000 was bonded over the 20 life of the referendum. The voter-approved maximum millage was assessed from 1991 through 2005 and was reduced in the last six years of the referendum resulting in a loss of nearly \$16 million in potential funding.
2. A long-term Financial Plan for the 1990 EEL Referendum was proposed to the County Commission in 1997 and was never adopted. This proposed plan included the establishment of a land management endowment fund and incrementally moving the program under the County's General Fund. At the time, the County Commission postponed the plan for future consideration until the referendum was due to sunset in 2011.
3. In November 2004 Brevard County voters approved the second referendum for the EEL Program. It provided for an ad valorem tax with a maximum millage of 0.2085 mil for 20 years and authorized bonding of up to \$60 million. \$45 million was bonded and \$4 million of that was defeased (paid back early) to reduce bond debt. The authorized maximum millage under the second referendum has not been assessed resulting in a loss of nearly \$30 million in potential funding to date. Together nearly \$46 million in potential funding for the EEL Program has not been collected.
4. In 2008, the State Legislature created a new rule that restricted the ability of a local government to raise voter-approved millage rates as needed within the voter-approved maximum rate range.
5. The 2008 recession caused declines in property values resulting in a revenue shortage which caused the EEL Program to begin reducing its operations budget in 2009. This resulted in a 26% loss in revenue and a 35% reduction in staffing over the following 8 years.
6. With the sunset of the first 1990 referendum in 2011 the program experienced an additional \$1 million loss in annual operating revenue. The option to bring the 2004 referendum millage rate up to the voter-approved maximum to make up for this loss in revenue, although still allowable under the County Charter, was now restricted by the new State rule enacted in 2008.

7. Between 2013 and 2018, the Program had to utilize \$3 million of the bond proceeds to support capital maintenance operations which limited the program's ability to continue land acquisition efforts.
8. Due to three consecutive years (2017, 2018 & 2019) of incremental rate increases by the County Commission at the maximum allowable under the new State law with a super-majority vote, the Program was able to prevent further budgetary reductions.

Preserving Brevard's Natural Landscapes

In 1990, Brevard County citizens overwhelmingly voted to protect unique places in our community by purchasing, protecting and maintaining Environmentally Endangered Lands. The referendum called for purchasing, protecting and maintaining environmentally endangered lands and making improvements as appropriate for passive recreation and environmental education. Due to the success of the program and ongoing public support, a second referendum was approved by the voters in 2004 to acquire even more endangered land and water areas to protect animal habitats, water resources, open spaces for public use and recreational opportunities.

The fundamental purpose of the Program is to protect the rich biological diversity and health of Brevard County's ecosystems, to manage for conservation, and to provide passive recreation and environmental education. The program has a primary focus on:

- Natural Communities by prioritizing the needs of threatened or endangered habitats, plants and animals.
- Forest Resources – by protection of forest types and their associated ecological values.
- Wetlands and Coastal Resources -
 - Conserve natural and aesthetic attributes
 - Improve buffers to enhance commercial and recreational saltwater and brackish fishing opportunities.
 - Improve the upland-wetland estuarine linkages.

Key Successes and Accomplishments:

- Preservation of 28,000 acres of upland and wetland habitats including over 37 miles of shoreline ecosystems that directly border the Indian River Lagoon and its major tributaries, along with more than 25 miles of additional frontage along smaller tributaries and major ditch systems that drain into the Indian River Lagoon and the St. Johns River.
- Creation of an extensive 75-mile multi-use trail network of passive recreation opportunities for citizens and visitors to enjoy the natural beauty of Brevard.

8/4/2021

- The development and operation of three Management and Environmental Education Centers that provide regular educational programming and community events for Brevard citizens and visitors.
- Leveraged \$42 million in acquisition partner funding to acquire land considered critical to the long-term preservation of animal and plant diversity.
- Restoration and management projects on over 25,000 acres focused on improving natural systems to preserve ecosystem services such as: Water conservation, wildlife food sources, wildfire prevention, carbon sequestration, aesthetic and increased land values.
- Provides oversight, support and ongoing collaboration with volunteer scientific researchers to aid in the understanding, effective management and protection of biodiversity.
- Surveying, documentation and protection of cultural resource sites.



Over the past 30 years, these strategies have established an important conservation and educational framework integral to our local communities. With ongoing funding support, this framework offers a strong base to continue preserving and enhancing Brevard for its residents and visitors for decades to come.

Completing Wildlife Corridors

Protecting lands where white-tailed deer, Florida scrub jays, bobcats, black bear, otters, bald eagles and many other species is an ongoing and essential EEL strategy to create wildlife corridors for species that are key to Florida's diverse landscape and character. Although much has been accomplished, there are still many landscape connectivity gaps where acquisition is critical to complete these corridors. Incomplete acquisition of these landscapes limits the program's ability to implement land management actions that are critical to protect biodiversity and maintain listed species.

Most remaining lands identified within the EEL acquisition strategy are small tracts to fill important gaps existing between larger conservation areas. Completing these important habitat connections is critical to the long-term protection of biological diversity. The Indian River Lagoon will benefit from acquisition of key land linkages along the northern shoreline; proper management of shoreline parcels works to protect the biodiversity and water quality of this important waterway.

The Program has a long history of cooperation with local developers by offering development mitigation opportunities through direct land donation and habitat restoration projects. The Program has also received direct acquisition support from the United States Air Force to create off-site mitigation opportunities for development projects at the Cape Canaveral Air Force Station. Brevard County Government has also utilized the EEL Program as a mechanism to satisfy project development mitigation requirements. State permitting agencies approved these donations and projects on the condition they would be managed by the County in perpetuity as conservation lands and developers were required to contribute a one-time management fee to the County to support long-term management. Most of these properties and project areas are also encumbered by conservation easements that are held by the permitting agencies.

Approximately \$15 million dollars from the first referendum to support future acquisitions and capital improvements remains unbonded. The potential for issuing these remaining bonds is unlikely due to the limited time remaining in the life of the referendum.

Maintaining Natural Areas for Future Generations

In the fragmented landscapes of Brevard County, it is critical to implement management actions on a regular basis to ensure the referendum objectives are met. Keeping prescribed fire cycles and controlling invasive exotic species cannot occur without active management. Most Florida habitats have evolved under the constant influence of fire and depend on its rejuvenating properties for long-term survival.

Prescribed fire and regular land management actions are of critical importance to maintain healthy and diverse plant and animal populations. EEL lands support a variety of threatened and endangered species including the Florida Scrub-Jay which is directly dependent upon ongoing habitat management for its continued survival. Protecting native biodiversity is the first and overriding objective of the EEL Program.

Further reductions in funding and/or staffing resources will further restrict the ability of the Program to maintain prescribed fire cycles. Over the past 25 years extensive resources have been committed to reintroduce recurring fire cycles into the fire-dependent natural communities managed by the Program. If fire cycles are unable to continue, many natural habitats will again become overgrown resulting in the decline of wildlife food sources and general biological diversity. Overgrown natural landscapes become a wildfire hazard which increases fire severity causing more potential harmful impacts to wildlife, plant species and adjacent homes and businesses.

If left unburned for long periods, EEL Sanctuaries become more vulnerable to wildfire, increasing the potential for impacts to nearby homes and businesses. Maintaining regular burn rotations reduces fuel build-up and protects homes and businesses from wildfire. Wildfires, unlike prescribed burns, can have a significant negative impact on natural habitats and wildlife.

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The Program currently maintains over 100 miles of fire control lines throughout the nature sanctuary network. These fire lines require regular maintenance with a tractor and disk harrow to prevent vegetation from growing to prevent the spread of fire during both controlled and wildfire events. Fire control lines need to be maintained at least 3 times annually and in some cases more often depending on the type of habitat. The line width typically requires 3 passes with the tractor during each maintenance action with translates to over 300 miles per action and over 900 miles per year.

Invasive and exotic plant and animal species have established within our native habitats in Florida. To prevent invasive species from taking over our native landscapes, regular maintenance and monitoring is required to keep harmful species under control. The EEL Program has worked closely with the State of Florida Invasive Plant Management Program to invest over \$4.3 million dollars in State grant funding to remove non-native species and maintain exotic-free areas. Invasive plant spreading from surrounding private property must be monitored and controlled to maintain existing habitat restoration efforts.

Over the past 25 years, the Program has significantly reduced the negative impacts invasive plant and animal species have had on our natural landscapes. Ongoing efforts are critical to ensure that non-native seed banks and newly-introduced non-native species remain controlled. The suspension of these control efforts will allow for the re-establishment of many non-native species which are under a weekly maintenance schedule. The proliferation of feral swine has created a constant need to maintain regular control efforts to protect native plants and wildlife. Since there is currently no methodology to fully eradicate feral swine from Florida, it is critically important to maintain regular and varied population control methods to prevent this invasive species from outcompeting and overtaking our native wildlife species.



Site security monitoring and timely vandalism repairs are critical to protecting the ecological resources. Sites not patrolled by staff on a regular basis attract inappropriate activities both damaging ecological resources and compromising the recreational experiences of visitors. Limited staffing and declining financial resources have significantly delayed patrols from once a week to once a month. A host of problems can occur under a lack of safety monitoring, such as fence and gate vandalism, dumping, wildlife poaching, off-road vehicle damage and other inappropriate activities likely to gravitate to remote and unsupervised locations.

Repairs to vandalized or generally degrading facilities are a weekly occurrence. The Program currently maintains over 61 miles of boundary fences and 152 access gates that require regular maintenance to prevent off-road vehicle access, dumping and illegal hunting. Boundary signs along the boundaries must also be monitored and replaced frequently to meet statutory posting requirements.

Staff is also very limited in their ability to perform regular species monitoring in order to effectively measure accomplishments in achieving biodiversity preservation objectives. Although the program has established Friends Groups at the education centers and benefits from a significant amount of volunteer support annually, the volunteers cannot provide for the level of continuity necessary to adequately meet program objectives.

Site Specific Management Plans are required for all properties managed under the Program to guide the management of the site. These management plans are required to be updated and re-approved every 10 years. Most of the lands managed under the Program are State-owned and require a State Land Management Review every 5 years in order to determine if the site is being managed according to the goals and strategies of the approved management plan. The management plan approval and amendment process requires significant staff time and can take up to a year or more to complete depending on the status of site management priorities.

Creating and Maintaining Passive Outdoor Recreation Opportunities

More than 75 miles of public use trails for passive recreation including hiking, mountain biking, horseback riding, nature observation, paddling, fishing and camping provide outdoor opportunities for citizens and visitors. EEL has worked with 56 Eagle Scouts to date to construct many public use resources in support of visitor activities. Other facility resources include 49 miles of access and maintenance roads, 33 trailheads and parking areas with 51 information kiosks.



Oversight and maintenance of public use resources is essential to ensure proper function for visitors and to verify that facilities and amenities do not negatively impact plant and animal species. Without proper oversight, trails systems and parking areas can be vandalized or used inappropriately. A quick response to these issues helps discourage them from happening in the future. The Program's trail system requires staff inspection and maintenance at a minimum once a month and more often as storm events occur. Management actions include mowing, fallen tree removal, erosion repairs, boardwalk, overlook, bridge repairs and trail marker replacement. Trailhead

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parking areas can be a magnet for inappropriate activities which can only be deterred by a regular staff presence.

Educating Visitors About Conservation Benefits

Three Management and Environmental Education Centers currently operate under the EEL Program: The Enchanted Forest, Sams House at Pine Island and the Barrier Island Center. These popular centers collectively host between 70,000 and 90,000 visitors annually. As annual visitation continues to increase, funding to maintain and grow these quality experiences has declined.



The Management and Education Centers are open to the public six days a week (Tuesday – Sunday) from 9am-5pm. One full-time and two part-time staff members (one part time at Barrier Island Center) are dedicated to the day-to-day operations of the center. This includes assisting visitors, scheduling and implementing educational programs, coordinating facility rentals, volunteer coordination, curriculum development and coordinating special events.

The budget and staff reductions at the centers have impacted program efficiency and the Program's ability to be responsive to community needs and interests for environmental education. Reductions in the land management positions and/or hours have made it more difficult for center staff to complete their regular weekly workload. Current funding limitations are preventing the Program from completing the development of its fourth and final education center proposed for the Malabar Scrub Sanctuary. The development of this last Management and Environmental Education Center is highly-supported by the Town of Malabar.

The regular maintenance and upkeep of the three Management and Education Centers requires regular staff support and funding resources. Each facility has grounds maintenance needs that include mowing, pressure washing, painting, window cleaning, access road repairs, signage, etc.

Sustaining Operational Support

The EEL Program administrative office provides operational oversight for annual budget development, annual expenditures, personnel management, land acquisition, contracts administration, advisory committee coordination, management plan development and amendments, purchasing, coordination of equipment and fleet maintenance, county

commission agendas, State management leases, equipment and supply inventory, safety training, incident / accident reporting, public records requests, grants management, warehouse storage and supply distribution, annual reporting and public relations.

Over the last 14 years, the administrative staff has been reduced by 50%. The Program's accounting support was absorbed by Parks and Recreation staff in Viera. Staff at the Program office have had to absorb more administrative responsibilities previously held by other staff such as office visitor reception, human resource issues, grants, contracts administration, public records requests and general office management.

The Program's annual operations budget (excluding land acquisition expenses) is between \$2.5 and \$3 million. Annual operations costs fluctuate depending on the need for capital expenses related to equipment initial restoration project costs.

The Value of Land Conservation to Brevard County Citizens

Numerous studies have shown that natural areas and open space contribute positive economic benefits to local communities. In recognition of the importance of cost-benefit analyses to assist program planning and annual budget allocations, the EEL Program is encouraged to identify and quantify the economic costs and benefits of EEL sanctuaries. In 2020 the program contracted with Closewaters LLC to evaluate program accomplishments in an effort to quantify the economic value of the EEL Program to Brevard County and the value to the County of continuing program operations into the future.

A variety of categories of value were analyzed:

- Eco-Tourism
- Contribution to restoration of the Indian River Lagoon
- Taxed value to constituents
- Volunteer labor
- Value to the development community for mitigation
- Leveraged State and Federal funding

The analysis determined that the Present Value of the Program to the County is \$496 million.

A variety of additional categories were identified as likely having significant economic value but were beyond the limited scope of this particular analysis. These categories include; quality of life, wildfire risk protection, local government development mitigation potential, water resource protection and aquifer replenishment, flood protection, carbon sequestration, air quality, human health benefits, endangered species protection, and environmental education programming.

As we consider our ability to keep up with the land management actions required to maintain program objectives with decreasing resources, it is clear a long-term funding strategy must be considered. The continued success of the Program relies on adequate staffing and equipment to carry out land management actions, educational programming and to maintain program infrastructure.

Funding History Summary

The EEL Program was approved by the voters of Brevard County to ensure the long-term preservation of our natural heritage and biological diversity for future generations. It is anticipated the Program will continue to see its millage rate lowered each fiscal year, and there is currently no long-term funding plan in place to address program operations after 2024 when the referendum sunsets.

In 1997, at the request of the County Commission, the EEL Program Selection and Management Committee recommended a Financial Plan to ensure the Program would meet its capital bond debt-service obligations and have sufficient funds for long-term management. The proposed plan used a combination of annually appropriated general revenue and EEL Program ad valorem revenue not required for bond debt to pay Program costs. The proposal recommended establishing an endowment fund and the maximization of the voter-approved millage collection at 0.25 mils.

The funding support structure established in the 1990 and 2004 referenda provided for two 20-year bonding periods. Due to the termination of the 1990 referendum in 2011, over \$1 million in program operational revenue was lost. This revenue loss coupled with the current funding limitations of the 2004 referendum, has created a need to establish an alternative long-term funding option to continue Program operations.

On September 23, 1997, the Board of County Commissioners chose to fund EEL operations through the use of the ad valorem millage that was not required for bond debt service. At that time it was noted, the Board of County Commissioners would consider funding options and financial resources to address the operations of the EEL Program pursuant to the directives of the 1990 voter-approved referendum after 2011. During the first 15 years of the Program, the maximum millage approved by the voters was levied at 0.25 mils. Starting in 2007, this millage rate was lowered and eventually declined 34% by the time the referendum ended in 2011. The reduction in the annual millage rate of the 1990 referendum represented nearly \$16 million in uncollected revenue.

In 2004, a second EEL referendum was approved by the voters to continue funding land acquisition and management in an additional 20-year timeframe. The structure of the 2004 funding source was similar to the 1990 referendum by funding program operations with the excess ad valorem taxes not required for bond debt service. The maximum millage rate of .2085 has never been levied. The millage levy began at 16%

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(0.1760 mills) below the voter-approved maximum and has continued on a downward trend to its current rate 0.1114 or 46.6% below the voter-approved maximum. During fiscal years 2008/09 and 2009/10, the millage rate dropped 37% below the voter approved maximum. Further reductions of the millage rate of the 2004 referendum through Fiscal Year 20/21 will amount to an additional \$46 million of uncollected revenue.

The bonding associated with the 1990 referendum never reached its full voter-approved maximum capacity of \$55 million. The first referendum bonds were issued in 1991, 1993 and 2005 totaling \$43,090,000. Only \$45 million of the voter-approved maximum capacity of \$60 million has been issued under the 2004 referendum, and \$4 million of these bond proceeds were used to pay off bond debt in 2011.



Declining millage rates of the past 13 fiscal years have required the EEL Program to reduce the annual operations budget by 26% and staffing by 30%. The decline in operational resources has significantly impacted the Program's ability to meet operational goals and maintain effective operations efficiently. Many management tasks cannot be completed in a timely manner. For example, it is not possible with the decline in staff support to maintain more than 102 miles of fire control lines on EEL sanctuaries, keep up with annual prescribed burns, maintain over 75 miles of public use trails, control non-native species, regularly monitor plant and animal populations, meet the community's environmental education needs and be responsive in a timely manner to unforeseen daily issues.

Brevard County Environmentally Endangered Lands Program

30 Year Anniversary Report 1990 – 2020

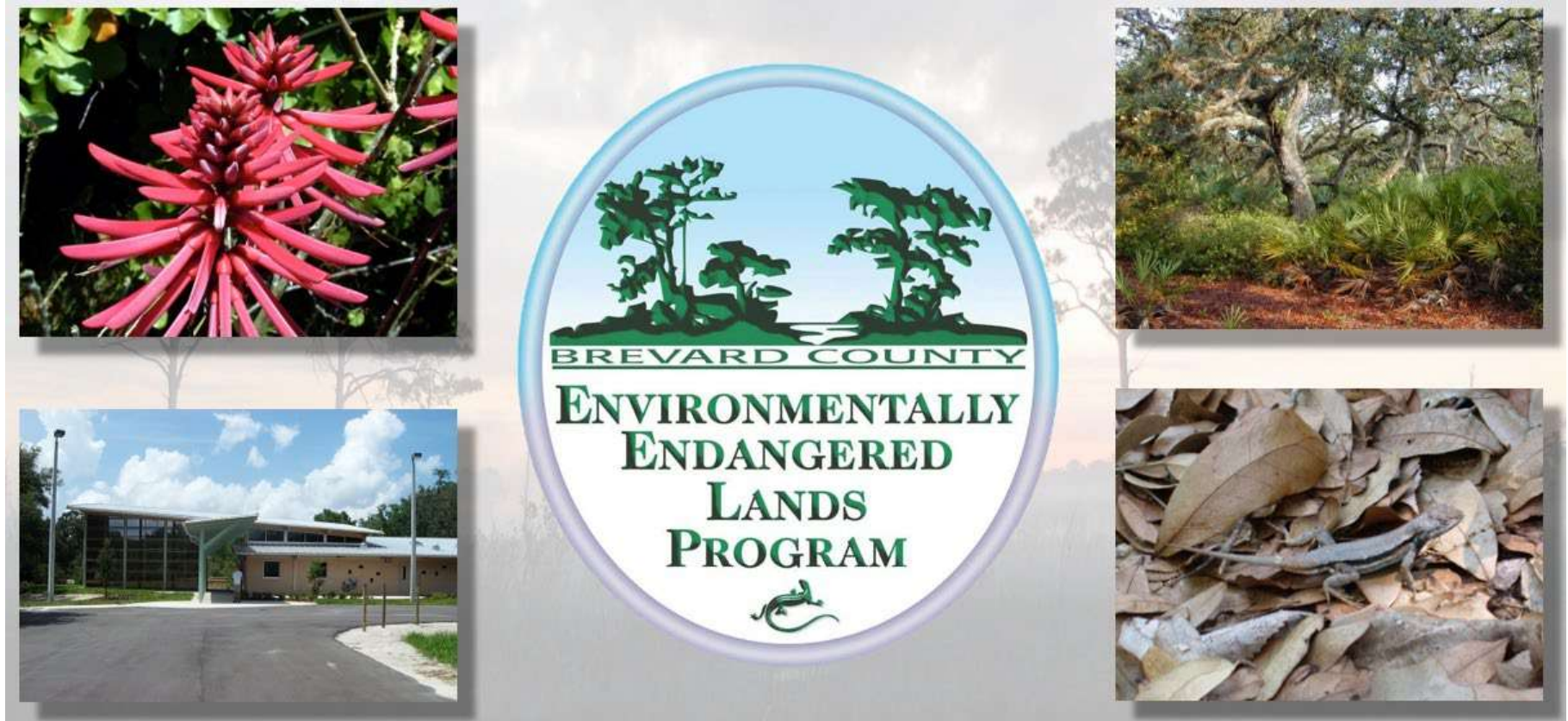


Figure 1: Cover photos clockwise from top left: Coral Bean, Environmentally Endangered Lands Program Logo, Malabar Scrub, Scrub Lizard, Enchanted Forest Management and Education Center

Brevard County Environmentally Endangered Lands Program

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Brevard County Environmentally Endangered Lands Program

Program Mission

Protecting and Preserving Biological Diversity
Through Responsible Stewardship
of Brevard County's Natural Resources

Program Vision

The Environmentally Endangered Lands (EEL) Program acquires, protects and maintains environmentally endangered lands guided by scientific principles for conservation and the best available practices for resource stewardship and ecosystem management. The EEL Program protects the rich biological diversity of Brevard County for future generations. The EEL Program provides passive recreation and environmental education opportunities to Brevard's citizens and visitors without detracting from the primary conservation goals of the program. The EEL Program encourages active citizen participation and community involvement.

Brevard County Environmentally Endangered Lands Program
91 East Drive, Melbourne, FL 32904
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Figure 2: Image of Pine Island Conservation Area - Merritt Island

Brevard County Environmentally Endangered Lands Program

Brevard's Conservation Legacy

Brevard County's commitment to long-term land conservation through the Environmentally Endangered Lands referenda has been viewed as a model by other conservation organizations in Florida and around the United States. The science-based land selection and management process was designed to ensure that all decisions were supported by the best available scientific research and represents:

- an effective conservation tool to ensure that ecosystems, natural communities and species are protected for future generations;
- a first step towards long-term protection of essential natural resources, open space, green space wildlife corridors and maintenance of ecosystem functions;
- a mechanism to enhance community, environmental, and economic values through strategic planning for balanced growth management, conservation and economic development;
- an opportunity to establish a nature sanctuary network that provides passive recreation and environmental education programs to Brevard County residents and visitors.



Figure 3: Image of the Enchanted Forest Amphitheater. Image of young Great Horned Owls at Cruickshank Sanctuary.

Brevard County Environmentally Endangered Lands Program

Preserving Brevard's Natural Landscapes

In 1990, Brevard County citizens voted to protect the unique environmental values of their community by approving the Environmentally Endangered Lands Referendum. The referendum called for acquiring, protecting and maintaining environmentally endangered lands and making improvements as appropriate for passive recreation and environmental education. Due to the success of the Program and ongoing public support, a second referendum was approved by voters in 2004 to continue acquiring endangered land and water areas to protect animal habitats, water resources, open spaces for passive recreation.

The fundamental purpose of the EEL Program is to protect the rich biological diversity and health of Brevard County's ecosystems, to manage the protected areas for conservation, and to provide passive recreation and environmental education. The EEL Program has a primary focus on:

- Natural Communities - prioritizing the needs of threatened or endangered habitats, plants and animals.
- Forest Resources - protecting forest types and their associated ecological values.
- Wetlands and Coastal Resources -
 - Conserve natural and aesthetic attributes
 - Improve buffers to enhance commercial and recreational saltwater and brackish fishing opportunities.
 - Improve the upland-wetland estuarine linkages.



Figure 4: Image of Cruickshank Sanctuary. Image of Scottsmeer Flatwoods Sanctuary. Image of Maritime Hammock Sanctuary.

Brevard County Environmentally Endangered Lands Program

Principles of Conservation

The Program adheres to ten basic “Principles of Conservation” which are the foundation for balancing ecological management and public use issues with the responsibility of resource conservation. These principles are used to guide all decisions related to the implementation of the program and are based upon prudent scientific conservation concepts.

- Maintain all sites in a natural state and/or restore sites to enhance natural resource values.
- Protect natural resources values by maintaining biological diversity and using conservation as a primary goal for decision making.
- Balance human use with the protection of natural resources.
- Apply the most accurate scientific principles to strategies for conservation.
- Collect and utilize the most accurate data available for developing site management plans.
- Consider the interests and values of all citizens by using scientific information to guide management policy making.
- Promote effective communication that is interactive, reciprocal, and continuous with the public.
- Promote the value of natural areas to Brevard County residents and visitors through the maintenance of the quality of resource values, public service and visitor experiences.
- Promote the integration of natural resources conservation into discussions of economic development and quality of life in Brevard County.
- Provide a responsible financial strategy to implement actions to achieve long-term conservation and stewardship goals.



Figure 5: Image of Scottsmeer Flatwoods Sanctuary. Image of a Florida Scrub-jay provided by Steve Van Meter. Image of a Florida Scrub-jay in a pair of hands with its wing extended.

Brevard County Environmentally Endangered Lands Program

Key Accomplishments

- Preservation of over **28,000 acres** of upland and wetland ecosystems throughout Brevard County to protect plant communities and wildlife populations supported by **\$42 million** of partnership and grant funding from acquisition partners such as the State of Florida, St. Johns River Water Management District, Florida Communities Trust, The Nature Conservancy, The Conservation Fund, City of Cocoa Beach, the United States Fish and Wildlife Service and the United States Air Force.
- Protection of over 37 miles of natural shoreline along the Indian River Lagoon and its major tributaries.
- Creation of 75 miles of multi-use trails for citizens and visitors to explore and enjoy the natural beauty of Brevard County.
- The creation and operation of three Management and Environmental Education Centers that provide regular educational programming and community events for Brevard citizens and visitors supported by **\$152,000** in grant funding.
- Restoration and management projects on over **25,000 acres**, supported by over **\$4.7 million** in grant funding focused on improving natural systems to preserve ecosystem services such as: water conservation, wildlife food sources, wildfire prevention, carbon sequestration, aesthetic and increased land values.
- Preservation of cultural and historical resource sites.
- Establishment of ongoing ecological land management practices that maintain these natural resources to ensure they remain sustainable and biologically diverse.

Over the past 30 years the EEL Program has established a conservation, recreation and environmental educational network within our local communities. Ongoing funding support is essential to ensure these accomplishments are maintained for future generations to enjoy.



Figure 6: Image of Cruickshank Sanctuary. Image of Enchanted Forest Sanctuary. Image of Coconut Point Sanctuary. Image of a group of people outside the Enchanted Forest Sanctuary.

Brevard County Environmentally Endangered Lands Program

Science-based Land Preservation

An important objective of the EEL Program is the acquisition of environmentally sensitive lands for preservation, conservation and responsible long-term management. These lands are environmentally unique and irreplaceable. They contain excellent examples of natural communities, forest resources, plants, animals, coastal and wetland resources, and geologic features. These lands contribute to the environmental, economic and aesthetic values of Brevard County. Lands are evaluated based on rarity, vulnerability, and threat of local extinction in Brevard County and Florida.

The EEL Program operates under the following fundamental goal structure:

Primary Goal - To protect the rich biological diversity of plant and animal life in Brevard County.

Secondary Goal - To ensure that our ecosystems function properly and benefit Brevard County's natural resources.

Additional Goals Include:

- The protection of educational values of our natural landscapes.
- Protection of research or scientific values of our natural landscapes.
- Protection of cultural, passive recreational and aesthetic values of our natural landscapes.

We achieve these goals through support in three key areas:

- Local citizen and funding support
- State funding support through the Florida Forever Program and other agencies.
- Landowners who are willing sellers.



Figure 7: Image of a banded Florida Scrub-jay held in a hand. Image of a plant survey at Dicerandra Scrub Sanctuary.

Brevard County Environmentally Endangered Lands Program

Completing Wildlife Corridors

Protecting lands where white-tailed deer, Florida Scrub-jays, bobcats, black bear, otters, gopher tortoises, bald eagles and many other species occur is an ongoing and essential EEL Program strategy to create wildlife corridors for species that are key to Florida's diverse landscape and character.

Most remaining lands identified within the EEL acquisition strategy are small tracts to fill important gaps existing between larger conservation areas. Completing these important habitat connections is critical to the long-term protection of biological diversity.

The Indian River Lagoon benefits from the preservation of lands along its shoreline. Restoration and management of shoreline landscapes helps to protect the biodiversity and water quality of this important estuary for both commercial and recreational uses.



Figure 8: Image of conservation gaps at Grant Flatwoods Sanctuary. Image of a bobcat at Sams House. Image of a bald eagle's nest at Pine Island Conservation Area. Image of a white-tailed deer at Micco Scrub Sanctuary

Brevard County Environmentally Endangered Lands Program

North Brevard Preservation Accomplishments

1. Laney Conservation Easement
Location: Scottsmoor
Acres: 38
Managing Agency: Private
2. North Indian River Lagoon Sanctuary
Location: Scottsmoor / Mims
Acres: 426
Managing Agency: US Fish and Wildlife Service and Brevard County EEL
3. Scottsmoor Flatwoods Sanctuary
Location: Scottsmoor
Acres: 1542
Managing Agency: Brevard County EEL
4. North Buck Lake Sanctuary
Location: Mims
Acres: 177
Managing Agency: Brevard County EEL
5. Buck Lake Conservation Area
Location: Mims
Acres: 7708
Managing Agency: St. Johns River Water Management District
6. Indian Mound Station Sanctuary
Location: Mims
Acres: 147
Managing Agency: Brevard County EEL

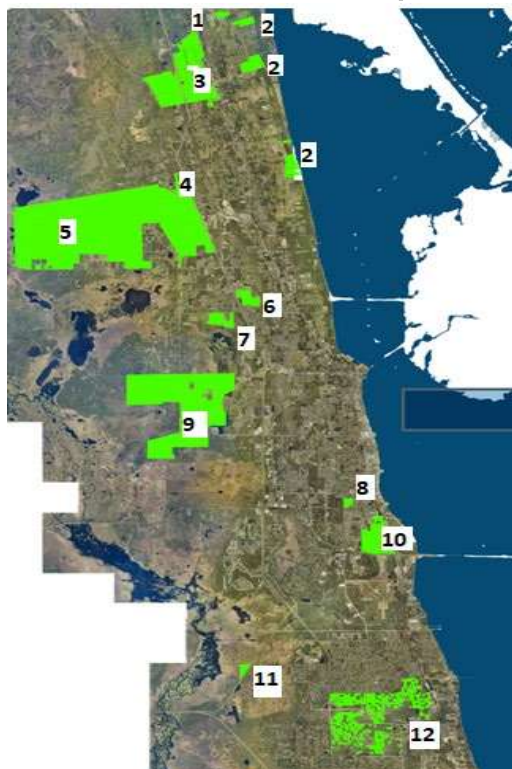


Figure 9: Map of the sanctuaries in the North Region numbered one through twelve from the North in Scottsmoor/Mims South to Cocoa

7. South Lake Conservation Area
Location: Titusville
Acres: 155
Managing Agency: Brevard County EEL
8. Dicerandra Scrub Sanctuary
Location: Titusville
Acres: 44
Managing Agency: Brevard County EEL
9. Fox Lake Sanctuary
Location: Titusville
Acres: 2568
Managing Agency: Brevard County EEL
10. Enchanted Forest Sanctuary
Location: Titusville
Acres: 481
Managing Agency: Brevard County EEL
11. Challenger Marsh Sanctuary
Location: Cocoa
Acres: 47
Managing Agency: Brevard County EEL
12. Grissom Road Complex
Location: Cocoa
Acres: 969
Managing Agency: Florida Fish and Wildlife Conservation Commission and Brevard County EEL

Brevard County Environmentally Endangered Lands Program

Central Brevard Preservation Accomplishments

1. Pine Island Conservation Area
Location: North Merritt Island
Acres: 881
Managing Agency: Brevard County EEL
2. Kabboord Sanctuary
Location: North Merritt Island
Acres: 902
Managing Agency: Brevard County EEL
3. Ulumay Wildlife Sanctuary
Location: Merritt Island
Acres: 1320
Managing Agency: Brevard County EEL
4. Hellen and Allan Cruickshank Sanctuary
Location: Rockledge
Acres: 167
Managing Agency: Brevard County EEL



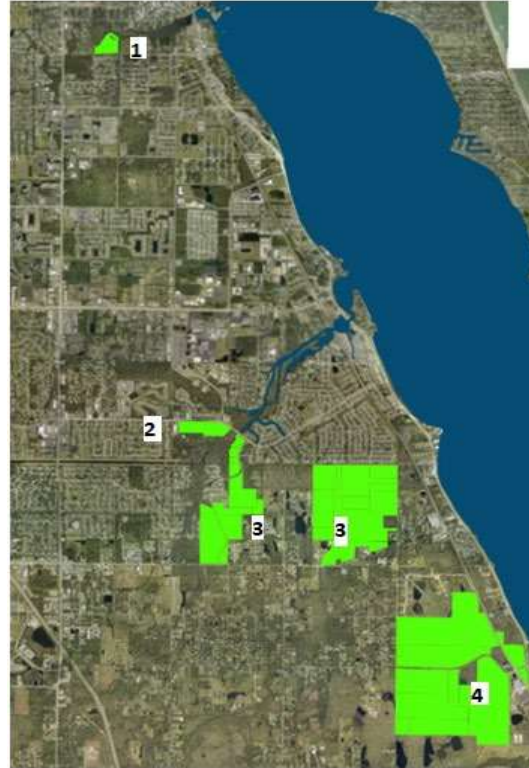
5. Thousand Islands Conservation Area
Location: Cocoa Beach
Acres: 338
Managing Agency: Brevard County EEL
6. Capron Ridge Sanctuary
Location: Viera
Acres: 21
Managing Agency: Brevard County EEL

Figure 10: Map of the sanctuaries in the Central Region numbered one through six from North Merritt Island South to Viera and East to Cocoa Beach. Image of Thousand Islands Conservation Area.

Brevard County Environmentally Endangered Lands Program

South Mainland Brevard Preservation Accomplishments

1. Crane Creek Sanctuary
Location: Melbourne
Acres: 23
Managing Agency: Brevard County EEL
2. Turkey Creek Addition
Location: Malabar
Acres: 35
Managing Agency: City of Palm Bay
3. Malabar Scrub Sanctuary
Location: Malabar
Acres: 579
Managing Agency: Brevard County EEL



4. Jordan Scrub Sanctuary
Location: Malabar
Acres: 750
Managing Agency: Brevard County EEL

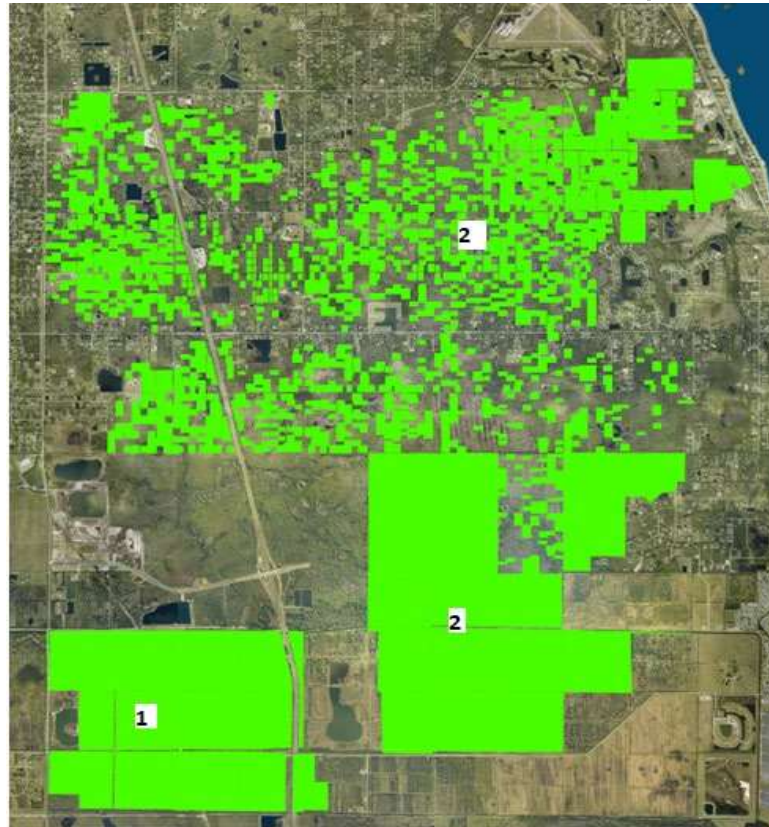


Figure 11: Map of the sanctuaries in the South Region numbered one through four located from Melbourne South to Malabar. Image of Crane Creek Sanctuary provided by Karen McLaughlin.

Brevard County Environmentally Endangered Lands Program

South Mainland Brevard Preservation Accomplishments

1. Micco Scrub Sanctuary
Location: Micco
Acres: 1784
Managing Agency: Brevard County
EEL



2. Grant Flatwoods Sanctuary
Location: Grant / Valkaria
Acres: 6480
Managing Agency: Brevard County
EEL and Florida Fish and Wildlife
Conservation Commission



Figure 12: Map of the sanctuaries in the South Region numbered one and two located in Grant / Valkaria south to Micco. Image of a gopher tortoise. Image of a Florida Scrub-jay with a seed in its mouth.

Brevard County Environmentally Endangered Lands Program

South Beaches Brevard Preservation Accomplishments

1. Ocean Ridge Sanctuary
Location: Melbourne Beach
Acres: 11
Managing Agency: Brevard County EEL
2. Coconut Point Sanctuary
Location: Melbourne Beach
Acres: 62
Managing Agency: Brevard County EEL



3. Hog Point Cove Sanctuary
Location: Melbourne Beach
Acres: 18
Managing Agency: Brevard County EEL

Figure 13: Map of the sanctuaries in the South Beaches Region numbered one through three located in North Melbourne Beach. Image of a Buckeye Butterfly provided by Steve Van Meter. Image of Maritime Hammock Sanctuary.

Brevard County Environmentally Endangered Lands Program

South Beaches Brevard Preservation Accomplishments

1. Hog Point Sanctuary
Location: Melbourne Beach
Acres: 20
Managing Agency: Brevard County EEL
2. Washburn Cove Sanctuary
Location: Melbourne Beach
Acres: 39
Managing Agency: Brevard County EEL
3. Maritime Hammock Sanctuary
Location: Melbourne Beach
Acres: 167
Managing Agency: Brevard County EEL



Figure 14: Map of the sanctuaries in the South Beaches Region numbered one through three in Central Melbourne Beach. Image of the Barrier Island Sanctuary. Image of Tour de Turtles at Barrier Island Sanctuary.

Brevard County Environmentally Endangered Lands Program

South Beaches Brevard Preservation Accomplishments

1. Mullet Creek Islands
Location: Melbourne Beach
Acres: 86
Managing Agency: Florida State Parks



2. Barrier Island Sanctuary
Location: Melbourne Beach
Acres: 34
Managing Agency: Brevard County EEL
3. Hardwood Hammock Sanctuary
Location: Melbourne Beach
Acres: 36
Managing Agency: Brevard County EEL

Figure 15: Map of the sanctuaries in the South Beaches Region numbered one through three from North to South in South Melbourne Beach. Image of a group of people standing near the sea turtle exhibit at the Barrier Island Sanctuary. Image of the Barrier Island Sanctuary.

Brevard County Environmentally Endangered Lands Program

Prescribed Fire

In the natural landscapes of Brevard County, it is critical to implement management actions on a regular basis to ensure the referendum objectives are met. Maintaining prescribed fire cycles and controlling invasive exotic species cannot occur without active management. Most Florida habitats have evolved under the constant influence of fire and depend on its rejuvenating properties for long-term survival.

The continued use of prescribed fire and regular land management actions are of critical importance to maintain healthy and diverse plant and animal populations. EEL lands support a variety of threatened and endangered species including the Florida Scrub-jay which is directly dependent upon ongoing habitat management for their continued survival. Protecting native biodiversity is the first and overriding objective of the EEL Program.

If left unburned for long periods, EEL Sanctuaries become more vulnerable to wildfire, increasing the potential for impacts to nearby homes and businesses. Maintaining regular burn rotations reduces fuel build-up and protects homes and businesses from wildfire. Wildfires, unlike prescribed burns, can have a significant negative impact on natural habitats and wildlife.

The EEL Program has implemented prescribed burns on 12,541 acres of the nature sanctuary lands.



Figure 16: Image of a prescribed fire. Image of a lightning strike. Image of overgrown Pine Flatwoods. Image of restored Pine Flatwoods habitat after a prescribed burn.

Brevard County Environmentally Endangered Lands Program

Exotic Species Management and Habitat Restoration

Invasive and exotic plant and animal species have invaded many of the native habitats in Florida. To prevent invasive species from taking over our native landscapes regular maintenance and monitoring is required to eradicate harmful species.

The EEL Program has worked closely with the State of Florida Invasive Plant Management Program to invest over **\$4.3 million** in State funding to remove non-native species on 11,410 acres in an effort to maintain invasive free conservation lands. Invasive plant seed sources from surrounding private property must be monitored and controlled to maintain existing habitat restoration efforts.



Figure 17: Image of a Feral Pig at the Enchanted Forest. Image of an excavator with grapple removing Australian Pine at Thousand Island Conservation Area. Image of roots removed from the Thousand Island Conservation Area. Image of Australian Pine removal at Thousand Island Conservation Area.

Brevard County Environmentally Endangered Lands Program

General Maintenance

The upkeep of EEL Program facilities, lands, equipment and recreational resources is an ongoing need that requires staff resources and adequate funding support.

In order to achieve the EEL Program's ecological land management goals staff must routinely maintain the following public resources and assets:

- 102 miles of fire control lines that need to be either mowed or plowed with a tractor and disc-harrow at least twice annually.
- 49 miles of access and maintenance roads require routine maintenance such as grading, tree-removal and general mowing.
- 61 miles of fence line and boundary signs require periodic inspection and repairs.
- 152 Access gates require regular monitoring and periodic repairs.
- 33 Public trailhead and parking areas and 51 informational kiosks.
- 3 Management and Environmental Education Centers require ongoing upkeep.
- 1.25 miles of boardwalks and footbridges.

Illegal dumping occurs frequently with 106 tons of trash removed from the conservation lands to date.



Figure 18: Image of the boardwalk at the Enchanted Forest Sanctuary. Image of a boundary fence in the South Beaches Region. Image of a boundary fence at Cruickshank Sanctuary. Image of the kiosk at Pine Island Conservation Area.

Brevard County Environmentally Endangered Lands Program

Educating Visitors About Conservation Benefits

Environmental education contributes to public knowledge and awareness of the natural, historical and archaeological resource values of Brevard County. The EEL Program has implemented a comprehensive environmental education framework which has provided quality nature-based experiences for nearly 850,000 residents and visitors.

The result of a Master Site Plan process completed in the late 1990's set into motion a plan for the development of four Management and Education Centers. The Enchanted Forest Management and Education Center was the first to be completed and opened to the public in 2003. The Barrier Island Center opened in 2008, followed by the Sams House Management and Education Center which opened in 2010. Average visitation at the three centers over the last five years has been nearly 80,000 visitors annually. Due to operational limitations the fourth Management and Education Center, planned for the Malabar Scrub Sanctuary is on hold pending the outcome of a future long-term funding plan.

The three centers have provided environmental education programs to over 215,000 participants since the first center opened in 2003. Nearly 80,000 of these participants have been Brevard school children. The Program has received \$186,000 in grant funding to support its environmental education mission.



Figure 19: Image of the sea turtle exhibit at the Barrier Island Center. Image of the Enchanted Forest Center. Image of the Barrier Island Center. Image of Sams House at Pine Island.

Brevard County Environmentally Endangered Lands Program

Creating and Maintaining Passive Recreation Opportunities

Finding a balance between public-use impacts and natural resource protection is a key challenge to implementing effective land protection and stewardship. The EEL Program provides a variety of passive recreation opportunities that are consistent with the program's conservation and protection goals of the voter-approved referendums.

More than 75 miles of public use trails for passive recreation including hiking, mountain biking, horseback riding, nature observation, paddling, fishing and camping provide outdoor opportunities for residents and tourists visiting Brevard County. EEL has worked with 56 Eagle Scouts to date to construct many public use resources in support of visitor activities.

Oversight and maintenance of public use resources is essential to ensure safe and proper functionality for visitors and to verify that facilities and amenities are not in conflict with site ecological goals. Without proper oversight, trails systems and parking areas can be vandalized or used inappropriately. A quick response to vandalism issues helps discourage it from happening in the future.

Periodic trail use monitoring data suggests that there are more than 170,000 visitors utilizing the sanctuary trails annually.



Figure 20: Image of the kayak launch at Pine Island. Image of Maritime Hammock Sanctuary. Image of the Thousand Islands Trail Head. Image of the footbridge at Malabar Scrub.

Brevard County Environmentally Endangered Lands Program

Volunteers and Friends Groups

The success of the EEL Program has been heavily dependent upon the involvement of citizen volunteers who play an important role in achieving the objectives of the EEL referendums. Three volunteer citizen advisory committees meet regularly to provide guidance, oversight and recommendations to staff and the County Commission.

The EEL Selection and Management Committee serves as an expert scientific advisory committee to EEL staff and the County Commission on all issues involving the acquisition and management of environmentally endangered lands within the EEL Program protected area network.

The EEL Procedures Committee serves as an advisory committee to county staff and the Selection and Management Committee regarding policies, procedures and standards for land acquisition.

The EEL Recreation and Education Advisory Committee serves as an advisory committee to EEL staff and the Selection and Management Committee regarding recommendations for public access, passive recreation and environmental education opportunities on EEL managed lands.

The EEL Program has also facilitated volunteer participation in a variety of ways including the establishment of five citizen-led non-profit support groups, providing local high school scholarship volunteer hours, AmeriCorps Civilian Conservation Corps, alternative university spring break outings, Boy Scout and Girl Scout workdays including hosting over 56 Eagle Scout Projects, and regular volunteer opportunities that assist with education center operations, environmental education programs, and trail maintenance.

Each year over 200 volunteers contribute 12,000 hours of time to the program. This represents an annual financial contribution of over \$276,000. Since 2005, volunteers have contributed over 149,000 hours of time worth over \$3.1 million to the County.



Figure 21: Image of an Advisory Committee. Image of AmeriCorps Civilian Conservation Corps Volunteers. Image of Eagle Scouts.

Brevard County Environmentally Endangered Lands Program

Program Funding Summary

The funding support structure established in the 1990 and 2004 referendums provided for two 20-year bonding periods. The termination of the 1990 referendum in 2011, emphasized the need to explore future, long-term funding options to continue Program operations beyond the termination of the 2004 referendum in 2024.

In 1997, at the request of the County Commission, the EEL Program Selection and Management Committee recommended a Financial Plan to ensure the Program would meet its capital bond debt-service obligations and have sufficient funds for long-term management. The proposed plan designated a combination of annually appropriated general revenue and EEL Program ad valorem revenue not required for bond debt to pay Program costs. The proposal also recommended establishing an endowment fund and the continued maximization of the voter-approved millage collection at 0.25 mills.

On September 23, 1997, the Board of County Commissioners chose to continue funding EEL operations through the use of the ad valorem millage that was not required for bond debt service. At that time, it was noted the Board of County Commissioners would consider funding options and financial resources to address the operations of the EEL Program after 2011.

The first referendum bonds were issued in 1991, 1993 and 2005 totaling \$45,608,969. \$45 million of the voter-approved maximum capacity of \$60 million has been issued under the 2004 referendum, and \$4 million of these bond proceeds were used to pay off bond debt in 2011.

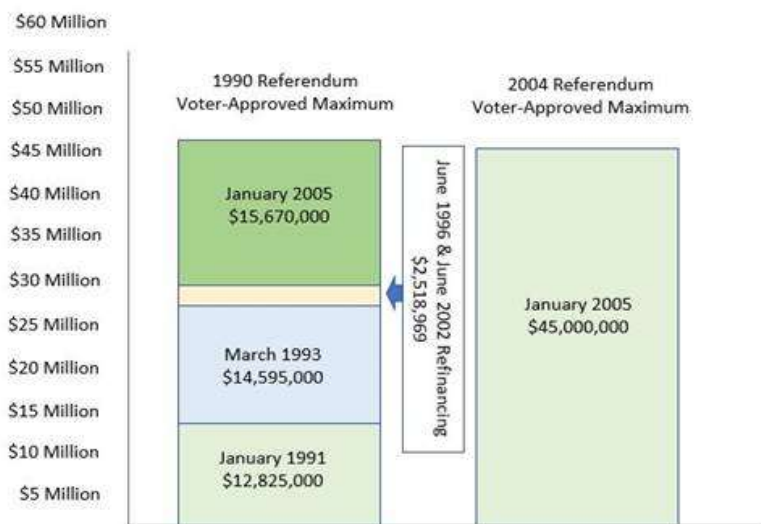


Figure 22: Graph of funding summary and bonding associated with the 1990 and 2004 referenda.

Brevard County Environmentally Endangered Lands Program

Environmentally Endangered Lands Referenda Milestones



Figure 23: Image of Pine Flatwoods

December 1989: County Commission appointed the EEL Procedures Committee members to create the Land Acquisition Manual	July & August 1990: County Commission adopted the EEL Land Acquisition Manual and appoints members of the EEL Selection Committee	September 1990: First EEL referendum passes	1993: County Commission and State of Florida establish first project boundary and enter into Multi-Party Acquisition Agreement	September 1997: County Commission adopts the Sanctuary Management Manual but defers the proposed long-term Financial Plan until after 2011	July 1998: County Commission approves Master Site Plans for four Management and Environmental Education Centers	November 2002: Enchanted Forest Management and Education Center opens to the public	November 2004: Second EEL referendum passes	May 2008: Barrier Island Management and Education Center opens to the public	August 2010: Sams House Management and Education Center opens to the public	2011: \$4 Million of bond funds used to pay off bond debt	2011: First EEL referendum ends	2024: Second EEL referendum will sunset
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Brevard County Environmentally Endangered Lands Program

The Value of Conservation to Brevard County

Numerous studies have shown that natural areas and open space contribute positive economic benefits to local communities. In recognition of the importance of cost-benefit analyses to assist Program planning and annual budget allocations, the EEL Program is encouraged to identify and quantify the economic costs and benefits of EEL sanctuaries. In 2020 the Program contracted with Closewaters LLC to evaluate Program accomplishments in an effort to quantify the economic value of the EEL Program to Brevard County and the value to the County of continuing Program funding into the future.

A variety of categories of value were analyzed:

- Contribution to restoration of the Indian River Lagoon
- Eco-Tourism
- Leveraged State and Federal funding
- Taxed value to constituents
- Volunteer labor
- Value to the development community for mitigation

The analysis determined that the Present Value of the EEL Program to the County is \$496 million.

A variety of additional categories were identified as likely having significant economic value but were beyond the limited scope of this particular analysis. These categories include; quality of life, wildfire risk protection, local government development mitigation potential, water resource protection and aquifer replenishment, flood protection, carbon sequestration, air quality, human health benefits, endangered species protection, and environmental education programming.



Figure 24: Image of a gopher tortoise provided by Jonny Baker. Image of Crane Creek provided by Karen McLaughlin. Image of Lyonia provided by Steve Van Meter.

Brevard County Environmentally Endangered Lands Program

The Future of the Brevard County Environmentally Endangered Lands Program

Over the last 30 years, the EEL Program has established an important nature sanctuary network in Brevard County that welcomes 250,000 visitors annually. Thirty years of ecological land management actions have successfully restored thousands of acres of natural ecosystems that require ongoing maintenance to ensure they remain healthy. Without active management to maintain fire cycles and control invasive and non-native species, the health of these ecosystems and the species they support will degrade and see diminished biological diversity. In natural landscapes that are fragmented by roads and development, it is vital that management actions continue in order to maintain the ecological processes necessary for healthy and biologically diverse ecosystems.

The funding mechanism established by the 2004 referendum will end in 2024. A funding source beyond 2024 has yet to be identified to provide ongoing management of the conservation lands into the future.



Figure 25: Image of a white-tailed deer. Image of an American Alligator. Image of a white-tailed fawn. Image of a bald eagle with offspring provided by Steve Van Meter. Image of a Florida Scrub-jay. Image of a bird's nest with three eggs

Brevard County Environmentally Endangered Lands Program

EEL Contact Information

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Figure 26: Image of Cruickshank Sanctuary.

“A true conservationist is a man who knows that the world is not given by his fathers, but borrowed from his children.” - John James Audubon