



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 6782, **Version:** 1

Subject:

Board Direction: FY 2024-25 Tourist Development Council Recommendation for a \$5 Million Reimbursable Capital Facilities Grant for the Brightline Station in Cocoa, FL.

Fiscal Impact:

FY 2024-25: \$5 million

Dept/Office:

Tourism Development Office

Requested Action:

It is requested the Board of County Commissioners provide direction to staff for the proposed Tourism Development Tax funding of a Brightline Station in Cocoa under one of the following options:

1. Approve the Tourism Development Council recommendation of a \$5 million reimbursable capital facilities grant to the City of Cocoa, FL for the Brightline Station infrastructure project. This action requires a vote of at least two-thirds of the Board's membership (i.e., four votes), and the following legislative findings:
 - a. The grant is an authorized use of tourist development tax revenues pursuant to section 125.0104(5)(a)6., Florida Statutes, and section 102-119(3)c., Brevard County Code of Ordinances because:
 - i. The grant will be used to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or finance public facilities within the boundaries of the County; and
 - ii. The public facilities are needed to increase tourist-related business activities in the County and have been recommended by the Tourist Development Council.
 - b. The proposed public facilities consist of major capital improvements that have a life expectancy of five or more years;
 - c. No more than 70 percent of the cost of the proposed public facilities will be paid for with tourist development tax revenues, and sources of funding for the remaining costs are identified and confirmed; and
 - d. An independent professional analysis, performed at the expense of the Tourist Development Council, demonstrates the positive impact of the infrastructure project on tourist-related businesses in the County.
2. Approve a \$5 million reimbursable marketing grant to the City of Cocoa, FL in support of the Brightline Station capital project, which shall be funded by transferring unencumbered revenues from the Tourist Development Council Capital Facilities Fund 1443 into the Tourism Development Council Marketing

Fund 1441. This action requires a simple majority vote, and a legislative finding that the grant is an authorized use of tourist development tax revenues pursuant to section 125.0104(5)(a)3., Florida Statutes and section 102-119(3)a., Brevard County Code of Ordinances because the grant shall be expended for a service or venue that has as one of its main purposes the attraction of tourists as evidenced by the promotion of the service or venue to tourists.

3. Any other direction as provided by the Board.

In accordance with current Tourist Development Council guidelines, the Cocoa Brightline Station project must break ground within three (3) years from the date of the Board award. Project completion may not exceed six (6) years from the date of the Board award. It is the sole discretion of the Brevard County Board of County Commissioners to grant any extension. All other provisions of the approved FY 2023-24 Tourist Development Council Capital Facilities Guidelines apply to this request if option 1 is approved for contractual purposes.

Additionally, it is requested that the Tourism Development Office Department Director be authorized to negotiate and sign all necessary grant agreements and related documents upon County Attorney Office, Risk Management, Purchasing Services approval and authorize the County Manager to execute all necessary Budget Change requests.

Summary Explanation and Background:

Funds are implemented each fiscal year for future capital facilities projects approved by the Tourist Development Council Capital Facilities Committee, the Tourist Development Council, and the Brevard County Board of County Commissioners. The County Attorney's Office has verified this capital project as a viable project that may receive support with Tourist Development Tax dollars per state statute and local ordinance. Reimbursable grant awards with a minimum of \$250,00 are available to support capital projects that benefit tourism on Florida's Space Coast. If this is approved as a capital project through the Tourism Capital Facilities Plan, it will serve attractions and facilities open to tourists, visitors and the community.

The Tourism Development Council voted unanimously (8-0) at its April 24, 2024, meeting to recommend the commission of an independent professional analysis demonstrating the impact of the infrastructure on tourist-related businesses in the County. The Tourist Development Council further recommended that the Board of County Commissioners approve a \$5 million FY 2024-25 Tourist Development Council Capital Facilities grant as requested by the City of Cocoa, FL, for the City's public facilities in support of the Brightline Station, if the independent study demonstrates a positive impact on tourism and all statutory requirements are otherwise satisfied.

Alternatively, the Tourist Development Council also recommended that the Board of County Commissioners approve a \$5 million marketing grant in support of the project, to be funded by transferring unencumbered revenues from the Capital Facilities Fund into the marketing Fund.

Clerk to the Board Instructions:

Please return a memo of the Board's action to the Tourism Development Office and the County Attorney's Office.