



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2156, **Version:** 1

Subject:

Approval, Re: Tourist Development Council FY 2020-2021 Capital Facilities Grant recommendations.

Fiscal Impact:

A total of \$3,750,000 from the Capital Facilities Fund (1443) will be used to fund three projects.

Dept/Office:

Tourism Development Office

Requested Action:

It is requested that the Board of County Commissioners approve the Tourist Development Council's recommendation to approve funding for the following FY 2020-2021 Capital Facilities Grant applications: (1) Lori Wilson Park and Nature Center, (2) Veteran's Memorial Museum and (3) American Police Hall of Fame. In approving these grants, the Board makes the necessary legislative findings further described in the summary explanation and background below, grants authority for the Director, Tourism Development Office, to negotiate and sign all necessary grant agreements and related documents to support the grants, upon County Attorney Office and Risk Management approval. Further, the Board authorizes the County Manager to execute necessary budget change requests.

Summary Explanation and Background:

Tourist Development Tax Revenues are restricted to only authorized uses, as defined by Florida Statute 125.0104, directed by Brevard County Code Chapter I 02, Article III - Local Option Tax Plan (Tourist Development Plan). In regards to Capital Facilities funding, the statute states authorized uses of these dollars are "... to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate or promote one or more publicly owned and operated convention centers, sports stadiums, sports arenas, coliseums, or auditoriums within the county; and further including museums, zoological parks, aquariums, fishing piers or nature centers which are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public within the County."

According to the Ordinance regarding the Tourist Development Tax, 14% (or \$1,369,173 in budgeted TDT revenues for FY 2020-2021) can be used for tourism-related capital facilities projects. These grants will be

funded by annual TDT collection combined with balance forward funds.

On September 21, 2020, the Capital Facilities Committee voted 5-3 to approve three projects for funding via cash reimbursement from available fund balance and recommended consideration and approval of the Tourist Development Council. On September 23, 2020, the Tourist Development Council voted 6-1 to approve these projects for funding and recommended approval from the Board of County Commissioners.

The Board had previously approved the Capital Facilities Grant Guidelines, which state that applicants need to score a minimum of 75, out of 100, to be considered. The grant applicants did not reach this minimum, but funding was approved by both the committee and the Council. The \$3.75 million in available funds were dispersed between the 3 projects based on their scores, with the highest scoring project (Lori Wilson Park) getting a 10% bonus, which was taken from the lowest scoring project, (The American Police Hall of Fame). Projects must commence construction by September 18, 2022 or funding approval is withdrawn.

The three projects that have been recommended are:

1. Lori Wilson Park and Nature Center - \$1,764,584

Lori Wilson Park is an approximate 50-acre park in the heart of Cocoa Beach and is owned/operated by Brevard County. The vision is a project that will refurbish the park and bring it up to the current standards of other parks in Brevard County including completely renovating the boardwalk areas, the bathrooms, parking facilities, etc. The park will be preserved as a nature center including the beach hammock, additional signage identifying flora and fauna, and a haven for both migrating and indigenous birds.

Lori Wilson Park is right in the heart of the tourism district in Cocoa Beach. 75% of the visitors are from outside the County, so having a public park with great facilities and beach access is highly desirable and will be a driver of repeat visitation. Many people come to Lori Wilson Park just to enjoy nature and the view, especially bird watching from the boardwalk.

Lori Wilson Park is also a great venue for events and many events over the years have been staged from there including the Thunder on the Beach boat races, watching space launches, marathons, the AAU volleyball, etc. These events attract both locals and visitors alike. Improvements to the park will only enhance these existing events and potentially attract new events which would be of benefit to the community.

The Park attracts a great variety of individuals and families and appeals to a wide demographic. Calculating a Return on Investment is somewhat difficult as the Park itself is not the sole reason why people come to the Space Coast - but having a facility like Lori Wilson Park is an important amenity that will lead to word of mouth and repeat visitation. Looking at the overall economic impact based on the volume of visitors, a one-time \$3 million capital investment was requested from the Capital Facilities Committee and TDC for refurbishment that is offset by \$10-11 million in annual hotel and motel dollars into the community. There will be further

increased economic dollars associated with the additional room nights for restaurants, rentals, tours, parking, etc. Projected annual visitation of the facility is 250,000 people, with 75% being from outside Brevard County.

Previously, \$5.3 million was approved and budgeted from the Beach fund. These funds have been put on hold except for costs directly related to repairs. Pursuant to state statute, section 125.0104 (5)(a)5, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state's Beach Management Plan, pursuant to section 161.091 Florida Statute, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not be used or loaned for any other purpose. Due to the uncertainty of the amount of funds required under the 50-year beach plan, the TDC had requested and the Board approved that funding for Lori Wilson Park improvements must not come from TDT Beach Funds. Therefore, alternative funding must be explored for Lori Wilson Park improvements and this grant from the TDT Capital Facilities Fund will provide that alternative funding.

Based on the facts specified for this grant, in approving this grant, the Board of County Commissioners finds that this grant is for a proper purpose which may be expended from the 35 percent of the first two pennies levied as Tourist Development Tax funds because the primary purpose of the Grantee's program is in a county of less than 950,000 in population to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate or promote a nature center which is publicly owned and operated and open to the public within the County, pursuant to section 102-119, Brevard County Code, and section 125.0104 (5)(b), Florida Statutes.

2. Veteran's Memorial Museum - \$1,270,833

The project is to construct an outside venue with an acoustically engineered band shell of approximately 8,000 square feet and amphitheater with an open spectator area of two and a half acres accommodating approximately 5,000 spectators situating in the center of the newly expanded 66-acre Veteran's Memorial Park located in Central Brevard County on Merritt Island. The Veteran's Memorial Amphitheatre would be centrally located inside the existing multi-use Veteran's Memorial Park on Merritt Island. The existing Park is located directly south of State Road 520 with access via Sykes Creek Parkway which terminates at the entrance of the Veteran's Memorial Park; 400 S. Sykes Creek Parkway. The over three-acre Amphitheatre greenspace for the proposed outdoor venue to support an auditorium or bandshell, is located to the rear of the existing and very successful Veteran's Center and Memorial Museum. Currently the Annual Museum Visitation Report shows that within the last 25 months they averaged visitors from 35 States and 18 foreign countries. With an average of 1,387 visitors just in the museum every month. The Veteran's Memorial Amphitheatre with an outdoor structure was conceived through a partnership in the late 2000s after Brevard County Parks and Recreation Department received a \$800,000 grant from the State of Florida Communities Trust for Veteran's Memorial Park Improvements. The grant did not cover the full cost of the master plan. The Merritt Island Redevelopment Agency provided \$400,000 towards the construction of the expansion and since then, in 2017 over \$1M dollars in funding for the enhancement opportunities and infrastructure within the Park. These enhancements are currently permitted and in construction. This is a shovel ready project. The projected

annual visitation of the facility is 273,888, with 60% being from outside Brevard County.

Based on the facts specified for this grant, in approving this grant, the Board of County Commissioners finds that this grant is for a proper purpose which may be expended from the 35 percent of the first two pennies levied as Tourist Development Tax funds because the primary purpose of the Grantee's program is to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate or promote a publicly owned and operated outdoor auditorium within the county, pursuant to section 102-119, Brevard County Code, and section 125.0104 (5)(a)1.a Florida Statutes.

3. American Police Hall of Fame - \$714,583

The United States Law Enforcement Eternal Flame will be located right on State Route 405 (which runs between the Beachline (528) and Kennedy Space Center) on the five acres beside the existing 5-acre, 50,000 square foot American Police Hall of Fame facility. This expansion has been described as "one of the most significant tributes to law enforcement since President Kennedy established Police Week." This project - which is sorely needed during these trying times for law enforcement -- has been endorsed by John Walsh of "America's Most Wanted." Mr. Walsh has drafted a letter of support for our use and is actively promoting the project at the national level.

The Eternal Flame has been designed as a 10-story infinity symbol featuring a blue rose of remembrance with a ten-foot tall flame blazing from its petals. The flame will burn continuously 24/7 in recognition of all law enforcement officer's past, present, and future. The flame is a significant addition all by itself, but it is not the only enhancement planned at the facility.

Phase One of this expansion will include the compelling and moving "Walk of Heroes," featuring commemorative and memorial bricks dedicated to law enforcement officers, agencies and families nationwide. But the expansion won't stop there, with subsequent phases offering visitors a law enforcement themed miniature golf activity with a clubhouse that serves light food, three pavilions for school groups, tours and public activities, a courtyard for large gatherings, graduations, weddings and Memorial services, a heliport, and a 30,000 square foot addition to the Museum itself which will feature a 10,000 square foot mezzanine which will house the Student Education Center. Projected annual visitation is 100,000 in year 1, with 75% being from outside Brevard County.

Based on the facts specified for this grant, in approving this grant, the Board of County Commissioners finds that this grant is for a proper purpose which may be expended from the 35 percent of the first two pennies levied as Tourist Development Tax funds because the primary purpose of the Grantee's program is to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate or promote a museum which is owned and operated by a not-for-profit organization and open to the public within the county, pursuant to section 102-119, Brevard County Code, and section 125.0104 (5)(b) Florida Statutes.

Clerk to the Board Instructions:

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