



**Mayor**  
WILLIAM CAPOTE  
**Deputy Mayor**  
KENNY JOHNSON  
**Councilmembers**  
HARRY SANTIAGO, JR.  
JEFF BAILEY  
BRIAN ANDERSON

## **AGENDA**

### **Regular Council Meeting 2020-39 Thursday**

**November 5, 2020 - 7:00 PM  
Council Chambers, 120 Malabar Road SE, Palm Bay FL 32907**

#### **CALL TO ORDER:**

#### **INVOCATION:**

#### **PLEDGE OF ALLEGIANCE:**

#### **ROLL CALL:**

#### **ANNOUNCEMENTS:**

1. Three (3) vacancies on the Disaster Relief Committee.++
2. One (1) vacancy on the Business Improvement District Board (represents 'bank or financial institution' position).++
3. One (1) vacancy on the Youth Advisory Board (represents 'at-large student member' position).++

#### **AGENDA REVISIONS:**

#### **CONSENT AGENDA:**

**There will be no separate discussion on those items listed under Consent Agenda (indicated with asterisks(\*)). They will be enacted by the City Council on one motion. If discussion is desired by the City Council, that item will be removed from the Consent Agenda by Council and will be considered in the order that it appears on the agenda.**

1. Adoption of Minutes: Regular Council Meeting 2020-34; October 1, 2020.
2. Adoption of Minutes: Special Council Meeting 2020-35; October 6, 2020.
3. Adoption of Minutes: Special Council Meeting 2020-37; October 22, 2020.
4. Contract: Software maintenance and support renewal, Superior NaviLine/HTE, and Click2Gov Public Administration – Information Technologies Department (Central Square (dba Superior) - \$134,973).
5. Miscellaneous: Tools, equipment, and bunker gear (Lake County contracts) – Fire Department

(Ten-8 Fire Equipment Co., Municipal Emergency Services, and Municipal Equipment Co., Inc. – estimated \$150,000).

6. Resolution 2020-54, adopting the 2020 update of the Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan.
7. Resolution 2020-55, amending the Procurement Manual by repealing Local Price Preference and Points for Location.
8. Ordinance 2020-76, amending the Code of Ordinances, Chapter 62, Road Maintenance District, by repealing the chapter in its entirety, first reading.
9. Ordinance 2020-77, amending the Code of Ordinances, Chapter 184, Subdivisions, by removing the requirement for recordation of the subdivision plat prior to issuance of building permits for model homes and developer owner/building homes, first reading.
10. Ordinance 2020-78, amending the Fiscal Year 2019-2020 budget by appropriating and allocating certain monies (fifth budget amendment), first reading.
11. Consideration of a grant agreement with Florida Department of Emergency Management for the Hazard Mitigation Grant Program for Cimarron Circle acquisition and demolition.
12. Consideration of a non-exclusive easement request from Florida Power and Light for existing, and the extension of, overhead power lines and poles at Liberty Park for the Gulfport Key Subdivision.
13. Consideration of the appropriation of funds for engineering services for Pace Drive water main looping (\$275,000).
14. Consideration of utilizing unspent contingency for improvements at the Palm Bay Aquatic Center (\$65,112).

#### **RECOGNITIONS AND PROCLAMATIONS:**

1. Recognizing residents for assistance and support of the bond referendum for road improvements. (Councilman Anderson)

#### **PUBLIC COMMENTS/RESPONSES:**

**Public comments will be heard by the City Council on non-agenda issues. Speakers must complete 'Public Comment Cards' (orange) and are limited to three (3) minutes each.**

#### **PUBLIC HEARINGS:**

1. Ordinance 2020-67, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'General Provisions' and 'Planned Unit Development (PUD)', by establishing language that will permit tiny homes on wheels and revising provisions contained therein (Case T-21-2020, City of Palm Bay), final reading. (Deputy Mayor Johnson)
2. Ordinance 2020-71, amending the Code of Ordinances, Chapter 38, Procurement, by repealing Section 38.18, Local Business Price Preference, in its entirety, final reading.
3. Ordinance 2020-72, amending the Code of Ordinances, Chapter 38, Procurement, by modifying provisions contained therein, final reading.
4. Ordinance 2020-73, vacating a portion of the rear public utility and drainage easement located within Lot 13, Block 407, Port Malabar Unit 10 (Case VE-13-2020, Brian Murphy), final reading.
5. Ordinance 2020-74, vacating a portion of the rear public utility and drainage easement located within Lot 7, Block 1677, Port Malabar Unit 37 (Case VE-14-2020, Carmen Torres), final



reading.

6. Ordinance 2020-75, amending the Code of Ordinances, Chapter 34, Human Resources, Subchapter 'Whistle-Blower's Ordinance', by including definitions and providing provisions for disclosure of information and investigation procedures and referral of complaints alleging retaliation to the Department of Administrative Hearings, final reading.
7. Ordinance 2020-79, amending the Code of Ordinances, Chapter 171, Fair Share Impact Fees, Subchapter 'Water and Wastewater Impact Fees', by adjusting the capital charges and capital charge recovery fees and removing the annual indexing of amounts (Case T-25-2020, City of Palm Bay), first reading.
8. Ordinance 2020-80, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west of and adjacent to Bass Pro Drive, in the vicinity south of Palm Bay Road, from Commercial Use to Multiple-Family Residential Use (2.49 acres) (Case CP-9-2020, AD1 Urban Strategy Palm Bay Retail LLC), only one reading required.
9. Ordinance 2020-81, rezoning property located west of and adjacent to Bass Pro Drive, in the vicinity south of Palm Bay Road, from CC (Community Commercial District) to RM-20 (Multiple-Family Residential District) (2.49 acres) (Case CPZ-9-2020, AD1 Urban Strategy Palm Bay Retail LLC), first reading (Quasi-Judicial Proceeding).
10. Resolution 2020-56, granting a conditional use to allow for an automotive fuel dispensary in LI (Light Industrial and Warehousing District) zoning on property located in the vicinity east of Northview street and north of Robert J. Conlan Boulevard (3.41 acres) (Case CU-23-2020, Republic Services of Florida, LP) (Quasi-Judicial Proceeding).

#### **PROCUREMENTS:**

1. Award of Bid: New plant construction, South Regional Water Reclamation Facility – IFB 39-0-2020 – Utilities Department (RJ Sullivan Corporation - \$24,458,000).
2. Award of Bid: Conversion of septic to sewer, Fred Poppe Regional Park – IFB 63-0-2020 – Parks and Recreation Department (Don Facciobene, Inc. - \$460,598).
3. Award of Bid: Clarifier Number 2, North Regional Wastewater Treatment Plant – IFB 76-0-2020 – Utilities Department (L7 Construction, Inc. - \$2,209,700); approval of Task Order 21-02-WT for engineering services (Wade Trim - \$119,895); and a five percent (5%) construction contingency (\$116,480).

#### **UNFINISHED AND OLD BUSINESS:**

1. Appointment of one (1) member to the Code Enforcement Board.
2. Appointment of one (1) member to the Community Development Advisory Board.

#### **COUNCIL REPORTS:**

#### **NEW BUSINESS:**

1. Consideration of an agreement with Automated Merchant Systems (AMS)/InvoiceCloud to process electronic payment transactions.
2. Consideration of Fiscal Year 21 budget modifications based on increase in state shared revenues (\$525,673).
3. Consideration of an engineering assessment of Unit 49 road paving to determine the construction cost and funding impact to advance Unit 49 to Year 3 of the Road Paving Program.

## **ADMINISTRATIVE AND LEGAL REPORTS:**

**PUBLIC COMMENTS/RESPONSES:** Speakers are limited to 3 minutes.

## **ADJOURNMENT:**

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, notice is hereby given that the City of Palm Bay shall hold the above public meeting on November 5, 2020, beginning at 7:00 PM. and lasting until the meeting is complete. The meeting will be conducted via communications media technology (teleconference/video conference).

Public comments may be submitted via email at [publiccomments@palmbayflorida.org](mailto:publiccomments@palmbayflorida.org). Members of the public may also call (321) 726-2740 to provide comments via a dedicated City of Palm Bay public comment voicemail. All comments submitted will be included as part of the public record for this virtual meeting and will be considered by the City Council prior to any action taken. Comments must be received at least twenty-four (24) hours prior to the meeting and shall have a time limit of three (3) minutes.

Pursuant to Council Policies and Procedures, members of the public wishing to use electronic media when addressing City Council must provide the electronic file to staff for screening no later than 2:00 P.M. on the day of the meeting; audio presentations must be submitted to the City Clerk at least twenty-four (24) hours prior to the meeting.

Councilmembers who are members of the Space Coast Transportation Planning Organization (TPO) may discuss TPO issues which may subsequently be addressed by the TPO.

If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Section 286.0105, Florida Statutes). Such person must provide a method for recording the proceedings verbatim.

Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the City Clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the Clerk no later than five (5) business days at the close of business, which is 5 p.m., before the hearing. (Section 59.03, Palm Bay Code of Ordinances).

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.



## **LEGISLATIVE MEMORANDUM**

**DATE:** 11/5/2020

**RE:** Adoption of Minutes: Regular Council Meeting 2020-34; October 1, 2020.

**ATTACHMENTS:**

**Description**

**Minutes - RCM 2020-34**

## **CITY OF PALM BAY, FLORIDA**

### **REGULAR COUNCIL MEETING 2020-34**

Held on Thursday, the 1<sup>st</sup> day of October 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this public meeting was conducted via communications media technology (teleconference/video conference).

The meeting was called to order at the hour of 7:00 P.M.

Councilman Santiago gave the invocation which was followed by the Pledge of Allegiance to the Flag.

#### **ROLL CALL:**

<b>MAYOR:</b>	William Capote	Present
<b>DEPUTY MAYOR:</b>	Kenny Johnson	Present
<b>COUNCILMEMBER:</b>	Harry Santiago, Jr.	Present
<b>COUNCILMEMBER:</b>	Jeff Bailey	Present
<b>COUNCILMEMBER:</b>	Brian Anderson	Present
<b>ACTING CITY MANAGER:</b>	Suzanne Sherman	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present
<b>DEPUTY CITY CLERK:</b>	Terri Lefler	Present

**CITY STAFF:** Present was Frank Watanabe, Public Works Director/City Engineer; Joan Junkala-Brown, Community and Economic Development Director; Juliet Misconi, Chief Procurement Officer.

#### **ANNOUNCEMENT(S):**

Deputy Mayor Johnson announced the following vacancies and solicited applications for same:

- 1. Three (3) vacancies on the Disaster Relief Committee.++**
- 2. One (1) vacancy on the Business Improvement District Board (represents 'bank or financial institution' position).++**

- 3. One (1) vacancy on the Youth Advisory Board (represents 'at-large student member' position).+**
- 4. One (1) vacancy on the Code Enforcement Board.+**
- 5. One (1) vacancy on the Community Development Advisory Board (can represent one of the following: 'for-profit provider', 'actively engaged in home building', 'employer within the City', or 'real estate professional').+**

**AGENDA REVISION(S):**

There were no revisions.

**CONSENT AGENDA:**

All items of business marked with an asterisk were considered under Consent Agenda and enacted by the following motion:

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, that the Consent Agenda be approved with the removal of Items 4, 6 and 8, from consent. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**1. Adoption of Minutes: Special Council Meeting 2020-29; September 9, 2020.**

The minutes, considered under Consent Agenda, were approved as presented.

**2. Adoption of Minutes: Special Council Meeting 2020-30; September 10, 2020.**

The minutes, considered under Consent Agenda, were approved as presented.

**3. Adoption of Minutes: Regular Council Meeting 2020-32; September 17, 2020.**

The minutes, considered under Consent Agenda, were approved as presented.

**4. Award of Bid: Road bond paving, Unit 46 road paving – IFB 77-0-2020 – Public Works Department (Asphalt Paving, Inc. - \$2,306,763).**

Staff Recommendation: Approve the award for road bond paving, Unit 46, to Asphalt Paving, Inc. (Zephyrhills), in the amount of \$2,306,763.14.

Motion by Mr. Bailey, seconded by Mr. Santiago, to approve the award as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**5. Miscellaneous: ‘Other Agency’ term contracts utilized for Fiscal Year 2020-2021 ‘as needed’ purchases of equipment, services and materials – multiple city departments.**

Staff Recommendation: Approve the Fiscal Year 2021 annual purchases of equipment, services, materials and supplies on an ‘as needed’ basis through utilization of the other agency term contracts listed.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**6. Resolution 2020-52, amending Resolution 2019-40, by extending the commencement period of the conditional use granted for retail sales of agricultural products in RR (Rural Residential District) zoning (Case CU-20-2019, Anna Hutson).**

The City Attorney read the resolution in caption only.

Mr. Bailey advised that he voted against the conditional use request and would remain consistent and vote against the extension as well.

Motion by Mr. Santiago, seconded by Mr. Anderson, to adopt Resolution 2020-52.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

**7. Consideration of amending Council Policies and Procedures by modifying public comments at workshops and special meetings.**

Staff Recommendation: Approve the amendment to Council’s Policies and Procedures as requested.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**8. Consideration of a budget amendment to record additional program income revenue (\$53,086) and the appropriation of funds for the HOME Down Payment Assistance Program for eligible first-time homebuyers (\$53,086 of income revenue; \$5,000 in reserves).**

Staff Recommendation: Approve a budget amendment to record \$53,086 in additional program income revenue (Account 114-0000-345-9002); and appropriate \$53,086 of income revenue, in addition to \$5,000 in reserves (Account 114-3351-593-9901), to the HOME Down Payment Assistance Program/16CD01 (Account 114-3353-554-3803) for eligible first-time home buyers.

Bill Battin, resident, asked if the \$53,000 would be for one family or multiple families. Mrs. Junkala-Brown advised it would be multiple families.

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to approve a budget amendment and appropriation as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**9. Consideration of travel and training for specified City employees (Fire Department).**

Staff Recommendation: Approve the travel and training as specified.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**PUBLIC COMMENT(S)/RESPONSE(S): (Non-agenda Items Only)**

Individuals made general comments regarding their dissatisfaction with the new company for solid waste services, such as increased cost, no need for twice per week pick-up, and refusal to collect hazardous materials.

Mr. Bailey said that he did not vote for the contract or for twice per week pick-up.

Mr. Anderson said that Waste Management did not submit a bid for the contract and City Council did not advise Waste Management that the City no longer wanted to use their

services. There were three (3) companies that submitted bids for the contract – one withdrew their bid, and the other was Waste Pro which had a higher cost. The original negotiation cost with Republic Services was \$29.00 and the City negotiated it down to \$23.00. Any hazardous materials were not picked up by Waste Management and would not be picked up by Republic Services. Customers have to take it to the service station. Mr. Anderson said that it had been ten (10) years since the last contract and that was a long time to not have a price increase. He said the cost would have increased regardless of what company was awarded the contract but felt this was a good contract for the City and the residents.

**PUBLIC HEARING(S):**

**1. Ordinance 2020-63, amending the Code of Ordinances, Chapter 37, Growth Management Department, by removing references related to the Building Division, final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to adopt Ordinance 2020-63. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**2. Ordinance 2020-64, amending the Code of Ordinances, by creating Chapter 40, to be titled "Building Department", final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-64. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**3. Ordinance 2020-65, vacating a portion of the rear public utility and drainage easement located within Lots 8 and 9, Block 2063, Port Malabar Unit 46 (Case VE-12-2020, Ronald Giscombe), final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.



Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to adopt Ordinance 2020-65. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**4. Ordinance 2020-67, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'General Provisions' and 'Planned Unit Development (PUD)', by establishing language that will permit tiny homes on wheels and revising provisions contained therein (Case T-21-2020, City of Palm Bay), first reading. (Deputy Mayor Johnson)**

The Planning and Zoning Board recommended that the request be approved.

The City Attorney read the ordinance in caption only. The public hearing was opened. Deputy Mayor Johnson presented the request to Council. He asked the City Attorney if this request would require Council approval for reconsideration pursuant to Council's Policies and Procedures. Ms. Smith advised that due to revisions related to this request being considered by Council within the past year, the request would require a motion from Council to reconsider the issue. If Council approved to reconsider the item, then it would have to be tabled to a subsequent meeting.

Mr. Bailey said that this motion should be consistent with a previous item that was reconsidered and tabled to when new Council was in office. He suggested the December 3, 2020, regular Council meeting.

Mr. Santiago did not feel the item was substantial enough to warrant the attention of a new Council. Mr. Anderson agreed with Mr. Santiago.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to approve the item for reconsideration.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to table Ordinance 2020-67 to the October 15, 2020, regular Council meeting.

Mr. Bailey disagreed with reconsidering this item based on how Council addressed his item a few meetings ago. He said that certain councilmembers claimed that items such as this were being considered too close to the election. He felt that Council needed to be consistent.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

**5. Ordinance 2020-68, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located south of an adjacent to Alegriano Road, in the vicinity east of Jupiter Boulevard, from Recreation and Open Space Use to Single-Family Residential Use (1.55 acres)(Case CP-7-2020, M. David Moallem), only one reading required.**

The Planning and Zoning Board recommended that the request be approved, subject to the comments contained in the Staff Report.

The City Attorney read the ordinance in caption only. The public hearing was opened. Lehem Berrios, representative for the applicant, presented the request to Council. The public hearing was closed.

Motion by Mr. Anderson, seconded by Mr. Bailey, to adopt Ordinance 2020-68. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**6. Ordinance 2020-69, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located southeast of and adjacent to Firestone Street, in the vicinity north of the Melbourne Tillman Water Control District Drainage Canal 51, from Recreation and Open Space Use to Single-Family Residential Use (1.59 acres)(Case CP-8-2020, Jared and Megan Cooper), only one reading required.**

The Planning and Zoning Board recommended that the request be approved, subject to the comments contained in the Staff Report.

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-69. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**7. Ordinance 2020-70, granting approval of a Final Development Plan for a proposed single-family residential Planned Unit Development (PUD) to be known as ‘Chaparral Phase II’ on property located west of and adjacent to Melbourne Tillman Drainage District Canal 9, in the vicinity south of Malabar Road (13.24 acres) (Case FD-10-2020, Chaparral Properties, LLC) (Quasi-Judicial Proceeding), first reading.**

The Planning and Zoning Board recommended that the request be approved, subject to the comments contained in the Staff Report.

The City Attorney read the ordinance in caption only. The public hearing was opened. Jake Wise, Construction Engineering Group, LLC, and representative for the applicant, presented the request to Council. The public hearing was closed.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to approve Ordinance 2020-70. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**8. Request by Rook at Palm Bay, LLC, for Final Subdivision approval of a commercial and multi-family residential subdivision to be known as “Crown Square”, with requests for waivers from Section 184.18(B), Palm Bay Code of Ordinances, to allow for the reduction of a proposed road right-of-way width and cul-de-sac radius, which property is located south of and adjacent to Malabar Road, in the vicinity east of Cassia Avenue and West of Corporate Circle, in CC (Community Commercial District) and RM-20 (Multiple-Family Residential District) zonings (21.0 acres) (Case FS-1-2020) (Quasi-Judicial Proceeding).**

The Planning and Zoning Board recommended that the request be approved, subject to completion/approval of Items A through D in the Staff Report during the administrative site plan review.

The public hearing was opened. Mr. Watanabe asked that a condition be included in the Staff Report. He requested that a mountable curb be added on the cul-de-sac to allow fire apparatus to mount the curb and make the turn radius.

Jake Wise, P.E., Construction Engineering Group, LLC, and representative for the applicant, presented the request to Council. He advised that the applicant had complied with the additional condition and construction drawings had already been submitted for the mountable curb.

The public hearing was closed.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to approve the request, subject to completion/approval of Items A through D in the Staff Report during the administrative site plan review, and with the additional condition of installing a mountable curb in the cul-de-sac. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**9. Request by Luis and Tammy Sanchez for a variance to allow an existing screen room enclosure to encroach 4.17 feet into the 25-foot rear building setback (0.46 acres) (V-22-2020) (Quasi-Judicial Proceeding).**

The Planning and Zoning Board recommended that the request be approved, subject to obtaining a building permit for the screen room enclosure.

The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Mr. Bailey, seconded by Mr. Anderson, to approve the request, subject to obtaining a building permit for the screen room enclosure. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**10. Ordinance 2020-50, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapter 'Supplementary District Regulations', by increasing the maximum number of chickens permitted on single family lots; and including provisions for urban farm animals permitted on developed single family lots (Case T-16-2020, City of Palm Bay), first reading. (WITHDRAWN)**

## **PROCUREMENTS:**

### **1. Award of Proposal: State lobbying services – RFP 67-0-2020 – Community and Economic Department (Sunrise Consulting Group - \$48,000).**

Staff Recommendation: Approve the award for State lobbying services, to Sunrise Consulting Group (New Port Richey), in the amount of \$48,000, for a one-year term, renewable by the Procurement Department for four (4) additional one-year terms.

Motion by Deputy Mayor Johnson, seconded by Mr. Anderson, to award the proposal as requested.

Mr. Bailey asked that the members of the review committee (Deputy Mayor Johnson; Suzanne Sherman, Acting City Manager; Joan Junkala-Brown, Director of Community and Economic Development) verbally share their notes. Mr. Santiago wanted to hear their recommendations as well. He expressed concern with this item. He said that Ronald Book was very well known in Tallahassee and had served the City for a long time. He cautioned Council on changing from a long-standing relationship with a firm that had done so much for the City and had many connections in Tallahassee, then going with a firm that he felt was not well-established.

Deputy Mayor Johnson said that Sunrise Consulting Group (Sunrise) and Ronald Book were the top two firms. He felt that Sunrise provided a more detailed oral presentation of what they could do for the City, as well as working with Council, individually and as a group. They also said they would hold workshops to get a feel of the needs of the City. He was impressed that they were familiar with budget discussions at the recent workshop.

As there was a public comment, Mr. Anderson withdrew his second to the motion.

Rob Medina, resident, felt the new Council should make the decision on this item as they would be working with the new firm.

Mr. Santiago agreed with Mr. Medina and had communicated his concern with staff. He said that the future Council would be developing the relationship with the lobbyist. Mayor Capote requested a legal opinion and said he had no issues with retaining Ronald Book or if this process could be reviewed again by staff.

Ms. Smith understood Council's concerns, but once the solicitation process had begun and had now reached the award stage, if the item was tabled and then the new Council selected another firm, then it would appear that something was wrong with the procurement process. The scope had been set, proposals were submitted based on that

scope, and evaluations by the committee were performed. It should not matter who was sitting on Council and if it appeared that the City was allowing politics or favoritism to make its decision, it could subject the City to a bid protest. If there was an issue with how the matter was scored, then Council could use the same criteria as the committee to re-evaluate. She said Council could not be arbitrary or show favoritism.

Motion by Deputy Mayor Johnson, seconded by Mr. Anderson, to award the proposal as requested.

Deputy Mayor Johnson said that Council should be careful due to the recent audit from the State. He was concerned with tabling this item and raising a red flag with the State.

Mr. Anderson said he agreed with the public comment, but the new Council would not be sworn in until weeks after the election. The contract was for one year, with annual renewals, so if the next Council did not feel the new firm was good for the City, then it could be changed. He supported the award.

Mr. Bailey wanted to hear comments from Ms. Sherman and Mrs. Junkala-Brown.

Mr. Anderson withdrew his second to the motion. Ms. Sherman suggested that Mrs. Misconi explain the item.

Deputy Mayor Johnson withdrew his motion.

Mrs. Misconi reviewed the points received for each firm. Some of the concerns was that Sunrise did not have a lot experience with large municipalities, but they did have experience with larger appropriations for their clients. She said there was a one-point difference with the scoring, but oral presentations were also considered. After oral presentations, Sunrise received more points for that section.

Mr. Bailey questioned why the Chief Procurement Officer approved the renewals instead of the City Council or City Manager. Mrs. Misconi said that in the Procurement Ordinance, any items approved by Council that were due for renewal were sent to the respective department for a vendor performance evaluation. If a minimum satisfactory evaluation was received, and the department desired to renew the contract, then she could approve the renewal. She advised Council that the motion could be amended to require Council approval of the renewal after the first year. Ms. Smith confirmed same.

Mr. Santiago asked if there were any comparable agencies handled by Sunrise that were the size of Palm Bay. Ms. Sherman answered that they handled Hernando and Pasco Counties. She mentioned some of their appropriation accomplishments. Mr. Santiago asked if there was any reason to believe that Mr. Book's firm fell below the performance level of Sunrise. Mrs. Misconi said the submittals received were compared to the submittal requirements, not to each other. The only area in which they were compared was price which was a factor in determining points for the selection. She said that for the oral presentations, the evaluation team was asked, individually, to provide questions to present to each firm. Some questions were unique to a firm's proposal.

There was discussion on minimum qualifications for an RFP.

Mrs. Junkala-Brown said she had scored them very closely (1 point). She felt that Sunrise did a much better job on the oral presentation and that Sunrise had good connections in Tallahassee. Sunrise had secured over \$100 million overall and their funding appropriation success rate per client was very high. Mrs. Junkala-Brown said she had questioned why they did not have a large municipality as a client, and they responded that they liked to have diversity in clients. The driving factor for her score was the oral presentations, but she felt that they excelled overall.

Ms. Sherman advised that both firms could do the job. She said that Sunshine's presentation gave her an extra level of comfort, specifically with connections with high levels of leadership at the State level. As the contract was only for a year, changes could be made if Council or staff was not satisfied.

Motion by Deputy Mayor Johnson, seconded by Mr. Anderson, to award the proposal as requested, with the provision that the contract renewal would be presented to Council for consideration after one year.

Mr. Santiago said he still had concerns, especially since the rankings were so close prior to oral presentations. He felt it was not just about price, but what the company could bring to the City. Sunrise did not have a lot of experience with larger municipalities. He did not support the award.

Mr. Bailey felt he needed to vote to protect the Procurement process. He was pleased that staff recommended bringing it back to Council for renewal after one year and that it was included in the motion.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Nay
Councilman Bailey	Yea
Councilman Anderson	Yea

#### **COUNCIL REPORTS:**

Councilmembers addressed various subject matters.

#### **NEW BUSINESS:**

**1. Resolution 2020-38, providing for the acceptance of real property conveyed to the City by the Brevard County Board of County Commissioners, located at the intersection of the St. Johns Heritage Parkway and Babcock Street.**

Staff Recommendation: Approve the acceptance of real property conveyed to the City by the Brevard County Board of County Commissioners, located at the intersection of the St. Johns Heritage Parkway and Babcock Street.

The City Attorney read the resolution in caption only.

Bill Battin, resident, asked the estimated cost over the next ten (10) years.

Motion by Mr. Santiago, seconded by Deputy Mayor Johnson, to adopt Resolution 2020-38.

Mr. Bailey said that when the City signed the Interlocal Agreement, the City was to accept approval of value engineering for construction costs. He asked if an estimate had been received for same. Mr. Watanabe submitted revised comments and plans to Brevard County, but estimates had not been received to date. Mr. Bailey said he did not want to accept any liability for the roadway until cost estimates were received. He felt the item could be tabled, but he would not support it tonight if Council moved forward.

Deputy Mayor Johnson asked if the item could be tabled. Ms. Smith said the issues were not related and the City had already committed to accepting the intersection. She said Council should abide by the Interlocal Agreement.



Mr. Anderson reminded the public that impact fees were being used in that area and not taxpayer dollars. Mr. Bailey said that although impact fees were being used for construction of the intersection and roadways, there was not enough dollars to incur the liability already accrued. There was not enough to pay off the debt and the City was still relying on enough impact fees to come in. He hoped that the developers would pre-pay impact fees through developer agreements. He said that it would have been better if the developers had paid for the road and the City could have provided impact fee credits, then the City would have no liability or debt.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

**2. Consideration of request from The House Family Ministries, Incorporated, for the City to co-sponsor its 12<sup>th</sup> Annual Christmas Extravaganza.**

Staff Recommendation: Approve the co-sponsorship of the 12<sup>th</sup> Annual Christmas Extravaganza and waive fees associated with the event for City resources in the absence of an improved administrative code regarding special events for accountability.

Bill Battin, resident, read the list of items being waived for a total of \$8,486. He asked the criteria to determine who received free services.

Pastor Ken Delgado, The House Family Ministries (The House), presented the request to Council. He explained that the City was not giving any money for the event and that The House would be giving approximately \$40,000 in prizes and gifts to the community.

Mr. Bailey asked Pastor Delgado if he was aware that the City paid overtime for The House to utilize the Honor Guard for the event. Pastor Delgado said he was not aware there was a cost. Mr. Bailey asked if it would be agreeable to remove the use of police officers from the agreement and perhaps The House could utilize volunteers, such as the Junior ROTC or Veteran's programs. Pastor Delgado confirmed same.

Ms. Sherman responded to the public comment and advised that a policy was being developed by staff which would address criteria for co-sponsorship of events.

Motion by Mr. Anderson, seconded by Deputy Mayor Johnson, to co-sponsor and waive fees associated with the 12<sup>th</sup> Annual Christmas Extravaganza.

Mr. Anderson felt the co-sponsorship was well worth it and with the happy residents.

Mr. Bailey asked if the motion could include utilizing a volunteer organization to provide the Honor Guard services. He expressed disappointment that a City policy was not yet in place. Mr. Santiago agreed with using a volunteer organization.

Deputy Mayor Johnson withdraw his second to the motion.

Mr. Anderson said that if none of the organizations were available then The House would be left without an Honor Guard for its event. He felt the agreement should be approved as is if The House could not get volunteers.

Deputy Mayor Johnson said his second to the motion would stay. He asked Pastor Delgado to do his best on obtaining volunteers.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

**3. Consideration of: a.) providing an exception to Section 4 of the lease agreement for 2230 Washington Street NE with Little Growers, Inc.; and b.) a lease agreement with Little Growers, Inc., for the use of vacant, unimproved City-owned property located at 2230 Washington Street NE (\$12 annually).**

Staff Recommendation: Authorize an exception for Little Growers, Inc. related to Section 4 of the lease agreement and authorize the Mayor to execute a lease agreement with Little Growers, Inc. for property located at 2230 Washington Street, in the annual amount of \$12.

Ms. Sherman presented the request to Council. The exception was to Section 4 of the agreement which stated, "Further, Tenant agrees that it has an obligation to ensure all employees, contractors, subcontractors and assigns employed by Tenant or working under the direction of Tenant have no felony convictions, unless without the prior written consent of City is obtained."

Evelyn Espinoza, resident, did not support removing the provision from the agreement. She said the language was placed there to protect the City and its residents and there was no need for a community garden in the neighborhood. She felt a police substation should be placed at the site instead of a garden.

Connie McClary, President of Powell Subdivision Neighborhood Watch, said she had discussions with former City Manager Sue Hann and the plan was to put a police substation at the property. She commented that there used to be a substation in the neighborhood, and it made a big difference in the community.

Margaret DeHart, Powell Subdivision Neighborhood Watch, also supported a police substation at the site. She felt Little Growers was a great idea, but the Camille Hadley (Program Director) no longer lived in the area. She requested that the felony clause remain as is and asked that the City deed register the property to the Palm Bay Police Department so that no one else could use it outside of its intended purpose.

Jared Cooper, investor in the Powell Subdivision, said that the police substation used to be there and crime was reduced. He stated there were numerous parks in the area, but the neighborhood was missing a police substation. He said he would donate the surveillance equipment if the property was is given to the Police Department.

Camille Hadley, Program Director of Little Growers, Inc., said that putting police in neighborhoods did not reduce crime. Crime reduced 16-18% with renovated green spaces. She shared the same concerns as the residents of Powell Subdivision which was why they chose this particulate site. She had worked with the Police Department many times with other community garden projects.

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to approve the lease agreement with the exception.

Deputy Mayor Johnson said he had family in that community and was aware of crime. He asked if there were any records regarding the police substation. Ms. Sherman said

there was nothing formal on record or presented to Council for consideration. Deputy Mayor Johnson said that both sides were concerned with crime. He said his only hesitation was if crime evolved once the garden was in place.

Mr. Santiago said that crime would not be reduced by just having police presence. Deputy Mayor Johnson said the lease for one year and Little Growers should be given a chance.

Mr. Bailey felt a community garden was a great idea. His preference was that the parcel be purchased. He did not agree with removing the language from Section 4 and made the following suggestion: "Further, Tenant agrees that it has an obligation to ensure all employees, contractors, subcontractors and assigns employed by Tenant or working under the direction of Tenant have no >>disqualifying<< felony convictions, unless without the prior written consent of City is obtained. >>A felony is disqualifying if it has been 3 years or less since the person has been convicted or released from confinement, whichever is later or any felony conviction listed in Exhibit A.<<" Mr. Bailey said the felony convictions in Exhibit A were mostly related to major violence and children, such as murder, manslaughter, kidnapping, sexual battery, child abuse or neglect, etc.

Mr. Anderson said that the Main Street substation was approximately two (2) miles away. He did not feel that an additional substation so close would be fiscally feasible within the next three (3) years.

Mayor Capote fully supported the community garden and said that more police presence should be in the area. Mr. Bailey said he would not support the request as he felt one of the other City properties was better suited for the project or to sell the property to Little Growers. Mr. Anderson said that Ms. Hadley had expressed interest in purchasing the property but because the lease had been held up for so long, there would be more delays if the City had to advertise the property for sale.

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to approve the lease agreement with the revisions to Section 4 as presented by Councilman Bailey.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

## **ADMINISTRATIVE AND LEGAL REPORTS:**

1. Ms. Sherman announced the City's Military Tribute Banner Program. Any residents interested in honoring veterans, active duty, reserve and National Guard could sponsor a full, color banner. It would be prominently displayed between Veterans Day and Memorial Day at one of the City properties, City Hall or one of the larger parks. Information had been posted on the City's website. The program was presented by Joseph Stokes of the City's Youth Advisory Board.

## **PUBLIC COMMENTS/RESPONSES:**

1. Peter Filiberto, resident, commented on the new roads. He said there was almost a five-inch drop-off on the shoulder. He said this was a safety concern and could also lead to edge cracking. He asked if there were any laws that regulated edge drop-offs for roadway resurfacing projects. He said he met with Republic Services and one of their issues was the need for an onsite gas station. Currently, Republic had to use regular gas stations, but had submitted a conditional use application for gas services onsite. He requested an update on their application.

Ms. Sherman clarified that the timing for consideration of Republic's conditional use application was based solely on when they submit the application. There was a process to get it placed on the agendas for the Planning and Zoning Board, and City Council. It would be considered by the Board on October 7<sup>th</sup>, and by City Council on November 5<sup>th</sup>. Republic had advised that if their request was not approved by Council, they would utilize fuel tank trucks to fill their trucks each day.

Ms. Sherman advised that there were criteria regarding the drop-off on pavements. She would have the Public Works Director contact Mr. Filiberto but encouraged him to advise staff of any unsafe road conditions.

Mr. Bailey said he had been out in the field with City staff and contractors to see the road work, installation of pipes, etc. He was also concerned about the road edges, but he said that the backfill and sodding were being handled. He asked that if crews ripped up sod on properties, it should be replaced with the same type of sod.

## **ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 9:49 p.m.

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William Capote, MAYOR

ATTEST:

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Terri J. Lefler, DEPUTY CITY CLERK



## **LEGISLATIVE MEMORANDUM**

**DATE:** 11/5/2020

**RE:** Adoption of Minutes: Special Council Meeting 2020-35; October 6, 2020.

**ATTACHMENTS:**

**Description**

**Minutes - SCM 2020-35**

## **CITY OF PALM BAY, FLORIDA**

### **SPECIAL COUNCIL MEETING 2020-35**

Held on Tuesday, the 6<sup>th</sup> day of October 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this public meeting was conducted via communications media technology (teleconference/video conference).

The meeting was called to order at the hour of 6:00 P.M.

#### **ROLL CALL:**

<b>MAYOR:</b>	William Capote	Present
<b>DEPUTY MAYOR:</b>	Kenny Johnson	Present
<b>COUNCILMEMBER:</b>	Harry Santiago, Jr.	Present
<b>COUNCILMEMBER:</b>	Jeff Bailey	Present
<b>COUNCILMEMBER:</b>	Brian Anderson	Present
<b>ACTING CITY MANAGER:</b>	Suzanne Sherman	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present
<b>CITY CLERK:</b>	Terese Jones	Present

#### **PUBLIC HEARING(S):**

**1. Ordinance 2019-43, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west and adjacent to Dixie Highway, in the vicinity between Kingswood Drive and Robert J. Conlan Boulevard, from Industrial Use and Commercial Use to Bayfront Mixed Use (21.83 acres)(Case CP-10-2019, MLEF2-1, LLC), final reading. (REHEARING)**

The City Attorney read the ordinance in caption only.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to table the items to Monday, November 9, 2020, due to amount of documentation submitted as evidence over the past few days by both parties. He asked that the parties be permitted to comment on the request to continue.



Mr. Santiago agreed with a continuance and requested that a deadline be placed on the submission of items as evidence. Mayor Capote had no issue with the continuance but felt that the last-minute evidence was a delay tactic. He said that the new Council would be in office by November 9<sup>th</sup>. Deputy Mayor Johnson also agreed that there should be a deadline to submit items as it caused the cases to be prolonged. Evidence should not be submitted at the last minute.

Mr. Santiago asked if the meeting could be held sooner, possibly within October. Mrs. Jones advised that available dates in October were the Tuesday the 27<sup>th</sup> or Thursday the 29<sup>th</sup>. She clarified that the election results would most likely take at least two (2) weeks to be received from the Supervisor of Elections. Mr. Bailey had no issue with continuing the cases to October and asked that the parties be able to provide comment. Mayor Capote said there was typically no comment once Council made its decision. Ms. Smith felt it was appropriate to allow both parties to speak and to allow for public comment prior to Council making its decision.

Mr. Bailey withdrew his motion. Deputy Mayor Johnson withdrew his second.

Attorney Keith Poliakoff, representative for the applicant, said the records provided via hard copy and digitally were documents previously given to Council. He said that representatives of FAR Chemical Research (FAR) waited until the last minute to provide additional documents. The continuances were costing his client thousands of dollars and asked that Council allow the hearing to proceed.

Attorney Cecilia Bonifay, representative for FAR, did not appreciate being accused of last-minute tactics. She said that until FAR reviewed the information submitted by MLEF2-1, it was not known what information had already been provided. Her client had no objection to the continuance.

There were no public comments.

Mr. Bailey asked if it was legally permissible to establish a deadline for submission of evidence. Ms. Smith confirmed same.

Motion by Mr. Bailey, seconded by Mr. Santiago, to table the items to Monday, November 9<sup>th</sup>, at 6:00 P.M. Mr. Santiago preferred to have the meeting sooner, such as October 27<sup>th</sup> or 29<sup>th</sup>.

Motion by Mr. Bailey to amend the motion to continue the items to Thursday, October 29<sup>th</sup>, at 6:00 P.M., with a deadline of October 23<sup>rd</sup> to submit evidence. Ms. Smith asked that the deadline be October 22<sup>nd</sup>.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to amend the motion to continue the items to Thursday, October 29<sup>th</sup>, at 6:00 P.M., with a deadline of October 22<sup>nd</sup> to submit evidence. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**2. Ordinance 2019-44, rezoning property located west of and adjacent to Dixie Highway, in the vicinity between Kingswood Drive and Robert J. Conlan Boulevard, from HC (Highway Commercial District) and HI (Heavy Industrial District) to BMU (Bayfront Mixed Use District) (21.83 acres)(Case CPZ-10-2019, MLEF2-1, LLC), final reading. (Quasi-Judicial Proceeding) (REHEARING)**

The item, discussed under Item 1, was continued to Thursday, October 29<sup>th</sup>, at 6:00 P.M.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 6:22 p.m.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK



## **LEGISLATIVE MEMORANDUM**

**DATE:** 11/5/2020

**RE:** Adoption of Minutes: Special Council Meeting 2020-37; October 22, 2020.

**ATTACHMENTS:**

**Description**

**Minutes - SCM 2020-37**

## **CITY OF PALM BAY, FLORIDA**

### **SPECIAL COUNCIL MEETING 2020-37**

Held on Thursday, the 22<sup>nd</sup> day of October 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this meeting was conducted via communications media technology (teleconference/video conference).

The meeting was called to order at the hour of 6:03 P.M.

#### **ROLL CALL:**

<b>MAYOR:</b>	William Capote	Present
<b>DEPUTY MAYOR:</b>	Kenny Johnson	Present
<b>COUNCILMEMBER:</b>	Harry Santiago, Jr.	Present
<b>COUNCILMEMBER:</b>	Jeff Bailey	Present
<b>COUNCILMEMBER:</b>	Brian Anderson	Present
<b>ACTING CITY MANAGER:</b>	Suzanne Sherman	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present

Also present were Rodney Edwards, Assistant City Attorney; Margaret Sheffield, Court Reporter.

#### **BUSINESS:**

Attorney-client sessions scheduled to discuss the following pending litigations to provide the City Attorney/Attorneys advice confined to settlement negotiations or strategy sessions related to litigation expenditures:

- 1. Richard Gray versus City of Palm Bay and General Insurance Company (Case 05-2019-CA-031191).**
- 2. Ricardo Madrigal versus City of Palm Bay (Case 05-2019-CA-024925).**
- 3. Colleen Henry, Estate of Sheena Henry versus City of Palm Bay (Case 05-2018-CA-040288).**

**4. Lori Armstrong, Estate of Kristopher Bass versus City of Palm Bay (Case 05-2018-CA-040256).**

The Mayor announced the names of the individuals who would be in attendance at the sessions. He stated the sessions combined would last approximately one (1) hour.

The City Council moved to the City Manager's Conference Room to hold the attorney-client sessions and returned to the Council Chambers at the conclusion of same.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 7:05 P.M.

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William Capote, MAYOR

ATTEST:

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Terri J. Lefler, DEPUTY CITY CLERK



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Brian Robinson, Information Technology Director

**DATE:** 11/5/2020

**RE:** Contract: Software maintenance and support renewal, Superion NaviLine/HTE, and Click2Gov Public Administration – Information Technologies Department (Central Square (dba Superion) - \$134,973).

Central Square (dba Superion, LLC) is the provider of NaviLine/HTE and Click2Gov, integrated software solutions for public administration. Superion (formerly Sungard HTE) has been providing the City of Palm Bay with software modules and technical support for over 20 years and is the sole provider for their software and maintenance support. As Superion is the only provider of maintenance and support of their software, and per the Procurement Ordinance, 38.06, maintenance and support of existing software/hardware is excluded from the competitive procurement process. This will be the last maintenance payment for Click2Gov, if Council approves the other action on the Agenda for a contract amendment with Automated Merchant Services for InvoiceCloud.

### REQUESTING DEPARTMENT:

Utilities, Procurement, Information Technology, Building Department

### FISCAL IMPACT:

The FY21 expenditure for NaviLine/HTE and Click2Gov Public Administration software maintenance and support is \$134,973.05. Funds are available as follows: Information Technology, account 001-2310-519-4604, \$81,960.51, Utilities, accounts 421-8011-536-3411, \$43,576.51 and 421-8012-536-3411, \$2,926.33, Building, account 451-3120-524-4604, \$6,509.70.

### RECOMMENDATION:

Motion to approve up to \$134,973.05 to Central Square (dba Superion) software maintenance and support.

### ATTACHMENTS:

#### Description

Superion Invoices 292433, 292486, 292506

# Invoice



**Invoice No**  
292433

**Date**  
9/28/2020

**Page**  
1 of 4

Superion, LLC, a CentralSquare Company  
1000 Business Center Drive  
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

**Bill To**  
City of Palm Bay  
Attn Tech Services Help Desk  
120 Malabar Road SE  
PALM BAY FL 32907  
United States

**Ship To**  
City of Palm Bay  
Attn Tech Services Help Desk  
120 Malabar Road SE  
PALM BAY FL 32907  
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
2088LG	City of Palm Bay		USD	Net 30	10/28/2020

Description	Units	Rate	Extended
Contract No. Q-09701			
1 NaviLine Human Resources - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$5,358.43	\$5,358.43
2 NaviLine QuatreD Mobile Bar Code Interface-PA Bundle - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$2,926.33	\$2,926.33
3 NaviLine Click2Gov3 Accounts Receivable & Loans - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$738.66	\$738.66
4 Click2Gov Core Module - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,429.28	\$1,429.28
5 Click2Gov Citizen Service - Tier E - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$0.00	\$0.00
6 NaviLine Combined Technical Support - Technical Services Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$10,160.87	\$10,160.87
7 Click2Gov OL Module - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$2,391.19	\$2,391.19
8 Click2Gov CIS Module - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,779.83	\$3,779.83
9 NaviLine Accounts Receivable-Annual Maintenance Fee-NSP - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$5,256.55	\$5,256.55

# Invoice



**Invoice No**  
292433

**Date**  
9/28/2020

**Page**  
2 of 4

Superior, LLC, a CentralSquare Company  
1000 Business Center Drive  
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

**Bill To**  
City of Palm Bay  
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PALM BAY FL 32907  
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
2088LG	City of Palm Bay		USD	Net 30	10/28/2020

	Description	Units	Rate	Extended
10	NaviLine Cash Receipts-Annual Maintenance Fee-NSP - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,779.83	\$3,779.83
11	NaviLine Customer Information System - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$16,731.54	\$16,731.54
12	NaviLine Document Management Services - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,219.31	\$1,219.31
13	NaviLine GMBA w/Extended Reporting - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$14,848.41	\$14,848.41
14	NaviLine CIS IVR Credit Card Interface-Generic - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$772.22	\$772.22
15	NaviLine Business Licenses - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,793.39	\$3,793.39
16	NaviLine Land/Parcel Mgmt-Annual Maintenance Fee-NSP - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$5,595.24	\$5,595.24
17	NaviLine CIS Voice Response Interface-Generic - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,801.87	\$1,801.87





# Invoice

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9/28/2020

**Page**  
3 of 4

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Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
2088LG	City of Palm Bay		USD	Net 30	10/28/2020

	Description	Units	Rate	Extended
18	NaviLine Purchasing/Inventory-Annual Maintenance Fee-NSP - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$8,155.78	\$8,155.78
19	NaviLine Payroll/Personnel-Annual Maintenance Fee-NSP - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$8,711.25	\$8,711.25
20	NaviLine BP Voice Response Interface-Generic - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,991.52	\$1,991.52
21	NaviLine Contact Management - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$6,570.69	\$6,570.69
22	NaviLine Loans Processing - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,034.70	\$3,034.70
23	NaviLine Work Orders/Facility Management - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$8,914.46	\$8,914.46
24	NaviLine Click2Gov Citizen Request Tracking - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$2,944.61	\$2,944.61
25	NaviLine CIS IVR Credit Card Interface-Generic - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$772.22	\$772.22
26	NaviLine Asset Management II - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,698.56	\$3,698.56



# Invoice

Invoice No  
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Date  
9/28/2020

Page  
4 of 4

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United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
2088LG	City of Palm Bay		USD	Net 30	10/28/2020

	Description	Units	Rate	Extended
27	NaviLine Time & Attendance Interface-Generic - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$914.48	\$914.48
28	OnePoint Point-of-Sale - Annual Maintenance Fee  Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,690.16	\$1,690.16

Please include invoice number(s) on your remittance advice,  
made payable to Superion, LLC  
**ACH:**  
Routing Number 121000358  
Account Number 1416612641  
E-mail payment details to: Accounts.Receivable@CentralSquare.com

**Check:**  
12709 Collection Center Drive  
Chicago, IL 60693

Subtotal	\$127,981.38
Tax	\$0.00
Invoice Total	\$127,981.38
Payments Applied	\$0.00
Balance Due	\$127,981.38



# Invoice

**Invoice No**  
292486

**Date**  
9/28/2020

**Page**  
1 of 1

Superion, LLC, a CentralSquare Company  
1000 Business Center Drive  
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

**Bill To**  
City of Palm Bay  
Attn Tech Services Help Desk  
120 Malabar Road SE  
PALM BAY FL 32907  
United States

**Ship To**  
City of Palm Bay  
Attn Tech Services Help Desk  
120 Malabar Road SE  
PALM BAY FL 32907  
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
2088LG	City of Palm Bay		USD	Net 30	10/28/2020

Description	Units	Rate	Extended
Contract No. Q-07857			
1 Fusion Proprietary - Annual Subscription Fee	1	\$3,791.67	\$3,791.67
Maintenance: Start:9/1/2020, End: 9/30/2021			

Please include invoice number(s) on your remittance advice,  
made payable to Superion, LLC

**ACH:**  
Routing Number 121000358  
Account Number 1416612641  
E-mail payment details to: Accounts.Receivable@CentralSquare.com

**Check:**  
12709 Collection Center Drive  
Chicago, IL 60693

**Subtotal** \$3,791.67

**Tax** \$0.00

**Invoice Total** \$3,791.67

**Payments Applied** \$0.00

**Balance Due** \$3,791.67



# Invoice

**Invoice No**  
292506

**Date**  
9/28/2020

**Page**  
1 of 1

Superion, LLC, a CentralSquare Company  
1000 Business Center Drive  
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

**Bill To**  
City of Palm Bay  
Attn Tech Services Help Desk  
120 Malabar Road SE  
PALM BAY FL 32907  
United States

**Ship To**  
City of Palm Bay  
Attn Tech Services Help Desk  
120 Malabar Road SE  
PALM BAY FL 32907  
United States

<b>Customer No</b>	<b>Customer Name</b>	<b>Customer PO #</b>	<b>Currency</b>	<b>Terms</b>	<b>Due Date</b>
2088LG	City of Palm Bay		USD	Net 30	10/28/2020

<b>Description</b>	<b>Units</b>	<b>Rate</b>	<b>Extended</b>
Contract No. Q-09702			
1 Modifications - Annual Maintenance Fee	32	\$100.00	\$3,200.00
Maintenance: Start:10/1/2020, End: 9/30/2021			

Please include invoice number(s) on your remittance advice,  
made payable to Superion, LLC

**ACH:**

Routing Number 121000358

Account Number 1416612641

E-mail payment details to: Accounts.Receivable@CentralSquare.com

**Check:**

12709 Collection Center Drive  
Chicago, IL 60693

**Subtotal** \$3,200.00

**Tax** \$0.00

**Invoice Total** \$3,200.00

**Payments Applied** \$0.00

**Balance Due** \$3,200.00



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Leslie Hoog, Fire Chief; Juliet Misconi, Chief Procurement Officer

**DATE:** 11/5/2020

**RE:** Miscellaneous: Tools, equipment, and bunker gear (Lake County contracts) – Fire Department (Ten-8 Fire Equipment Co., Municipal Emergency Services, and Municipal Equipment Co., Inc. – estimated \$150,000).

Fire Rescue is seeking approval to utilize the Lake County contract for Tools, Equipment and Bunker Gear, Contract #17-0606L, 17-0606G and L0606H. This contract is valid through June 30, 2021. Use of this contract, awarded to multiple vendors, exceeds \$100,000 and requires Council approval. Fire Rescue is requesting approval to utilize this contract for up to \$150,000. Use of this contract allows Fire Rescue to purchase a wide variety of necessary budgeted equipment for safe and efficient operations. This contract is the best match and encompasses the equipment we would be bidding out individually without this option which would consume considerable staff hours. This is a discount off list contract, and the amendment which shows the validity date is attached.

Fire Rescue reviewed other contracts and determined that the Lake County Contract most closely matches the needs of the department.

In accordance with the City's Code of Ordinance, Section 38.12(F)(4) Cooperative Purchases: The City may purchase from any cooperative contract, including but not limited to: term contracts by the State of Florida, Federal General Services Administration, and other governmental cooperatives and entities within and outside the State of Florida provided that the cooperative contract is established in compliance with the procurement procedures and requirements of the issuing body, entity, authority, or cooperative. If such other governmental or cooperative contract is utilized, the public notice requirements and the need to utilize the methods of selection processes included in this Ordinance are obviated. The ability to utilize cooperative contracts shall not be restricted by nonparticipation in the estimated quantities of the City's needs, nor inaccurate estimates of usage by the City prior to award of the cooperative contract. The City may utilize (piggyback) a contract entered into by another governmental or public entity and a provider of supplies or services required by the City, if the Chief Procurement Officer determines that it is practicable and advantageous for the City to employ this method of purchase, and such contracts specify that they are cooperative procurements at the time of solicitation. Any such contracts equal to or in excess of \$100,000 shall go to the City Council for approval.

Staff is requesting to utilize the Lake County Contract, Contract #17-0606L, 17-0606G and 17-0606H, which

expires June 30, 2021, for the purchase of a tools, equipment and bunker gear from Ten-8 Fire Equipment Co, Municipal Emergency Services and Municipal Equipment Co., Inc.

**REQUESTING DEPARTMENT:**

Procurement, Fire Department

**FISCAL IMPACT:**

Purchases of Tools, Equipment and Bunker Gear are estimated to be up to \$150,000. Funding is currently available in accounts 001-6012-522-4624, 001-6012-522-5204, 001-6012-522-5206, and 001-6012-522-5228.

**RECOMMENDATION:**

Motion to approve the utilizing cooperative Lake County Contract #17-0606L, 17-0606G, and 17-0606H for the purchase of the tools, equipment and bunker gear for Fire Rescue Department from Ten-8 Fire Equipment Co, Municipal Emergency Services, and Municipal Equipment Co., Inc.

**ATTACHMENTS:**

**Description**

MES Contract Amendment

MEC Contract Amendment

Ten-8 Contract Amendment



### MODIFICATION OF CONTRACT

Modification Number: Five (5) Effective Date: 6/30/2020	Contract Number: 17-0606G Title: <u>Fire Equipment Parts-Supplies-Service</u> Effective Date: July 1, 2017
Contracting Officer: Amy Munday E-mail: <u>amunday@lakecountyfl.gov</u> Telephone Number: (352) 343-9389	Contractor Name and Address: Name: Municipal Emergency Services (MES) Address: 3789 62 <sup>nd</sup> Avenue North City: <u>Pinellas Park, FL 33781</u> ATTENTION: <u>Jamie Robinson, Regional VP</u>
Issued By: Procurement Services Lake County Administration Building 315 W. Main St., Suite 441 Tavares, Florida 32778-7800	
<b>INSTRUCTIONS:</b> Contractor shall sign Signature Block showing acceptance of the below written modification and <u>return this form to Procurement Services within ten (10) days after receipt</u> . Once fully executed, a copy of this modification will be returned to the Contractor to attach to the original Contract.	
<b>DESCRIPTION OF MODIFICATION:</b> Extend contract one (1) year - expiring June 30, 2021.	
<b>CONTRACTOR SIGNATURE BLOCK</b> Signature: <u>Jamie Robinson</u> Print Name: <u>Jamie Robinson</u> Title: <u>Regional Vice President</u> Date: <u>2/3/2020</u> E-mail: <u>jrobinson@mesfire.com</u> Secondary E-mail: _____	<b>LAKE COUNTY SIGNATURE BLOCK</b> Signature: <u>Amy Munday</u> Print Name: <u>Amy Munday</u> Title: <u>Contracting Officer</u> Date: <u>2/3/20</u>
Distribution: Original – Bid File Copy – Contractor Contracting Officer	



### MODIFICATION OF CONTRACT

Modification Number: Six (6) Effective Date: 6/30/2020	Contract Number: 17-0606H Title: <u>Fire Equipment Parts-Supplies-Service</u> Effective Date: July 1, 2017
Contracting Officer: Amy Munday E-mail: <u>amunday@lakecountyfl.gov</u> Telephone Number: (352) 343-9389	Contractor Name and Address: Name: Municipal Equipment Co., LLC Address: 2049 West Central Blvd. City: <u>Orlando, FL 32805</u> ATTENTION: <u>Dale West</u>
Issued By: Procurement Services Lake County Administration Building 315 W. Main St., Suite 441 Tavares, Florida 32778-7800	
<b>INSTRUCTIONS:</b> Contractor shall sign Signature Block showing acceptance of the below written modification and <u>return this form to Procurement Services within ten (10) days after receipt</u> . Once fully executed, a copy of this modification will be returned to the Contractor to attach to the original Contract.	
<b>DESCRIPTION OF MODIFICATION:</b> Extend contract one (1) year - expiring June 30, 2021.	
<b>CONTRACTOR SIGNATURE BLOCK</b> Signature: <u>Dale West</u> Print Name: <u>DALE WEST</u> Title: <u>VICE PRESIDENT</u> Date: <u>1/30/20</u> E-mail: <u>DALEWEST@MECOFIRE.COM</u> Secondary E-mail: <u>DWEST@MECOFIRE.COM</u>	<b>LAKE COUNTY SIGNATURE BLOCK</b> Signature: <u>Amy Munday</u> Print Name: <u>Amy Munday</u> Title: Contracting Officer Date: <u>1-30-20</u>
<b>Distribution:</b> Original - Bid File Copy - Contractor Contracting Officer	





### MODIFICATION OF CONTRACT

Modification Number: Eight (8) Effective Date: 6/30/2020		Contract Number: 17-0606L Title: <u>Fire Equipment Parts-Supplies-Service</u> Effective Date: July 1, 2017	
Contracting Officer: Amy Munday E-mail: <u>amunday@lakecountyfl.gov</u> Telephone Number: (352) 343-9389		Contractor Name and Address: Name: Ten-8 Fire Equipment, Inc. Address: 2904 59 <sup>th</sup> Avenue Drive East City: <u>Bradenton, FL 34203</u> ATTENTION: <u>Cindy Morgan, VP</u>	
Issued By: Procurement Services Lake County Administration Building 315 W. Main St., Suite 441 Tavares, Florida 32778-7800			
<b>INSTRUCTIONS:</b> Contractor shall sign Signature Block showing acceptance of the below written modification and <u>return this form to Procurement Services within ten (10) days after receipt</u> . Once fully executed, a copy of this modification will be returned to the Contractor to attach to the original Contract.			
<b>DESCRIPTION OF MODIFICATION:</b> Extend contract one (1) year - expiring June 30, 2021.			
<b>CONTRACTOR SIGNATURE BLOCK</b> Signature: <u>Cindy Morgan</u> Print Name: Cindy Morgan Title: VP of Equipment and Rescue Sales Date: 2/10/2020 E-mail: <u>cmorgan@ten8fire.com</u> Secondary E-mail: <u>info@ten8fire.com</u>		<b>LAKE COUNTY SIGNATURE BLOCK</b> Signature: <u>Amy Munday</u> Print Name: Amy Munday Title: Contracting Officer Date: 2/11/20	
Distribution: Original – Bid File Copy – Contractor Contracting Officer			



## **LEGISLATIVE MEMORANDUM**

**TO: Honorable Mayor and Members of the City Council**

**FROM: Suzanne Sherman, Acting City Manager**

**THRU: Joan Junkala-Brown, Community & Economic Development Director**

**DATE: 11/5/2020**

**RE: Resolution 2020-54, adopting the 2020 update of the Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan.**

The Federal Government and the State of Florida require that Florida Counties have a local hazard mitigation plan. In 1998, public and private sector interests of Brevard County formed "Brevard Prepares" to identify infrastructure, projects, and programs that if hardened, developed and/or refined, would be critical to help reduce the impacts of future disasters. The projects and programs are called mitigation initiatives. Brevard Prepares Steering Committee guides the preparation of the annual Local Mitigation Strategy (LMS) plan.

Every five years, the LMS is required to be updated and submitted to the Federal Emergency Management Agency (FEMA) for review and approval. In this 2020 cycle, that review and approval process was delegated from FEMA to the Florida Division of Emergency Management (FDEM). FDEM has determined that Brevard County has developed and submitted all the necessary plan revisions, is compliant with federal standards, and is ready for formal community adoption. In addition to the County, each participating jurisdiction shall adopt a resolution accepting the LMS.

Essential to the development of the LMS Plan, Brevard Prepares provides a collaborative forum for public officials, private firms, and the public to develop strategies to prepare for disasters. The group includes seventeen jurisdictions and Brevard County, as well as solid waste handlers, St. John's River Water Management District (SJRWMD), Harris Corporation, Brevard County Public Schools, and the Canaveral Port Authority.

The City of Palm Bay is an active member of the Brevard Prepares Local Hazard Mitigation Strategy (LMS) Steering Committee, and therefore plays a critical role in the countywide effort to establish a comprehensive, coordinated planning process to minimize the impact of local hazards.

In December 2020, the Florida Division of Emergency Management will reopen the current iteration of the Plan as approved, so that the Brevard Prepares LMS Steering Committee partners may resume ongoing incorporation of additional data and updated information as it relates to their respective jurisdictions/entities, for which City staff will be updating data and projects relative to the City of Palm Bay.

**REQUESTING DEPARTMENT:**

Community & Economic Development

**FISCAL IMPACT:**

There is no fiscal impact.

**RECOMMENDATION:**

Motion to approve Resolution adopting the 2020 Update of the Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan.

**ATTACHMENTS:**

**Description**

City Resolution Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan (Not ADA Compliant)

Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan

BOCC Resolution Brevard Prepares Local Hazard Mitigation Strategy (LMS)

BOCC Agenda Memo Brevard Prepares Local Hazard Mitigation Strategy (LMS)

FDEM Approval Letter Brevard Prepares Local Hazard Mitigation Strategy (LMS)

Executive Summary Brevard Prepares Local Hazard Mitigation Strategy (LMS)

Resolution 2020-54

**CITY OF PALM BAY**

**RESOLUTION NO 2020-**

**A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY FLORIDA,  
AUTHORIZING THE INCLUSION OF THE CITY OF PALM BAY IN THE 2020  
UPDATE OF THE BREVARD PREPARES LOCAL MITIGATION STRATEGY PLAN,  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Bay is vulnerable to the human and economic costs of natural, technological and societal disasters, and

**WHEREAS**, City of Palm Bay recognizes the importance of reducing or eliminating these vulnerabilities for the overall good and welfare of the community, and

**WHEREAS**, City of Palm Bay has been an active participant in the Brevard Prepares LMS Steering Committee, which has established a comprehensive, coordinated planning process to eliminate or decrease these vulnerabilities, and

**WHEREAS**, City of Palm Bay's representatives and staff have identified and justified a number of proposed projects and programs needed to mitigate the vulnerabilities of the unincorporated areas of Brevard to the impacts of future disasters, and

**WHEREAS**, these proposed projects and programs have been incorporated into the updated 2020 edition of the Brevard Prepares LMS that has been prepared and issued for consideration and implementation by the communities of City of Palm Bay; and

**WHEREAS**, the City of Palm Bay 2020 LMS is in compliance with the local hazard mitigation requirements of Section 322 of the Disaster Mitigation Act of 2000 (DMA2K) as implemented in 44 C.F.R., Part 201; and

**WHEREAS**, approval and adoption of the LMS is necessary in order to maintain eligibility for future hazard mitigation project grant funding.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY FLORIDA, as follows:

**Section 1.** The City of Palm Bay accepts and adopts the 2020 Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan.

**Section 2.** The agency personnel of the City of Palm Bay are requested and instructed to pursue available funding opportunities for implementation of the proposals designated herein.

**Section 3.** The City of Palm Bay will, upon securing such funding or other necessary resources, seek to implement the proposals contained in its section of the strategy.

**Section 4.** The City of Palm Bay will continue to participate in the Brevard Prepares LMS Steering Committee to update and expand the Brevard Prepares LMS.

**Section 5.** The City of Palm Bay will further encourage other businesses, industries, and community groups within Brevard to participate in Brevard Prepares to support the Brevard Prepares LMS.

**Section 6.** This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting No 2020 - , of the City Council of the City of Palm Bay Brevard County Florida, held on November 5, 2020.

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, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

# Brevard County Florida



2020

## Brevard Prepares **Local Hazard Mitigation Strategy**

**A Multi-Jurisdictional Plan**

**1.1 RECORD OF CHANGES**

<b>Number</b>	<b>Date</b>	<b>Summary</b>	<b>Improvement Plan</b>	<b>Initial</b>
1	07/2016	Revisions to include risk analysis for described hazards pp. 38-122, updates to the Brevard Prepares Operating Procedures in Appendix II, pp.169-181, and correcting scrivener's errors.	Changes implemented	DC
2	06/2018	Update projects list	Changes implemented	DC
3	04/2019	Update projects list	Changes implemented	DC
4	07/2020	Update entire plan	Changes implemented	DC

## **1.2 ACKNOWLEDGEMENTS**

Brevard County Emergency Management engaged a number of community stakeholders and utilized a variety of data sources to complete this installment of the Brevard County Local Mitigation Strategy.

Brevard Prepares, a group that provides a forum for public officials, private firms and the public to develop strategies to prepare for disasters, was crucial to the development of this plan. The group includes seventeen jurisdictions and Brevard County, as well as Waste Management, St. John's River Water Management District (SJRWMD), Harris Corporation, and Brevard County Public Schools, and the Canaveral Port Authority.

The jurisdictions that participated in this plan are listed below:

- Brevard County
- City of Cape Canaveral
- City of Cocoa
- City of Cocoa Beach
- Town of Grant-Valkaria
- Town of Indian Lake
- City of Indian Harbour Beach
- Town of Malabar
- City of Melbourne
- Town of Melbourne Beach
- City of Palm Bay
- Town of Palm Shores
- City of Rockledge
- City of Satellite Beach
- City of Titusville
- City of West Melbourne
- Brevard Public Schools
- Canaveral Port Authority

In addition, Brevard County Emergency Management utilized data and information from the National Climatic Data Center, the National Oceanic and Atmospheric Administration, National Weather Service, Hazus-MH, Brevard County Property Appraiser's Office, Brevard County Emergency Management (CEMP), Comprehensive Planning and Land Development Offices of all Jurisdictions, East Central Florida Regional Planning Council, Brevard Traffic Planning Organization, University of Georgia's EDDMapS, University of Florida's Agricultural Extension, Cape Canaveral (Sea Level Rise Studies), VAISALA National Lightning Detection Network, and Brevard County Geographic Information Systems to update this document with the "best available" climate and hazard vulnerability data.



### **1.3 MISSION**

To provide Brevard County residents, businesses and industries, non-profit organizations, and local governments the education and support necessary to reduce the loss of life and human suffering; to minimize property damage; and to protect environmentally sensitive areas from all types of disasters through a comprehensive, risk-based, all-hazard emergency management program.

### **1.4 EXECUTIVE SUMMARY**

The Federal and State government requires that Brevard County have a Hazard Mitigation Plan in compliance with the local hazard mitigation requirements of Section 322 of the Disaster Mitigation Act of 2000 as implemented in 44 CFR 201.6(b)-(d); and, 27P-22 Florida Administrative Code. In 1998, public and private sector interests of Brevard County joined together as Brevard Prepares to pre-identify critical facilities and projects and programs that could be done to help reduce the impacts of future disasters. The projects and programs are called mitigation initiatives. Currently, the Brevard Prepares Steering Committee hears new initiatives and guides the LMS process on an annual basis. However, every 5 years the State reviews and approves the Strategy using state and federal guidance documents. The Brevard Prepares Steering Committee has undertaken a comprehensive planning process in conjunction with Brevard County Emergency Management, culminating in the publication of this 2020 update of the Brevard County Local Mitigation Strategy.

The Brevard County Local Mitigation Strategy (LMS) provides the framework to reduce identified hazards within the county with an objective of increasing the County's resilience. The purpose of the LMS through its guiding body Brevard Prepares Steering Committee is to decrease the vulnerability of the citizens, governments, businesses and institutions of Brevard County, Florida, to the future human, economic and environmental costs of natural, technological, and societal disasters. The Brevard Prepares Steering Committee develops, monitors, and maintains the local strategy for hazard mitigation which is intended to accomplish this purpose. The representatives of the Brevard Prepares Steering Committee build and sustain a culture of preparedness and mitigation-mindset that will make the County more socially, ecologically, and economically resilient before, during, and after an incident. Resilience in our communities depends on working together.

The LMS is a multi-jurisdictional hazard mitigation plan, and the planning effort has been conducted through the coordinated, cooperative effort of local governments and other organizations and agencies within Brevard County. The local governments include the City of Cape Canaveral, the City of Cocoa, the City of Cocoa Beach, the Town of Grant-Valkaria, the Town of Indialantic, the City of Indian Harbour Beach, the Town of Malabar, the City of Melbourne, the Town of Melbourne Beach, the City of Palm Bay,

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the Town of Palm Shores, the City of Rockledge, the City of Satellite Beach, the City of Titusville, the City of West Melbourne and Brevard County.

Other key participant organizations and agencies involved with this project include Waste Management, Canaveral Port Authority, St. John's River Water Management District (SJRWMD), Harris Corporation, Florida Institute of Technology, and Brevard Public Schools.

For this 2020 update, a new hazard and risk analysis was completed by Brevard County Emergency Management in cooperation with partner jurisdictions. Brevard Prepares Steering Committee worked to identify, justify and prioritize specific proposals for projects and programs that will mitigate (avoid or minimize) these vulnerabilities in the future. These proposed projects and programs are also referred to as Mitigation Initiatives in this the LMS.

Other items besides the hazard descriptions. and the mitigation initiatives include:

- A description of the activities of local government and private organizations that promote hazard mitigation; a description of the policies, ordinances or programs that guide those activities; and any deficiencies in the policies, ordinances, and programs with recommendations to correct those deficiencies.
- A description of the methods used to engage private sector participation.
- A statement of general mitigation goals
- A description of the procedures used by the Brevard Prepares Steering Committee to review the LMS at regular intervals to ensure that it reflects current conditions within the County.
- A hazard assessment to include, at the minimum, an evaluation of the vulnerability of structures, infrastructure, special risk populations, environmental resources and the economy to storm surge, high winds, flooding, wildfires and any other hazard to which the community is susceptible.
- A statement of procedures used to set the order of priority for projects based on project variables which shall include technical and financial feasibility.
- A list of approved projects in order of priority with estimated costs and associated funding sources.
- A list of critical facilities that must remain operational during and after a disaster.
- A list of repetitive loss structures.
- Maps, in Geographical Information System (GIS) format, depicting hazard areas, project locations, critical facilities and repetitive loss structures.

At the conclusion of each planning cycle (5 years), the updated LMS is submitted to the Florida Division of Emergency Management (FDEM), who also has the authority to review the document on behalf of the Federal Emergency Management Agency (FEMA), for review in comparison to the requirements from the Local Mitigation Plan Review Guide, revised by FEMA in October 2011. Once it is determined that this plan adequately addresses these requirements and receives conditional approval; the plan is then submitted to the participating jurisdictions for formal adoption and approval. Adoption resolutions will be attached to the plan as Appendix VII. In accordance with Federal practice, the participating local jurisdictions have one year from the date of State approval of the plan to complete the formal adoption.

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## 1.5 INTRODUCTION

Brevard Prepares has been active since 1998 to make the population, neighborhoods, businesses and institutions of the community more resistant to the impacts of future disasters. The group has been undertaking a comprehensive, detailed evaluation of the vulnerabilities of the community to all types of natural, technological and societal hazards in order to identify ways to make the communities of the planning area more resilient to their impacts. This document reports the results of that planning process for the current planning period as indicated in the below table:

STARTING DATE OF PLANNING	ANTICIPATED COMPLETION	DATE PLAN RELEASED
7/1/05	10/19/09	7/31/10
7/31/10	08/1/15	11/5/15
11/6/15	10/31/20	

## 1.6 PURPOSE

The Brevard County Local Hazard Mitigation Strategy and its underlying planning process are intended to serve many purposes, which are unchanged since the original mitigation plan was issued and continue to be applicable to the plan updating process. They include the following:

- **Provide a Methodical, Substantive Approach to Mitigation Planning.** The approach utilized by Brevard Prepares relies on a step-wise application of sound planning concepts in a methodical process to identify vulnerabilities to future disasters and to propose the mitigation initiatives necessary to avoid or minimize those vulnerabilities. Each step in the process builds upon the previous step, so that there is a high level of assurance that the mitigation initiatives proposed by the participants have a valid basis for both their justification and priority for implementation. One key purpose of this plan is to document that process and to present its results to the community.
- **Enhance Public Awareness.** The plan update identifies the hazards threatening Brevard County and provides an assessment of the relative level of risk they pose, details specific vulnerabilities of the neighborhoods of Brevard County and many of the facilities that are important to the community's daily life and includes a number of proposals to avoid or minimize those vulnerabilities. This information can be helpful to individuals who wish to understand how the community could become safer from the impacts of future disasters. Brevard Prepares will continue to be active in communicating with the public and engaging interested members of the community to participate in the planning process. This update and the analyses contained herein are the principal information resources for such activities.

- **Create a Decision Tool for Management.** The Brevard County Local Mitigation Strategy Update provides information needed by the managers and leaders of local government, business and industry, community associations and other key institutions and organizations to take actions to address vulnerabilities to future disasters. It also provides proposals for specific projects and programs that are needed to eliminate or minimize those vulnerabilities. These proposals, called “mitigation initiatives” in the plan, have been justified on the basis of their economic benefits using a uniform technical analysis, as well as prioritized for implementation using objective criteria. This approach has been intended to provide a decision tool for the management of participating organizations and agencies regarding the reason proposed mitigation initiatives should be implemented, which should be implemented first, and indicating the economic and public welfare benefits of doing so.
- **Promote Compliance with State and Federal Program Requirements.** There are several state and federal grant programs, policies, and regulations that encourage or even mandate local government to develop and maintain a comprehensive hazard mitigation plan. This plan is specifically intended to assist the participating local governments to comply with these requirements, and to enable them to respond more fully and quickly to state and federal funding opportunities for mitigation-related projects. Since the plan defines, justifies and prioritizes mitigation initiatives that have been formulated through a hazard analysis and vulnerability assessment process, the participating organizations are better prepared to develop the necessary grant application materials for seeking state and federal funding.
- **Enhance Local Policies for Hazard Mitigation Capability.** The planning process utilized by Brevard Prepares supports evaluation of the adequacy of the community’s policies and programs considering the level of risk posed by specific hazards to create a more disaster-resistant future for the community. For this plan update, more recent editions of Comprehensive and Capital Improvement Plans, as well as other policies, were analyzed for existing policies and plans that incorporated mitigation goals and actions.
- **Assure Inter-Jurisdictional Coordination of Mitigation-Related Programming.** A key purpose of the planning process utilized by Brevard Prepares has been to ensure that proposals for mitigation initiatives are reviewed and coordinated among the participating jurisdictions.
- **Create Jurisdiction-Specific Hazard Mitigation Plans for Implementation.** A key purpose of the Brevard County hazard mitigation planning process is to provide each participating local jurisdiction with a specific plan of action that can be adopted and implemented pursuant to its own authorities and responsibilities, yet with implementation that is coordinated with other organizations participating in Brevard Prepares.

The following sections of the Brevard County Local Hazard Mitigation Strategy present the detailed information supporting these purposes. The remainder of the plan describes the planning organization developed by Brevard Prepares, as well as its approach to managing the planning process. The plan provides a description of the mitigation-related characteristics of each participating jurisdiction, such as its land uses and population growth trends, existing policies and plans incorporating mitigation goals and actions, identified critical facilities present in the community, and properties that have been damaged multiple times by past disasters.

The plan then summarizes the results of the hazard identification and vulnerability assessment process and documents the mitigation initiatives proposed by the participating jurisdictions to address the identified vulnerabilities. In addition, the plan further addresses the mitigation goals and objectives previously established by Brevard Prepares and the actions taken to maintain, expand and refine the Brevard County mitigation planning process.

#### **1.7 THE LMS TASK FORCE: BREVARD PREPARES**

Brevard Prepares is composed of a number of local government agencies, businesses, community organizations, and institutions. This section describes the local jurisdictions and organizations participating in Brevard Prepares and discusses the organizational structure used to complete the planning process. It also provides a summary of the status of planning activities by the participants, documenting the level of participation by the jurisdictions making up Brevard Prepares. Brevard Prepares' bylaws and operating procedures in Appendix II of the plan update, which are unchanged from the last plan update, further define how participation in the planning process is determined.

On a periodic basis, Brevard Prepares solicits the continuing involvement in mitigation planning by each local jurisdiction in the planning area. Brevard County Emergency Management, the coordinating agency for Brevard Prepares, specifically solicits via email, telephone and correspondence, each jurisdiction to assign one or more individuals to serve as its representative(s) in the group. In these solicitations, the jurisdictions are encouraged to identify agencies and organizations that should represent the jurisdiction and to meet periodically with the other participants of Brevard Prepares. State, regional and federal agencies with facilities or responsibilities in Brevard County are also encouraged to be involved in the planning process. Below is an example of the email invitation to participate and the list of Steering Committee Members.



**Coles, Deborah S**

**Subject:** Multiple Attachments for LMS Steering Committee Meeting  
**Location:** Brevard County EOC - 1746 Cedar Street, Rockledge, FL 32955

**Start:** Fri 11/8/2019 2:00 PM  
**End:** Fri 11/8/2019 4:00 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Coles, Deborah S

**Required Attendees** Brevard County Emergency Operations Center; Abby Johnson (ajohnson@sjnwm.com); Alix Bernard; Bob Daniels (townmanager@melbournebeachfl.org); Carol McCormack (townofpalmshores@aol.com); David Abernathy - Satellite Beach Fire Department (dabernathy@satellitebeach.org); Dina Reider Hicks (dreider@wm.com); Douglas Hoyt (dhoyt@townofmalabar.org); Ed Washburn (edwashburn\_sharon@cflrr.com); Frank Watanabe; Johnathan Lamm; James McKnight (citymanager@cityofcocoa.beach.com); Jeff Ratliff (j.ratliff@cityofcapecanaveral.org); John Scott - Brevard County Emergency Management (john.scott@brevardfl.gov); Keith Mills; Kimberly L. Prosser (kimberly.prosser@brevardfl.gov); Kubeika, Lisa; Mark Ryan (mryan@indianharbour.org); Matt Stinnett; Michael Casey (mcasey@indianharbour.org); Rebecca Thibert; Rick Hood; Ryan Duckworth (rduckworth@cityofcocoa.beach.com); Sandra Urban - Palm Bay Fire Rescue (Sandra.Urban@palmabayflorida.org); Steve Bland (steve.bland@palmabayflorida.org); Thomas Baker; Todd Scaldo; town@melbournevillage.org; Wallace, Matthew (Matthew.Wallace@brevardfl.gov); Wayne G. Struble (wayne.struble@health-first.org); Denninghoff, John P; Alvarez, Carolina; Anne Everly (everly.elizabeth@brevardschools.org); Barry Compagnoni; Chad Shultz; Cory Dibble; Frank Kinney; Jim Williams; Nancy Jewell (Nancy.Jewell@palmabayflorida.org); Rapolti, Jeff; Skarvelis, Frank N. (frankskarvelis@brevardfl.gov); Susan Hann (hann.susan@brevardschools.org); Terry Woolridge - TICO Airport (twoolridge@fairport.com); Liesenfelt, Jim; Gumm, Corrina; Barker, Virginia H; Donner, Mary Ellen; Mark Schollmeyer - BCFR (mark.schollmeyer@brevardfl.gov); Fontanin, Edward; Matthew Fuhrer; Bryant Smith; Everett (Ed) Wegerif

**Optional Attendees** Matt Stinnett; Melanie Griswold; Lyons, Rose A

**Good Day Steering Committee and Partners,**

During the next LMS meeting we will be hearing projects for Michael HMGP, and receiving jurisdictional updates to the listed annexes and items in preparation for the 2020 LMS. Please engage your CRS coordinator and a planning and other staff members to assist with this review. Cocoa is also proposing a new initiative, attached.

- Mitigation-Related Policies & Programs (Appendix 5)
- Critical Facilities updates (Appendix 6)
- Initiative Project updates (Appendix 1)
- Repetitive Loss properties (CRS/Flood Related/Repetitive Loss Properties)
- Top Hazards and Risks
- New Initiative - Cocoa

Thanks to those who have already provided appendix updates.

Regards,

Debbie Coles  
 Emergency Management Coordinator  
 Brevard County Emergency Management  
 1746 Cedar Street  
 Rockledge, Florida 32955-3133  
 emailto: [debbie.coles@brevardfl.gov](mailto:debbie.coles@brevardfl.gov)  
 website: [www.embrevard.com](http://www.embrevard.com)  
 Office: (321) 637-4073 | Mobile: (321) 863-7952 | Fax: (321) 633-1738

**Voting Members of Brevard Prepares Steering Committee, 2020**

<b>Name of Member</b>	<b>Voting Representative</b>	<b>E-mail Address</b>
Cape Canaveral	Jeff Ratliff	j.ratliff@cityofcapecanaveral.org
Cocoa	Jonathan Lamm Samuel Byrd	jamm@cocoafl.org sbyrd@cocoafl.org
Cocoa Beach	<b>Ryan Duckworth (Vice Chair)</b> Jim McKnight	rduckworth@cityofcocoaibeach.com citymanager@cityofcocoaibeach.com
Grant-Valkaria	Jason Mahaney	townadmin@grantvalkaria.org
Indialantic	Michael Casey	mcasey@indialantic.com
Indian Harbour Beach	Mark Ryan Todd Scaldo	mryan@indianharbour.org tscaldo@indianharbour.org
Malabar	Matt Stinnett Michael Foley	mstinnett@townofmalabar.org mfoley@townofmalabar.org
Melbourne	Rebecca Thibert Jennifer Spagnoli	rebecca.thibert@mlbfl.org jennifer.spagnoli@mlbfl.org
Melbourne Beach	Elizabeth Mascaro	townmanager@melbournebeachfl.org
Palm Bay	Sandra Urban Jim Williams	sandra.urban@palmbayflorida.org jim.williams@palmbayflorida.org
Palm Shores	Carol McCormack Ed Washburn	townhall@townofpalmshores.org edwashburn_sharon@cfl.rr.com
Rockledge	<b>Alix Bernard (Chair)</b>	abernard@cityofrockledge.com
Satellite Beach	David Abernathy Liz Alward	dabernathy@satellitebeach.org lalward@satellitebeach.org
Titusville	Lisa Kubeika Michael Woodward	lisa.kubeika@titusville.com mike.woodward@titusville.com
West Melbourne	Keith Mills	kmills@westmelbourne.org
BC Bd. of County Commissioners	John Scott	john.scott@brevardfl.gov
Brevard Public Schools	Sue Hann Anne Everly	hann.susan@brevardschools.org everly.elizabeth@brevardschools.org
Health First	Wayne Struble	wayne.struble@health-first.org
L3 Harris Technologies	Carlotta Taylor	carlotta.taylor@l3harris.com
Port Canaveral	Barry Compagnoni Cory Dibble	bcompagnoni@portcanaveral.com cdibble@portcanaveral.com
St. Johns River WMD	Abby Johnson	ajohnson@sjrwmd.com
Waste Management	Dina Reider Hicks	dreider@wm.com

Other entities such as neighborhood associations, businesses and volunteer agencies are also solicited on an annual basis to join the planning process, as well as through periodic public information actions by Brevard Prepares. A positive response to these

solicitations from Brevard Prepares will result in a request to engage in meetings and planning activities necessary for plan maintenance and implementation.

#### **1.7.1 Participating Jurisdictions and Organizations**

Within each of the defined jurisdictions, any involved organizations, agencies, or groups are registered in the program as representatives of that jurisdiction and are responsible for actual development and implementation of the plan on behalf of that jurisdiction. In the case of this update, the defined jurisdictions are the incorporated municipalities within the planning area as well as the county itself for the unincorporated area.

Participating local government agencies are registered as organizations under the appropriate jurisdiction. Other groups, associations, districts, regions and agencies, both public and private, which serve the jurisdiction or are headquartered in Brevard County, generally are listed under 'unincorporated' Brevard County.

Since this is a local, multi-jurisdiction mitigation plan, with an individual mitigation plan for each participating jurisdiction, this approach enables all interested organizations, groups and agencies, regardless of their total number, to be directly and actively involved in the planning within a limited number of jurisdictions. For the 2020 update, there were 18 jurisdictions defined as active participants in the planning. From these 18 jurisdictions, 93 agencies and organizations are supporting the planning process to varying degrees.

For the 2020 Brevard County Local Mitigation Strategy, updates were provided from the following jurisdictions:

- |                  |                          |                |                  |
|------------------|--------------------------|----------------|------------------|
| • Brevard County | • Cape Canaveral         | • Cocoa        | • Cocoa Beach    |
| • Grant-Valkaria | • Indian Harbour Beach   | • Indian Ocean | • Malabar        |
| • Melbourne      | • Melbourne Beach        | • Palm Bay     | • Palm Shores    |
| • Rockledge      | • Satellite Beach        | • Titusville   | • West Melbourne |
| • Port Canaveral | • Brevard Public Schools |                |                  |

Efforts will continue to be made by the County to re-engage any municipalities and organizations that have not been actively participating during this planning cycle while continuing to maintain interest for those who have participated. It is intended that the number of participating organizations and groups will continue to grow in future planning cycles.

#### **1.7.2 The Brevard Prepares Organizational Structure**

Brevard Prepares encourages participation by all interested local jurisdictions, agencies, organizations and individuals. The organization is intended to represent a partnership between the public and private sectors of the community, working together to create a disaster-resistant community. The proposed mitigation initiatives developed by Brevard

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Prepares participants as listed in this updated plan, when implemented, are intended to make the entire community safer from the impacts of future disasters, for the benefit of every individual, neighborhood, business and institution.

Brevard Prepares is organized in the following manner: There is a Steering Committee who has the option of designating ad hoc committees, and support staff. The responsibilities and duties of this organizational structure are detailed in the bylaws and operating procedures of Brevard Prepares, which are provided in Appendix II. This section summarizes the roles of the different components of Brevard Prepares and describes the participation that has occurred during the planning period covered by this document. A table listing the designated representatives of participating organizations can also be found in this document.

The Steering Committee represents all the local jurisdictions and key organizations participating in the planning process and is the group that makes the official decisions regarding the planning process. The Steering Committee serves as the official liaison of Brevard Prepares to the community, and provides assignments to ad hoc committees and coordinates their activities should the need arise. Most importantly for this document, however, is the Steering Committee's role to coordinate and approve proposed mitigation initiatives for incorporation into the plan, for determining the priorities for implementation of those initiatives, and for removing or terminating initiatives that are no longer desirable for implementation.

The Steering Committee came into this 5-year cycle with some experience related to disaster mitigation, however, by the end of the cycle had expanded their knowledge of the benefits that mitigation can provide as three Hurricanes impacted Brevard.

In 2016 after hurricane Matthew, the Brevard Prepares Steering Committee decided to update the methods used to prioritize and track the status of initiatives incorporated into the plan, and evaluate the status, annually, upon plan updates, or at the time the mitigation grant funding became available to Brevard LMS stakeholders. Part of the updates to the planning process included a streamlined project application and prioritization process.

Several members of Brevard Prepares are technical staff from the organizations of the participating jurisdictions. With their expertise, the coordinating process undertaken constitutes a "peer review" of the proposed mitigation initiatives submitted for incorporation into the plan. Through such oversight, each proposed initiative was reviewed for its consistency with the goals and objectives established for the planning process and its relationship to identified hazards and defined vulnerabilities to those

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hazards. The peer review process also assures the assumptions used by the organization to develop the proposal are reasonable, that the proposal would not conflict with or duplicate other proposed initiatives, that proposals are feasible and consistent with known requirements, and that the proposal, if implemented, would not cause harm or disruption to adjacent jurisdictions. During this cycle the peer review process was used to incorporate 53 projects into the plan.

Individual jurisdictions, and their agencies and local organizations, are the catalyst to accomplishing the planning process. Information gathered and processed in the original mitigation plan, as well as the first plan update, has been streamlined and made current for this update. The information gathering for this cycle was initiated by the committee during their meeting in July of 2019.

The planning effort began with reviewing the community profile of each participating jurisdiction in Brevard County making sure the basic characteristics of their community were still relevant to controlling the impacts of disasters. The jurisdictions then conduct vulnerability assessments of their key facilities, systems and neighborhoods within or serving their area to define, specifically, how these may be vulnerable to the impacts of all types of disasters. Moving forward the jurisdictions and their organizations will use the vulnerability assessments to formulate and characterize mitigation initiatives that they could implement if the resources to do so become available as they did for this cycle.

Once proposed initiatives are reviewed and coordinated, the Steering Committee can then decide to approve them formally by vote to incorporate them into the Brevard County Local Hazard Mitigation Strategy. When this occurs, initiatives are considered to be officially a part of the plan and are expected to be implemented by the sponsoring organization as soon as the resources and/or opportunity to do so become available.

Ad hoc committees may be designated to implement, for example, public information efforts to secure public input and comment on the efforts of Brevard Prepares; to inform the public about the activities of Brevard Prepares; to conduct public information and education programs regarding hazard mitigation; to assist with the conduct of public hearings or meetings; or, to promote public acceptance of the strategy developed by Brevard Prepares. Such a committee would be composed of individuals from the participating agencies and organizations who have an interest or responsibility in education, media relations and community outreach. The support staff, provided by Brevard County Emergency Management, assists participants by scheduling meetings, recording meeting summaries, coordinating the activities of the participating organizations, and by maintaining this plan.

### **1.7.3 Involvement and Consultation among Adjacent Jurisdictions**

This plan update has been developed by Brevard Prepares through a coordinated effort of the local jurisdictions within Brevard County, as well as participating regional and state agencies and key local community and private sector organizations. The list of participating agencies and organizations, provided in Appendix II indicates that organizations with public safety, hazard mitigation, public health, transportation, housing, land use planning and development, business, academic and other interests have been participants in the planning.

The planning process utilized, as defined in the standard operating procedures of Brevard Prepares and provided in Appendix II, mandate that adjacent jurisdictions within the Brevard County mitigation planning area consult and coordinate with each other throughout the planning process, especially during the process to establish the goals and objectives for the plan, as well as to review proposed mitigation initiatives for incorporation into the plan. Where indicated, Brevard Prepares has also consulted with jurisdictions outside of the planning area, accomplished on an informal basis, primarily by discussions among emergency management staff. Emergency management personnel, as in Brevard County, serve as the support staff to the local mitigation planning efforts in adjacent counties.

Upon release of the updated plan for public review and comment during the week of July 20, 2020, adjacent jurisdictions' input was solicited.

### **1.7.4 Current Status of Participation in Brevard Prepares**

To support the participating jurisdictions in the completion of this update of the plan, the support staff met with representatives of the Brevard Prepares Steering Committee, requested updates to jurisdictional plans, and worked with staff and participating private organizations on updates to project initiatives. The participating jurisdictions and organizations then, as applicable, used the results of these updated assessments to develop and propose additional hazard mitigation initiatives for incorporation into the Brevard County Local Hazard Mitigation Strategy.

## **1.8 PLAN MAINTENANCE**

"Plan Maintenance" is the process by which Brevard Prepares will continue to update and improve the mitigation planning process. It also includes the technical analysis needed for the process to propose more mitigation initiatives for incorporation into the plan. "Plan maintenance" further includes the group's activities to monitor implementation of the plan, to evaluate the effectiveness of implemented mitigation initiatives, and to strive continually to engage the community in the planning process.

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The basic elements of Brevard Prepares' actions to implement and maintain the plan are also described in the operating procedures, found in Appendix II.

Mitigation planning is a dynamic process that must be continually adjusted to account for changes in the community and to refine the information, judgments and proposals documented in the local mitigation plan. The process used by Brevard Prepares to maintain the plan consists primarily of four functions:

- Continue to improve the mitigation plan by accomplishing additional technical analyses, such as vulnerability assessments, evaluation of the policy framework of the participating jurisdictions, and post-event analysis of disasters, etc.
- Continue to expand participation in the planning process by soliciting the involvement of additional agencies from the participating jurisdictions, by reaching out to the public, and expanding participation by the private sector
- Routinely monitor implementation of the initiatives in the plan until each is completed and in place, and assess their actual effectiveness following the next relevant disaster event
- Issue an updated plan document for use by the participating jurisdictions, to inform the community, and when appropriate for submittal to state and federal agencies for approval, pursuant to the Disaster Mitigation Act of 2000

The technical analysis conducted by the participating jurisdictions will be an ongoing effort to assess the hazards threatening the community, the vulnerabilities to those hazards, and the adequacy of the participating jurisdictions' policy and program framework to control those vulnerabilities. When indicated, the technical analysis also includes formulating proposed mitigation initiatives to eliminate or minimize the identified vulnerabilities. For the 2020 update, new analysis for hazard identification and vulnerability assessments were completed. During the next planning cycle, participants intend to continue their analyses, so more mitigation-specific local ordinances are identified and documented to indicate the relationship between the action-oriented mitigation strategy and other current planning documents.

Brevard Prepares, through the Brevard County Local Mitigation Strategy, will continue to expand participation in the mitigation planning process. Gaining additional participation in the planning process is also part of the public information and community outreach component of development.

The third category of plan maintenance activities that will be undertaken by Brevard Prepares will be to monitor the implementation of mitigation initiatives by the participating jurisdictions and their agencies. The status of initiative implementation is detailed in Appendix I of this plan, and Brevard Prepares will update this section of the

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plan annually, to be included in the next publication of the Brevard County Local Mitigation Strategy.

As a part of monitoring the implementation of mitigation initiatives, following a disaster the participants conduct a post-event mitigation assessment. This is intended to define, for the event, the demonstrated effectiveness of completed mitigation initiatives, or any pre-existing mitigation initiatives, in reducing the human and economic impacts of the event. As time passes and disaster events occur, this will enable Brevard Prepares to accumulate a database of “mitigation success stories” about the value of the property losses avoided and the number of fatalities, injuries or illnesses prevented.

Monitoring the effectiveness of plan implementation and maintenance also involves assessing the effectiveness of the mitigation goals and objectives established for the planning process. As noted above, Brevard Prepares established general goals and a number of specific objectives to guide the participants in the mitigation planning process, and these are provided in Section 1.9: Mitigation Goals, Objectives, and Actions. The attempts to address the established objectives, with the intent of achieving the associated mitigation goals for the community, are a key measure of the effectiveness of the continuing plan maintenance and plan implementation.

Appendix I includes the project listings, which documents the participants’ efforts to achieve the established goals and objectives through the implementation of associated proposed mitigation initiatives. As these initiatives are implemented and monitored for their effectiveness in future disasters, Brevard Prepares will be able to determine the overall success of their mitigation planning effort. In future planning cycles, these goals will be reviewed and re-evaluated to ensure they are still as relevant to the unique needs of the community as they are now, and that they continue to address current and expected conditions.

The final activity in plan maintenance is to incorporate the results of all technical analyses, including the development of new mitigation initiatives, and publish an updated edition of the Brevard County Local Mitigation Strategy. In addition to documenting further technical analysis, the program can also be used to document the efforts to continue to engage the public in the planning process, to expand direct participation in the planning, and to increase representation in Brevard Prepares. Continuation of the planning process will enable Brevard Prepares to address the analyses not yet completed and/or the mitigation initiatives still needing to be characterized and proposed.



### 1.8.1 Plan Evaluation

The local hazard mitigation plan is to be evaluated on an annual basis by Brevard County Emergency Management or its designee. The Brevard County Emergency Management was selected as the organization to evaluate the mitigation plan since the Office serves as support staff for Brevard Prepares, a committee with representatives from all participating jurisdictions and organizations. In this role, Emergency Management has responsibility for maintaining the master copy of the LMS, for scheduling and facilitating meetings of Brevard Prepares, and collaborating with adjacent counties, the State of Florida and the Federal Emergency Management Agency regarding the mitigation plan. In addition, frequently, Emergency Management is the contact point and coordinator for post-disaster funding opportunities for implementation of the proposed mitigation initiatives incorporated into the plan.

The following represents evaluation criteria:

- Assessing recent emergency events and their impact, as well as the resultant influence and/or adjustments that are needed in the mitigation planning process
- Evaluating the progress in addressing the established mitigation goals and objectives, primarily through the development and implementation of initiatives for each goal and objective to ensure progress is being made
- Assessing the extent to which the mitigation plan is effectively interacting with other jurisdictional plans and programs related to mitigation issues, such as being incorporated into a jurisdiction's comprehensive plan, emergency management plan, capital improvement plan, storm water management plan, etc.
- Evaluating the extent to which the vulnerabilities of assessed critical facilities, other facilities and systems, neighborhoods and repetitive loss properties are being addressed through the planning process, including the development and implementation of initiatives
- Assessing whether Brevard Prepares continues to have or needs to expand its membership to promote community participation in the mitigation planning process
- Evaluating continuing progress in the expansion and/or updating of the hazard identification and vulnerability assessment process, the development and implementation of mitigation initiatives, as well as assessing the effectiveness of implemented initiatives
- Assessing specific aspects of the mitigation policies and programs, based on policy data entered into the program, to evaluate specific mitigation issues of interest, especially on a multi-jurisdictional basis, such as variations in local mitigation-related codes

### **1.8.2 Plan Updating, Review, and Approval**

The planning period began August 28, 2015 for this update of the Brevard County Local Mitigation Strategy. The planned date for release of the next update of the Brevard County Mitigation Strategy (LMS) is intended to be no later than August 28, 2020 and this begins a new five-year cycle.

Brevard County Emergency Management, as the support staff for Brevard Prepares, is responsible for updating the mitigation plan. This process starts at least 12 months before the expiration date. The updating process is accomplished by convening an initial meeting of the group at the start of the planning cycle. This meeting will be used to establish participation in the update process, to brief participants on the status of the planning efforts for each jurisdiction, to review the established mitigation goals and objectives, and to acquaint any new representatives with the technical steps in the planning process. It is at this meeting that the Steering Committee reviews any changes in the state or federal regulations and/or guidance applicable to the mitigation plan. Each jurisdiction will then be responsible for assessing the previous analysis completed for its community, and, as indicated, modifying or expanding the analysis. Through the coordination of Brevard County Emergency Management, each jurisdiction will then be responsible for updating its jurisdiction's portion of the strategy. Work products and/or planning milestones are to be produced on the schedule established for the update cycle. Emergency Management will, as needed, facilitate meetings with officials from individual jurisdictions to assist with the updating process.

At least annually during the plan update cycle, the Brevard Prepares Steering Committee will meet as a group to review progress with the planning and to coordinate the actions of individual jurisdictions. Upon completion of each of the planning steps by a jurisdiction, the updated information for that step will be provided to Brevard County Emergency Management for review, coordination with information received from other jurisdictions, and data entry into the LMS.

Near the conclusion of the five-year planning cycle, a draft of the updated mitigation plan is prepared by staff in consultation with each jurisdiction. The draft is then made available for public comment and input. This cycle, the plan was made available on upon request and on the County's website. Brevard County Emergency Management advertised the plan and an overview conference call from the Operations Center. The advertisement allowed a week – via public notice – so anyone could review the document and ask questions of staff. A summary of the plan was made available on the Brevard County Emergency Management's website for the same purpose for those who have Internet availability. This information was also shared with the community via

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Brevard County Emergency Management's social media avenues of Facebook and Twitter.

The draft was reviewed by FDEM, who has the authority to review the document on behalf of FEMA, for review in comparison to the requirements from the Local Mitigation Plan Review Guide, revised by FEMA in October 2011. Once the decision has been made that the updated plan adequately addresses these requirements, the plan will be submitted to the participating jurisdictions' governing bodies for formal adoption and approval. Upon approval and/or adoption by all participating jurisdictions, the draft plan will be considered as finalized.

In the future, each update will be provided to the above-mentioned state agency for review, comment and approval within the plan update schedule requirements imposed, but no later than every five years.

For the 2020 update, the Brevard County Emergency Management reviewed both the existing and updated data available for each section of the plan, and the text of each section contained in the 2015 edition of the plan. The sections were re-drafted to update both the text and the data reports contained therein. The updating process, by section, included the following:

<b>Section</b>	<b>Changes/Updates</b>
Executive Summary	Textual revisions
Introduction	Textual revisions
Purpose	Textual revisions
The LMS Task Force: Brevard Prepares	Textual revisions
Plan Maintenance	Textual revisions; updated section summaries
Hazard and Vulnerability Analysis	Completely re-drafted according to new analysis
Mitigation Goals, Objectives and Actions	Textual revisions
Plan Integration	Textual revisions
Appendix I-VI	Re-drafted project listings; textual revisions

### **1.8.3 Continued Public Involvement**

Brevard Prepares, via the Steering Committee, will continue efforts to develop and implement a year-round program to engage the community in the mitigation planning process and to provide them with mitigation-related information and education. These efforts will be to invite public comments and recommendations regarding the mitigation

goals for the community, the priorities for planning, and the unique needs of each community for mitigation-related public information.

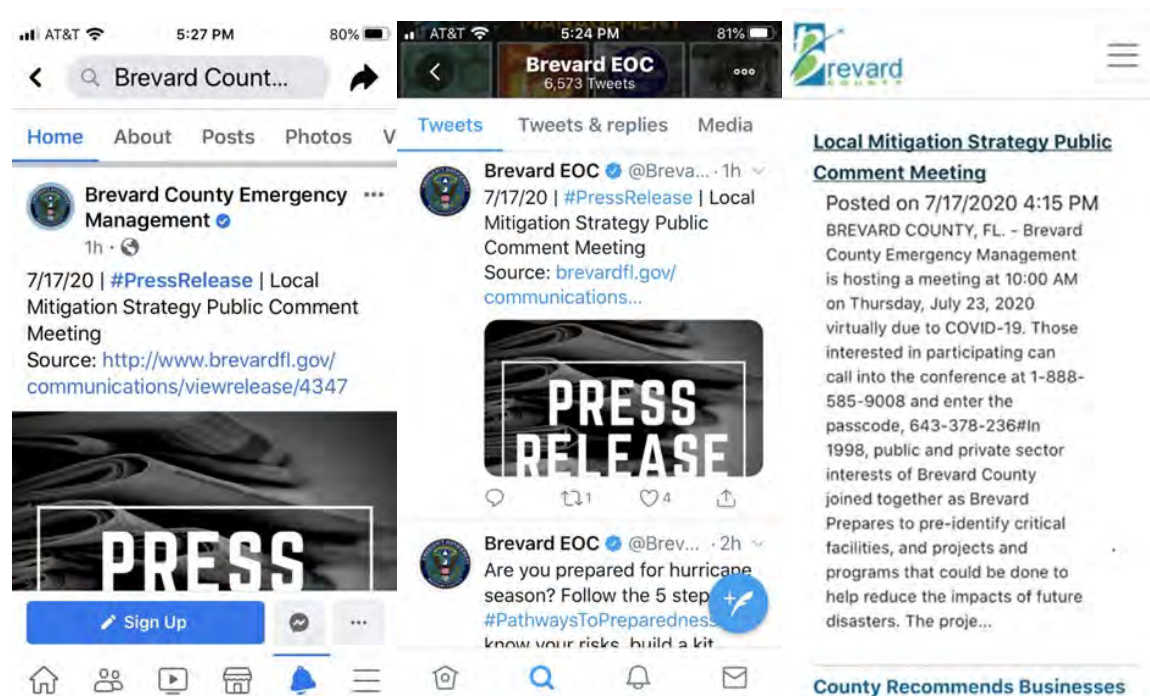
**Public Comment Period**

<b>Date</b>	<b>Activity Type</b>	<b>Purpose of Activity</b>	<b>Audience Type</b>	<b>Outreach Method</b>	<b>Comments</b>
July 20-24, 2020	Public comment period	Solicit public comments and involvement in the final draft of the 2020 update of the mitigation plan.	Public and Steering Committee	Upon incorporation of required and recommended revisions received from the State of Florida and FEMA on the 2020 update, a final plan was prepared and shared for public review . A press and social media releases were done. Other opportunities for public comment will occur at the various adoption hearings.	During the comment period: Three comments were received during the public comment period. Canaveral Port Authority noticed a Development Trend and Appendix V omission, Indian Harbour Beach submitted updates to the initiative completion dates, and County CRS numbers were updated.

The public is also invited to participate during the adoption hearing process. These and other informational activities will continue to educate the community about the planning process through the presentation of specific topics or programs related to hazard mitigation.

Upon completion of this plan update, it will be made available to the Brevard Prepares Steering Committee for comment. Following the incorporation of relevant input, the participating jurisdictions would take comments from the public during a publicly noticed meeting. Once adopted by all jurisdictions, the Brevard Board of County Commissioners

will consider adoption at their meeting, thus providing another opportunity for public engagement.



#### 1.8.4 The Next Planning Cycles

Brevard Prepares has established a schedule and procedure for both plan implementation and plan maintenance. Initially, the planning efforts by the jurisdictions will seek to build on the analyses and proposals included in this edition of the mitigation plan, primarily by completing more vulnerability assessments, evaluations of plans and programs, and proposing additional mitigation initiatives.

Eventually, after a number of planning cycles with ongoing new analyses, all important facilities and vulnerable neighborhoods within all of the participating jurisdictions will have been evaluated and the mitigation planning effort can enter a more normal maintenance and implementation routine. During these continuing efforts, Brevard Prepares will prioritize its efforts towards focusing on facilities and neighborhoods in known hazard areas, completing assessment of all critical facilities, and identifying and documenting policies and plans that impact hazard mitigation.

The Brevard County Local Mitigation Strategy is a dynamic document, reflecting a continuing and expanding planning process. The efforts of Brevard Prepares will continue into the future, striving to make all of the jurisdictions of Brevard County truly disaster-resistant communities.

Category	Wind Speed	Type of Damage
<b>Five (Major)</b>	≥157 mph ≥137 kt ≥252 km/h	Catastrophic damage will occur: A high percentage of framed homes will be destroyed, with total roof failure and wall collapse. Fallen trees and power poles will isolate residential areas. Power outages will last for weeks to possibly months. Most of the area will be uninhabitable for weeks or months.
<b>Four (Major)</b>	130–156 mph 113-136 kt 209-251 km/h	Catastrophic damage will occur: Well-built framed homes can sustain severe damage with loss of most of the roof structure and/or some exterior walls. Most trees will be snapped or uprooted, and power poles downed. Fallen trees and power poles will isolate residential areas. Power outages will last weeks to possibly months. Most of the area will be uninhabitable for weeks or months.
<b>Three (Major)</b>	111–129 mph 96-112 kt 178-208 km/h	Devastating damage will occur: Well-built framed homes may incur major damage or removal of roof decking and gable ends. Many trees will be snapped or uprooted, blocking numerous roads. Electricity and water will be unavailable for several days to weeks after the storm passes.
<b>Two</b>	96–110 mph 83-95 kt 154-177 km/h	Extremely dangerous winds will cause extensive damage: Well-constructed frame homes could sustain major roof and siding damage. Many shallowly rooted trees will be snapped or uprooted and block numerous roads. Near-total power loss is expected with outages that could last from several days to weeks
<b>One</b>	74–95 mph 62-82 kt 119-153 km/h	Very dangerous winds will produce some damage: Well-constructed frame homes could have damage to roof, shingles, vinyl siding, and gutters. Large branches of trees will snap, and shallowly rooted trees may be toppled. Extensive damage to power lines and poles likely will result in power outages that could last a few to several days
<b>Tropical Storm</b>	18–32 m/s, 35–63 knots 39–73 mph, 63–118 km/h	Dangerous winds capable of inflicting damage on structures, although less likely than a Category 1 Hurricane.
<b>Tropical Depression</b>	<17 m/s, <34 knots <38 mph, <62 km/h	Dangerous winds and gusts capable of inflicting damage, but minimal damage done to structures.
<b>Source: National Weather Service, National Hurricane Center</b>		

There are approximately 21,328 mobile homes throughout the county and numerous structures erected prior to building code changes that resulted from the devastation left by Hurricane Andrew in south Florida. These structures are relatively more vulnerable to high wind damage. Wind damage from the storm itself is related to wind speed and the accompanying "pressure" that is exerted on structures. The worst-case hurricane wind scenario for Brevard County would be if a large diameter Category 4 or 5 Atlantic hurricane made landfall in the southeast corner of the County, at Barefoot Bay, and moved north-northwest on a route centered along the I-95 corridor.

## **1.9 HAZARD IDENTIFICATION AND VULNERABILITY ASSESSMENT**

### **1.9.1 Introduction**

The purpose of the vulnerability assessment is to use best available data and technology to identify and evaluate potential hazard risks facing Brevard County, as well as provide the factual basis for mitigation activities proposed in Brevard County's LMS that aim to reduce those risks.

The vulnerability assessment completed by Brevard County Emergency Management provides for the identification and analysis of known hazards that may threaten life and property across the entire planning area. It also includes the results of a multi-jurisdictional vulnerability assessment conducted for each of Brevard County's jurisdictions to determine where locally specific risks vary from those facing the rest of the county (Appendix IV). The risk assessment helps to describe each jurisdiction's vulnerability to identified hazards in terms of the types and numbers of buildings, infrastructure and critical facilities located in hazard areas as well as potential loss estimates for vulnerable structures.

### **1.9.2 Vulnerability Assessment Methodology**

The project team utilized the following information sources to analyze vulnerabilities of jurisdictions in Brevard:

- Brevard County Geographic Information Systems (GIS)
- Hazus-MH
- National Climatic Data Center (NCDC)
- National Oceanic and Atmospheric Administration (NOAA)
- Sea Level Rise studies from Cape Canaveral and Brevard County
- National Weather Service
- Brevard County Property Appraiser's Office
- Brevard County Emergency Management (CEMP)
- Jurisdictional Comprehensive Plans, Future Land Use Plans, Capital Improvement Plans, and Land Development Plans
- East Central Florida Regional Planning Council
- VAISALA National Lightning Detection Network
- Florida Forestry Service
- Brevard County Fire Rescue
- University of Florida Agriculture Extension Office
- University of Georgia's EDDMapS invasive species database

Seven hazards were cross-referenced with a countywide parcel file that documented land use, financial information and specific building-related information in a consistent manner to ensure that the risk assessment did not allow bias for one hazard over another.

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### 1.9.3 Asset Inventory

A variety of data exists on buildings, infrastructure, and critical facilities for Brevard County. For purposes of the multi-jurisdictional vulnerability assessment, much of this data was gathered from the East Central Florida Regional Planning Council and the Brevard County Property appraiser. Most of the data from the planning council came from Hazus-MH, FEMA's loss estimation software. This data included the number and type of buildings located in each jurisdiction in Brevard County. The tables provided for a number of hazard assessments which summarize the total building values for each jurisdiction as extracted from the Brevard County Property Appraiser's data, and as utilized for estimating losses to hurricane wind, flood, sea level rise, fire, tornadoes and storm surge.

The data mentioned above was also integrated into the multi-jurisdictional vulnerability assessment and used to estimate potential losses due to hazardous natural events as further described under the vulnerability assessment section of this report.

Critical Facilities are defined as those structures from which essential services and functions for victim survival, continuation of public safety actions, and disaster recovery are performed or provided. For the purposes of this document, Brevard County has identified those critical facilities that have the potential for being affected by natural and human caused disasters. The critical facilities within Brevard County are summarized by hazard zone in Appendix VI. Appendix VI will not be a part of the final publicized document as it shows potential vulnerabilities of each critical facility.

### 1.9.4 Demographics and Topography

Brevard County is located along the central portion of Florida's eastern coastline. The county is approximately 72 miles in length from north to south and 20 miles wide east to west. Neighboring counties include Volusia, Orange, Osceola, and Indian River, which forms Brevard County's borders to the north, west and south respectively. The Atlantic Ocean forms the eastern boundary of the county and provides an attraction for residents and tourists. Another attraction is Brevard's sensitive environmental resources. The county's environmental resources are diverse and unique, and thousands of visitors come every year to enjoy Brevard's environment.

The 2018 population of Brevard County was estimated to be 596,849, which is an increase of 9.8% from 2010. The population is 83.0% Caucasian and consists of 274,602 households with an average of 2.17 persons per household. 20.4% of the population is more than 65 years of age. As of 2010, more than 8% of the population of Brevard County, or approximately 43,943 residents, were considered to have English as



a second language, increasing the need from an emergency management perspective for bilingual forms, signage and warning systems.

The county's Comprehensive Emergency Management Plan (CEMP) describes the topography: Brevard County's environment is unique due to the presence of the Atlantic Ocean, the Indian River lagoon system, the Banana River, and the St. John's River. These bodies of water divide the county into three distinct land areas, each with their own ecosystem and character: the barrier island, Merritt Island, and the mainland, which includes the St. John's River Valley flood plain. These areas possess their own opportunities and limitations to development.

The barrier island, bounded on the east by the Atlantic Ocean and on the west by the Indian and Banana River lagoons, is a sensitive environmental resource that experiences great growth pressures due to the lure of the beaches for both residents and tourists alike. The barrier island performs an important function protecting the inland areas from the powerful forces of the Atlantic Ocean. Therefore, the beaches and dunes are a vital resource that requires protection and careful growth management measures. Much of the barrier island is incorporated by the cities of Cape Canaveral, Cocoa Beach, Satellite Beach, Indian Harbour Beach, the Town of Indialantic, and the Town of Melbourne Beach. The majority of the unincorporated area of the barrier island includes Canaveral Air Force Station, Patrick AFB and areas south of Melbourne Beach to the Sebastian Inlet.

Merritt Island is bounded by the Banana and Indian River lagoon systems. Merritt Island is bisected by Courtenay Parkway and Tropical Trail, which run north to south. The central hub of activity is located along the S.R. 520 corridor where a variety of commercial establishments are found. Commercial activity is also prominent along the section of Courtenay Parkway from S.R. 520 north to S.R. 528. The northern portion of Merritt Island, between S.R. 528 and the Kennedy Space Center, is comprised primarily of agricultural and residential estate uses with some commercial uses found along Courtenay Parkway. The southern portion of Merritt Island is residential in nature.

The mainland area offers a wide range of opportunities, from urban and rural settings, to the Indian River Lagoon and the St. John's River. The cities of Titusville, Cocoa, Rockledge, Melbourne, West Melbourne and Palm Bay, along with the towns of Palm Shores, Malabar and Grant-Valkaria, line the eastern portion of the mainland from north to south. A significant portion of the land west of Interstate 95 is encompassed by the St. John's River flood plain, an important environmental area that poses limitations to development.

### **1.9.5 Land Use and Development Trends and Vulnerability**

Any new development within Brevard County is likely to have at some degree of vulnerability to the hazards described earlier in this report. The vulnerability of new development can be minimized by proper location, e.g., outside of the flood plain, and/or proper design, e.g., designing for hurricane force winds. Overall, construction in compliance with current building codes, restrictions for the coastal high hazard zone and flood plains, and similar control efforts, e.g., lightning protection, will be expected to have the lowest degree of vulnerability.

From 2015 to 2018, there were 3,148 Single-Family and Multi-Family homes permitted in Brevard County. In those four years, Zip Code 32940 (Central Brevard) had the most Single-Family and Multi-Family homes permitted (1,845).

Development trends and vulnerabilities by jurisdiction are as follows:

#### **Brevard County**

In the unincorporated area, there has been a decrease in vulnerability based upon several development trends. In the northern unincorporated area, the Farmton Local Plan clustered all allowable residential growth from 11,500 acres to an area of 2,300 acres which corresponded to the more upland areas of the 11,500 acres with no increase in allowable density. In the central unincorporated area, the East Merritt Island Small Area Study (SAS) triggered Future Land Use amendments removing the potential of multi-family development in the coastal area. In the south unincorporated area, there have been no changes made to the earlier SAS performed which served the same function removing the potential for new multi-family development along the south beaches. This greatly reduces the vulnerability of future development of this area.

#### **Brevard Public Schools**

Brevard Public Schools is responsible for ensuring that adequate and appropriate facilities are available for the students, their teachers, administrators and support staff. Planning goals include utilizing existing capacity efficiently, ensuring that there are no schools over capacity, and working with communities to consider neighborhood issues in the planning process. The Facilities Services Planning Department closely monitors annual student enrollment numbers and continuously tracks County-wide development trends to forecast school capacity projections. The determination of school capacity impacts almost every aspect of District operation including planning of new schools and additions; renovations and classroom upgrades to existing schools; providing transportation for students; establishing attendance boundaries; allocation of relocatable classrooms; as well as providing classrooms for special programs.

Three of the major Emergency Management issues affecting Brevard Public Schools are school security, providing emergency shelters, and resiliency.

School security measures continue to be implemented throughout the District.

Brevard Public Schools collaborates with Brevard County Emergency Management to utilize school buildings as shelters in response to specific needs.

Many of the District's schools are located along the County's expansive length of coastal property, which makes them vulnerable to environmental factors such as rising sea levels, salt deterioration on structures, increased temperatures and possible flooding.

### **Canaveral Port Authority**

The Canaveral Port Authority owns approximately 3000 acres of property, of which 1000 acres is developable. Port Canaveral property and resources are aligned with the four (4) business lines currently supported by the Port: Cruise, Cargo, Recreation and Real Estate. Current and proposed developments are commensurate with the goals of these business lines. Recent projects at the Port are strategically designed to be multi-user projects. Project locations are analyzed based on the current 35-year strategic master/vision plan to ensure consistency with the Port's long-range goals. Developable land at the port is limited; therefore, new developments will be utilized by various tenants or lines. Further, Port Canaveral development has pursued innovative stormwater solutions such as underground storage of stormwater treatment and attenuation volumes to remove the need for large wet stormwater treatment systems in order to preserve and potentially create new upland areas for development. All stormwater runoff from port Canaveral projects is captured, treated and attenuated according to current FDEP regulations and treated water is discharged into the harbor. Port Canaveral has implemented a Site Plan Review process with the goal of maximizing visibility for all stakeholders on all port and tenant projects throughout the port. In addition, the review process is used to ensure developments match port goals, have positive impacts on existing infrastructures, and will not negatively affect potential for future growth and development. Lastly, Port Canaveral ensures compliance with federal, state, and local environmental regulations and is committed to environmental stewardship and concerned for the well-being of our harbor and the Indian River Lagoon. As a governmental body with public responsibility, the Canaveral Port Authority has been – and continues to be – committed to protecting the environment in which we all live and work, ensuring our resources are in harmony with Port Canaveral's economic growth, maintaining the highest levels of environmental responsibility to the region (for more information, please see:

<https://www.portcanaveral.com/getattachment/About/Environmental-Stewardship/Port-Canaveral-Environmental-Stewardship.pdf.aspx?lang=en-US>).

### **Cape Canaveral**

During the planning period, there has not been significant change in vulnerability in Cape Canaveral since approximately 10% of the land remains to be developed. They have recently completed a Sea Level Rise study. Redevelopment of existing properties is occurring more frequently than development on vacant land. The City's Future Land Use Element limits residential development throughout the City to 15 units per acre including in the Coastal High Hazard Area (CCHA). Cape Canaveral has implemented a Community Redevelopment Agency and an A1A Economic Opportunity Overlay District, and maintains a Brownfields Redevelopment Program which was developed to increase the pace of future development and redevelopment.

### **Cocoa**

Several changes have taken place in the City of Cocoa which has decreased overall vulnerability since the last plan update. The City determined a need for a Stormwater Management Study within the Diamond Square Redevelopment Area (Census Tract 626.4) since this area received flooding during 2008 Tropical Storm Fay. The study provided topographic mapping, an evaluation of existing conditions and a presentation of recommended alternatives. The area drains north through Avocado Ditch and Bracco Pond and has been subject to past flooding. This drainage basin was recently reduced by approximately 30 acres by the Florida Department of Transportation (FDOT) US1 improvements which diverted runoff from US1 and adjacent areas to a new stormwater pond in the City of Rockledge. Existing elevations in the area range between approximately 18.4 and 23.5 above sea level, NGVD. 2,606 linear feet of piping was installed or replaced with larger pipes and a retention pond was constructed. The project was substantially completed in January 2012, at a cost of approximately \$491,263.

Cocoa was awarded two (2) grants totaling \$408,000 from the Florida Division of Emergency Management to retrofit or install wind mitigation devices on single family residential homes, 18 homes have been retrofitted to date. Cocoa used a systemic approach to mitigate and retrofit structures to reduce the overall vulnerability of hazards such as wind born debris and loss of homes due to wind storm events. Improvements included the replacement of roofs, doors and/or windows, or installation of storm shutters to allow the structures to withstand hurricane force winds. Additionally, Cocoa has demolished 61 substandard vacant, dilapidated structures since 2010 through code enforcement efforts.

The City of Cocoa updated its Floodplain Ordinance in 2014 to be consistent with FEMA regulations and participates in the FIRM program. The City's Building Official acts as the Floodplain Administrator and ensures all development and redevelopment projects meet the new floodplain standards. All proposed development projects are reviewed for consistency with the City's adopted Comprehensive Plan, Land Development Regulations, and most recently adopted Florida Building Code and Fire Prevention Code.

Vulnerability has decreased based on amendments to the City's Comprehensive Plan's Future Land Use Element, which reduced the permitted density on 146 acres of land. The Future Land Use Plan amendments reduced the permitted number of dwelling units from 237 to 69.

The City of Cocoa replaced its aging City Hall in 2009 with a new building built to within 145 mph winds. A new Utilities Administration building was constructed in 2012 to withstand 145 mph winds that replaced an aging structure that was demolished. The Public Works Administration building was updated with impact wind rated doors and windows in 2010.

### **Cocoa Beach**

Cocoa Beach has reached an almost built out condition. There is only 2.8 % of vacant land in the City, which can accommodate limited new residential and commercial development. The maximum allowable density for residential use is 10 units per acre. There has been more redevelopment of existing properties rather than developing of vacant parcels. Most of the properties within the City are well maintained. According to the 2010 census, Cocoa Beach's permanent population decreased from 12,482 in 2000 to 11,231 in 2010. The City has also updated their webpage to include an "Emergency Alert" section which allows various messaging to be posted to increase community awareness. Due to a decrease in population, an increase in community communication for awareness, and the requirement that redevelopment must meet current codes; there has been an overall decrease in vulnerability to disaster.

### **Grant-Valkaria**

Several changes have taken place in the Town of Grant-Valkaria which has decreased overall vulnerability since the last plan update. The Town has completed a Comprehensive Plan. Although the land uses remain similar to the Brevard County land-uses adopted when incorporating, the town has decreased overall densities by capping the highest density to 4 units per acre. This density was given in mostly previously platted and developed areas which accounted for a very small percentage of the overall land area. The low density residential makes up the majority of the town and densities have been capped at 1 unit per 1.25 acres. Brevard County had allowed

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densities at 1 unit per acre. Since the last plan update the town adopted by referendum a requirement for any new development within the low-density residential land use to have a minimum size lot of 1.25 acre, thereby reducing the overall number of new homes that could be built. The Town is currently writing a new zoning code for the 1.25 acre lots.

The town has also completed a Stormwater Master Plan that catalogs every stormwater culvert in town with size, type, elevation, and condition to utilize in a capital improvements replacement program and for flood prevention. This data has helped determine the future needs of the Town and budget accordingly. The Town has better data for establishing base flood elevations for new construction outside of subdivisions with designed stormwater systems which will aid in the reduction of our vulnerability.

In 2014, the construction of a new town hall was completed. The Town Hall is on the list as a critical facility and was previously located in a rental unit that was an older metal building adjacent to the Indian River Lagoon in a flood prone area. The new facility was designed to all of the latest building codes and is located in an area that is not within the flood zone or storm surge areas. Vulnerability to wind damage and flooding has now significantly been reduced as the facility is now located 3.5 miles inland from the Indian River Lagoon.

New construction in town has been primarily limited to single family residential homes, approximately 25 per year. Now there is a better understanding of the drainage system. Drainage improvements are now included in a 5-year capital improvement plan as part of the budget each year. This aids in analyzing the needs for the drainage system and budget accordingly. Although there are still improvements to be made, overall success in the function of the drainage system has reduced the threat of flooding within the town. Overall maintenance of the existing stormwater systems has improved annually which also aids in flood prevention.

The town is now in the review stage of the Land Development Codes and will be addressing issues relating to flood prevention, construction in flood prone areas and designing for fire prevention. Once town specific Land Development Regulations are adopted more reduction in overall vulnerability is expected. The combination of the adoption of the Stormwater Master Plan, the Comprehensive Plan, and staff experience reduce the overall vulnerability to hazards.

### **Indialantic**

The Town of Indialantic is built-out with redevelopment occurring more often than development on vacant land due to the lack of vacant land on which to develop. As

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these new structures are completed it has decreased the Town's vulnerability as new construction meets updated codes.

**Indian Harbour Beach**

In the City of Indian Harbour Beach there has not been much change in vulnerability since the City is almost completely built out, with less than 100 acres remaining to be developed. The remaining acreage is mostly made up of infill parcels located within residential and commercial areas. The City, also, has no room to increase its size through annexation. The City does adhere to its Future Land Use policy in the Comprehensive Plan by "not increasing the density and intensity of land use in the Coastal High-Hazard Area".

**Malabar**

There have been several stormwater upgrades and projects over the last five years in the town of Malabar that have decreased the potential flooding while improving water quality. Regular maintenance of culverts, ditches, and catch basins has also decreased flooding potential. The Town also promotes wildfire awareness through outreach to residents. These items have decreased the overall vulnerability of the Town.

**Melbourne**

From a development standpoint, the City of Melbourne has maintained its commitment to not increasing vulnerability. In 2017, the City updated its Coastal Management Element to address peril of flood requirements. The amendments reinforced activities that the City is already undertaking, including participation in the National Flood Insurance Program Community Rating System (CRS) and enforcement of the Florida Building Code and federal floodplain regulations. The amendments also proposed that the City undertake a study to evaluate options regarding the establishment of Adaptation Action Areas (AAAs) in locations that experience coastal flooding due to high tide events, storm surge, and the related impacts of sea level rise. This study will include public input and participation. A final modification pertained to the definition of the Coastal High Hazard Area. Two new maps and several map updates were also adopted as part of the Coastal Management Element amendments. The map revisions included a depiction of the 2060 High Water Scenario for Sea Level Rise as identified by the National Oceanic and Atmospheric Administration (NOAA), an identification of Future Land Use categories in the coastal area, and recognition of the City's Coastal High Hazard Area as identified by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) Model. In addition, the City has annexed almost three-square miles of property west of I-95. This property, which is part of the St. Johns River floodplain, will be given a Conservation Future Land Use Map designation. A Conservation designation will provide for the long-term protection and preservation of this environmentally sensitive natural resource. This wetland mitigation bank area will comprise a greenbelt

on the City's western edge that protects Lake Washington, the primary source of drinking water for the City of Melbourne.

### **Melbourne Beach**

The Town of Melbourne Beach is built-out. Recent development trends include redevelopment of parcels due to the lack of vacant land on which to develop. As these new structures are completed, it has decreased the Town's vulnerability as new construction meets updated codes.

Over the last five years, a local floodplain ordinance has been established, the Town has joined the Community Rating System program as of 2015, a permanent Floodplain Administrator has been hired, and repetitive loss properties have been reduced to two areas by implementing stormwater mitigation projects. Current Stormwater projects, in process, mitigate flooding problem areas. Website information has been updated to include Floodplain Ordinance topics. Future land use plans have been amended to not include any increase in density, or lot coverage. New construction project guidelines regarding swales, stormwater run-off, and storm drain protection have been updated by certified and trained permitting staff. The Public Works employees are now required to complete NPDES training. Beach sea oats planting projects are ongoing through local community involvement. Emergency management plans are being updated to include Police, Fire, Public Works and Building Departments. The Police and Fire Departments are currently updating radio communications for future mutual aid conditions during statewide emergency declarations. All of the projects listed, and the development trends have made the town less vulnerable and more resilient to disasters.

### **Melbourne Village**

Melbourne Village is nearly built out. It is a town of about 700 residents and one half of one square mile surrounded by Melbourne and West Melbourne. The Town is approximately 90% residential and is mostly owner occupied. There is about 20 acres of commercial land in 5 parcels, four of which are currently developed and occupied. The remaining parcel is vacant land and is anticipated to be developed in the next ten years. There have been no changes in vulnerability over the last 5 years.

### **Palm Bay**

The city is experiencing a moderate rate of development. According to the City's Building Division records there have been Certificates of Occupancy issued for 650 residential units in 2019. A new Interstate 95 interchange and 1.7-mile connector road to Babcock Street SE will be opened in January of 2020 and expectations are that development will pick-up even more. They are not participating in this plan.

### **Palm Shores**

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There has been a decrease in vulnerability in the Town based on the following items. The Town currently has approximately 100 plus acres remaining to be developed with much of this acreage being low density residential. This acreage is, for the most, part buffered from US1 and the Indian River by commercial land use on the east side of US1. The Town has upgraded and hardened its riverfront park and fishing pier area to better withstand wind and water damage. The Town has also purchased shutters and a generator for the Town Hall. The Town Council has adopted the latest Flood Maps and Florida Building Codes. The Town has adopted a Continuation of Operations Plan (COOP) in conjunction with Federal, State and County governments, and it adheres to its Coastal Management Policy 5.3 which states, "When considering Comprehensive Plan Amendments within the designated Coastal High Hazard Area, the Town will direct population concentrations away from the Coastal High Hazard Areas."

**Rockledge**

The current rate of development and redevelopment seems to be on upward trend. Since the last plan update the City of Rockledge has decreased overall vulnerability. The City has developed a variety of Stormwater projects. The Lake Betsi retention area is a 60-acre lake that provides retention and treatment for almost 800 acres. In addition to Lake Betsi, the City of Rockledge has also constructed Huntington Lake which is 31 acres in size and will provide retention and treatment for an additional 100 acres that were previously untreated. That is a total of over 900 acres that the City is now treating.

In 2018, the City of Rockledge constructed a new Fire Station that is capable of sustaining 160 mph winds; this is in addition to reconstructing the master headwall which takes all of the storm water out to the river.

**Satellite Beach**

The city of Satellite Beach has annexed decommissioned military housing community increasing the town density by 500 residences. The annexation of these areas decreased the overall vulnerability of the city as their construction meets current building codes. Most development in the city, which is nearly built out, has been redevelopment or upgrades that must also meet current construction codes and thereby further reducing the city's vulnerability to disaster.

**Titusville**

During the planning period, the rate of development activity has increased significantly from the previous period. Economic development efforts by State, regional and local organizations have seen an increase in private aerospace and manufacturing jobs in and adjacent to the City. In addition, an increased number of launches has resulted in increased tourism to the area.

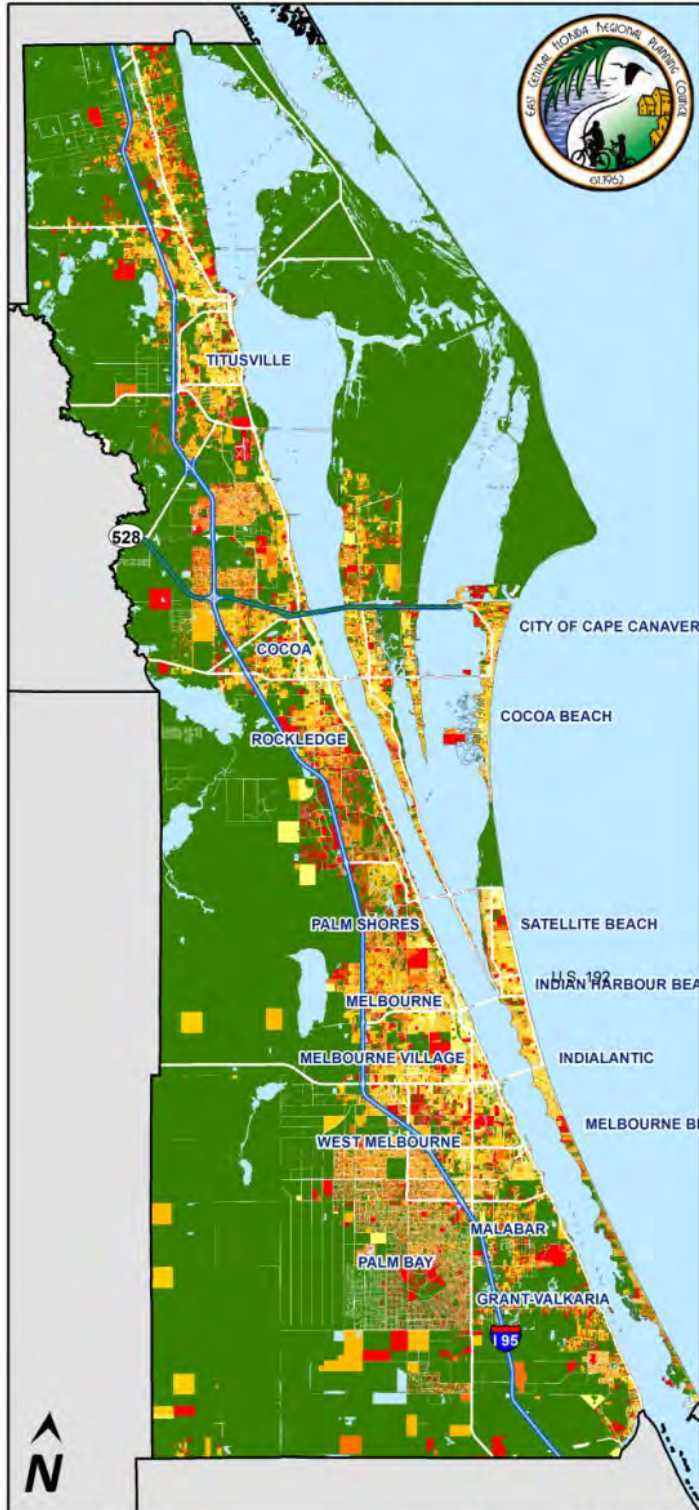
The improved economic conditions have given rise to redevelopment of several areas of the City, including antiquated shopping malls and the downtown area. In addition, construction of hotel, single-family subdivisions and multi-family developments is occurring at a rapid pace. Much of the remaining undeveloped land can be considered difficult to develop due to environmental constraints. The City is aware these challenges and has adopted policies related to Perils of Flood, to reduce locating vulnerable populations in areas likely to be impacted by flooding and storm surge. In addition, the City is developing a sustainability plan to address long-term issues related to sea level rise and other vulnerabilities.

**West Melbourne**

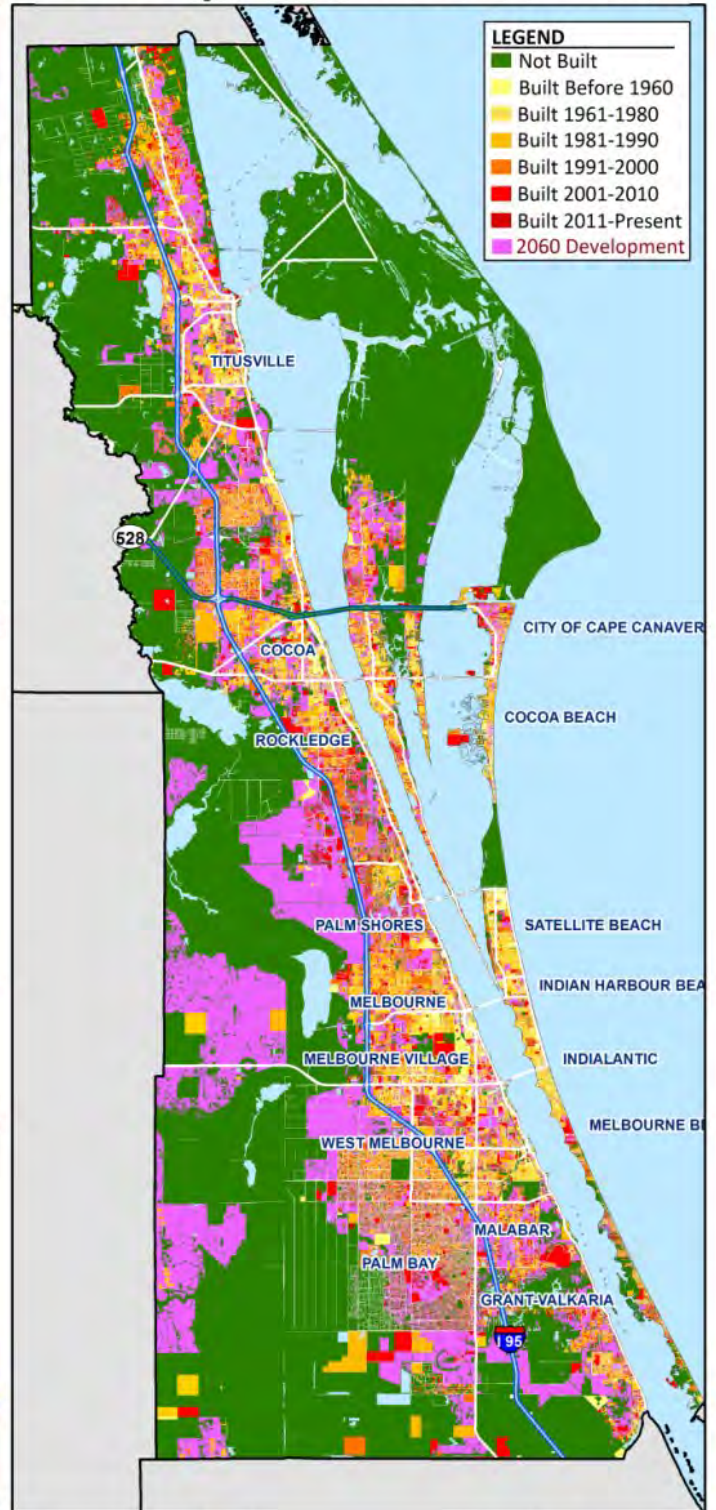
The City of West Melbourne maintains its commitment to decreasing hazard vulnerability. Several stormwater improvement projects have been implemented, and several more are in the CIP, some under design. Since the adoption of the plan, West Melbourne has seen some of the highest development rates in the state. Most of the development has been multi-family and commercial uses, with some single-family development as well. Development is also beginning to occur on land west of I-95. As of April 2019, West Melbourne's population had increased to approximately 23,607 and now occupies 10.55 square miles. 53% of land use is residential. 11% of the jurisdiction remains to be developed that equates to 1.1 square miles. The floodplain previously identified for properties near I-95 has been reduced in the 2010 update of the FEMA maps thus decreasing vulnerabilities there. Commercial, Industrial, and Institutional uses are 12%, 6% and 4% respectively. All development must follow land development regulations and building codes, including stormwater attenuation and floodplain requirements.

The map below depicts potential 2060 development as identified by the East Central Florida Regional Planning Council.

## Development Trend to 2013



## Development Trend to 2060



Data Source(s): CFGIS (Strategic Regional Policy Plan),

0 5 10 20 Miles

### 1.9.6 Recent Disaster Events in Brevard County

An important indication of the hazards threatening the county is the actual occurrence of disaster events, and the level of impact they have had on the community. Assessment of past disasters can also be very informative regarding the types, locations, or scope of mitigation initiatives that would be needed to prevent similar damages from future events of the same type. Brevard County has experienced ten Presidentially-declared major disaster events in the last sixteen years, and some near misses, representing a number of types of hazards. Three events, Hurricanes Charley, Frances and Jeanne in August and September of 2004, caused at least \$629 million in damages.

Hurricane Wilma, a Category 3 storm, brought 125-mph winds and heavy rains to much of central and southern Florida, downing trees and flooding many communities. Approximately five million people were without electrical power. Wilma struck Brevard County on October 24, 2005 and hit south and central Brevard County particularly hard. In areas such as Cocoa Beach and Indialantic, very little erosion occurred where previous restoration efforts had built wide, protective beaches. In other areas, the dunes along Brevard County's beachfront properties suffered varying degrees of erosion damage. Significant erosion was observed in the recently-completed 2005 emergency dunes of Satellite Beach, Indian Harbour Beach, northern Indialantic, Melbourne Beach (and southward). Those dunes had been constructed in response to the severe damage of the 2004 hurricane season and were intended to provide a protective buffer between rough seas and imperiled properties along those relatively narrow stretches of Brevard County's coastline; however, at least five homes were damaged. As repairs were underway a tropical wave on October 1, 2007 produced even more beach erosion.

Between May 11 and 16, 2008, the Mother's Day fires occurred in Palm Bay, Malabar and Cocoa. The Mother's Day fires impacted over 200 homes, of which 52 were destroyed. Brevard County received \$4.3 million in public assistance funds from FEMA, and the fires caused over \$16 million in property damage.

Tropical Storm Fay resulted in two Presidential Disaster Declarations—one for debris removal and emergency management protective measures ahead of the storm, and the second for its August arrival in 2008. The storm exited the state near Melbourne on August 20. Extensive flooding took place as a result of its stalling over the peninsula. Melbourne accumulated at least 25 inches of rainfall and other parts of Brevard County experienced 25 to 30 inches. The storm damaged 1572 homes in Brevard County, and a tornado associated with Fay ripped through Brevard County, damaging 52 additional homes, rendering nine of them uninhabitable and injuring two people.

After the storms had passed and the impact assessed, from August 19 to 21, 2008, Tropical Storm Fay had delivered more rainfall to Brevard County than any other storm to date in recorded history. Fay overwhelmed many private and public storm water systems so that some houses and businesses were flooded for up to two weeks. Wind from these events also spread canker through groves and the flooding created livestock issues.

On September 3, 1979, Hurricane David grazed the coast of Florida as a Category 2 storm. Though it made landfall as a Category 2 storm, the strongest winds were localized to the immediate area around landfall. The highest reported winds occurred in Fort Pierce, 70 mph sustained winds and 95 mph gusts. Because the hurricane remained near the coastline, Hurricane David failed to cause extreme damage in Florida.

Category 1 Hurricane Erin made landfall near the Sebastian Inlet in southern Brevard on August 2, 1995. This storm produced wind damage and extensive flooding countywide. It also spawned a tornado in Titusville which caused minor damage.

The center of Category 4 Hurricane Floyd passed about 115 statute miles off the coast of east central Florida on September 15, 1999, producing wind gusts to near 70 mph. The areas hardest hit were coastal sections of Brevard.

On August 13, 2004, Hurricane Charley swept across the state and affected northern Brevard and produced heavy debris and hurricane force wind gusts. On September 3rd, a couple of weeks after Charley, Hurricane Frances affected Brevard producing wide spread wind damage. Jeanne came through the same year on September 26th. Jeanne's hurricane force gusts produced extensive wind damage in southern Brevard.

Hurricane Wilma in 2005 came ashore in south Florida and produced six tornados in Brevard and 10 to 13 inches of rain which flooded about 200 homes in Cocoa. Finally, from August 18-23, 2008, Tropical Storm Fay stalled on top of Brevard County producing record setting rain and extensive flooding.

In 2012, Brevard declared a local state of emergency in response to Hurricane Sandy's impact on its beaches in an effort to expedite the permitting and repair process beachside property owners. Erosion along Brevard's 72 miles of coast was estimated at \$25 million. Federal assistance was denied.

In 2016, Tropical Storm Colin moved from the northeast Gulf of Mexico to the far eastern Florida panhandle. On June 6 through June 7, outer rainbands impacted portions of east-central Florida with gusty winds and periods of heavy rain. While sustained winds remained below tropical storm force, gusts in heavy squalls did reach tropical storm force, in coastal Brevard County.



A very moist, tropical airmass in the wake of Tropical Storm Colin remained across east-central Florida. An approaching weather disturbance aloft combined with a sea breeze boundary near the Brevard County coast caused training of showers and storms. Persistent rains result in roadway flooding within southern Brevard County. Between 4 and 6 inches of rain fell across south Brevard County during a 6-hour period from mid-morning through late afternoon, leading to roadway flooding, roadway closures and stranded vehicles. High levels of standing water continued into the early evening then rapidly subsided. The areas with most significant impacts included Palm Bay and Malabar.

Later that same year the center of major Hurricane Matthew passed only 25 miles offshore Brevard County during the morning hours of October 7, producing a long duration of sustained tropical storm winds through much of the county and a shorter period of frequent gusts to hurricane force closer to the coast. A National Weather Service damage survey confirmed that sustained category 1-2 hurricane winds likely occurred along the coastline from Cape Canaveral northward. The highest sustained wind recorded at the Melbourne International Airport was 53 mph from the north at 1:46AM on October 7 and the peak gust was 70 mph from the northwest at 2:57AM. A USAF wind sensor at 54 feet above ground level near the beach north of Cape Canaveral recorded a sustained wind of 79 mph and a gust of 107 mph. Other recorded peak wind gusts included 87 mph at Satellite Beach, 81 mph on Merritt Island and 77 mph at Cocoa Beach. Wind damage occurred to several hundred homes, often a result of impacts due to falling trees. Eleven homes were destroyed, 140 sustained major damage, 549 experienced minor damage and an additional 1,500 homes were affected in some way. Structural damage to homes and businesses due to wind were confined mainly to the barrier islands as well as those properties exposed to larger bodies of water. Damage generally involved roof shingles, soffits, awnings, and pool enclosures. Further inland, property damage was mainly a result of fallen trees, especially to older buildings and mobile homes near wooded areas. Several homes experienced water intrusion due to damaged roofs. Two homes were lost to fire as officials suspended emergency services during the height of the storm. County-wide, there was sporadic damage to fences, awnings, and screen rooms. About 227,000 customers were without power at the height of the storm, or about 75 percent of the county. Preliminary property damage was estimated at \$35 million to residential structures and \$40 million to public structures. Mandatory evacuations were ordered for residents of the barrier islands, including Merritt Island, as well as low-lying areas, RV parks, and mobile homes across the remainder of the county. A total of 4,320 residents evacuated to shelters within the county. There was one direct injury. A male in his 40s was injured in Port Canaveral when a sign fell and struck him during the storm. Damage estimates indicated an economic loss to Brevard's beaches of \$25 million due to coastal erosion.

Category 3 Hurricane Irma made landfall near Naples during the late afternoon of September 10, 2017. Irma then moved northward across west-central Florida during the evening and overnight while weakening to a Category 2 hurricane approximately 95 miles west of Melbourne. Due to the large size of the wind field, a long duration of damaging tropical storm force winds with gusts to hurricane force was experienced across all of east-central Florida. The highest sustained wind was measured at WeatherFlow site in Melbourne Shores (64 mph) and the peak gust was 94 mph along the Banana River at State Road 528. Water levels rose within the coastal lagoon system between 1 and 3 feet (although locally up to 4.5 feet within a few constricted areas of the lagoon, primarily within north Brevard and Volusia Counties) due to coastal surge and run-off from heavy rain and slow drainage through the inlets. Many docks and boat houses along the Indian, and Banana Rivers were damaged from the combination of high water and wave action. Rainfall totals of 10-15 inches were widespread across east-central Florida. Heavy rain fell within the St. Johns River basin and caused the entire river (from Cocoa in Brevard County to Astor in Lake County) to reach flood stage. Ten tornadoes were confirmed, eight of which were in Brevard County (one EF-0, six EF-1, and one EF-2).

Preliminary reports indicated 7,132 homes sustained damage, including 400 with major damage and 45 destroyed. Initial property damage was estimated at \$30 Million. Damage generally involved roof shingles/tiles, soffits, awnings, and pool enclosures. Several houses, condos and businesses lost portions of their roofs, primarily along the coast, with additional damage due to water intrusion. Hundreds of trees were uprooted or snapped and many gas station awnings along the coast were toppled. Florida Power and Light reported 100 percent of customers within the county lost power during the hurricane. A total of 3,667 residents evacuated to shelters within the county. Eight of Ten tornadoes were confirmed in Brevard County (one EF-0, six EF-1, and one EF-2).

On October 2, 2017, A surface boundary draped across the central Florida peninsula resulted in slow moving showers and thunderstorms that produced heavy rainfall across central and southern Brevard County. 6-10 inches of widespread rainfall was observed across the impacted areas, with isolated higher amounts of 10-11 inches of rain observed in Palm Bay, Malabar, Indialantic, and Floridana Beach. Areas of flooding and flash flooding resulted in impassible roads, stalled vehicles and water entered a few homes.

Widespread 7-9 inches of rain associated with the surface boundary fell across central Brevard County from Cocoa to Merritt Island to Cape Canaveral. Water entered several homes on Stratford Drive and Catalina Drive in Cocoa. Cidco Road in Cocoa and Sandgate Street in Cocoa were closed due to high flood waters. Flood waters entered homes on South Banana River Drive, East Crisafulli Road, Horseshoe Bend, Church Street and Newfound Harbor Road on Merritt Island. Flooding closed several roadways with multiple reports of people trapped in cars due to the rising floodwaters in the Buttonwood Manor neighborhood on Merritt Island.

In March of 2019, a strong weather disturbance brought unusually cold temperatures to central Florida. The lift from this system, combined with moisture, resulted in two long-tracked severe thunderstorms which affected central and southern Brevard County during the morning. The first Brevard County storm produced a historic swath of large hail and resultant damage to vehicles, home windows, roofs and pool screen enclosures (becoming the most significant hail storm on record within Brevard County). Areas most significantly impacted included Canaveral Groves, Cocoa, Rockledge, Central Merritt Island, Patrick Air Force Base, Satellite Beach, Indian Harbour Beach and Indialantic. Many of these areas experienced hail between the size of ping-pong balls (1.5-inch diameter) and golf balls (1.75-inch diameter), with maximum hail stones reaching hen egg size (2.0 inches) in Indialantic. One hour after this storm, another severe thunderstorm produced a second round of similar sized hail (up to golf ball size, 1.75-inch diameter) and affected many of the same areas including Canaveral Groves, Cocoa, Rockledge, Central Merritt Island and Patrick Air Force Base. Hail lasted 5 to 10 minutes during each of the storms and resulted in accumulation in many areas. Wind gusts of 45 to 55 mph also accompanied the storms. This was the county's first golf ball-sized hail recording since April 28, 2011. Only a handful of other such instances in the past 20 years (2000, 2001, 2003, 2004, 2007, 2011).



Courtesy of Tommy Lee, Satellite Beach



Courtesy of Kelli Starkey, Cocoa

Overall, the 2019 Atlantic hurricane season featured above normal activity. Eighteen named storms formed, of which six became hurricanes and three became major hurricanes. Major hurricane Dorian affected Brevard County though it never officially made landfall in Florida. The center of Dorian made its approach to Brevard's coast on Wednesday, September 4, 2019. The closest point of approach was 79 miles (east-northeast of Cape Canaveral) at 4 AM EDT. Damage was minimal throughout the county including historic flood zones and municipalities, the most significant damage was beach erosion. The president declared a major disaster for most of the east coast of Florida on October 21, 2019 after preliminary damage assessments were completed. This declaration made Public Assistance and Hazard Mitigation Grant Program assistance available to Brevard.



For a full listing of historical weather events to hit Brevard County, including economic, agricultural and human impacts, view the National Climatic Data Center data at the following website: <http://www.ncdc.noaa.gov/stormevents/>

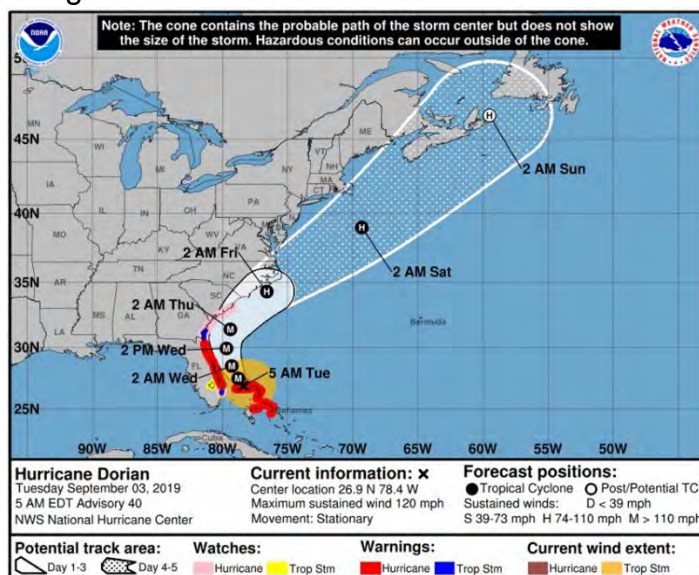
To view the storm inventory referenced above via map, visit the following website provided by the National Climatic Data Center: <http://www.ncdc.noaa.gov/cdo-web/search?datasetid=ANNUAL>

For a full listing of Presidential Disaster Declarations, visit the following website: <http://www.fema.gov/presidential-disaster-declarations>

### 1.9.7 Initial Hazard Identification

Brevard County is vulnerable to a wide range of natural and human-caused hazards that threaten life and property.

FEMA's current regulations and guidance under the Disaster Mitigation Act of 2000 (DMA 2000) require, at a minimum, an evaluation of a full range of natural hazards. An evaluation of human-caused hazards (i.e., technological hazards, terrorism) is encouraged, though not required for plan approval. The initial identification of hazards for inclusion in the risk assessment was based on earlier versions of the Brevard County LMS, as well as a review of the State of Florida Hazard Mitigation Plan and FEMA mitigation planning guidelines.



The next table lists the range of hazards identified that may impact the County. However, certain hazards of low risk, including earthquakes, land subsidence/sinkhole, and space weather/geomagnetic storms are not profiled in this hazard, risk, and vulnerability assessment.

Type	Hazard	Hazard-Specific Effects	Probability of Occurrence
Natural	Hurricane/Storms Effects	<i>High Winds</i>	5
		<i>Storm Surge</i>	5
		<i>Coastal Erosion</i>	5
		<i>Floods</i>	5
		<i>Tornadoes</i>	5
		<i>Thunderstorms/Lightning</i>	5
	Sea Level Rise		2
	Drought		4
	Severe Winter Storms		1
	Extreme Heat		4
	Wildfire		4
	Agricultural Infestation		4
	Seismic Hazards		1
	Land Subsidence/Sinkhole		1
	Tsunami		1
	Invasive Species		4
	Space Weather/Geomagnetic Storm		1
	Dam/Levee Failure		1
Technological	Hazardous Materials	<i>Bulk Fuel Tank</i>	2
		<i>Radiological Release</i>	2
		<i>Rail Transportation Incident</i>	2
		<i>Oil Spill</i>	2
	Communications System Failure		4
	Prolonged Utility Failure		5
	Terrorism		2
Societal	Pandemic/Epidemic		4
	Mass Casualty		5
	Transportation Accidents		2
	Civil Disorder		1

**Probability Legend**

- 1- Greater than 500-year occurrence
- 2- 500 years or less occurrence
- 3- 100 years or less occurrence

- 4- 25 years or less occurrence
- 5- Once a year or more occurrence

Each of the initially identified hazards was studied for their potential impact on Brevard County as well as in terms of the availability of hazard mitigation strategies to reduce that impact. Best available data on historical occurrences, the geographic location and extent as well as the probability of future occurrences were collected and reviewed as part of the hazard identification process. As a result of the identified hazards, reduction of services and capabilities of program operations are possible as personnel and public infrastructure are located in vulnerable areas.

### 1.9.8 Natural Hazards

#### Hurricane and Storm Effects

Hurricane and storms effects can produce high winds, storm surge, flooding, tornadoes, thunderstorms and lightning. Some of these hazards have the highest likelihood and largest potential damage impacts of all hazards covered in this report. The probability for more hurricane and storm effects to strike the peninsula of Florida and consequently the Brevard County area must be considered very high, a once a year or more occurrence. The greatest threats are storm surge along the barrier islands, wind damage to homes, businesses and coastal lands, inland flooding and mass casualty. While it is possible for the county to be hit by a category 4 or 5 hurricane, it is very unlikely based on past trends that have seen Florida's northeastern region mainly receiving tropical depressions/storms and categories 1-3. Impacts from these storms can include tree and natural environment destruction, infrastructure and house damage or collapse, downed power lines, blocked roads, flooding, and massive amounts of storm-generated debris. All structures are susceptible to impacts of hurricanes, especially buildings in floodplains, low-lying areas and unsound housing or mobile homes. Because this county has experienced hurricanes and/or storms with associated hazards annually it can be assumed to occur again with a similar frequency.

#### **High Winds** | *Natural Hazards*

High winds are those that approach or exceed 40 mph and are sustained for an hour or more. High winds accompany severe storms, hurricanes, tornadoes spawned by hurricanes and wind shears or bursts and their side effects, hail and lightning, are widely anticipated events in Brevard County. Due to the subtropical location and 72 miles of coastline, Brevard County is particularly susceptible to hurricanes and tropical storms. With its coastal location and flat topography, all of Brevard County and every municipality in the county are considered to be at high risk from the high winds associated with thunderstorms, tropical storms, and hurricanes.

There are approximately 21,328 mobile homes throughout the county and numerous structures erected prior to building code changes that could be damaged from a storm such as Hurricane Andrew, Katrina or more recently Hurricane Dorian. These structures are relatively more vulnerable to high wind damage. Wind damage from the storm itself is related to wind speed and the accompanying "pressure" that is exerted on those structures.

The following table outlines the classification system for tropical depressions, tropical storms and hurricanes, known as the Saffir-Simpson Scale. It is important to note that

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the hazards identified in this section are not always the result of hurricanes and tropical systems, but rather the normal climatic patterns over the state of Florida.

Category	Wind Speed	Type of Damage
Five (Major)	≥157 mph ≥137 kt ≥252 km/h	Catastrophic damage will occur: A high percentage of framed homes will be destroyed, with total roof failure and wall collapse. Fallen trees and power poles will isolate residential areas. Power outages will last for weeks to possibly months. Most of the area will be uninhabitable for weeks or months.
Four (Major)	130–156 mph 113–136 kt 209–251 km/h	Catastrophic damage will occur: Well-built framed homes can sustain severe damage with loss of most of the roof structure and/or some exterior walls. Most trees will be snapped or uprooted, and power poles downed. Fallen trees and power poles will isolate residential areas. Power outages will last weeks to possibly months. Most of the area will be uninhabitable for weeks or months.
Three (Major)	111–129 mph 96–112 kt 178–208 km/h	Devastating damage will occur: Well-built framed homes may incur major damage or removal of roof decking and gable ends. Many trees will be snapped or uprooted, blocking numerous roads. Electricity and water will be unavailable for several days to weeks after the storm passes.
Two	96–110 mph 83–95 kt 154–177 km/h	Extremely dangerous winds will cause extensive damage: Well-constructed frame homes could sustain major roof and siding damage. Many shallowly rooted trees will be snapped or uprooted and block numerous roads. Near-total power loss is expected with outages that could last from several days to weeks
One	74–95 mph 62–82 knots 119–153 km/h	Very dangerous winds will produce some damage: Well-constructed frame homes could have damage to roof, shingles, vinyl siding, and gutters. Large branches of trees will snap, and shallowly rooted trees may be toppled. Extensive damage to power lines and poles likely will result in power outages that could last a few to several days
Tropical Storm	18–32 m/s, 35–63 knots 39–73 mph, 63–118 km/h	Dangerous winds capable of inflicting damage on structures, although less likely than a Category 1 Hurricane.
Tropical Depression	<17 m/s, <34 knots <38 mph, <62 km/h	Dangerous winds and gusts capable of inflicting damage, but minimal damage done to structures.
Source: National Weather Service, National Hurricane Center		

The worst-case hurricane wind scenario for Brevard County would be if a large diameter Category 4 or 5 Atlantic hurricane made landfall in the southeast corner of the County, at Barefoot Bay and Snug Harbor (both large mobile home communities), and moved north-northwest on a route centered on a corridor approximated by US 1 and the Indian River. This north-northwest route would directly impact the densely developed areas of

the county and every incorporated jurisdiction. This route would require evacuation of large parts of the developed areas on the east side of the county. For non-evacuated areas, structural damage from wind would cause thousands of injuries and fatalities. It would also result in extensive and wide-spread damage to structures, utilities and vegetation. Mobile and manufactured homes throughout the county could be completely destroyed. Extensive roof, doorway and window damage would occur to single family residences and smaller multi-family residences. Larger engineered structures would suffer extensive damage to windows and roofs. Roofs on broad span structures and Butler type buildings would collapse. Above-ground electric transmission and distribution systems would be destroyed. Telecommunication networks would be extensively damaged, and many radio and microwave towers destroyed.

There would be large amounts of vegetative debris created, blocking roadways and restricting travel. Major roadways that could be affected by debris that would inhibit recovery include: Interstate 95, US Highway 1, US 192 New Haven Ave, Melbourne; SR46 Main Street, Mims; SR 405 NASA Parkway, Titusville; SR50 Cheney Highway, Titusville; SR 407 Challenger Memorial Parkway, Titusville; SR528 Beachline, Orlando to Port Canaveral, SR524 Bennett Causeway, Cocoa; SR520, Cocoa to Merritt Island; Highway A1A, SR406 Memorial Parkway, SR 513 South Patrick Drive, SR518, Eau Gallie, Melbourne; SR509 Wickham Road, Melbourne; SR 514 Malabar Road, Malabar; SR 516 Palm Bay Road, Palm Bay; and SR507 Babcock Street, Melbourne to south county line. Removal of vegetative debris, as well as construction and demolition debris, would be an enormous problem. Restoration of power and telecommunications would take weeks to complete throughout the area. The economic impacts would be extensive, with most business, including those serving tourists, closed due to damage to their facilities or to the homes of the residents. The probability of high winds is generally higher during hurricane season (June through November), but vary year to year depending on tropical activity in the Atlantic Ocean. Overall, the county is highly susceptible to wind damage compared to other parts of the country.

As stated previously, those residents in mobile and manufacture homes would be of concern as they would be highly affected. Those in mobile or manufactured homes are also at risk not only for this hazard but for others as well. The number of those at risk can be calculated by taking the 2010 census numbers (543,372) divided by the number of mobile and manufactured homes (21,328), then multiplying that by the average number of people per home (2.58 people which is the 2010 Census' average) about 9.87% of the county's residents living in a manufactured or mobile home, or 55,026 individuals. Several large mobile home parks include the previously identified areas of

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Barefoot Bay and Snug Harbor in southernmost Brevard's mainland. Both are in the highest wind risk area of the county. Other major parks include Hidden Lakes, Cocoa; Lamplighter Village, Melbourne; Southgate Mobile Homes, Cape Canaveral; Ocean View RV and Mobile Home Court, unincorporated Brevard; Lucky Clover Mobile Home and RV, Melbourne; and the Village of Ponce de Leon, Melbourne Beach.

The homeless are another vulnerable population. The total homeless counted during the Point in Time Count (PITC) on January 26, 2019 was 815 (down 24% from 2015), which included a 2% increase in unsheltered homelessness (388 in 2015 vs. 397 in 2019). Child homelessness has decreased by 40% (244 in 2015 vs. 146 in 2019) with unsheltered child homelessness also decreasing by 15% (13 to 11).

From 2015 to 2019, chronic homelessness has increased 39% from 148 to 206, while unsheltered chronic homelessness has increased by 26% (146 to 184). Veteran homelessness decreased nearly 6% from 193 to 182, with the unsheltered number of veterans decreasing by 4%, from 54 to 52.

The Point in Time Count does not provide an accurate number of all persons experiencing homelessness for many reasons; however, it provides the statistical basis for accurate percentages to show increase or decrease in these populations, year over year. Therefore, the percentage of increase or decrease is where one should focus for policy-making decisions, rather than the number of persons counted.

There have been no direct hits from tropical cyclones in Brevard since 2008; however, a close to coast brush with Hurricane Sandy in 2012, Hurricanes Colin and Matthew in 2016, Hurricane Irma in 2017, and Hurricane Dorian in 2019 produced notable damage from winds, flooding, surge, and erosion. Smaller storm surge events were also reported in 2012 from tropical storms Beryl and Debby.

On June 6 through June 7, of 2016 Tropical Storm Colin's outer rainbands impacted portions of east-central Florida with gusty winds and periods of heavy rain. While sustained winds remained below tropical storm force, gusts in heavy squalls did reach tropical storm force, in coastal Brevard County.

A very moist, tropical airmass in the wake of Tropical Storm Colin combined with a sea breeze boundary near the Brevard County coast caused showers and storms. Persistent rains result in roadway flooding within southern Brevard County. Between 4 and 6 inches of rain fell across south Brevard County during a 6-hour period from mid-morning through late afternoon, leading to roadway flooding, roadway closures and

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stranded vehicles. The areas with most significant impacts included Palm Bay and Malabar.

Later that same year the center of major Hurricane Matthew passed only 25 miles offshore Brevard County during the morning hours of October 7, producing a long duration of sustained tropical storm winds through much of the county and a shorter period of frequent gusts to hurricane force closer to the coast. The highest sustained recorded peak wind gusts included 87 mph at Satellite Beach, 81 mph on Merritt Island and 77 mph at Cocoa Beach. Wind damage occurred to several hundred homes, often a result of impacts due to falling trees. Eleven homes were destroyed, 140 sustained major damage, 549 experienced minor damage and an additional 1,500 homes were affected in some way. Damage estimates indicate an economic loss to Brevard's beaches of \$25 million due to coastal erosion.

Category 3 Hurricane Irma made landfall near Naples during the late afternoon of September 10, 2017. Irma then moved northward across west-central Florida during the evening and overnight while weakening to a Category 2 hurricane approximately 95 miles west of Melbourne. The highest sustained wind was measured at WeatherFlow site in Melbourne Shores (64 mph) and the peak gust was 94 mph along the Banana River at State Road 528. Eight of Ten tornadoes were confirmed in Brevard County (one EF-0, six EF-1, and one EF-2).

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The following tables summarize the financial exposure, building detail and land use summary of all parcels within each of the wind risk zones in Brevard County. The Wind Risk Zones map depicts the hazard zones summarized in these tables, which were generated by Hazus-MH climatic modeling software.

The risk model, from a statewide perspective, places higher probability of a hurricane with higher winds striking the southeastern and far-northwestern portions of the state of



Florida. As the coastline recedes northwest along Florida’s eastern seaboard, the likelihood of a direct hurricane strike – and the winds they produce – generally diminish over the long term utilizing this model. The following table has the wind risk for the county.

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	64,009	19.29%	45,944	13.84%	\$2,670,719,350.00	\$5,869,060,160.00	\$7,100,309,140.00	\$4,530,390,373.00	33,044	12,250	7,652	1,550						
106-110 mph	223,491	67.34%	171,956	51.81%	\$12,071,023,996.00	\$30,855,463,874.00	\$35,858,116,500.00	\$26,893,978,040.00	104,830	62,878	39,122	10,248						
111-115 mph	44,385	13.37%	34,279	10.33%	\$3,572,577,187.00	\$6,113,964,793.00	\$8,232,778,430.00	\$6,441,257,470.00	25,831	8,632	4,698	1,176						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	57,775	17.41%	1,664	0.50%	91	0.03%	469	0.14%	173	0.05%	2,747	0.83%	478	0.14%	2	0.00%	125	0.04%
106-110 mph	206,256	62.15%	6,698	2.02%	258	0.08%	2,078	0.63%	566	0.17%	3,593	1.08%	720	0.22%	8	0.00%	50	0.02%
111-115 mph	38,874	11.71%	1,653	0.50%	113	0.03%	203	0.06%	143	0.04%	2,473	0.75%	137	0.04%	1	0.00%	28	0.01%

The map on the following page shows wind risk zones in Brevard showing extent as listed below.

Zone 101mph-105mph includes:

- Unincorporated Brevard
- Western City of Cocoa
- All of the City of Titusville

Zone 106mph-110mph includes:

Portions of -

- Unincorporated Brevard
- City of Cocoa
- City of Satellite Beach

All of -

- City of Cape Canaveral
- City of Cocoa Beach
- City of Melbourne
- Town of Melbourne Village
- City of Palm Bay
- Town of Palm Shores
- City of Rockledge
- City of West Melbourne

Zone 111mph-115mph includes:

Portions of -

- Unincorporated Brevard
- City of Satellite Beach

All of –

- City of Indian River
- Town of Indian Harbor Beach
- Town of Grant-Valkaria
- City of Malabar
- City of Melbourne Beach



**Wind Risk**

- Max Winds < 90 mph
- Max Winds 91-95 mph
- Max Winds 96-100 mph
- Max Winds 101-105 mph
- Max Winds 106-110 mph
- Max Winds 111-115 mph
- Max Winds 116-130 mph
- Max Winds > 130 mph

Map Labels: TITUSVILLE, COCOA, ROCKLEDGE, PALM SHORES, MELBOURNE, MELBOURNE VILLAGE, WEST MELBOURNE, PALM BAY, MALABAR, GRANT-VALKARIA, CITY OF CAPE CANAVERAL, COCOA BEACH, SATELLITE BEACH, INDIAN HARBOUR BEACH, INDIALANTIC, MELBOURNE BEACH.

Highways: 528, U.S. 1, U.S. 192, I 95.

Inset Map: Shows the location of Brevard County within the state of Florida.

Seal: EAST CENTRAL FLORIDA-NORTHEAST FLORIDA COUNCIL OF GOVERNMENTS, 1962.

Data Source(s): HAZUS (2011), Brevard County (2013)

**Storm Surge** | *Natural Hazards*

Storm surge is a rise above the normal water level along a shore caused by strong onshore winds and/or reduced atmospheric pressure. The surge height is the difference of the observed water level minus the predicted tide. Storm surge can be 50 or more miles wide and sweeps across the coastline around where the hurricane makes landfall. The maximum rises in sea-level move from under the storm to the right of the storm's track, reaching maximum amplitude of 10 to 30 feet at the coast. The storm surge may double, or more, in height when the hurricane's track causes it to funnel water into a bay. Typically, the stronger the hurricane, the higher and more powerful the storm surge will be.

In fact, the greatest threats posed by a hurricane or a tropical storm to Brevard County are storm surge along the barrier islands; wind and water damage to homes, businesses, and coastal lands; and inland flooding. The barrier islands from Cape Canaveral to Sebastian Inlet are susceptible to the effects of storm surge created by tropical systems and severe winter storms. The combination of high tides and wind action can create coastal flooding and saltwater inundation of the barrier islands and are considered significant risk factors. Storm surge is ranked highly by the beach communities spread along the coastline and is of serious concern.

The worst-case for storm surge would be if a major Atlantic approaching hurricane, such as a Category 4 or 5, expected to make landfall in south Brevard County were to arrive at high tide and was accompanied by violent wave activity. The following table shows the occurrence of storm surge since 2015, these are the storm surge events since the last plan update.

The storm surge zone maps in this section indicate that the extent of storm surge could impact all of the barrier island communities, as well as the Indian River Lagoon System from the Sebastian River Inlet, along Melbourne up to Cocoa, and northward past Titusville; and including the Banana River shoreline to the county's northern boundary. There is development within most of these areas, including development directly on the water's edge. Thousands of structures within these areas would be vulnerable to storm surge and accompanying wave action through a range of impacts, including erosion of the sand beneath the structure causing it to collapse, physical pressure that would damage the structure or move it off its foundation, and/or receive inundation from surge.

Brevard County could potentially see the washout of the main north/south thoroughfare for the barrier islands, Highway A1A, which would severely hinder response, reentry

and recovery following a storm. The area just north of Patrick Air Force Base would be extremely susceptible to washout, as the narrowest portion of the barrier island and in a catastrophic event the roadway could be breached, and a new inlet could be formed. As well, mobile and manufactured home parks on the barrier islands could see devastating impacts due to storm surge, especially areas such as the Southgate Mobile Homes in Cape Canaveral (approximately 65 mobile homes), Ocean View RV and Mobile Home Court (approximately 50 homes) in unincorporated Brevard County, and Lucky Clover Mobile Home and RV (approximately 100 homes) in beachside Melbourne. These mobile and manufactured homes could be moved off of their supports, impacting roadways and other residences in the vicinity.

Other roadways which serve as evacuation routes for the barrier islands include State Road (SR) 405(NASA Causeway), SR 528 (The Beachline), SR 404 (Pineda Causeway), SR 518 (Eau Gallie Causeway) and SR 192 (Melbourne Causeway). Each would be affected along with utilities that run along those causeways. These utilities and communications systems would be significantly damaged and require extensive and time-consuming repairs. If surge zone evacuation was not complete or extensive enough, numerous injuries and fatalities could be expected. There are over 72,000 homes and businesses in the Category 5 surge zone. Areas of industry and tourism like Kennedy Space Center, Cape Canaveral Air Force Station, Port Canaveral, Cocoa Beach Pier, Kelley Park, Lori Wilson Park, Patrick Air Force Base, Sebastian State Park and all areas between would be devastated.

Port Canaveral is the world's second busiest cruise port. There are seven cruise lines, with six major cruise terminals. It handles tons of cargo each year. The port has contributed \$500 million annually to the county's economy. Since the tourist industry is generally concentrated in the surge zones, as well as those industry areas mentioned above, the economic impact would be enormous and long-lasting.

Beach erosion would be significant, with the loss of hundreds of beach-front structures due to damaged foundations. In the worst-case, environmental damage of well over 10,000 acres of undeveloped land would also be realized and significant, due to salt water inundation over those areas. The damage to Brevard's beaches would not only affect people but also threatened and endangered animal and plant species. Populations like the sea turtles (Hawksbill, Kemp's Ridley, Leatherback and Loggerhead), the beach mouse, Florida scrub jay, and gopher tortoise would be affected or eradicated.



The Indian River Lagoon System is also a draw for tourism and aquaculture in it contributes millions to the economy. The Lagoon also produces more that 25% of the blue crabs to Florida's East Coast. This area would be devastated by change in salinity from overland surge.

Utilizing the National Hurricane Center's Sea, Lake and Overland Surges from Hurricanes (SLOSH) modeling program, Brevard County operated the Cape Canaveral SLOSH basin, a geographical region with known values for topography and bathymetry, to determine storm surge amounts which could be seen during a Category 3 or Category 4 impacting the area. These models also depict impact areas within the previously identified communities that would be vulnerable to storm surge.

For these purposes, the Maximum Envelopes of Water (MEOWs), which are formed from the envelopes of several similar hypothetical storms which run parallel to each other, were combined to establish the Maximum of MEOWs (MOMs) for a Category 3 and Category 4 hurricane impacting Brevard County. The MOMs combine all hypothetical storms which run parallel to each other, from each direction, and depict the maximum amount of water seen within every grid cell that is reached in any several MEOWs.

### Recent Storm Tides & Surge for Named Storms Since 2015

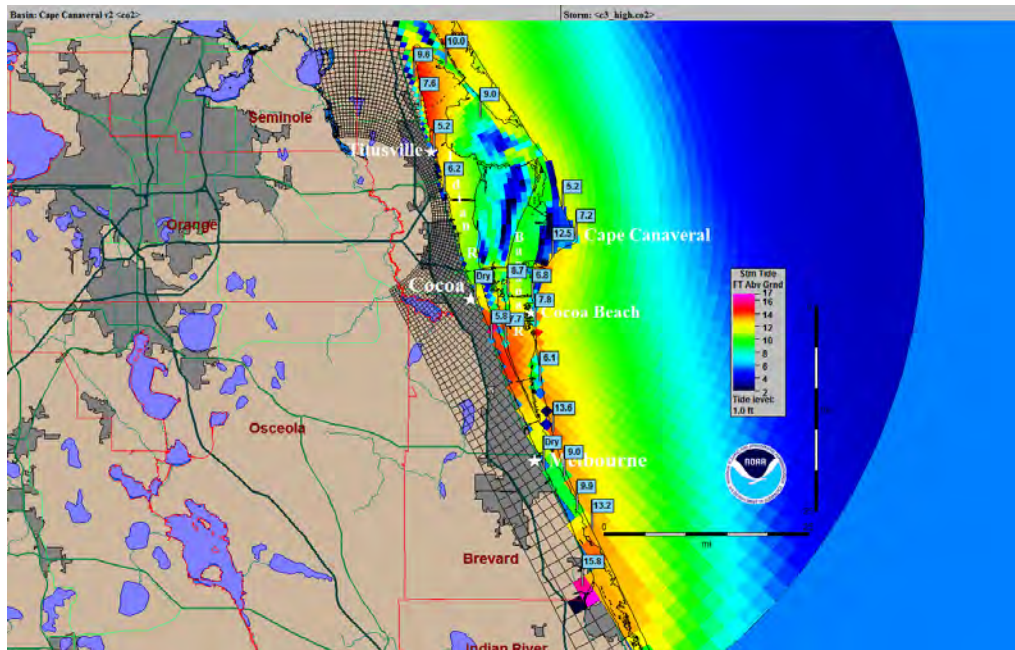
Storm Name	Year	Longitude	Latitude	Storm Tide(ft.)	Storm Surge (ft.)	Datum	Location	Basin	State
Matthew	2016	-80.59	28.41	1.77	3.93	MHHW	Trident Pier (NOS) TRDF1	U.S. Atlantic Coast	FL
Irma	2017	-80.59	28.42	4.14	4.17	MHHW	Trident Pier (TRDF1-8721604) NOS Tide Gauge	U.S. Atlantic Coast	FL
Dorian	2019	-80.59	28.42	2.24	1.59	MHHW	Trident Pier (NOS) TRDF1	U.S. Atlantic Coast	FL

Source: National Weather Service Melbourne

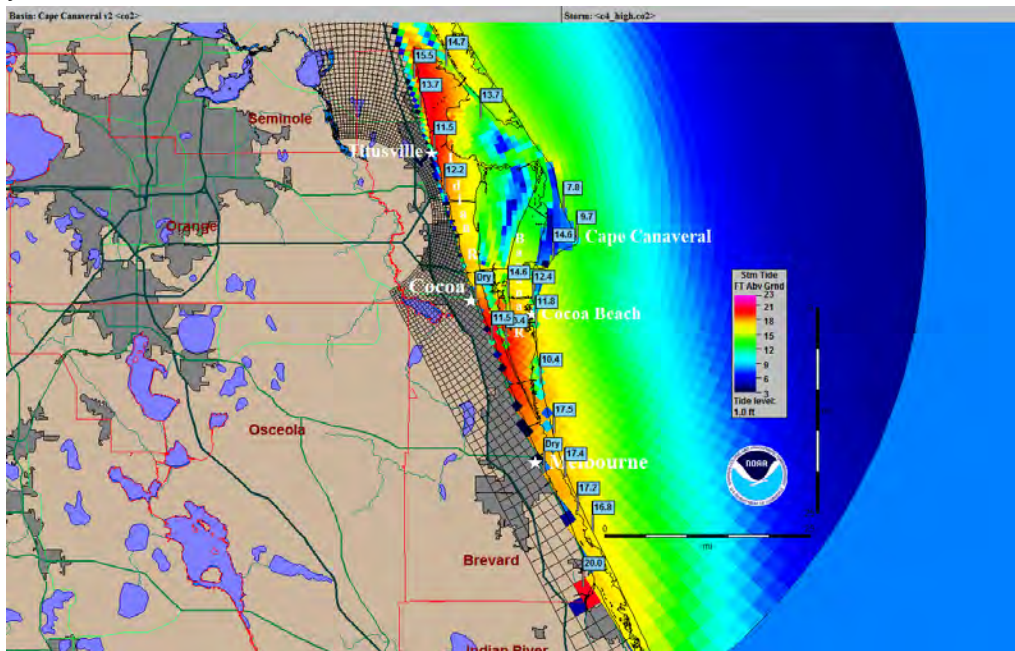
In each of the SLOSH model displays on the following pages, average high tide of one foot was utilized, and the flags represent the height of water above ground surface in

feet. As evidenced in these images, storm surge could critically impact the residents of Brevard County not only on the barrier islands (including Merritt Island) but also through inland flooding.

#### Category 3 Hurricane - SLOSH Model - MOM



#### Category 4 Hurricane SLOSH Model - MOM



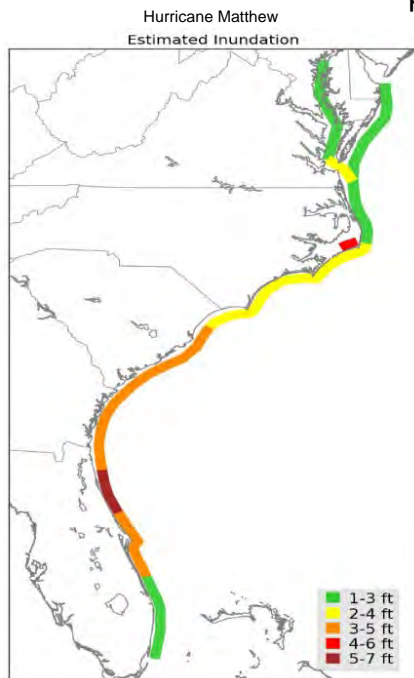
**Historical Surge**

Upon making landfall, Hurricane David (September 3, 1979) brought a storm surge of only 2 to 4 feet, due to its lack of strengthening and the obtuse angle at which it hit. In addition, David caused strong surf and moderate rainfall, amounting to a maximum recorded in Vero Beach of 8.92 inches. The National Weather Service Melbourne Office estimated that Hurricane Erin (1995) generated a 2 to 4 feet of storm tide during the Florida east coast landfall. According to the Melbourne office, up to 12 inches of rain fell southwest through northwest of their site. 2004 Hurricane Frances produced storm surge around 8 feet near Sebastian Inlet and 6 feet in Cocoa Beach followed by Hurricane Jeanne which produced a storm surge of 3.8 feet above normal astronomical tide levels was measured at Trident Pier at Port Canaveral about an hour after landfall. Storm surge of up to 6 feet above normal tides likely occurred along the Florida east coast from the vicinity of Melbourne southward to Fort Pierce. While Tropical Storm Fay was an extreme rainfall event breaking a 50-year record in 2008 with 27.65 inches of rain as recorded in Melbourne, it produced minimal storm surge of 1-2 feet above National Geodetic Vertical Datum (NGVD).

In 2012, storms Beryl, Sandy and Debby brought additional surge on top of the astronomical high tides as recorded at the Trident Pier in Port Canaveral.

October 26, 2012, Hurricane Sandy had the worst affected on the coast of Brevard bringing an additional 2.49 feet to the high tide. Sandy moved slowly northwest, parallel to the Florida coast, 200-250 miles offshore. Large and pounding surf coupled with additional surge height affected the beaches for six or more high tide cycles, during a period of high astronomical tides. By the end of the event, many of the beaches had sustained moderate to major beach erosion. Numerous beach cross-overs and lifeguard towers were damaged, and sand was washed onto coastal roadways and beach





Estimated maximum storm surge inundation levels (ft above ground level) along the southeastern and mid-Atlantic coasts of the United States due to Hurricane Matthew. Estimates are based on USGS and NWS high water mark observations, NOS tide station observations above MHHW, and USGS storm tide pressure sensors. Image courtesy of the NHC Storm Surge Unit.

parking areas in several locations. Coastal erosion and other damage estimates for Brevard were in excess of 25 million dollars.

Category 3 Hurricane Matthew remained about 30 nautical miles offshore of Florida's east coast in October of 2016. The western edge of Matthew's eyewall clipped NASA's Cape Canaveral launch facility, producing sustained Category 2 winds at the extreme northeastern portion of the launch complex on October 7, 2016. Surge along the county's shoreline were nearly 4 feet.

Hurricane Irma effected the county with surge of up to 4.17 feet on September 10, 2017. Hurricane Dorian skirted by about 90 miles off shore but still left beach erosion from surge of 1.5 feet.

No major coastal erosion events with surge have occurred since Hurricane Dorian in 2019.

Since storm surge has happened in the past it can be expected to happen again with a once a year or more occurrence. Storm surge elevations for this area are depicted on the SLOSH model storm surge graphics in this section and range from 5.2 to 20 feet above ground

level, therefore it could be expected based on these models and historical information that storm surge of these levels could be expected with Category 3 or 4 hurricanes.

The following table was taken from the Brevard County Storm Tide Atlas published in 2010. These heights represent the maximum surge height recorded in the county from the storm tide analysis.

Storm Strength	Brevard
Category 1	Up to 6'
Category 2	Up to 10'
Category 3	Up to 16'
Category 4	Up to 21'
Category 5	Up to 26'



Photo above of a boat tossed ashore by Hurricane Irma storm surge and the removal, September 2017.





Post Storm assessment Hurricane Matthew, Brevard received \$4.6 million from the Florida Department of Environmental Protection (FDEP) matching funds renourishment because FEMA declared on emergency in Brevard. An Additional 30 Million was received from the Flood Control and coastal Emergency fund to help renourished the dune in the north and south reach of Brevard beaches.



10/6/2016 Hurricane Matthew photos of damage caused by coastal erosion, surge, and flooding that collapsed several homes and accessory structures in the Melbourne Beach area.

Current coastal setback regulations mitigated some of the damage which occurred. Current dune setbacks for new construction paired with stronger construction saved structures.





Hurricane Matthew – Surge sends debris along the shoreline of the Indian River Lagoon. Irma and Matthew high waters sank several boats causing a large derelict vessel problem following both storms.

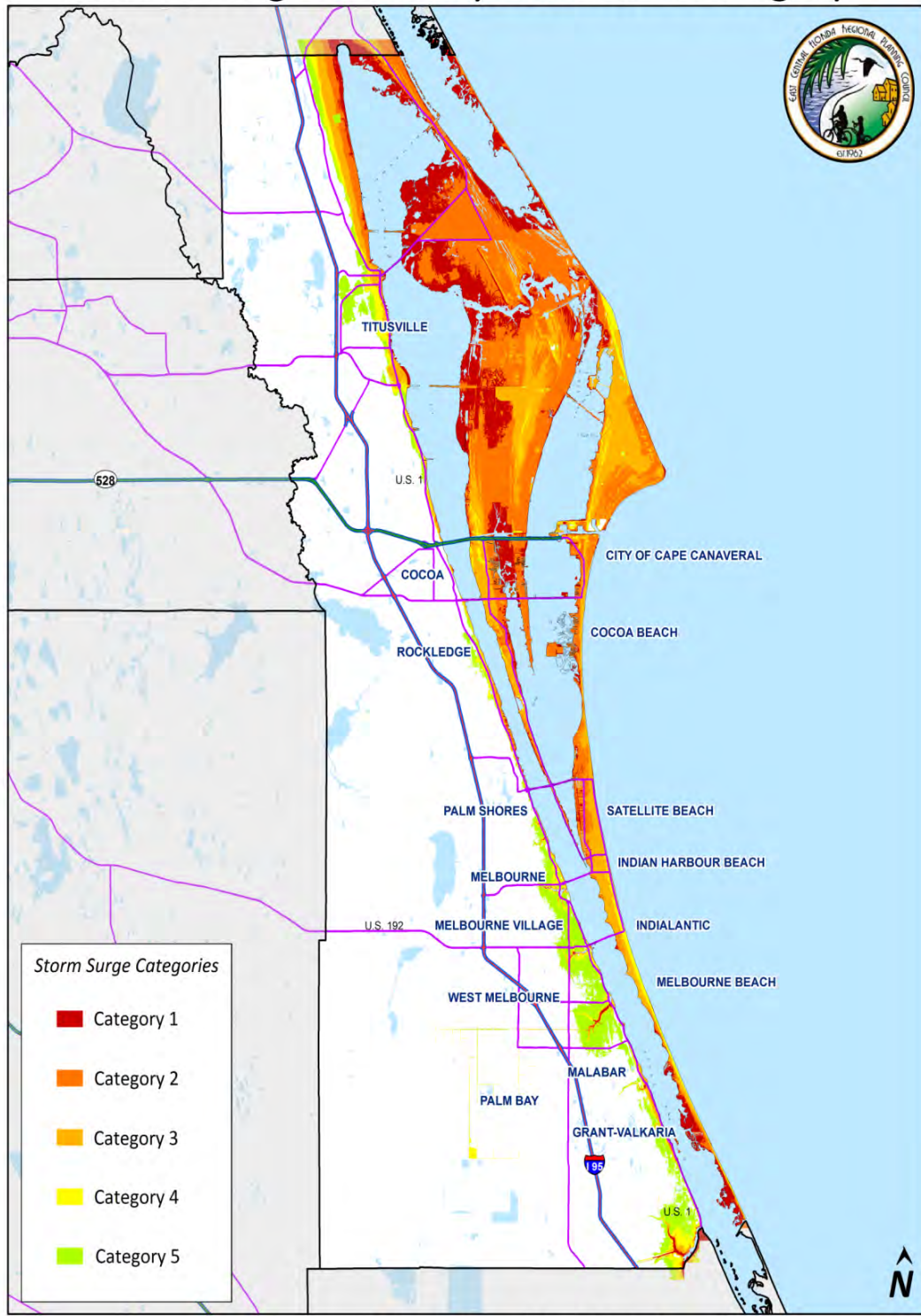




The following tables summarize the financial exposure, building detail and land use summary of all parcels within each of the storm surge zones in Brevard County. The map on the following page depicts the hazard zones summarized in these tables.

Storm Surge Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Category 1	20,199	6.09%	16,852	5.08%	\$4,236,256,736.00	\$4,473,342,314.00	\$7,665,870,850.00	\$5,193,340,617.00	11,844	5,418	3,252	406						
Category 2 (Cumulative)	27,410	8.26%	23,304	7.02%	\$4,900,518,746.00	\$5,764,595,244.00	\$9,267,643,530.00	\$6,433,155,189.00	16,736	6,916	4,111	23,334						
Category 3 (Cumulative)	47,392	14.28%	41,781	12.59%	\$6,298,351,866.00	\$9,328,203,844.00	\$13,420,817,680.00	\$9,650,154,437.00	31,448	10,648	6,121	41,630						
Category 4 (Cumulative)	74,303	22.39%	66,211	19.95%	\$8,396,809,616.00	\$13,900,001,794.00	\$18,983,581,890.00	\$14,218,080,422.00	50,543	15,809	8,758	65,372						
Category 5 (Cumulative)	92,022	27.73%	81,263	24.49%	\$9,538,741,533.00	\$16,459,249,847.00	\$22,261,092,470.00	\$16,603,970,951.00	62,623	18,560	10,268	79,959						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Category 1	18,412	5.55%	393	0.12%	34	0.01%	65	0.02%	47	0.01%	763	0.23%	102	0.03%	1	0.00%	22	0.01%
Category 2 (Cumulative)	24,808	7.47%	652	0.20%	49	0.01%	95	0.03%	74	0.02%	869	0.26%	138	0.04%	1	0.00%	24	0.01%
Category 3 (Cumulative)	43,311	13.05%	1,261	0.38%	69	0.02%	203	0.06%	114	0.03%	1,053	0.32%	230	0.07%	1	0.00%	26	0.01%
Category 4 (Cumulative)	67,316	20.28%	2,817	0.85%	167	0.05%	203	0.06%	210	0.06%	1,397	0.42%	332	0.10%	1	0.00%	27	0.01%
Category 5 (Cumulative)	82,195	24.77%	4,313	1.30%	259	0.08%	203	0.06%	340	0.10%	1,813	0.55%	364	0.11%	3	0.00%	32	0.01%

## Storm Surge Zones by Hurricane Category



Data source: *Brevard County Storm Tide Atlas*, FDEM/ECFRPC 2010 Florida Statewide Regional Evacuation Study

**Flooding** | *Natural Hazards*

Floods are the inundation of a normally dry area caused by an increased water level in an established watercourse, such as a river, stream, drainage ditch, or ponding of water at or near the point where the rain fell. For Florida as a whole, flooding is a continuous concern, and generally is the cause for more deaths than high winds. In Brevard County and its municipalities, flooding can result from either storm surge associated with hurricanes, riverbank overflow, or ponding from heavy rains within a drainage area.

Due to its topography, the county has experienced inland flooding from at least 12 hurricane strength storms and numerous tropical systems since 1922. In addition, severe winter weather systems have caused significant coastal and inland flooding. Flooding can occur from the ocean or rising waters of the Indian River, Banana River, St. John's River, Mosquito Lagoon, Sykes Creek and Newfound Harbor. The majority of the land west of Interstate 95 makes up part of the St. John's River Valley flood plain.

The county is susceptible to short duration flooding, typical of a frontal system with short periods of rain. However, rainfall can be very intense and usually is associated with thunderstorms. Freshwater flooding occurs when an excessive amount of rainfall accompanies a tropical storm or hurricane. With the topography and high-water table of Brevard County, drainage problems can make a small amount of rainfall very significant. Man-made alterations to the land have disrupted natural flow patterns and can lead to shallow flooding over a large area. Lastly, coastal tidal flooding is generated from high tides and wind action and is a chronic problem within the coastal shoreline. In Brevard County, extreme flooding events can occur throughout the County at any time of the year.

A worst-case flooding situation, in excess of the 100-year flood, would probably result from prolonged, heavy rainfall that would cause river and stream flooding, as well as localized flooding where storm drainage capacities were inadequate for the storm event. Any structure of any type located within a floodplain and/or in areas subject to poor drainage would be vulnerable to damage or disruption from flooding, unless its vulnerabilities have been mitigated in an appropriate manner, e.g., elevation above the flood level and protection of utilities. On August 25,



Localized Flooding, Tropical Storm Fay, 2008

1999, numerous thunderstorms passing over Melbourne and Brevard County produced nearly 3 to 8 inches of rain flooding numerous roadways, and 49 homes received minor flooding. On October 24, 2005, Hurricane Wilma produced 10 to 13 inches of rain which fell across the central and north part of the county, and about 200 homes were flooded in Cocoa. The most recent widespread flooding event was the result of record-setting rain during Tropical Storm Fay in 2008. Fay's rain produced 0.01 inches to 3.8 feet of flooding above ground level. Therefore, Brevard County could expect to experience at least 3.8 feet of flooding in the future.

A more recent flood event was due to the close call with Hurricane Sandy, October 26, 2012, which produced storm surge that resulted in coastal flooding and erosion. Large and pounding surf affected the beaches for six or more high tide cycles, during a period of high astronomical tides. By the end of the event, many of the beaches had sustained moderate to major beach erosion. The erosion damaged several home foundations, patios, crossovers, pools, and endangered many other beach-front residences throughout Brevard's Barrier Islands. Total estimated damage was over \$25 million. Example photos in specific areas can be seen under the coastal erosion and surge sections of Natural Hazards.

In 2016, Tropical Storm Colin moved from the northeast Gulf of Mexico to the far eastern Florida panhandle. On June 6 through June 7, outer rainbands impacted portions of east-central Florida with gusty winds and periods of heavy rain. The tropical airmass in the wake of Tropical Storm Colin remained across east-central Florida. An approaching weather disturbance aloft combined with a sea breeze boundary near the Brevard County coast caused training of showers and storms. Persistent rains result in roadway flooding within southern Brevard County. Between 4 and 6 inches of rain fell across south Brevard County during a 6-hour period from mid-morning through late afternoon, leading to roadway flooding, roadway closures and stranded vehicles. High levels of standing water continued into the early evening then rapidly subsided. The areas with most significant impacts included Palm Bay and Malabar.

Category 3 Hurricane Irma made landfall near Naples during the late afternoon of September 10, 2017. Irma then moved northward across west-central Florida during the evening and overnight while weakening to a Category 2 hurricane approximately 95 miles west of Melbourne. Heavy rain fell within the St. Johns River basin and caused the entire river (from Cocoa in Brevard County to Astor in Lake County) to reach flood stage.

On October 2, 2017, A surface boundary draped across the central Florida peninsula resulted in slow moving showers and thunderstorms that produced heavy rainfall across central and southern Brevard County. 6-10 inches of widespread rainfall was observed

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across the impacted areas, with isolated higher amounts of 10-11 inches of rain observed in Palm Bay, Malabar, Indialantic, and Floridana Beach. Areas of flooding and flash flooding resulted in impassible roads, stalled vehicles and water entered a few homes. No flooding events of note have occurred since 2017.

Vulnerable populations are those in flood zones including isolated low-lying areas, flow ways for streams and creeks, seepage hill bases, wetlands, and coastal areas. Some areas in the zones mentioned include North Merritt Island between Hall Road to the south, north and east boundaries of the Kennedy Space Center, and west boundary of State Road 3. Other areas include Space Coast Gardens, Melrose Manor, and Shakespeare Park in the Cocoa area; Lamplighter Village in south central Brevard; Eau Gallie Road west of I-95, Harlock Road adjacent to and to the east of I-95, the upper basin of Turkey Creek, Sebastian Creek, Fellsmere Grade Road, Little Hollywood and Deer Run in south Brevard. All of the Barrier Island, Merritt Island and Lagoon shoreline jurisdictions are susceptible to coastal flooding.

With flooding assessed as the hazard with the third highest relative risk, Brevard County has a particular interest in participation in the National Flood Insurance Program (NFIP) and the Community Rating System (CRS), in order to assist homeowners and businesses with decisions about property vulnerability and flood insurance. The NFIP allows property owners in the 100-year flood zone to acquire federal flood insurance policies on their land, which is subject to flood hazards. Those cities and counties participating in the CRS qualify residents for reduced rates on flood insurance, which vary depending on level of activities the jurisdiction performs to reduce its flood potential. Brevard has adopted and enforces floodplain management requirements in accordance with current NFIP standards including regulating new construction in Special Flood Hazard Areas and will continue to comply by:

- Enforcing the Floodplain Management Ordinance which regulates new development and substantial improvements in the special flood hazard areas.
  - Inform the community by news releases and open public meetings
  - Provide community outreach
  - Provide information via county public TV
- Maintain elevation certificates on file for all new construction in the SFHAS or for substantial improvements to properties in the SFHAS.
- Use best available (flood map) data for issuing construction permits.
  - Provide Public Education Seminars

- Provide updated mapping to each municipality
  - Maintain public records and make them available for review.
    - Engage in community outreach
    - Utilize and retain news releases and county public TV broadcasts
  - Maintain records pertaining to LOMAS and LOMRS.
  - Provide information related to flood hazards, flood maps, and NFIP information to the public upon request.
  - Continue community outreach efforts for compliance with the community rating system program (CRS).
  - Integrate new NFIP information and mapping into already existing strong community presentations.
  - Continue to promote flood insurance to property owners.
    - Increase and continue outreach presentations to community and home owners' associations
  - Continue to update the public via
    - Community outreach
    - Internet
    - Social Media
    - News releases
    - County public TV
  - Where feasible, continue to identify/acquire land in the SFHA open space/preservation.
  - Promote hazard flood mitigation to the public.
    - Provide LMS upon written request
    - Integrate into outreach presentation
  - Continue drainage maintenance and drainage system improvement projects.
    - Encourage more drainage projects through-out the county in all LMS meetings
  - Continue floodplain management activities and explore opportunities for possible CRS class enhancement.
  - Adopt and enforce the floodplain management plans.
  - Provide continued education and best practices to all municipalities.
  - Provide robust community assistance program.
    - Community outreach presentations
  - Provide outreach upon request to municipalities not participating in the CRS.
    - Provide continued outreach, best practices to municipalities that are not part of the CRS
    - Document each municipality not a participant in the CRS and continue providing them with best practices
-

- Ensure that municipalities not participating in the CRS are members of the LMS working group, allowing them still to receive mitigation information
- Maintain flood hazard publications at the main branch of the library.

The county reported 160 Repetitive Loss Properties due to flooding as of the end of 2018. Payouts total \$12,628,030 for building and contents. Numbers of repetitive loss properties by type and jurisdiction can be found in the last column of the *Flood Insurance Statistics* table on page LMS - 171. Maps showing areas of repetitive loss and flood zones are at the end of this section.



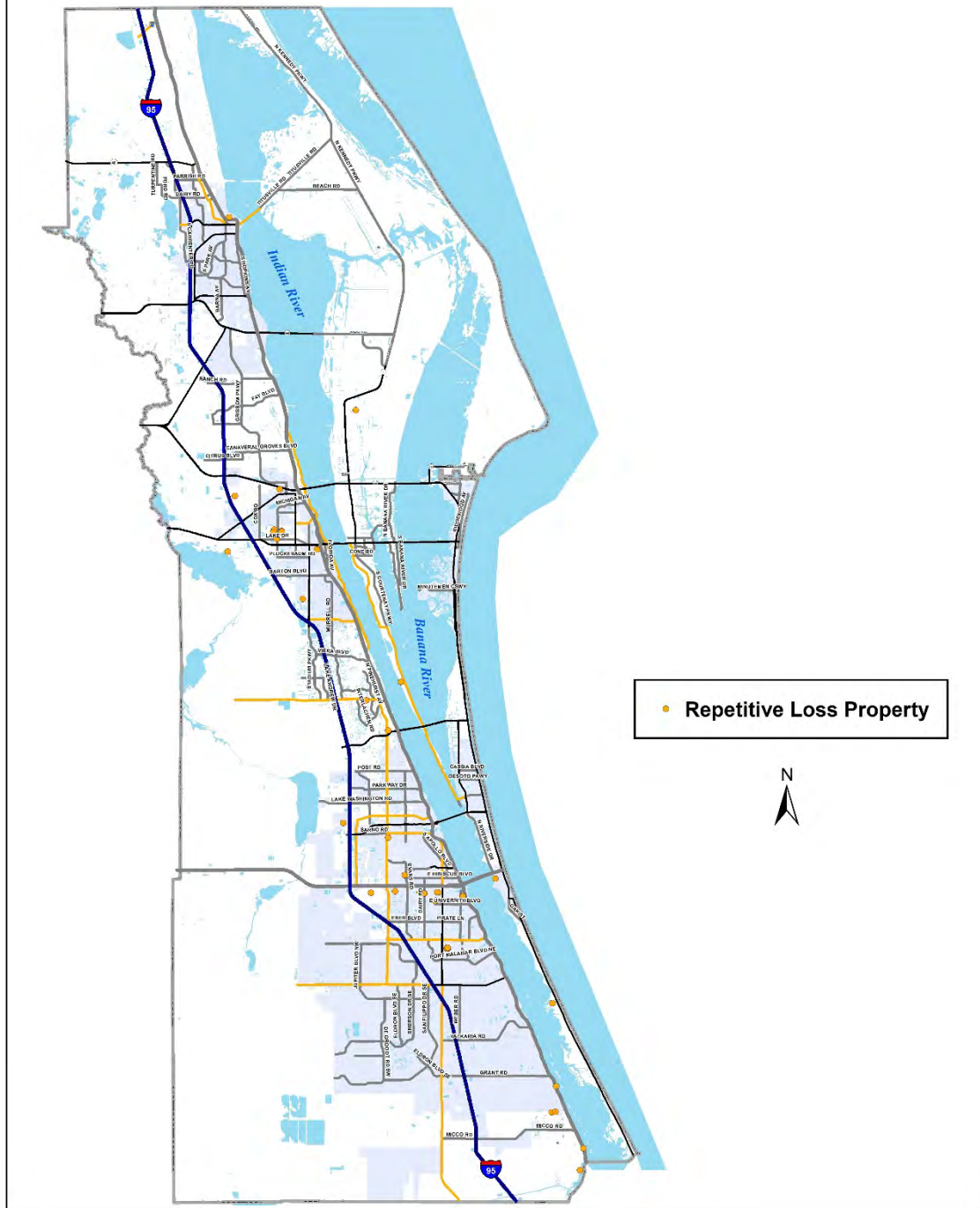
Photo of flooding around homes and businesses in Rockledge following hurricane Irma, NWS

The following tables summarize the financial exposure, building detail and land use summary of all parcels within each of the flood zones in Brevard County. The map on the following page depicts the hazard zones summarized in these tables. For descriptions of all of the flood zones shown below, reference the following link: <https://www.fema.gov/flood-zones>

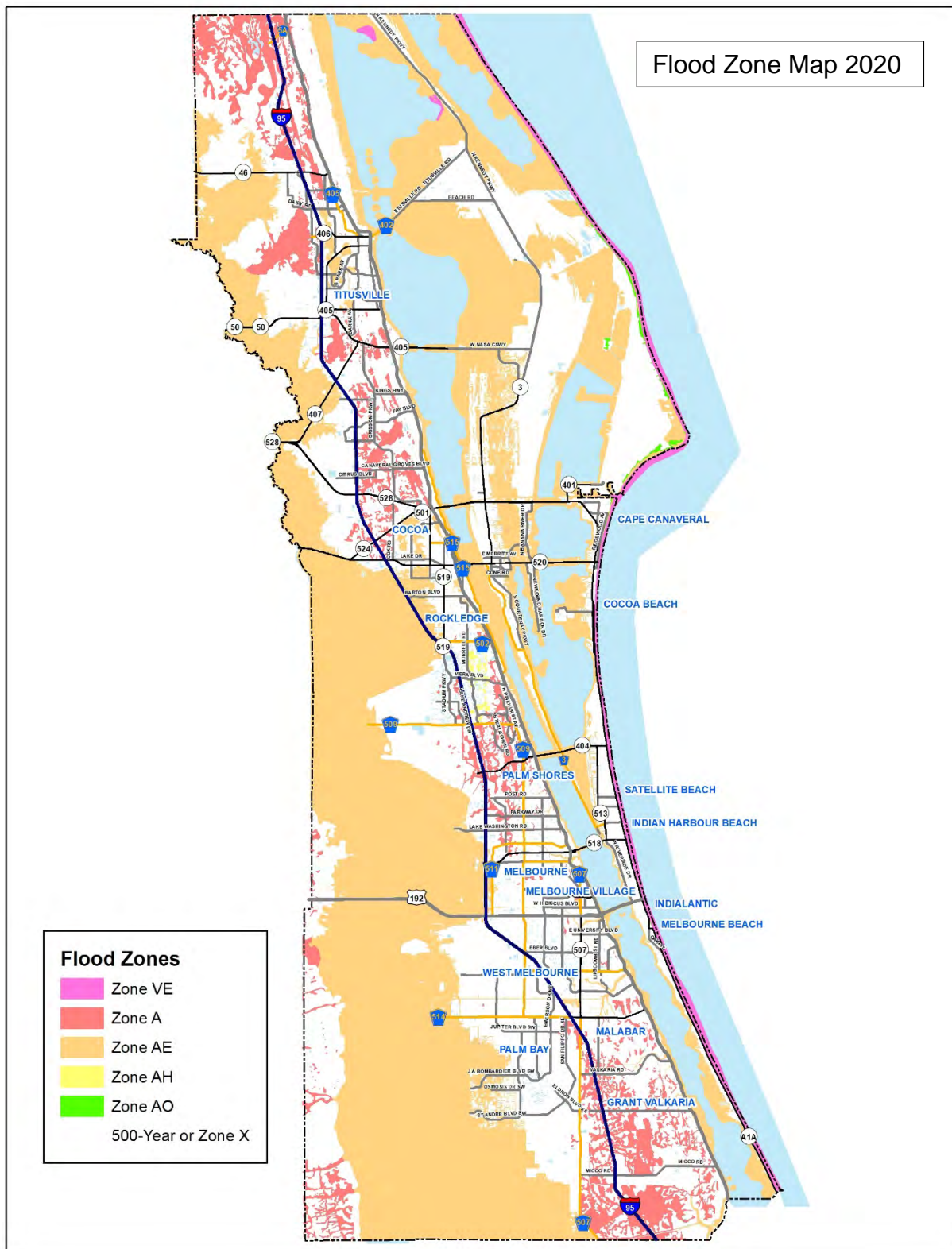
The probability that Brevard County will continue to experience flooding as described is highly likely, a once a year or more occurrence.

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	20,126	6.06%	11,758	3.54%	\$1,063,106,290.00	\$2,596,943,610.00	\$3,149,310,980.00	\$2,340,135,529.00	5,897	5,413	2,888	841						
Flood Zone AE	22,098	6.66%	13,925	4.20%	\$2,553,825,220.00	\$3,256,231,930.00	\$4,957,854,950.00	\$3,427,935,182.00	10,098	3,696	2,293	405						
Flood Zone AO	1,391	0.42%	1,289	0.39%	\$183,047,850.00	\$416,773,580.00	\$532,261,470.00	\$383,690,522.00	1,007	276	124	9						
Flood Zone AH	1,516	0.46%	1,300	0.39%	\$55,348,010.00	\$278,272,150.00	\$279,556,640.00	\$215,493,779.00	127	1,138	664	27						
Flood Zone VE	7,361	2.22%	6,130	1.85%	\$833,402,600.00	\$2,104,295,470.00	\$2,652,310,660.00	\$2,155,441,203.00	4,921	2,020	929	187						
Flood Zone X	250,991	75.63%	202,237	60.94%	\$11,956,911,023.00	\$31,123,137,677.00	\$35,565,945,570.00	\$26,349,607,054.00	131,475	66,132	41,180	10,732						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	16,949	5.11%	386	0.12%	11	0.00%	256	0.08%	39	0.01%	1,974	0.59%	257	0.08%	0	0.00%	7	0.00%
Flood Zone AE	19,203	5.79%	391	0.12%	30	0.01%	104	0.03%	51	0.02%	1,358	0.41%	324	0.10%	1	0.00%	36	0.01%
Flood Zone AO	1,306	0.39%	23	0.01%	1	0.00%	0	0.00%	0	0.00%	29	0.01%	1	0.00%	0	0.00%	0	0.00%
Flood Zone AH	1,442	0.43%	44	0.01%	0	0.00%	0	0.00%	3	0.00%	11	0.00%	0	0.00%	0	0.00%	2	0.00%
Flood Zone VE	7,071	2.13%	48	0.01%	6	0.00%	0	0.00%	0	0.00%	200	0.06%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	230,459	69.44%	8,555	2.58%	374	0.11%	2,210	0.67%	725	0.22%	4,603	1.39%	593	0.18%	10	0.00%	147	0.04%

## Repetitive Loss Properties - Generalized Areas







**Tornado** | *Natural Hazards*

A tornado is a violently rotating column of air, descending from a cumuliform cloud or underneath a cumuliform cloud, and often (but not always) is visible as a funnel cloud.

The strength of tornadoes is measured using the Enhanced Fujita Scale which is defined as follows:

EF-Scale:	Typical Damage:
<b>EF-5</b> (>200 mph)	<b><u>Incredible</u></b> . Strong frame houses leveled off foundations and swept away; automobile-sized missiles fly through the air in excess of 100 m (109 yd.); trees debarked; incredible phenomena will occur.
<b>EF-4</b> (166-200 mph)	<b><u>Devastating</u></b> . Well-constructed houses leveled; structures with weak foundations blown away some distance; cars thrown, and large missiles generated.
<b>EF-3</b> (136-165 mph)	<b><u>Severe</u></b> . Roofs and some walls torn off well-constructed houses; trains overturned; most trees in forest uprooted; heavy cars lifted off the ground and thrown.
<b>EF-2</b> (111-135 mph)	<b><u>Strong</u></b> . Roofs torn off frame houses; mobile homes demolished; boxcars overturned; large trees snapped or uprooted; light-object missiles generated; cars lifted off ground.
<b>EF-1</b> (86-110 mph)	<b><u>Weak</u></b> . Moderate damage. Peels surface off roofs; mobile homes pushed off foundations or overturned; moving autos blown off roads.
<b>EF-0</b> (65-85 mph)	<b><u>Gale</u></b> . Some damage to chimneys; branches broken off trees; shallow-rooted trees pushed over; sign boards damaged.
Source: National Weather Service, Fujita Tornado Damage Scale	

Brevard County historical area-adjusted tornado activity is above Florida state average. It is 3.3 times above overall U.S. average. Tornadoes in this Brevard County have caused 12 fatalities and 638 injuries as recorded between 1950 and 2004.

The 1966 Tampa tornado family was a deadly tornado family that affected the I-4 corridor in Central Florida from the Tampa Bay area to Brevard County on April 4, 1966. Two tornadoes affected the region, each of which featured a path length in excess of 100 miles. One of the tornadoes produced estimated F-4 damage on the Fujita scale; it remains one of only two F-4 tornadoes to strike Florida, the other of which occurred in 1958. Both F-4 tornadoes occurred during El Niño years. Eleven people were killed across the state. The F-4 tornado remains the fourth-deadliest tornado event recorded in Florida; only tornadoes on March 1962, February 2007, and February 1998 caused more deaths in the state. All of the events were induced by non-tropical cyclones.

The first of the deadly Tampa tornado family touched down around 8:00 a.m. near Largo, Florida, in Pinellas County. The F-4 tornado eventually moved across the state, then over the Cocoa area and lifted near Merritt Island.

The second of the Tampa tornado family was recorded as an F-3 and touched down fifteen minutes later than its predecessor near the Sunshine Skyway Bridge over Tampa Bay. It moved inland over central Florida and closely paralleled the path of the more powerful first tornado. Total damages reached \$50–100,000, and no deaths occurred. The funnel remained aloft for most of its life span, and maximum damage was typical of an F-3 tornado. In the Cocoa Beach area, 150 trailers were destroyed, resulting in more than 100 injuries. More than twenty frame structures and a shopping center were also demolished. Additionally, the tornado struck the training site for the Houston Astros in nearby Cocoa, ripping four light standards from the ground, flattening the center field fence, and destroying all the backstops and batting cages. One of the cages was thrown more than 800 feet into nearby woods. 140 people were injured by the tornado; the majority of the injuries occurred in Brevard County, where 133 people were transported to a hospital in Cocoa Beach.

More recently, two people were injured, and 52 homes were damaged when a Tropical Storm Fay-related EF-1 tornado touched down in 2008. Brevard experienced two EF-0 tornados in 2010 on January 22nd and March 28th, which resulted in minor commercial and/or residential damage, vegetative debris, and severed power lines.

On June 24, 2012, the third and final tornado associated with a Tropical Storm Debby mini-supercell that traveled from northern Okeechobee County to northern Brevard County occurred just south of State Road 50 and west of Interstate 95, to the west of

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Titusville. This location was also just north of the Great Outdoors RV Park. Two motorists traveling on Highway 50 observed the tornado briefly touchdown (illuminated by lightning strikes), just to the south of their locations. One of the motorists provided a detailed eyewitness account of the tornado touchdown. While there was little to damage in the immediate area of the tornado, a path of downed tree limbs was noted immediately after the touchdown, from near the entrance of the RV Park to SR 50.

On April 14, 2013, An EF0 tornado with winds estimated between 70 and 80 mph touched down near the Intersection of U.S. 1 and Dixon Boulevard in Cocoa and travelled northeast to the Indian River where it became a waterspout. The tornado produced minor damage to the roofs and outbuilding of several businesses along U.S. 1, with power lines also downed. Numerous trees were downed along Dixon Boulevard and Indian River Drive. Another EF0 tornado with winds estimated at 75 to 85 mph, affected primarily the Charolais Estates and Colfax Landing subdivisions in Viera/Rockledge. The damage was embedded within a larger swath of strong straight-line winds which affected areas extending farther to the west and east. Several homes experienced damage to roof tiles and soffits. Concrete roof tiles were carried downstream and penetrated several windows. Other metal debris was carried downstream and a fence was blown down. Numerous pool screen enclosures totally collapsed.

On July 6, 2014, a severe thunderstorm produced a southwest-to-northeast aligned damage path. Several eyewitness reports and videos evidence confirmed a brief EF-0 tornado touched down within the overall damage swath. Significant roof damage occurred to three homes on Oklahoma Street, Old Dixie Highway and Brandywine Circle in north Titusville. Inflow winds produced damage, mainly to trees and fences either side of the most significant damage path. Maximum winds were estimated at 65 to 75 mph.

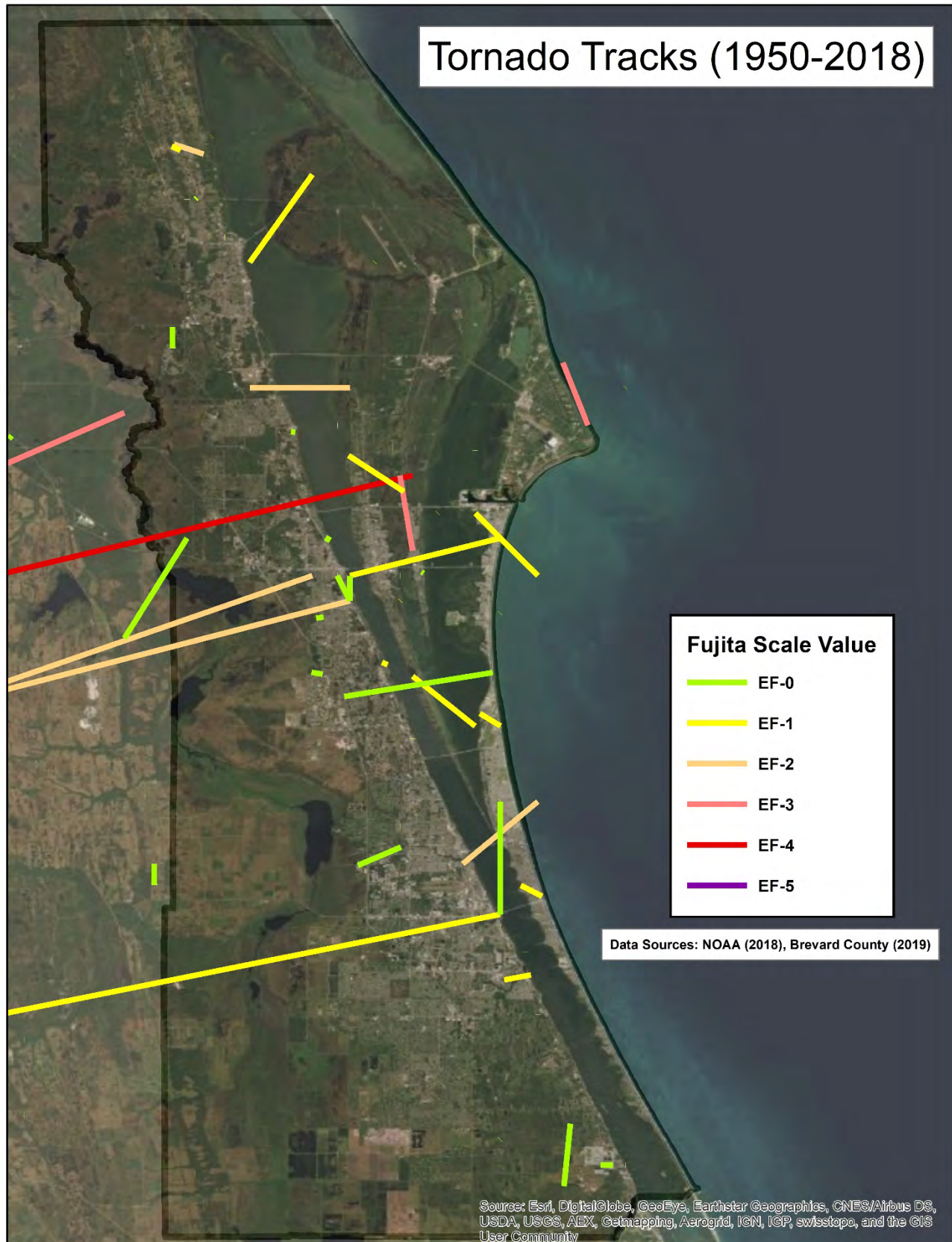
During Hurricane Irma eight of ten tornadoes were confirmed in Brevard County (one EF-0, six EF-1, and one EF-2).

Due to the unpredictable patterns of tornadoes, and because Florida has a relatively high reoccurrence frequency, the entire county and all of its municipalities are at risk for tornado-related wind or debris damage.

Tornadoes also often form on the leading edge of hurricanes and have the potential to cause more destruction than the hurricane itself. They can be a threat in events ranging from tropical storms to the most powerful hurricanes. Since the worst tornado experienced to date within the boundaries of Brevard County was an F-4 tornado, it can

be assumed that all of Brevard County is susceptible to an F-4 tornado, and could expect to experience a tornado of this strength in the future. The probability of future tornados is considered highly likely, with a once a year or more occurrence.

A worst-case scenario for high winds due to tornadoes would be for a front with multiple tornadoes to move across areas of the county with concentrations of mobile and manufactured homes. Mobile homes and older manufactured homes would be most at risk. In total, there are more than 22,000 mobile and manufactured homes within the county.



**Thunderstorms and Lightning** | *Natural Hazards*

Thunderstorms are formed by the convection behavior of unstable air mass layers, which result in the meteorological effects of wind, heavy rainfall, lightning and thunder, and sometimes hail. Lightning is a visible electrical discharge produced by a thunderstorm. The discharge may occur within or between clouds, between the cloud and air, between a cloud and the ground or between the ground and a cloud. In the United States, there are an estimated 25 million cloud-to-ground lightning flashes each year. Central Florida also has one of the highest density lightning flashes in the world. It is only surpassed by tropical Africa. On average, Brevard County is hit with more than 22,166 lightning strikes a year, the most dangerous months being June, July and August when thunderstorm activity is greatest. Lightning can be fascinating to watch, but it is also extremely dangerous. Florida has more lightning-related deaths and injuries than any other state. The majority of the strikes which cause deaths have occurred in open areas or recreational settings such as golf courses, followed by water related areas like lakes and beach, under trees, and driving equipment like tractors. Not only is the danger to individuals, but the frequency with which it occurs can cause wild fires. Brevard County experiences about 70-80 thunderstorm days a year. The Brevard County Emergency Operations Center monitors and disseminates National Weather Service advisories on severe weather to partner agencies throughout the county. The entire county and all of its municipalities are considered to be at risk from thunderstorms and lightning. These events can cause damage to structures, disruption of utilities (mainly electrical), and surface/air transportation problems.

While all populations can be impacted by severe weather, lack of shelter puts those at outdoor recreational events, mobile and manufactured homes, and the homeless at highest risk.

The Brevard County Parks and Recreation Department manages 108 parks, 3 campgrounds, 3 golf courses, 6 nature centers, 42 beach access sites, 13 school athletic sites, and more than 17,000 acres of Environmentally Endangered Lands sanctuaries and conservation areas. Those parks serve the nearly 550,000 residents of Brevard County including the following municipalities and communities: Aurlantia, Barefoot Bay, Canaveral Groves, Cape Canaveral, Cocoa, Cocoa Beach, Eau Gallie, Floridana Beach, Georgianna, Grant-Valkaria, Indialantic, Indian Harbour Beach, June Park, Malabar, Melbourne, Melbourne Beach, Melbourne Shores, Melbourne Village, Merritt Island, Micco, Mims, Patrick Air Force Base, Palm Bay, Palm Shores, Pineda, Port St. John, Rockledge, Satellite Beach, Scottsmoor, Sharpes, South Patrick, Suntree, Titusville, Viera, as well as local visitors from Orlando, Daytona, Vero Beach

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and tourists from outside the state. Other popular open areas frequented by tourist include the Brevard Zoo, the Archie Carr National Wildlife Refuge, Canaveral National Seashore, Merritt Island National Wildlife Refuge, Port Canaveral, the Space Coast Stadium, Patrick Air Force Base (PAFB), and Kennedy Space Center (KSC), with many parks used for viewing space vehicle launches.

Those in mobile or manufactured homes are also at risk as they are in other natural hazards. As previously stated, there are approximately 21,328 mobile and manufactured homes in Brevard which equates to an average of 55,026 individuals.

The other vulnerable population is the homeless. The total homeless counted during the Point in Time Count (PITC) on January 26, 2019 was 815 (down 24% from 2015), which included a 2% increase in unsheltered homelessness (388 in 2015 vs. 397 in 2019). Child homelessness has decreased by 40% (244 in 2015 vs. 146 in 2019) with unsheltered child homelessness also decreasing by 15% (13 to 11).

From 2015 to 2019, chronic homelessness has increased 39% from 148 to 206, while unsheltered chronic homelessness has increased by 26% (146 to 184). Veteran homelessness decreased nearly 6% from 193 to 182, with the unsheltered number of veterans decreasing by 4%, from 54 to 52.

The Point in Time Count does not provide an accurate number of all persons experiencing homelessness for many reasons; however, it provides the statistical basis for accurate percentages to show increase or decrease in these populations, year over year. Therefore, the percentage of increase or decrease is where one should focus for policy-making decisions, rather than the number of persons counted.

A review on significant thunderstorm events as recorded by the National Climactic Data Center for the planning period from 2015 to 2020 notes 42 events of note in Brevard. Winds from those events ranged from 45 to 75 mph. Affected areas were wide spread verifying once again that the entire county would be affected from this hazard.

Ten jurisdictions rank lightning in their top three hazards and the county can expect to continue to be susceptible to its effects. The Melbourne Weather Forecast Office reported that in Brevard County between 1959 and 2007, 80 people were injured by lightning and 25 were killed. Some examples of significant historical lightning events which resulted in casualties follow: In 1996, a 32-year-old man was killed while watching July 4th fireworks along the river front in Titusville. On July 30, 2000, a 62-year-old man

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was struck by lightning on a golf course in Palm Bay. He died of his lightning injuries on August 1, 2000. A woman taking shelter from thunderstorm rain under a tree on a spoil island in the Indian River Lagoon was killed by lightning on July 18, 2004. Her 10-year-old son and a 21-year-old woman were seriously injured by the strike. A lightning strike directly hit and killed a man on Melbourne Beach on July 8, 2009. The lightning strike also injured the man's wife and son, who were transported to a local hospital and admitted in 'good condition' with only minor burns.

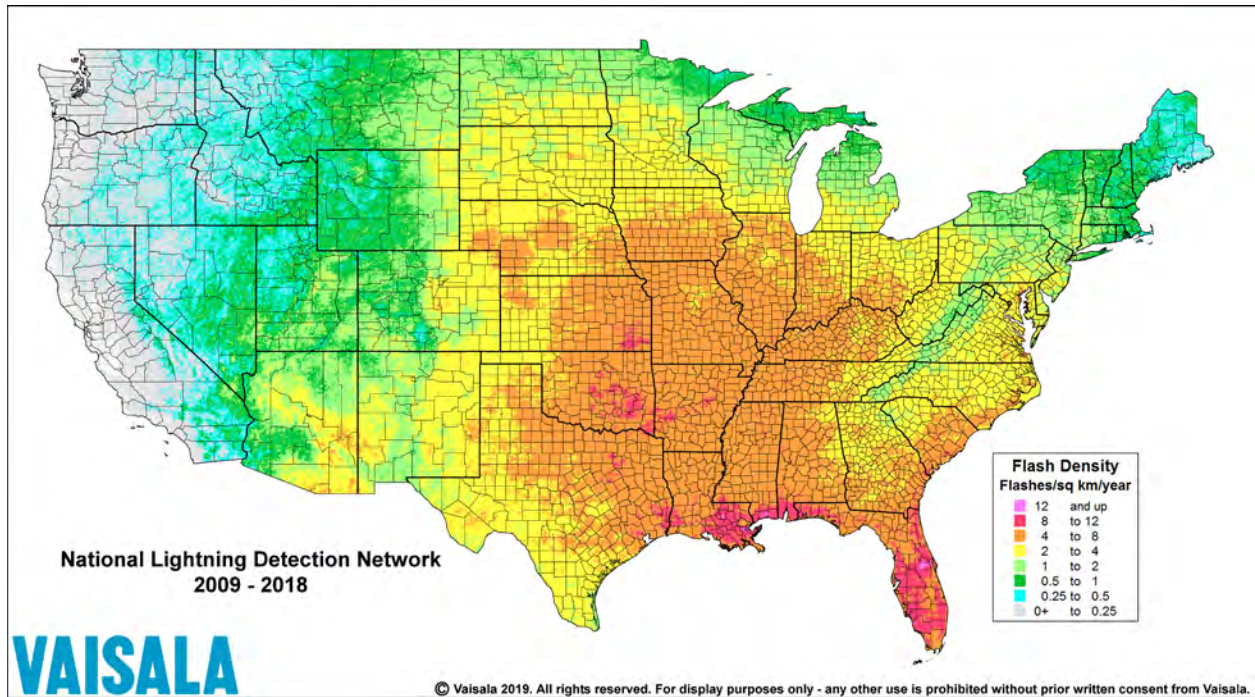
Recent events that caused injury or property damage include on July 28, 2017, a thunderstorm developed near the southern Brevard County coast. As the storm moved offshore it produced a lightning strike which struck two beachgoers, killing one of them. Broadcast media reported that a group of three men were visiting the SPRA park in Satellite Beach when lightning struck two of the men. An off-duty life guard and another bystander gave CPR to one of the victims who was unconscious until Fire Rescue arrived, then both men were transported to a local hospital. One victim, a 35-year-old man from Philadelphia, Pennsylvania later died due to his injuries. The second man was only stunned by the lightning strike and had non-life-threatening injuries. June 22, 2018 scattered to numerous showers and storms developed in the afternoon and early evening. One storm moved across the intracoastal waters of northern Brevard County where it produced severe winds. Also, one person was struck by lightning in Viera. Per reports relayed by local broadcast media: according to the Brevard County Sheriff's Office, one person was struck by lightning on Murrell Road in Viera. The victim was transported to a local hospital. April 19, 2019, lightning struck a boat on the Indian River near Cocoa causing it to sink. Brevard County Emergency Management verified that lightning struck a boat on the Indian River near Cocoa as a line of strong thunderstorms pushed through the area. The boat, which was the home of a man and his wife, sank after being struck by lightning. Lightning also hit the communications tower at the EOC during that event. Sparks were seen but the grounding system functioned well, and no communications were lost. Given these examples and the multitude of others, and the various geographical locations, it is evident that the entire county and all its municipalities are at risk from lightning.

There is a one-in-50 chance that a thunderstorm or lightning will cause economic damage or loss over 50 dollars anywhere in the entire county. The probability that Brevard County will continue to experience thunderstorm and lightning is considered highly likely, a once a year or more occurrence.

The worst-case scenario for lightning would be considered a large storm front resulting in numerous lightning strikes as the front moved across the county. Strikes in outdoor areas could result in direct injuries or fatalities to several but not large numbers of people. Any structure without a lightning protection system is vulnerable, with taller structures, e.g., communications towers (pg. 115) and exposed structures in open areas, and over or near water, like the Cocoa Beach Pier, being at extra risk. To mitigate this hazard the city of Cocoa Beach recently added an initiative to this plan to install a lightning prediction and warning system citywide to provide advanced notification of potential lightning strikes in the area to allow citizens and visitors adequate time to seek appropriate shelter. Structures experiencing direct strikes would suffer differing degrees of damage, from slight to total losses if fires ensued. Strikes to vegetated areas could also cause wildfires which could then damage structures and require evacuations. Direct strikes could also damage critical infrastructure, including electric power systems, as well as telecommunication and radio systems, resulting in failure of these systems. Damaged systems could be repaired or replaced within a few days or weeks, depending on the system and the extent of the damages. Widespread economic losses would not be anticipated. The actual vulnerability to lightning strikes is a factor of the characteristics of the community and the vulnerability of its designated critical facilities and neighborhoods.

The following maps depict lightning risk in Florida as compared to the rest of the continental United States. As can be seen, Florida is one of the riskiest areas in the country for these two types of events. Because of these events in the past, Brevard could expect to experience at least the same level of thunderstorms and lightning strikes in the future.







**Coastal Erosion** | *Natural Hazards*

Erosion is the wearing away of land by the action of natural forces embodied in waves, water currents and wind. Even though erosion is a natural process, it can be either mitigated or enhanced by human activity. Brevard County, with its long coastline, is susceptible to beach erosion, in particular. The Florida Department of Environmental Protection has classified most of Brevard's Beaches, from Bonsteel Park north, as a critical erosion area. Critical erosion areas are segments of the shoreline where natural processes or human activity has caused or contributed to erosion and recession of the beach or dune system. Localized erosion can also occur away from the coastline along river and stream banks, canals and drainage ditches.



The hurricane season of 2004 caused significant beach erosion and required mitigation measures to prevent damage to beach side structures. The locations of these measures are indicative of the locations within the county most vulnerable to erosion. Brevard County received funding for two dune maintenance projects to be undertaken during 2006 and 2007. These projects took place in the Mid-Reach (Satellite Beach, Indian Harbour Beach, and the northern end of Indialantic) and South Beaches (South Melbourne Beach and southward). Together, the projects repaired erosion damage noted after Wilma and restored native vegetation lost during the 2004 hurricane season.

The 2005 Brevard County Shore Protection Project successfully restored to their full width the world-famous beaches from Cape Canaveral through Cocoa Beach (the North Reach) and from Indialantic through Melbourne Beach (the South Reach) using beach

quality sand dredged from an offshore site. Using beach quality sand, the 2005 Emergency Dune Stabilization Project repaired the hurricane-ravaged dunes of all developed coastal properties and most parks from Satellite Beach through Indian Harbour Beach (the Mid-Reach) and from South Melbourne Beach through properties just north of Sebastian Inlet (the South Beaches).

Prior to construction of the Brevard County Federal Shore Protection Project, the North Reach (9.8 miles including cities of Cape Canaveral and Cocoa Beach) was eroding at a rate of 2.6 feet per year and the South Reach (3.8 miles including the towns of Indialantic and Melbourne Beach) was eroding at a rate of approximately 1 foot per year. Construction and maintenance of a full-scale shore protection (beach nourishment) project in partnership with the Army Corps of Engineers has significantly mitigated the risk in these areas.

Outside the federal shore protection project, the Mid Reach (7.8 miles including Satellite Beach and Indian Harbour Beach) between 1972 and 2001 the dune/bluff face was eroding at a rate of 0.6 feet per year and the South Beaches (approximately 13 miles from Spessard Holland Park to Sebastian Inlet state park) between 1972 and 2005 the dune bluff eroded at a rate of approximately 1 foot per year, with a slightly slower rate at the south end. Based on the data, Brevard's beaches are expected to continue to erode at similar rates and values.

October 26, 2012, Hurricane Sandy affected the coast of Brevard. Sandy moved slowly northwest, parallel to the Florida coast, 200-250 miles offshore. Due to the very expansive wind fields associated with the hurricane, sustained tropical storm winds reached the east-central Florida beaches and adjacent portions of the barrier islands. Gusts to tropical storm force occurred throughout the coastal counties, with some interior counties also experiencing tropical storm gusts, especially during passing squalls. Large and pounding surf affected the beaches for six or more high tide cycles, during a period of high astronomical tides. By the end of the event, many of the beaches had sustained moderate to major beach erosion. Numerous beach cross-overs and lifeguard towers were damaged, and sand was washed onto coastal roadways and beach parking areas in several locations. Coastal erosion and other damage estimates for Brevard were in excess of 25 million dollars.

Hurricane Matthew passed only 25 miles offshore Brevard County during the morning hours of October 7, producing a long duration of sustained tropical storm winds through much of the county and a shorter period of frequent gusts to hurricane force closer to

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the coast. Damage estimates indicated an economic loss to Brevard's beaches of \$25 million due to coastal erosion.

Category 3 Hurricane Irma made landfall near Naples during the late afternoon of September 10, 2017. Irma then moved northward across west-central Florida during the evening and overnight while weakening to a Category 2 hurricane approximately 95 miles west of Melbourne. Water levels rose within the coastal lagoon system between 1 and 3 feet (although locally up to 4.5 feet within a few constricted areas of the lagoon, primarily within north Brevard and Volusia Counties) due to coastal surge and run-off from heavy rain and slow drainage through the inlets. Many docks and boat houses along the Indian, and Banana Rivers were damaged from the combination of high water and wave action.

Major hurricane Dorian affected Brevard County though it never officially made landfall in Florida. The center of Dorian made its approach to Brevard's coast on Wednesday, September 4, 2019. The closest point of approach was 79 miles (east-northeast of Cape Canaveral) at 4 AM EDT. Damage was minimal throughout the county including historic flood zones and municipalities, the most significant damage was beach erosion. No major coastal erosion events have occurred since 2019.

History has shown a worst-case event for beach erosion would be from impacts of storm surge from a hurricane or from northeasters. Substantial loss of sand would undermine the foundations of large and small beachfront buildings, including single family residences, condominiums, apartments, hotels and commercial structures. A 2019 property appraiser database search showed there are 9,675 Ocean Front parcels in Brevard. Many of the structures, primary and accessory, could collapse or experience severe structural damage during a worst-case event, with hundreds or thousands of buildings damaged. Evacuation of the affected areas would be expected to limit injuries and fatalities; however, direct and indirect property losses could easily reach hundreds of millions of dollars. The beach front destruction would also have prolonged economic impacts on the county's vital tourist industry. Infrastructure damage to roadways north of Patrick Air Force Base and all causeways and Mather's bridge could also be substantially affected. There was a report on erosion and sea level rise, by CBS on December 6, 2014, that indicated climate change continues to threaten NASA's launch pads at Cape Canaveral Air Force Station. Nearly 100 feet of beach that served as a buffer between the Atlantic and the launch pads has been lost since 2003. Utilities including sewer, water, electric and stormwater would also be damaged affecting recovery.

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In Brevard County, erosion events can occur on all coastal areas of the County, any time of the year. Jurisdictions susceptible to coastal erosion include beachfront areas like: Cape Canaveral, Cocoa Beach, Satellite Beach, Melbourne Beach, Indian Harbour Beach, Indialantic, and unincorporated Brevard (South Patrick Shores, Patrick AFB, Merritt Island, Canaveral National Seashore and the South Beaches); and Lagoon-front jurisdictions like: Titusville, Cocoa, Rockledge, Palm Shores, Melbourne, Malabar, Grant-Valkaria, and unincorporated Brevard (i.e. Scottsmeer, Mims, Merritt Island, Port St. John, Micco). The probability of future erosion along the Brevard County coastline is highly likely with a once a year or more occurrence.



Coastal erosion in Melbourne Beach after a close call from hurricane Dorian, 2019.

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Hurricane/Storm Effects</b> (Includes hazard –specific effects : High Winds, Storm Surge, Coastal Erosion, Flood, Tornadoes, Thunderstorms/Lightning)	<input checked="" type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
<p>Hurricane and storms effects can produce high winds, storm surge, flooding, tornadoes, thunderstorms and lightning. Some of these hazards have the highest likelihood and largest potential damage impacts of all hazards covered in this summary. The probability for more hurricane and storm effects to strike the peninsula of Florida and consequently the Brevard County area must be considered very high, a once a year or more occurrence. The greatest threats are storm surge along the barrier islands, wind damage to homes, businesses and coastal lands, inland flooding and mass casualty. While it is possible for the county to be hit by a category 4 or 5 hurricane, it is very unlikely based on past trends that have seen Florida's northeastern region mainly receiving tropical depressions/storms and categories 1-3. Impacts from these storms can include tree and natural environment destruction, infrastructure and house damage or collapse, downed power lines, blocked roads, flooding, and massive amounts of storm-generated debris. All structures are susceptible to impacts of hurricanes, especially buildings in floodplains, low lying areas and unsound housing or mobile homes. Because this county has experienced hurricanes and/or storms with associated hazards annually it can be assumed to occur again with a similar frequency.</p>	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>High winds, flooding, tornadoes, thunderstorms and lightning are possible risks across the entire county, especially those with special medical needs; storm surge is a risk to those living on the barrier islands, and inland flooding is a risk to those in low-lying or flood-prone areas; and high winds is a risk to individuals in mobile or manufactured homes.</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>All structures are susceptible to the risks associated with hurricanes, especially buildings along the coast, in floodplains, low-lying areas and unsound housing or mobile homes.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>The greatest risks are storm surge along the barrier islands, wind damage to homes, businesses and coastal lands, and inland flooding.</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Reduction of services and capabilities are possible, as personnel and public infrastructure are located in vulnerable areas.</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public - This hazard would prompt evacuation of large parts of the developed areas on the east side of the county. For non-evacuated</li> </ul>

	<p>areas, structural damage would cause thousands of injuries and fatalities.</p> <ul style="list-style-type: none"><li>• Responders – High risk of injury; if winds exceed 40 mph responders cannot safely respond to incidents.</li></ul>
<b><i>Continuity of Operations and Program Operations</i></b>	<ul style="list-style-type: none"><li>• Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li><li>• Local governments may have to shut down non-essential functions for the duration of the event.</li><li>• Staffing difficulties are possible (personnel may be unable to report to work due to debris and roadway damage)</li></ul>
<b><i>Property, Facilities, and Infrastructure</i></b>	<ul style="list-style-type: none"><li>• Restoration of power and telecommunications may take weeks to complete hindering recovery of other critical facilities and infrastructure.</li></ul>
<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"><li>• Wide spread disruption and destruction of critical infrastructure would hinder commerce and delivery of services. The restoration of power and telecommunications may take weeks to complete.</li></ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"><li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li><li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li></ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• Businesses would be impacted not only because of potential destruction of buildings, but also potential destruction of product which could cause customer bases to go elsewhere.</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• Widespread habitat destruction would be expected, causing a decrease in wildlife populations and quality of life.</li></ul>

**Sea Level Rise | Natural Hazards**

Sea level rise, caused by climate change, is a phenomenon resulting from a consistent change in the earth's temperature that leads to changes in climatic patterns which ultimately alters weather patterns - including atmospheric and hydrologic impacts – and leads to sea level rise. There is still debate on the degree of the impact; the evidence is clear that a trend is occurring, and sea levels have been rising for the better part of the 20<sup>th</sup> century and into the 21<sup>st</sup> century.

The greatest impacts from climate change on sea level rise include storm surge and coastal flooding. Sea level rise and climate change also affect atmospheric and hydrologic patterns which in turn impact other hazards like inland flood (increased rainfall periods), drought (decreased rainfall periods), and wildfire (exacerbated by vegetative fuel growth in periods of higher rainfall and then burn risk in drier periods). During the last century, sea level has risen approximately 6-9 inches worldwide and 9 inches along the coast of East Central Florida. The United States Environmental Protection Agency (EPA) has been analyzing the causes, effects and possible responses to sea level rise. EPA's 1995 report, *The Probability of Sea Level Rise*, estimates that if humanity continues to emit greenhouse gases into the atmosphere, the mean sea level could rise 1-2 feet in the next century and 5 feet over the next 150-300 years.

In the fall of 2009, the City of Satellite Beach (City), Florida, authorized a study designed to assess municipal vulnerability to rising sea level and facilitate discussion of potential adaptation strategies. Results suggest the tipping point between relatively benign impacts and those that disrupt important elements of the municipal landscape is +2 ft. (0.6 m) above present. Seasonal flooding to an elevation of +2 ft. is forecast to begin around 2050 and thus the City has about 40 years to formulate and implement an adaptation plan. Additionally, beaches erode 100 – 200 feet with every one-foot rise in sea level. With a 50 percent chance of the sea level rising 4 feet by 2200, the beaches could erode 200 to 800 feet. High density shoreline areas can be very costly to protect; therefore, it is important that decisions be made concerning the protection of developed and undeveloped land before it becomes too expensive or impossible to protect. To determine the areas needing protection, coastal managers should look for relative sea level rise in specific areas.

There are 18,998 (including canals) properties along on the Indian River Lagoon System and 9,675 Ocean Front parcels that fall under the purview of the Brevard County LMS. Since most of those waterfront homes are located within 100 to 200 feet

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of the high-water mark, these properties will be affected in some way by changes in sea level rise. The probability of future sea level rise events in Brevard County is considered likely, but, because of many unknowns was ranked at a 500 year or less occurrence.

The worst-case scenario for Brevard County would be for the actual amount of sea level rise to near the more extreme end of the projections. The expected damage would be similar to that of coastal erosion with additional of issues related to saltwater intrusion and widespread flooding. The west side of the barrier islands along the canals, and the low-lying parts of Merritt Island (primarily north of the barge canal, east Merritt Island between SR528 and SR520, and south of Pineda Causeway (SR404), are projected to be impacted the hardest by sea level rise. Secondly, the homes, condominiums, and structures located directly on the beach or immediately adjacent to the beach in Cape Canaveral, Cocoa Beach, Satellite Beach, Indian Harbour Beach, Indialantic, and Melbourne Beach will feel more impacts from higher tides and periodic strong, persistent wind events. Coastal erosion will be the main and most visible cause, but the increased frequency and level of impact will be the result of sea level rise.

The City of Satellite Beach conducted a Sea Level Rise study in 2010 and found that the biggest impacts from sea level rise would be on the west side of the barrier island, along the Banana River, Grand Canal and its finger canals, and will eventually impact the areas surrounding South Patrick Drive. There are two areas in Satellite Beach that have been tracked for suspected impacts due to Sea Level Rise. Pipes at the west end of Desoto Parkway and Jackson Boulevard have experienced more frequent periodic flooding when the Indian River Lagoon is high and intense thunderstorms come through the area. This was observed by city staff in June 2015. Since these roadways were engineered not to flood, the change could be attributed to sea level rise; but, there have been no specific studies that confirm this. There was a report, as previously mentioned, on sea level rise, by CBS on December 6, 2014. That report indicated climate change and sea level rise continues to threaten NASA's launch pads at Cape Canaveral Air Force Station

(<http://www.cbsnews.com/videos/sea-level-rise-threatens-nasas-launch-pads/>).

Nearly 100 feet of beach that served as a buffer between the Atlantic and the launch pads has been lost since 2003. There are no other recorded incidents specifically attributed to sea level rise.





In 2018, Brevard County Transportation Planning Organization received their requisitioned a Sea Level Rise Vulnerability Assessment from the East Central Florida Regional Planning Council. The vulnerability assessment covers the entirety of Brevard County, Florida. The assessment looks specifically at assets that contribute to transportation functionality within the County, including roadways, railroads, airports, transit and other critical facilities deemed important for countywide transit.

By 2100, under the USACE High Projection rate curve, approximately 12.2% of the County may be inundated during MHHW, almost double from the year 2070. However, between 2040 and 2070, there is expected to be a 318% increase in inundated areas. Interestingly, although the Intermediate Curve does not impact as much square mileage as the High Curve, the percent increase of inundated area is the highest between 2040 and 2070 under that curve (1993%).

While the largest area expected to be inundated is the Merritt Island National Wildlife Refuge area, comprised largely of natural lands, this is also home to NASA/Kennedy Space Center, Cape Canaveral Air Force Station, as well as developed areas of unincorporated Brevard County. This area is an economic hub for Brevard County due to its space industry as well as eco-tourism opportunities and eco-system services provided by the area.

Change in Inundation based on USACE Rate Curve & Year

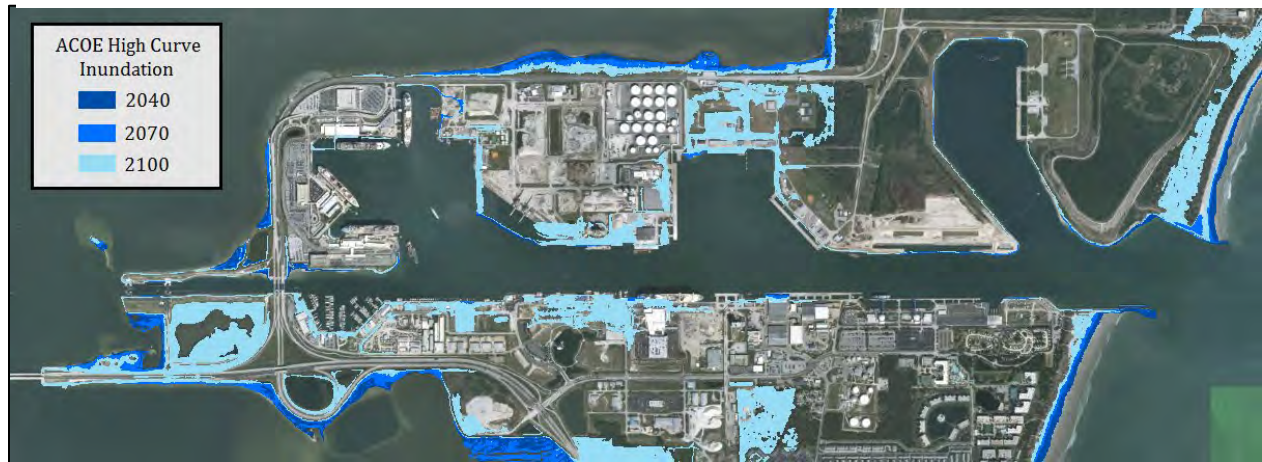
	Low Curve			Intermediate Curve			High Curve		
	2040	2070	2100	2040	2070	2100	2040	2070	2100
Total Area of Inundation	0.26	0.67	7.71	0.67	14.02	37.5	16.73	67.7	124.04
Percentage of County	0.0%	0.1%	0.8%	0.1%	1.4%	3.7%	1.6%	6.7%	12.2%
Percentage Change	--	158%	1051%	--	1993%	167%	--	305%	83%

Change in Inundation (NOAA)

	1 Foot	2 Feet	3 Feet	4 Feet	5 Feet
Total Area of Inundation (Square Miles)	25.7	64.02	104.1	124.7	144.2
Percentage of County	2.5%	6.3%	10.2%	12.3%	14.2%
Percentage Change	--	149%	63%	20%	16%

Port Canaveral is a port of call for a number of ships and serves as one of the major economic hubs along the United States' Atlantic Coast. As a man-made inlet, the port is susceptible to sea level rise as soon as 2040. The following map depicts sea level rise levels in 2040, 2070 and 2100 utilizing the Army Corps of Engineers high projection rate curve.

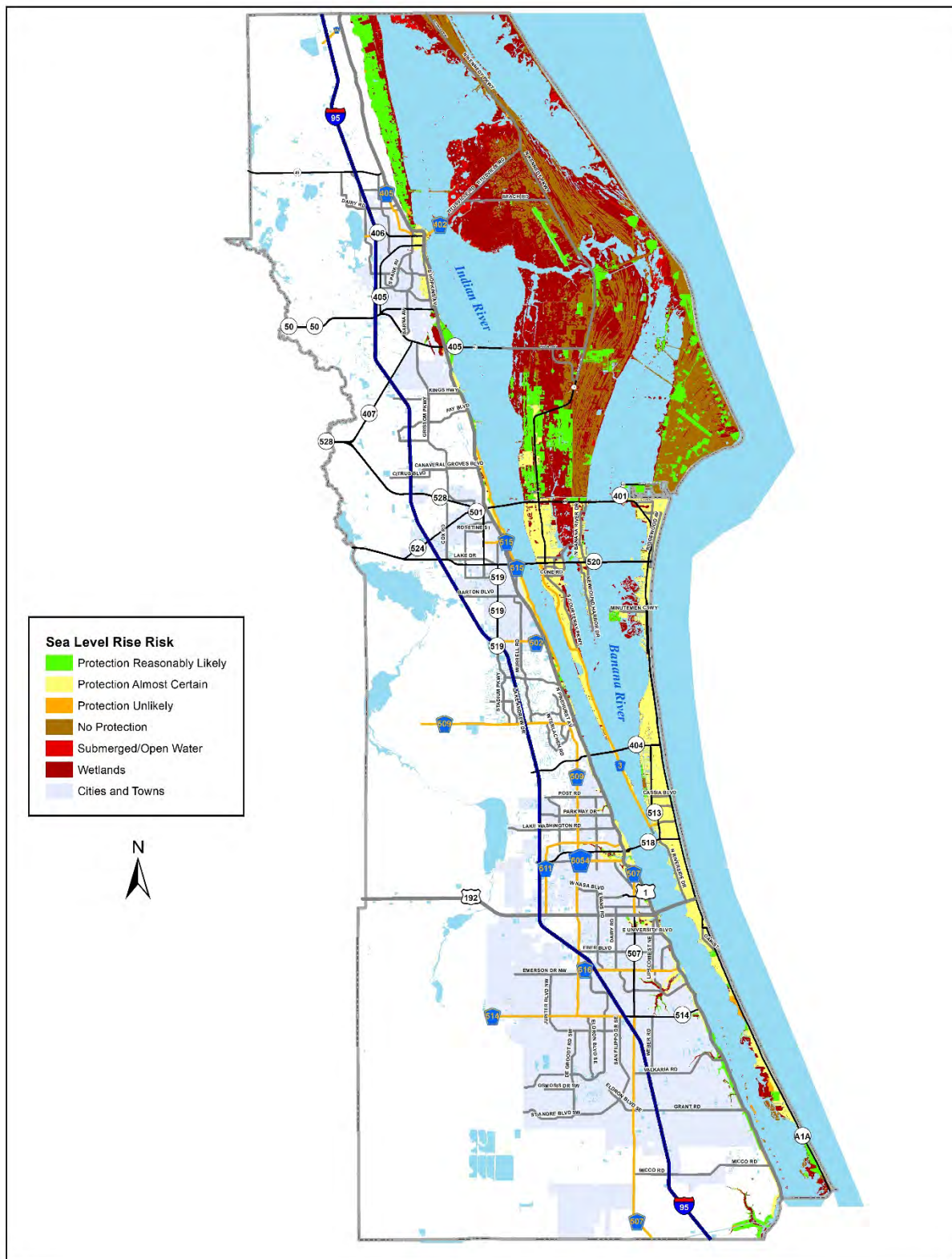
Port Canaveral Vulnerability (ACOE High Curve)



With this assessment, the Space Coast TPO, Brevard County, and all 16 jurisdictions within Brevard County can begin to take the steps necessary to mitigate the potential impacts of sea level rise on their transportation facilities. The ECFRPC recommends that the Space Coast TPO consider the following actions in order to fulfill federal directives such as the FAST Act. These recommendations are consistent with a regional strategy, but are tailored to be specific to the needs of Brevard County.

The following tables summarize the financial exposure, building detail and land use summary of all parcels within each of the sea level rise zones in Brevard County. The Sea Level Rise Hazard Zones are the output of a Hazus-MH climatic impact model, and show the susceptibility to long-term sea-level rise based on topographic features. The tables below and map on the following page depict these zones.

Sea Level Rise Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Protection Almost Certain	76,990	23.20%	70,470	21.23%	\$6,859,906,556.00	\$13,468,527,314.00	\$17,103,190,090.00	\$13,840,409,213.00	56,765	14,007	7,479	1,286						
Protection Reasonably Likely	6,040	1.82%	4,116	1.24%	\$818,370,130.00	\$1,124,253,080.00	\$1,820,257,170.00	\$1,146,766,490.00	1,808	2,069	1,017	338						
Protection Unlikely	251	0.08%	134	0.04%	\$89,275,810.00	\$22,111,120.00	\$110,208,360.00	\$32,382,910.00	109	28	12	4						
Submerged/Open Water	3,915	1.18%	3,345	1.01%	\$626,943,780.00	\$845,628,560.00	\$1,211,531,480.00	\$963,740,262.00	2,181	1,128	743	99						
Wetlands	2,329	0.70%	1,308	0.39%	\$544,729,710.00	\$528,303,000.00	\$988,591,110.00	\$376,488,968.00	481	796	605	111						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Protection Almost Certain	69,793	21.03%	3,629	1.09%	235	0.07%	505	0.15%	255	0.08%	827	0.25%	65	0.02%	0	0.00%	11	0.00%
Protection Reasonably Likely	4,871	1.47%	357	0.11%	27	0.01%	97	0.03%	24	0.01%	299	0.09%	205	0.06%	1	0.00%	5	0.00%
Protection Unlikely	178	0.05%	2	0.00%	1	0.00%	3	0.00%	1	0.00%	45	0.01%	5	0.00%	0	0.00%	0	0.00%
Submerged/Open Water	3,597	1.08%	55	0.02%	2	0.00%	16	0.00%	5	0.00%	162	0.05%	11	0.00%	0	0.00%	13	0.00%
Wetlands	1,735	0.52%	127	0.04%	2	0.00%	50	0.02%	9	0.00%	294	0.09%	51	0.02%	0	0.00%	1	0.00%





Hazard Summary	
Hazard	Frequency of Occurrence
Sea Level Rise	<input type="checkbox"/> Once a year or more <input type="checkbox"/> 25 years or less <input type="checkbox"/> 100 years or less <input checked="" type="checkbox"/> 500 years or less <input type="checkbox"/> Greater than 500 years
<p>The greatest impacts from climate change on sea level rise include storm surge and coastal flooding. Sea level rise and climate change also affect atmospheric and hydrologic patterns which in turn impact other hazards like inland flood (increased rainfall periods), drought (decreased rainfall periods), and wildfire (exacerbated by vegetative fuel growth in periods of higher rainfall and then burn risk in drier periods). During the last century, sea level has risen approximately 6-9 inches worldwide and 9 inches along the coast of East Central Florida. The worst-case scenario for Brevard County would be for the actual amount of sea level rise to near the more extreme end of the projections, 2 feet in the next century. The expected damage would be similar to that of coastal erosion with additional of issues related to saltwater intrusion and widespread flooding. The west side of the barrier islands along the canals, and the low-lying parts of Merritt Island (primarily north of the barge canal, east Merritt Island between SR528 and SR520, and south of Pineda Causeway (SR404), are projected to be impacted the hardest by sea level rise.</p>	
Risks	
People	<ul style="list-style-type: none"> <li>Having to move inland or raise homes</li> </ul>
Property	<ul style="list-style-type: none"> <li>Infrastructure being submerged</li> </ul>
Environment	<ul style="list-style-type: none"> <li>Flooding more frequently may change habitats</li> </ul>
Program Operations	<ul style="list-style-type: none"> <li>Having to find money to respond more frequently to flooding situations from smaller rain events</li> </ul>
Impacts	
Public and Responders	<ul style="list-style-type: none"> <li>Public- Sea level rise and climate change affect atmospheric and hydrologic patterns which in turn impact other hazards like inland flood (increased rainfall periods), drought (decreased rainfall periods), and wildfire (exacerbated by vegetative fuel growth in periods of higher rainfall and then burn risk in drier periods), all of which pose a serious threat to the public and may cause more frequent smaller events for first responders.</li> </ul>
Continuity of Operations and Program Operations	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster</li> </ul>

<b><i>Property, Facilities, and Infrastructure</i></b>	<ul style="list-style-type: none"><li>• The expected damage would be similar to that of coastal erosion with additional of issues related to saltwater intrusion and widespread flooding. The west side of the barrier islands along the canals, and the low-lying parts of Merritt Island (primarily north of the barge canal, east Merritt Island between SR528 and SR520, and south of Pineda Causeway (SR404), are projected to be impacted the hardest by sea level rise. Secondly, the homes, condominiums, and structures located directly on the beach or immediately adjacent to the lagoon will feel more impacts from flooding and strong, persistent wind events due to sea level rise.</li></ul>
<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"><li>• Moderate impact to the delivery of services</li><li>• Delivery of Services impact dependent on roadways that may be closed due to the hazard.</li></ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"><li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li><li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li></ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• High density shoreline areas can be very costly to protect; therefore, it is important that decisions be made concerning the protection of developed and undeveloped land before it becomes too expensive or impossible to protect. To determine the areas needing protection, coastal managers should look for relative sea level rise in specific areas.</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• Would adversely affect crops and land through flooding, as well as cause an influx of wildfires.</li></ul>

**Severe Winter Storms** | *Natural Hazards*

A severe winter storm for Brevard County would be an event producing unusually low and prolonged temperatures which may be accompanied by ice or sleet storms. In Brevard County, freezing temperatures can pose a severe threat to the citrus industry. If temperatures reach freezing levels for extended periods of time, combined with other climatic factors, then crop or landscape damage may occur. This would have a significant impact on Brevard's economy and employment base. The County has experienced several damaging freezes in the past 20 years, including in 2000-2001, when the county was part of a Presidential Disaster Declaration. Recently, in early January 2010, an unusual period of cold temperatures occurred over several days which caused some damage to the area's citrus crop. Additionally, consumer demand of electricity during periods of extreme cold weather may require the electric utility to implement rolling blackouts to selected areas to avert a total electrical grid overload, which can have a significant impact on electrically-dependent critical facilities and persons. Emergency Management operations could be impacted by a prolonged utility failure; however, alternative redundant resources are available.

The locations most vulnerable to severe winter weather in Brevard County would be agricultural lands, primarily the approximately 6,500 acres of citrus crops, most of which are in Merritt Island, and Micco. See the map on page 97 for the location of these larger farmlands. Because Brevard lies on the cusp of the Semi Tropical and Tropical climate zones, it is conducive growing a wide variety of fruits and vegetables. However, the climate that supports such unique vegetative diversity also makes it susceptible to extreme temperature changes. When extremely cold, the effects the county can be seen in areas that grow more tropical fruits. Nurseries and growers in northern parts of the county in Scottsmoor, Titusville, and Mims would be most susceptible. Many residents also have tropical fruit trees and backyard gardens; therefore, all of the county would experience some level of vulnerability to this hazard.

According the University of California at Davis, citrus crops, particularly oranges, begin to sustain damage when temperatures are sustained at or below 29°F for a period of 30 minutes or more at ground level. Business closures and significant damages to the county's citrus and horticultural industries would result in substantial economic damages.

This scenario would be equivalent to or worse than the winter sub-freezing events of 2009 and 2010. Starting on January 21, 2009, Brevard County experienced sub-freezing temperatures for three consecutive nights. Wind chill readings in the 20s also occurred during the morning of the 21st. The coldest morning at most locations was on

the 22nd, when hard freeze conditions spread south across many locations of the interior peninsula to Lake Okeechobee. Official temperature sites reached the mid to upper 20s, with a NWS Cooperative sites at Scottsmeer in Northwest Brevard County reaching 22 degrees. Sub-freezing minimum readings and widespread frost occurred on the 23rd. Only the barrier islands south of Cape Canaveral remained at or slightly above freezing throughout the event.

In 2010, several strong cold fronts brought reinforcing arctic air masses into east central Florida over a consecutive 12-day period. From January 2 through January 14, high temperatures did not exceed 60 degrees on nine to 12 days, with several days recording high temperatures only in the 40s. Several low maximum temperature records were set. During this period, low temperatures fell to or below 40 degrees for 12 consecutive mornings across nearly all of east central Florida. Six to nine mornings saw temperatures fall to 32 degrees or less. Many areas experienced low temperatures in the mid to upper 20s, with a few isolated, rural spots falling to near 20 degrees. Several record low temperature records were set. Frost occurred during several mornings. Long durations of temperatures in the 20s damaged or killed a considerable amount of vegetation, with agricultural crops, citrus, and ornamental flowers. Agricultural reports estimate a third of the Florida Winter fruit and vegetable production were lost, causing hundreds of millions of dollars in losses (state-wide). Also, winds remained near 10 mph on several nights, producing wind chill values in the teens and lower 20s.

Following a cold front, some sleet, snow and freezing rain mixed with a band of light rain from Kissimmee to Palm Bay northward. High temperatures did not exceed 60 degrees for 10 of 12 days between January 2 and 13 at the Melbourne International Airport. For two days, high temperatures were only in the 40s. Daily low maximum temperature records were tied or broken on three days and 32 degrees or below on eight days. For four days, minimum temperatures were in the mid to upper 20s, with the coldest temperature of 25 degrees on January 12th. Four daily minimum temperature records were tied or broken. Similar temperatures occurred across the remainder of Brevard County, although minimum temperatures several degrees warmer on the barrier islands (a freeze occurred along the coast on at least one morning). Frost also occurred on many mornings. Long durations of freezing temperatures resulted in considerable plant damage. In addition, winds near 10 mph occurred on several nights, producing wind chill temperatures in the teens and lower 20s. A rough estimate for (direct weather-related) freeze losses to fruit, vegetable and citrus crops across Brevard County during January totaled 0.87 million dollars.



December of that year also brought record cold and freezing temperatures to Brevard for two consecutive periods. A hard freeze occurred December 14<sup>th</sup> with temperatures at or below 28 degrees for several hours. Wind chill factors were in the upper teens at most locations around daybreak. Minimum temperatures on Dec. 14 reached as low as 28 degrees in Melbourne and Melbourne Beach, 25 in Palm Bay and 20 in rural Scottsmeer. On December 15<sup>th</sup>, temperatures fell to 28 in Melbourne and 21 in Scottsmeer.

Minimum temperatures on December 27<sup>th</sup> reached as low as 31 degrees in Melbourne and 24 in rural Scottsmeer. On December 28<sup>th</sup>, temperatures fell to 27 in Melbourne and 20 in Scottsmeer. And on December 29<sup>th</sup>, the minimum temperature reached 28 in Melbourne, and 19 in Scottsmeer. A third night of similarly cold readings occurred on December 29<sup>th</sup>. A rough estimate of damage to fruit and vegetable crops across east-central Florida from the combined impacts of the December 14-15 and December 27-29 freezes totaled 19 million dollars.

The lowest recorded temperature in Brevard County during this planning period occurred in December of 2010 with 9 days below freezing, and 4 record lows ranging from 24 to 26 degrees. Because this freezing weather event affected all mainland areas in the county it is probable that similar areas in Brevard could experience similar temperatures and outcomes in the future.

Such a situation, although unlikely, could damage the electric power distribution system throughout the county, and the power outages could last weeks. Extended power outages, more than three days, during unusually cold weather would require sheltering and feeding of large numbers of people. The homeless population is particularly vulnerable to severe winter weather. Currently Brevard opens cold weather shelters when temperatures are 45°F or below. There may be fatalities among population groups unable to travel to or access shelters, principally the homeless, economically disadvantaged and the elderly. The probability of a severe winter storm in Brevard County is considered rare with a greater than 500-year occurrence. The last severe winter weather event with record lows, 24 degrees, was in December of 2010. There have been no instances of severe winter weather since 2010.

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Severe Winter Storms</b>	<input type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input checked="" type="checkbox"/> <b>Greater than 500 years</b>
<p>A severe winter storm for Brevard County would be an event producing unusually low and prolonged temperatures which may be accompanied by ice or sleet storms. Because Brevard lies on the cusp of the Semi-Tropical and Tropical climate zones, it is conducive growing a wide variety of fruits and vegetables. However, the climate that supports such unique vegetative diversity also makes it susceptible to extreme temperature changes. When extremely cold, the effects the county can be seen in areas that grow more tropical fruits. Extreme Winter Storms, although unlikely, could damage the electric power distribution system. Extended power outages, more than three days, during unusually cold weather would require sheltering and feeding of large numbers of people. Currently Brevard opens cold weather shelters when temperatures are 45 degrees or below. There may be fatalities among those who are unable to travel to or access shelters, principally the economically disadvantaged and the elderly. The probability of a severe winter storm in Brevard County is considered rare with a greater than 500-year occurrence. The last severe winter weather event with record lows, 24 degrees, was in December of 2010. There have been no instances of severe winter weather since 2010.</p>	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Populations most at risk are the homeless, very young, those with medical conditions, and the elderly</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Could damage the electric power distribution system</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Semi-Tropical and Tropical fruits and vegetables susceptible to extreme temperature changes</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Unusually cold weather could require sheltering and feeding of larger numbers of people</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public - Increased risk of hypothermia, as well as risk of cold weather conditions to those without proper household heating</li> <li>Responders - Provide sheltering when temperatures drop below 45 degrees.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>

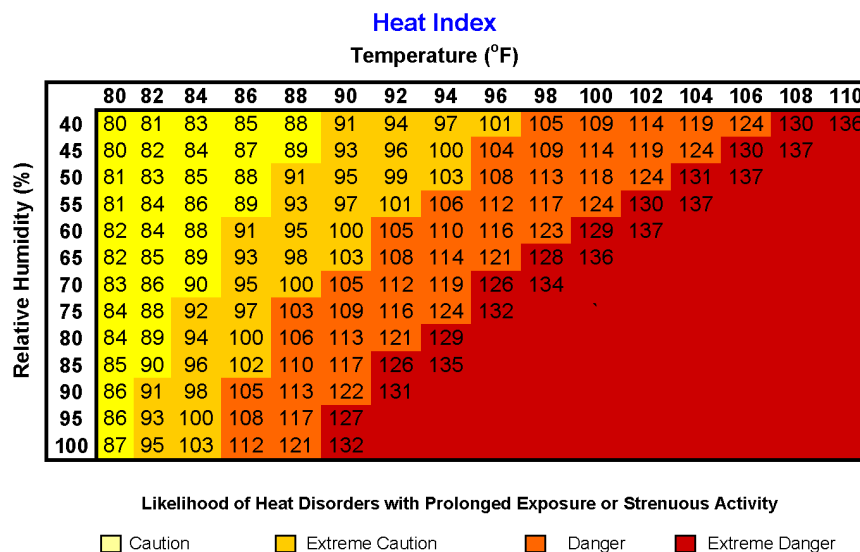
<b><i>Property, Facilities, and Infrastructure</i></b>	<ul style="list-style-type: none"><li>• Has the potential to damage the electric power distribution system, causing widespread power outages.</li><li>• Will potentially kill many crops.</li></ul>
<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"><li>• Transportation disruptions may occur, as many in Brevard are not used to icy roadway conditions.</li></ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"><li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li><li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li></ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• Business closures and significant damages to the county's citrus and horticultural industries would result in substantial economic impacts.</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• Severe winter storms will damage or kill a considerable amount of vegetation, with agricultural crops, citrus, and ornamental flowers.</li></ul>

**Extreme Heat | Natural Hazards**

Extreme heat is defined as temperatures that are approximately 10 degrees or more above the average high temperature for a given region lasting a prolonged period, usually several weeks. Extreme heat occurs when a layer of high atmospheric pressure descends over a geographical area. High pressure causes the air normally located high in our atmosphere to descend, compress, and increase in temperature. This leads to hazy, humid and muggy air. High pressure systems can reside in an area for weeks as they are resistant to being moved by other weather systems. In addition, high pressure inhibits wind and clouds, which normally mitigates the effect of the sun. chart below indicates the heat index (combination of temperature and humidity - or what it feels like) and what is typical in our area during the summer months. The National Weather Service in Melbourne will issue a Heat Advisory if the heat index reaches 108F or higher (even for a short

**NOAA's National Weather Service**

duration), or if high temperatures are expected to reach 98F or above for two consecutive days. They would issue an Excessive Heat Warning if temperatures are expected to reach a heat index values to 113F or greater (extremely rare).



Every year, most of Brevard County experiences periods in which the air temperature and humidity creates conditions that could potentially harm human health. A "heat island" is when an urban area creates warmer temperatures than its surrounding rural areas. This is caused by large amounts of concrete absorbing heat from the sun during the day. The heat releases at night keeping temperatures high and allowing little time for cooling. This can lead to increased energy demands and stress at-risk populations, especially those without access to air conditioning. In most cases, extreme heat affects those who do not have the ability to stay inside during extreme heat events. Brevard County does not have a significant population of people that experience heat related injuries. Extreme Heat events can trigger brown outs or blackouts due to the increase in

energy demand and stress on the system, which increases the vulnerability of the elderly, very young, and those who have medical conditions that cause heat sensitivity.

The homeless are another vulnerable population. The total homeless counted during the Point in Time Count (PITC) on January 26, 2019 was 815 (down 24% from 2015), which included a 2% increase in unsheltered homelessness (388 in 2015 vs. 397 in 2019). Child homelessness has decreased by 40% (244 in 2015 vs. 146 in 2019) with unsheltered child homelessness also decreasing by 15% (13 to 11).

Brevard County – Average Temperature Summary		
Month	Avg. Temp. (F°)	Maximum Avg.
January	61.3	70.6 (1937)
February	69.1	71.3 (2018)
March	67.2	72.6 (1997)
April	72.9	76.5 (2015)
May	78.2	79.4 (1995)
June	81.8	82.4 (1998)
July	82.9	84.0 (2016)
August	82.5	83.7 (2005)
September	81.8	82.3 (2002)
October	79.5	79.5 (2019)
November	68.8	75.7 (1986)
December	63.8	73.1 (2015)
Average Temperatures for 2019 – courtesy of the National Weather Service Melbourne		

From 2015 to 2019, chronic homelessness has increased 39% from 148 to 206, while unsheltered chronic homelessness has increased by 26% (146 to 184). Veteran homelessness decreased nearly 6% from 193 to 182, with the unsheltered number of veterans decreasing by 4%, from 54 to 52.

Even though the actual count may not be completely accurate for several reasons, the PITC provides the statistical basis for accurate percentages to show increase of decrease in those populations. These populations are further affected because they tend to congregate in city centers where libraries are to cool-off; however, those areas are susceptible to heat island effects. Libraries would be impacted by these extreme heat events, since they would serve as makeshift cooling stations for the homeless. Brevard County libraries include: the Cape Canaveral Public Library, Central Brevard Library, Cocoa Beach Library, Dr. Martin Luther King, Jr. Public Library and Eau Gallie Library in Melbourne, Melbourne Public Library, Franklin T. DeGroot Memorial Library in Palm Bay, Melbourne Beach Public Library, Merritt Island Public Library, Mims/Scottsmoor Public Library, Palm Bay Public Library, Port St. John Public Library, Satellite Beach Public Library, South Mainland/Micco Public Library, Suntree/Viera Public Library, Titusville Public Library, and West Melbourne Public Library.

Although extreme heat conditions may not be as notable as other hazards, its consequences can still be devastating. Between 1992 and 2001, deaths from extreme heat in the United States numbered 2,190, compared to 880 deaths from floods and 150 from hurricanes. The average annual number of fatalities directly attributed to extreme heat in the United States is approximately 400. Extreme heat is typically seasonal in nature with heat waves occurring in the summer months. However, heat waves are associated with high pressure systems and can occur in late spring and early fall as well. In Brevard County, extreme heat events can occur throughout County with exacerbated temperatures in cities like Titusville, Cocoa, Rockledge, Melbourne, and Palm Bay with large paved areas. They are most likely to occur in the summer months and are considered likely to occur in the future; with a 1 in 25 years or less probability of occurrence. High pressure systems associated with heat waves can move into an area within a matter of days. These systems are resistant to being moved by other systems and can affect a region for days, weeks or months. In June of 1998, a deep high-pressure ridge persisted across the Gulf of Mexico and Florida throughout most of the June and into early July. It resulted in several long stretches of record-breaking high temperatures. Melbourne had 22 days where high temperature records were either tied or broken. Melbourne had four 100 degree or greater days. It was also very dry during this period. Melbourne received only 3% of its normal rainfall. No extreme heat events have been experienced since 1998.

Hazard Summary	
<b><i>Hazard</i></b>	<b><i>Frequency of Occurrence</i></b>
<b>Extreme Heat</b>	<input type="checkbox"/> <b><i>Once a year or more</i></b> <input checked="" type="checkbox"/> <b><i>25 years or less</i></b> <input type="checkbox"/> <b><i>100 years or less</i></b> <input type="checkbox"/> <b><i>500 years or less</i></b> <input type="checkbox"/> <b><i>Greater than 500 years</i></b>
While extended extreme heat events are not as common, the State of Florida routinely experiences excessive heat outlooks, watches, and warnings/advisories throughout the State.	
<b><i>Risks</i></b>	
<b><i>People</i></b>	<ul style="list-style-type: none"> <li>Populations most at risk are the homeless, very young, those with medical conditions, and the elderly</li> </ul>
<b><i>Property</i></b>	<ul style="list-style-type: none"> <li>Urban area properties will be warmer temperatures</li> </ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"> <li>Risk to habitats and species that normally thrive in a cooler zone.</li> </ul>
<b><i>Program Operations</i></b>	<ul style="list-style-type: none"> <li>Opening cooling centers and delaying outside events may be warranted</li> </ul>

<b><i>Impacts</i></b>	
<b><i>Public and Responders</i></b>	<ul style="list-style-type: none"> <li>Public- extreme heat affects those who do not have the ability to stay inside during extreme heat events. Increases the vulnerability of the elderly, very young, and those who have medical conditions that cause heat sensitivity.</li> <li>Responders- Try to supply an air-conditioned environment to the homeless and elderly citizens without proper air conditioning.</li> </ul>
<b><i>Continuity of Operations and Program Operations</i></b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b><i>Property, Facilities, and Infrastructure</i></b>	<ul style="list-style-type: none"> <li>Negligible impact to property, facilities and infrastructure</li> </ul>
<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"> <li>Low impact to the delivery of services</li> </ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"> <li>High impact to tourism, agri-business, public utilities, and other industries tasked with caring for the population or providing services for comfort</li> </ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"> <li>Low impact</li> <li>A reduction in ground water supplies creates a situation conducive to sinkholes</li> <li>Non-domesticated animals will be directly impacted, Flora may die off</li> </ul>

**Drought** | *Natural Hazards*

A drought is a period of unusually persistent dry weather lasting long enough to cause serious problems such as crop damage and/or water supply shortages. The severity of the drought depends upon the degree of moisture deficiency, the duration and the size of the affected area. There are four different ways that drought can be defined: meteorological drought, agricultural drought, hydrological drought or socioeconomic drought. Meteorological drought is a measure of departure of precipitation from normal. Due to climatic differences, an area that might be considered in a drought in one part of the country may not be a drought in another. Agricultural drought refers to a situation where the amount of moisture in the soil no longer meets the needs of a particular crop. Hydrological drought occurs when surface and subsurface water supplies are below normal, and socioeconomic drought refers to the situation that occurs when physical water shortages begin to affect people. Brevard County Emergency Management regularly monitors information from the National Oceanographic and Atmospheric Administration, National Weather Service, St. Johns River Water Management District and the Florida Forest Service Keetch-Byram Drought Index for decreases in water, river, and lake levels. There are distinct wet and dry seasons in Brevard. The dry season lasts from December through May, the wet from June through November. During the dry season, periods of drought often occur, and can lead to a persistent and high wildland fire threat. Brevard County and all of its municipalities would be affected by drought conditions. Structures are not vulnerable to the consequences of drought but to resulting fire; potential dollar loss for fire is addressed under wildfire.

The types of drought as stated above affect agriculture as well as people and livestock when water shortages begin, and fire danger increases. Also, of concern is the changing climate, there is the potential for an increasing risk of environmental impacts from drought and water shortages and future mitigation and adaptation strategies related to this hazard should be considered. Droughts in other areas that contribute to the Floridan Aquifer system can affect water sources in Brevard and other areas of Florida. County drinking and irrigation water comes from a variety of sources including the Floridan Aquifer. Sources by regions in Brevard follow.

North Brevard gets drinking water from the County's Mims Water Treatment Plant which extracts water from a series of surficial aquifer wells. Others in the Mims/Scottsmoor area have individual wells. Saltwater intrusion is of concern for those residents on individual wells near the Indian River Lagoon as rain diminishes and freshwater influx decreases.



Titusville also extracts their water supply from a series of wells in their “Area of Critical Concern”. The City of Titusville and County apply land development restrictions that limit any use which would detrimentally affect the aquifer in this area.

The city of Cocoa provides water to central Brevard from Kings Highway in Port St. John down to Pineda Causeway (County Road 404) at Palm Shores then the city of Melbourne’s water supply takes over. City of Cocoa has a 10-year Water Management Plan taking supply planning to the year 2020. The City of Cocoa extracts water from the Floridan Aquifer and Intermediate Aquifer and can produce over 60 million gallons a day. The water well system is located just over the Orange/Osceola County boundary line and provides water to the following municipalities, communities, jurisdictions, and major organizations:

- Canaveral Groves
- Cape Canaveral
- Cape Canaveral Air Force Station
- Cocoa
- Cocoa Beach
- Kennedy Space Center
- Melbourne (when needed)
- Merritt Island
- Patrick Air Force Base
- Port Canaveral
- Port St. John
- Rockledge
- Sharpes
- Suntree
- Viera
- Unincorporated Areas
- Wholesale water to the City  
Titusville

In all, the City’s system serves about 82,000 customers with a population of approximately 250,000+.

The City of Melbourne supplies drinking water comes from Lake Washington which is part of the St. John River. It serves its population of about 77,000 and also customers in surrounding cities and population centers in South Brevard County. This distribution service area is approximately 100 square miles and includes the cities of Melbourne, Melbourne Beach, Indialantic, Indian Harbour Beach, Satellite Beach, Palm Shores, Melbourne Village, and a portion of Brevard County. In addition, wholesale water service is provided to West Melbourne, with additional account holders and customers served.

Southern areas of Brevard like Barefoot Bay are served by wellfield run by Brevard County Utilities as well as some on individual wells.

The southern barrier island area of Aquarina is served by a system that gets water from a deep confined aquifer that is not subject to drought; however, it is also a finite source.

23% of Brevard County is agricultural-usable for agriculture, raising cattle, and horses. These areas would be affected when drought occurs that affects surficial and Floridan aquifer water supplies.

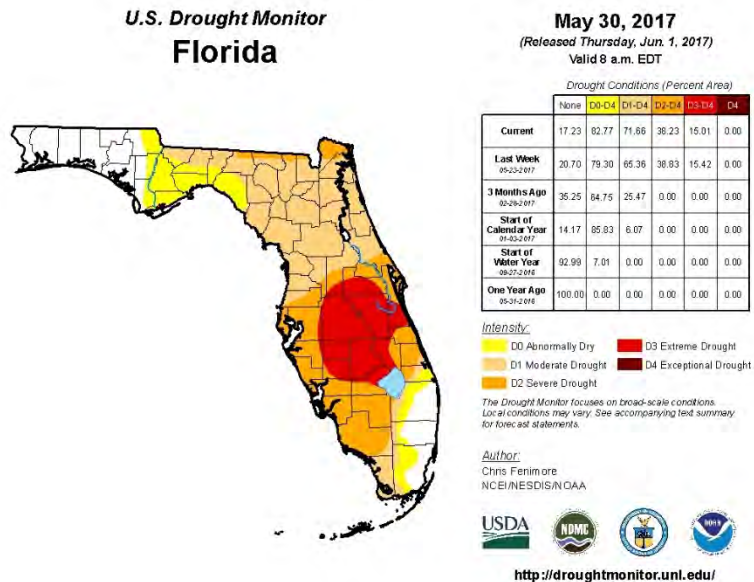
The statewide average rainfall deficits for Florida during 2006 and 2007 were the largest observed since the mid 1950's. According to the National Drought Monitor, as of January 1, 2008, approximately 20% of Florida experienced severe to extreme drought conditions. The drought was most pronounced in southwest Florida and the Kissimmee River watershed rather than on the eastern coastline. By January 2010, most of the state had returned to normal conditions, e.g., an absence of drought conditions, although the Brevard County area remains somewhat drier than the remainder of the state.

### U.S. Drought Monitor Classification Scheme

Category	Description	Ranges					
		Possible Impacts	Palmer Drought Index	CPC Soil Moisture Model (Percentiles)	USGS Weekly Streamflow (Percentiles)	Standardized Precipitation Index (SPI)	Objective Short and Long-term Drought Indicator Blends (Percentiles)
<b>D0</b>	Abnormally Dry	Going into drought: short-term dryness slowing planting, growth of crops or pastures. Coming out of drought: some lingering water deficits; pastures or crops not fully recovered	-1.0 to -1.9	21-30	21-30	-0.5 to -0.7	21-30
<b>D1</b>	Moderate Drought	Some damage to crops, pastures; streams, reservoirs, or wells low, some water shortages developing or imminent; voluntary water-use restrictions requested	-2.0 to -2.9	11-20	11-20	-0.8 to -1.2	11-20
<b>D2</b>	Severe Drought	Crop or pasture losses likely; water shortages common; water restrictions imposed	-3.0 to -3.9	6-10	6-10	-1.3 to -1.5	6-10
<b>D3</b>	Extreme Drought	Major crop/pasture losses; widespread water shortages or restrictions	-4.0 to -4.9	3-5	3-5	-1.6 to -1.9	3-5
<b>D4</b>	Exceptional Drought	Exceptional and widespread crop/pasture losses; shortages of water in reservoirs, streams, and wells creating water emergencies	-5.0 or less	0-2	0-2	-2.0 or less	0-2

Short-term drought indicator blends focus on 1-3 month precipitation. Long-term blends focus on 6-60 months. Additional indices used, mainly during the growing season, include the USDA/NASS Topsoil Moisture, Keetch-Byram Drought Index (KBDI), and NOAA/NESDIS satellite Vegetation Health Indices. Indices used primarily during the snow season and in the West include snow water content, river basin precipitation, and the Surface Water Supply Index (SWSI). Other indicators include groundwater levels, reservoir storage, and pasture/range conditions.

Brevard County experienced a 50-year drought during the summer of 1981 and has continued to experience somewhat drier conditions over the last three decades. There have been a couple of periods over the past 5 years where Brevard County has been in D1-Moderate Drought conditions or greater. These periods are: March through May of 2016 and February through May of 2017. The map to the right shows most of Brevard in a D2 to D3 level drought at the end of May 2017. There have been no further occurrences since then.

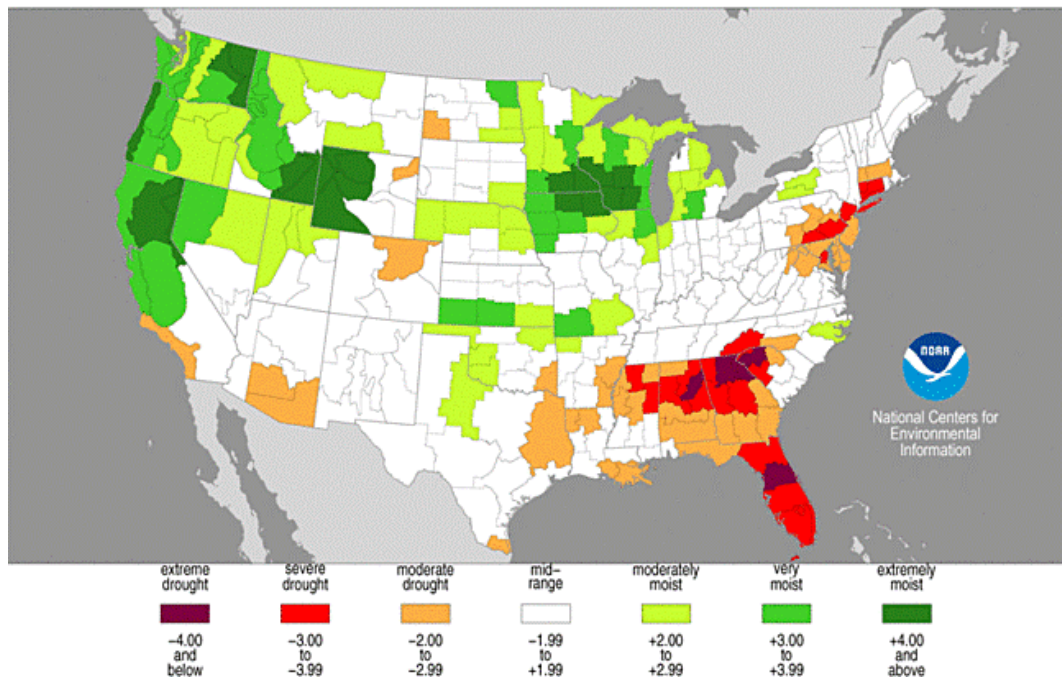


This type of meteorological drought has a detrimental effect on water systems relying upon surface water such as the Melbourne Municipal System (Lake Washington). When pre-identified lake levels are reached, there is a higher probability of contamination or poor water quality which can result in an emergency situation. Droughts or significant rainfall shortages also reduce the water table level and may affect those systems dependent on the shallow aquifer.

It is considered that the entire county and all of its jurisdictions are at risk from drought, principally through water system failure. Additionally, drought would increase the risk of wildfire, which would be most severe in those locations noted above as having high levels of concern for wildfire. Drought, itself, does not specifically threaten any type of structure, however, heightened wildfire risk resulting from drought conditions could threaten all types of structures within areas of risk, as discussed above. The probability of future drought events in Brevard County is considered possible with at 25 year or less occurrence. Because drought has occurred regularly over the years it can be expected to occur at a D3 or more drought level again.

The worst-case drought would have three major impacts on Brevard County and its jurisdictions. First, the probability of major wildfires would increase significantly, with major property destruction, injuries and fatalities, as well as environmental damage in the impacted areas. Second would be the economic damage to the County's agricultural sector. Third, the drought would impact the available community water supplies in terms of quantity and quality, as well as the availability of water for agricultural and landscape irrigation. The availability of community water supplies could also affect the ability for urban firefighting. Overall, the impact of a worst-case drought would be severe economic consequences due to increased costs to provide adequate potable water and damages to property and crops.

Palmer Drought Severity Index  
April, 2017



Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Drought</b>	<input type="checkbox"/> <b>Once a year or more</b> <input checked="" type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
<p>Since 1900, nine drought cycles (typically of two-year periods) have occurred in Florida. Most often, the area of impact was regional rather than Statewide. Most summer seasons have micro-heat waves based on a geographic area of Florida. Florida averages 12 heat-related fatalities annually. In 1993 and 1999, 241 and 68 fatalities, respectively, were the result of heat waves affecting the southeastern United States.</p>	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Drinking water shortages could affect public health and increase wildfire</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Agriculture could go out of business and increase in wildfire concerns</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Drought will affect ecosystem health allowing invasive species to encroach or wildfire</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Operations may have to import safe drinking water or rely on mutual aid to suppress wildfire</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- Medium to High risk of losing crops and plants, as well as a decrease in available water to the public.</li> <li>Responders- High risk of wildfires starting when a drought is occurring, which could lead to injury.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Low impact to property, facilities, and infrastructure</li> <li>Heat-sensitive components may be compromised</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Low impact to the delivery of services</li> <li>Non-essential services (e.g., park and recreational area watering, public property watering) may be suspended</li> </ul>
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b>Economic Condition</b>	<ul style="list-style-type: none"> <li>23% of Brevard County is agricultural-usable for citrus; all of this would be economically at risk in the case of a drought.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Would bring about an increased risk in wildfires, which would negatively impact the local environment.</li> </ul>

**Wildfire** | *Natural Hazards*

A wildland fire or wildfire is any free burning uncontrollable wildland fire not prescribed for the area which consumes the natural fuels and spreads in response to its environment. The most at-risk locations are areas where development has occurred or is occurring at the edge of previously undeveloped vegetated areas, such as forests, grasslands, wetlands, etc. This characteristic is prevalent in the jurisdictions with lands in a corridor largely defined by I-95 on the west and US 1 on the east, with some smaller areas located in other parts of the county. This distribution of the locations most vulnerable to wildfire can be seen on the summary map, *Locations of Wildfire Levels of Concern and Fire Risk Areas*, which are attached to this section. The map depicts different degrees of vulnerability of development to wildfire that are calculated by combining indices for wildland fire susceptibility and general fire effects given terrain and other geographic features.

Brevard County is susceptible to wildfires throughout the year, particularly during the months with minimal rainfall amounts (December through April). Four jurisdictions with larger amounts of urban-wildland interface ranked wildfire among their three highest hazards. The major causes of brush and forest fires are due to lightning, human negligence, or cases of criminal mischief, and occurs during the months with higher thunderstorm activities. In recent years, homes and businesses have been threatened by encroaching wildfires. Late winter and spring also are prime periods for wildfires, fueled by strong winds and a lack of rainfall during that same time frame. Brevard County has a considerable amount of undeveloped area with prime fuel source for fires.

During the 1990s, the County was impacted by the disastrous wildfires brought on by drought that swept through the region. Most notable was the summer of 1998 during which over 500,000 acres burned statewide. A total of 150,000 acres burned in Brevard County and 32 homes and 5 businesses were lost (Brevard County Emergency Management, Farmington Fires June 2008).

More recently, the Mother's Day fires of 2008 accounted for \$34 million in damage in Palm Bay alone where 33 homes were destroyed and 236 damaged. In Malabar, two homes, each valued at \$250,000, were destroyed. In total, over 10,000 acres were destroyed during the event, however; it is likely that more damage was avoided due to prescribed burning in the Jordan Scrub Sanctuary and the Micco Scrub Sanctuary three months prior to the fires.

In spring 2011, the Iron Horse Fire burned nearly 17,500 acres across Brevard and Volusia counties and destroyed one mobile home and two hunting camps. Two



firefighters were injured putting out the hot spots and heavy smoke forced the closure of Interstate 95 between State Road 442 and SR-46 for a period of time.

In February of 2016 the Fleming Grant Fire destroyed an outbuilding and burned 95 acres before being contained; later in March of that year the Quincy fire in Palm Bay damaged four homes and was finally contained after burning 45 acres. The largest fire in 2017 was named Three Forks #8 at 6282 acres and later in June the Tucker fire burned 4500 acres both were out in the St. John's River and did not threaten homes or businesses.

Recent fires of smaller scope include:

- Tram in Mims on 7/11/2016, 222 acres
- Silver Gate in Titusville on 6/13/2016, 275 acres
- Smoke House in Mims on 7/18/2016, 301 acres
- Midway 1 in Titusville on 4/9/2017, 325 acres
- Micco Scrub in Palm Bay on 4/26/2018, 600 acres
- Twin in Titusville on 6/27/2016, 1300 acres

The worst-case for a wildfire event would involve multiple fires throughout the most threatened areas shown on the Wildfire Level of Concern map on the next page. There is an estimated 34,423,980 acres with significant risk for wildfire within Brevard County; therefore, based on the worst wildfire to date of 150,000 acres, Brevard County could experience a wildfire of similar magnitude in the future. Below is a graph showing total acres in the associated wildfire risk

<i><b>Wildfire Risk Level</b></i>	<i><b>Total Acreage</b></i>
Very High Risk	1,672,519
High Risk	5,302,620
Low Risk	27,448,841
No Risk	7,659,808

zones within the county. The high to very high-risk areas are principally located north-south corridor between I-95 and US 1; which is extensively developed with commercial, residential and industrial areas. Most structures within, and adjacent to, this high-risk area would be vulnerable to wildfire, unless specific structural and landscaping actions had been taken to mitigate that risk. The area has numerous residential, commercial and industrial structures, both singly and in developments such as mobile home parks that are adjacent to or within vegetated areas. Any of these could be overrun by a wildfire. Failure to successfully evacuate the I-95/US 1 corridor could result in numerous injuries and fatalities. Wide area public health impacts from smoke would be a concern. Property damage would be extensive, with numerous residences and businesses destroyed. Numerous families would be displaced, and businesses would suffer

enormous economic impacts, with many failing to reopen. Damages to overhead utilities would be significant with power loss throughout the area. As the north-south transportation corridors through the county may be affected by such an event, transportation impacts would domino throughout central Florida due to highway and rail closures.

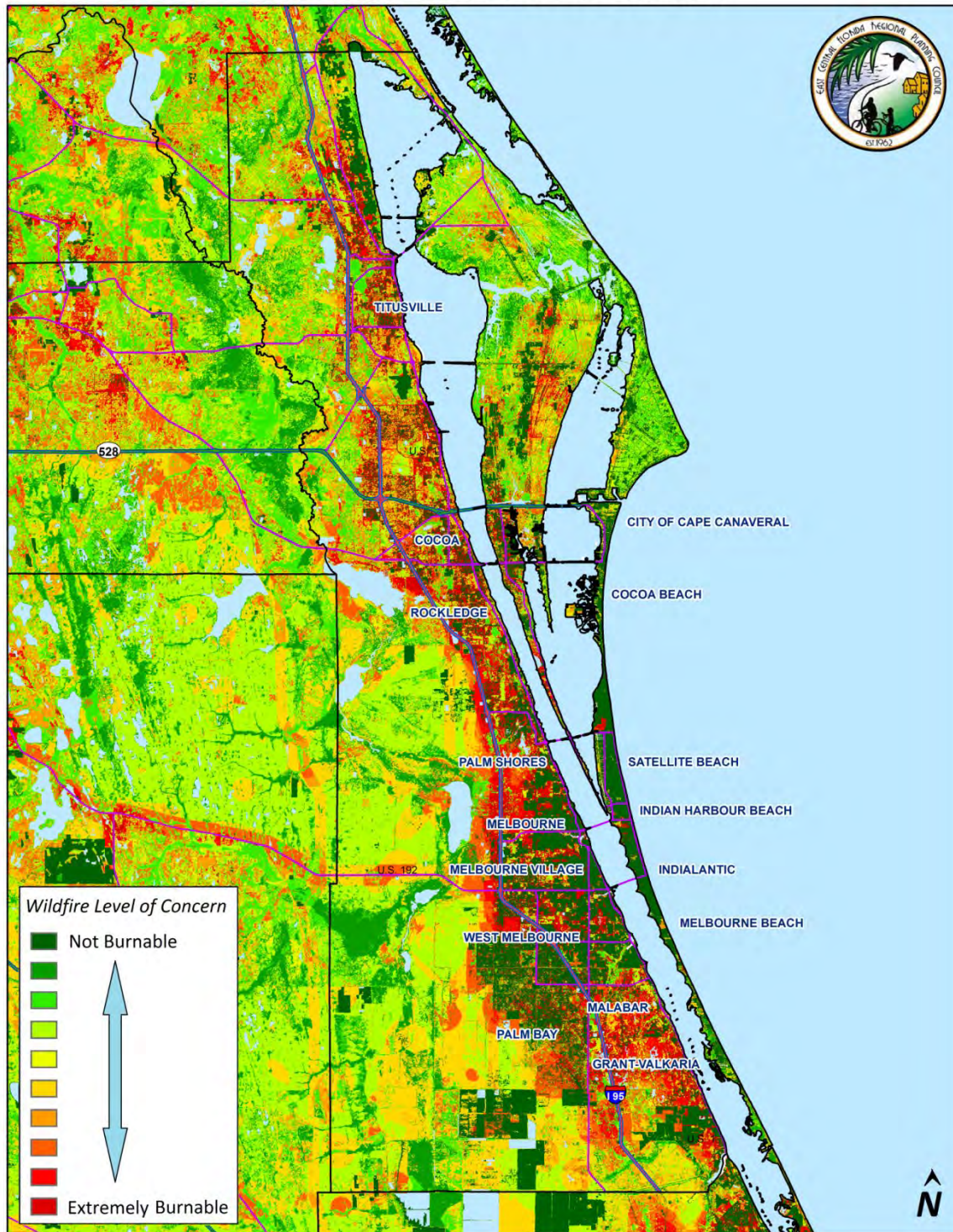
Since wildfires have happened in Brevard in the past, the probability for future wildfires is likely, particularly during drought cycles and dry, windy conditions. It is estimated that frequency of occurrence is once every 25 years or less.



Terkam Fire, Palm Bay, 5/22/15 burned 200 acres. At the fire's height, officials were forced to close two of three southbound lanes of I-95 south of Grant Road and a large portion of Babcock Street in roughly the same area.



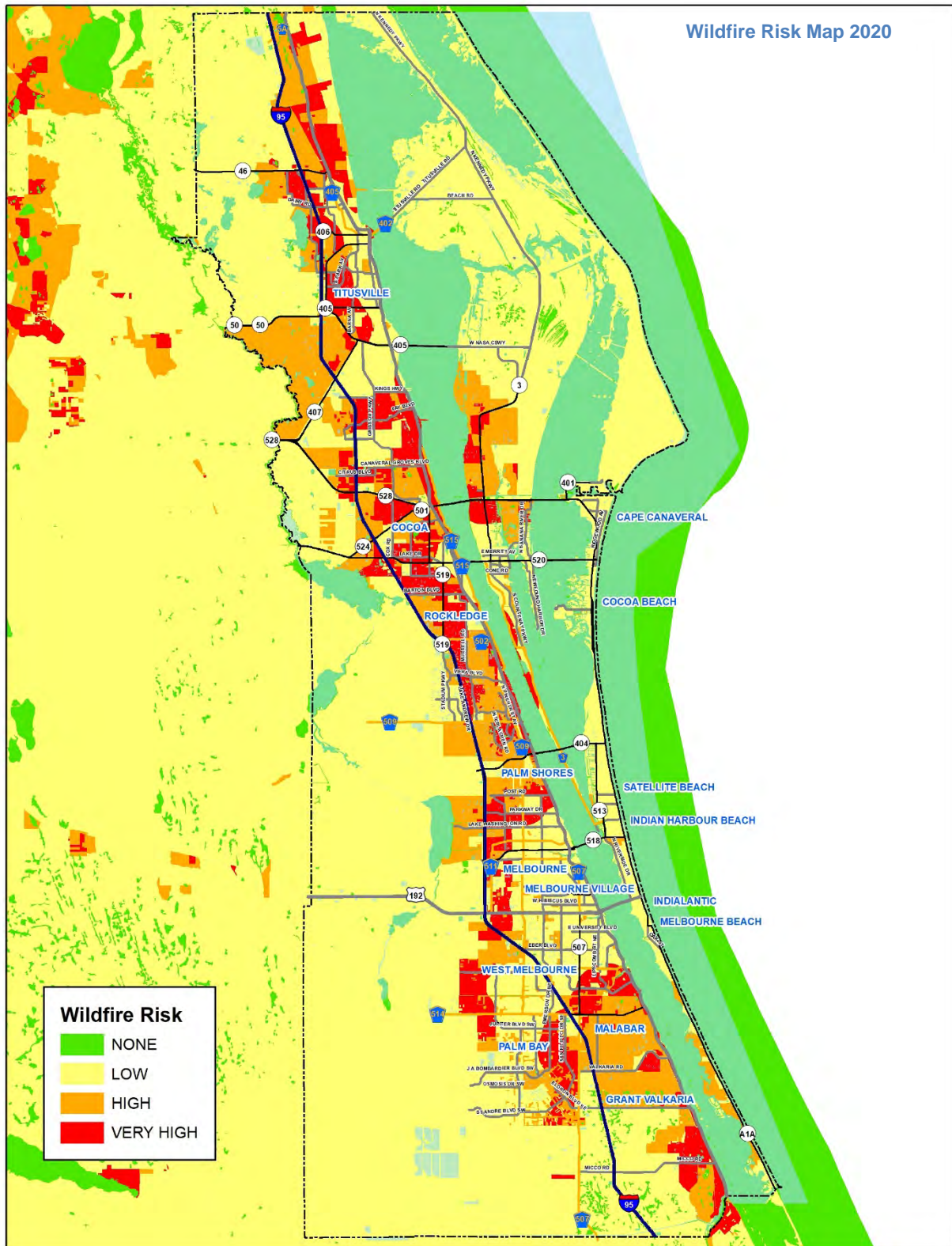
## Wildfire Level of Concern



The following tables summarize the financial exposure, building detail and land use summary of all parcels within each of the fire risk zones in Brevard County as determined by the Florida Forest Service. The map on the following page depicts the hazard zones summarized in these tables.

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	10,323	3.11%	7,045	2.12%	\$2,402,713,220.00	\$2,053,722,940.00	\$4,066,153,570.00	\$2,127,611,848.00	5,502	2,126	1,100	145						
Low Risk	157,838	47.56%	118,394	35.67%	\$8,850,680,787.00	\$20,796,976,573.00	\$25,015,945,210.00	\$19,292,001,519.00	82,615	34,080	24,782	6,681						
High Risk	59,615	17.96%	40,410	12.18%	\$2,943,136,850.00	\$8,522,311,730.00	\$9,565,783,320.00	\$7,364,177,515.00	13,963	24,857	13,380	4,175						
Very High Risk	104,109	31.37%	86,330	26.01%	\$4,117,789,676.00	\$11,465,477,584.00	\$12,543,321,970.00	\$9,081,835,001.00	61,625	22,697	12,210	1,973						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	8,714	2.63%	130	0.04%	9	0.00%	18	0.01%	16	0.00%	1,090	0.33%	99	0.03%	1	0.00%	117	0.04%
Low Risk	141,785	42.72%	6,627	2.00%	308	0.09%	1,687	0.51%	482	0.15%	4,451	1.34%	670	0.20%	6	0.00%	23	0.01%
High Risk	54,246	16.34%	1,150	0.35%	29	0.01%	403	0.12%	131	0.04%	2,202	0.66%	338	0.10%	3	0.00%	20	0.01%
Very High Risk	98,160	29.58%	2,108	0.64%	116	0.03%	642	0.19%	253	0.08%	1,070	0.32%	228	0.07%	1	0.00%	43	0.01%





Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Wildfire</b>	<input type="checkbox"/> <b>Once a year or more</b> <input checked="" type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
<p>A wildland fire or wildfire is any free burning uncontrollable wildland fire not prescribed for the area which consumes the natural fuels and spreads in response to its environment. The most at-risk locations are areas where development has occurred or is occurring at the edge of previously undeveloped vegetated areas, such as forests, grasslands, wetlands, etc. This characteristic is prevalent in the jurisdictions with lands in a corridor largely defined by I-95 on the west and US 1 on the east, with some smaller areas located in other parts of the county.</p>	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Residences and businesses close to unmanaged lands without proper buffers to access to water. Risk to health from smoke inhalation</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Where development has occurred or is occurring at the edge of previously undeveloped vegetated areas</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Unmanaged wildlands are more susceptible to wildfire</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Moderate impact to the delivery of services</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- High risk of sustaining property damage, as well as damage to overhead utilities. Possibility of displacement.</li> <li>Responders- High risk of injury due to the health impacts of smoke.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Could lead to the destruction of homes and local businesses, as well as closure of roads and major highways due to smoke.</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Delivery of Services impact dependent on road closure caused by the wildfire.</li> </ul>
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b>Economic Condition</b>	<ul style="list-style-type: none"> <li>Local businesses would be economically impacted not only because of potential destruction of buildings, but also potential destruction of product.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Pollutes the air, causing decreased quality of life, and destroys animals and their habitats.</li> </ul>

**Agricultural Infestations and Diseases | *Natural Hazards***

Infestation or disease in agriculture is when biological entities such as insects, rodents, bacteria or viruses significantly increase in a given area, affecting crops to the point where human and animal health is threatened, valuable crops may be damaged or significant environmental resources may be lost. Examples of common Brevard infestations are caused by mosquitos, citrus greening, southern pine beetle, Florida Dampwood Termites, rats or noxious plants like Brazilian Pepper, etc.

Brevard County has 158,900 acres of land with an “Agricultural” land use designation. In 1997 and 1998, Florida’s agricultural community was forced to focus time and resources communicating to the general public about the Mediterranean fruit fly (Medfly) and the control methods used to eradicate the pest when the fly threatened the state’s \$6.8 million agriculture industry. The Florida Cooperative Extension is a partnership between the University of Florida Institute of Food and Agricultural Sciences (IFAS), the United States Department of Agriculture (USDA) and county governments in Florida to provide scientific knowledge and expertise to the public through educational programs. Brevard County has cattle farms, citrus orchards and other agricultural enterprises that are vulnerable to infestations and disease. Cattle diseases like Mad Cow, Hartwater, and hoof-and-mouth and Citrus disease like Greening and Canker are of concern to Brevard farmers. Coordination with the University of Florida IFAS Brevard County Extension is the first step in mitigation planning for agricultural infestations and disease. Brevard UF IFAS Horticulturalist, Sally Scalera, wrote this Florida Today article about Greening:

***Be Aware of Citrus Greening***

**Sally Scalera** - *FL Today* - September 8, 2017.

*If you are growing citrus, there’s a serious disease you need to know about affecting all citrus cultivars and can cause a rapid decline in the health of trees.*



*Sadly, citrus greening, uanglongbing or HLB, can be found throughout Brevard County.*

*Citrus greening is caused by a bacterium that is spread by a psyllid insect. As the psyllid feeds on the sap of a citrus tree, it passes the bacterium into the tree, infecting the tree. Once a plant has become infected, the bacterium can move throughout the plant.*

*This means that the infection is systemic throughout the plant and cannot be removed by pruning off the portion expressing symptoms. An early symptom of citrus greening is the yellowing of leaves that may appear on a single shoot or branch.*

*In the early stages of infection, leaves may have a mottled or blotchy appearance. Affected trees can also have twig dieback and rapidly decline into a non-productive state within 2 to 3 years. In trees with advanced stages of the disease, the leaves are small with yellow veining. Fruit are sparse, small, abnormal in appearance and fail to color properly, thus the name greening.*



*The Asian citrus psyllid is the vector for citrus greening. Once infected, the psyllids remain capable of transmitting citrus greening for their entire lives. The psyllids feed and survive primarily on citrus and citrus relatives.*

*Citrus greening is one of a few citrus diseases that can be considered a truly limiting factor for citrus production. Control is difficult if infected trees are widespread and the psyllid vector is well established. The greening bacterium can infect virtually all citrus species as well as several citrus relatives that are grown as ornamentals, such as orange boxwood (*Severinia buxifolia*) and orange jasmine (*Murraya paniculata*).*

Another notable source of information on the distribution of invasive plants, insects, animals and diseases in Brevard can be found at the University of Georgia's Early Detection and Distribution Mapping system website, <http://www.eddmaps.org>, known as EDDMapS. The EDDMapS web-based mapping system documents invasive species and disease distribution. The site combines data from other databases and organizations as well as volunteer observations to create a national network of invasive species distribution data that is used by scientists, researchers, land managers, land owners, educators, conservationists, ecologists, farmers, foresters, state and national parks. They also work with the Florida Exotic Pest Plant Council and other Florida universities and organizations on documenting and tracking exotic species. Below is an example of a database verification in Brevard of Brazilian Pepper, one of the most prolific invasive plant species.

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## Brazilian peppertree

### *Schinus terebinthifolius* Raddi

Date Updated May 13, 2019

Updated By Dexter Sowell Florida Natural Areas Inventory

Source Type Web Report

#### Species Information

Original Reported Subject Brazilian peppertree (*Schinus terebinthifolia* var. *raddianus*)

Phenology Mature, Sapling/Immature

#### Verification and Review

Verification Method Photographs

Identification Credibility Corrected

Reviewed Verified

Reviewer Dexter Sowell

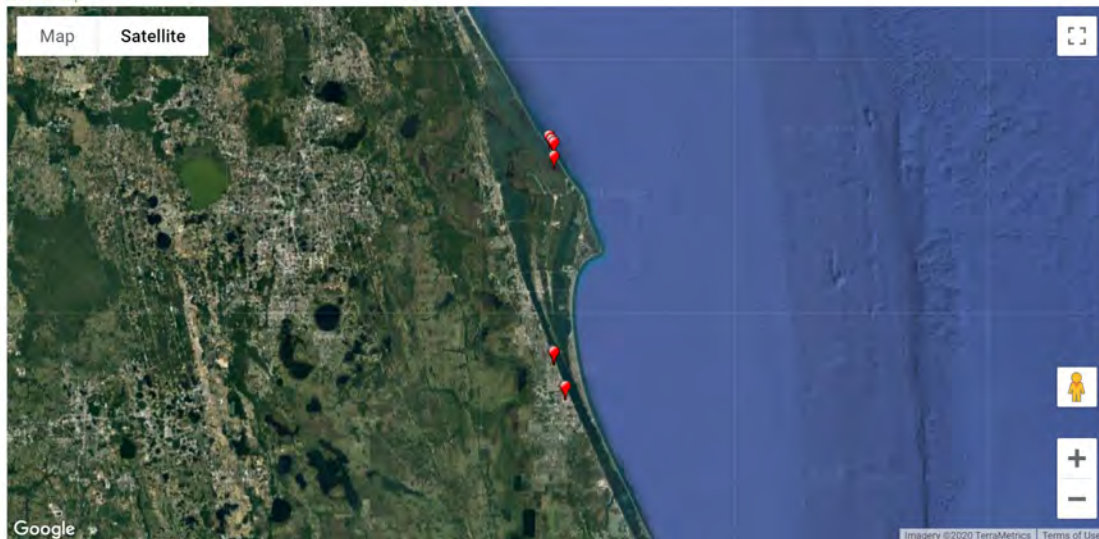
Date Reviewed May 13, 2019

#### Survey Information

Datum WGS84

Comments Smaller Pepper trees are all around the lake with a large one closer to the road (Walter Court).

#### Other

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In the last 5 years 429 invasive species were recorded showing infestations on 372.5 acres.





Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Agricultural Infestation and Disease</b>	<input type="checkbox"/> <b>Once a year or more</b> <input checked="" type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
Florida's natural ecosystems are increasingly coming under attack by invading exotic species which displace native species, thereby degrading the diversity of natural resources.	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Crops being infested to the point where human and animal health is threatened</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Valuable crops may be damaged</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Significant environmental resources may be lost</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>It may change how normal crop operations happen given the impact</li> <li>It could cause increases in agriculture regulatory inspections</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- Infestation of certain species impacts the local crops and wildlife in Brevard County, effecting citizens.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Commercial growers are extremely vulnerable to financial ruin from exotic pest infestation.</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Low, but possible, risk to temporarily disrupt government services.</li> </ul>
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b>Economic Condition</b>	<ul style="list-style-type: none"> <li>In the case of a major infestation, certain crops in the county could become scarce, driving up the market price as well as sending the farmers into financial distress.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>If the infestation isn't dealt with, it could lead to the wide spread death of crops, as well as the spread of disease.</li> </ul>

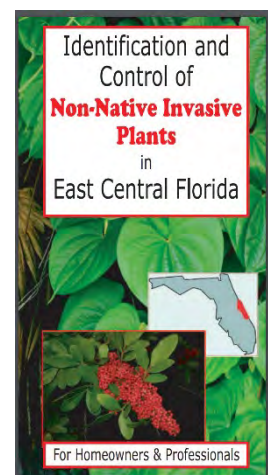
**Invasive Species | *Natural Hazards***

Brevard County has one of the most diverse ecosystems in North America due to the rare combination of climates. Brevard County is exposed to a temperate climate to the north and a warm subtropical climate to the south, combining the habitat and environmental needs for a wide variety of animal life. Those same conditions also make good habitat for a number of invasive species.

Brevard County is home to approximately 50 or more threatened or endangered animal species. Due to the rapid rate of development and subsequent habitat loss and fragmentation, some of our most prized wildlife is declining as documented by the Brevard County Natural Resources Management Department. Recognizing the importance of our local wildlife is an important step towards preserving these natural treasures.

Brevard's natural ecosystems are increasingly coming under attack by invading exotic species which displace native species, thereby degrading the diversity of floral and faunal resources. If important natural resources such as mangroves, sea oats, oyster beds, etc. are overrun by these invading species, then the county will be more vulnerable to the consequences of other hazards. With the disappearance of natural barriers, lower impacting hazards will have increasingly stronger impacts on residents, businesses, critical infrastructure and the ability of the County to provide uninterrupted program operations. Faculty members at the University of Florida currently are conducting research and outreach programs to better understand and control these exotic invasive species. Until controls are in place the entire population of Brevard is at risk to the effects of degrading ecosystems. Native species are vulnerable to Invasive species which kill or out compete or destroy habitats, amongst other impacts.

Since plants are the base of the food chain, exotic "takeovers" can jeopardize plant-dependent wildlife and the whole ecosystem. The Florida Exotic Pest Plant Council (FLEPPC) has identified 70 *Category I* non-native invasive species in Brevard that are invading and disrupting native plant communities (2019 list). EDDMapS notes 176 separate invasive plant species found in Brevard County to date. Total record of infestation from all recorded invasive species as recorded in the EDDMaps for the County are 8305 records (7733 with exact location) infesting 6388.82 Acres. Example pest plants found in Brevard include Hydrilla, Brazilian Pepper, Melaleuca, Australian Pine, Kudzu, Air Potato, Cogon



Grass, and Tropical Soda Apple. Many of the listed species are distributed throughout the County and are found in natural and disturbed landscapes. Brevard has published a brochure identifying major invasive plant species aimed at professionals and property owners, so they can assist in the ongoing battle to control and eradicate them.

Brevard County's Non-Native Noxious Invasive Plant Ordinance aids in mitigating the spread of invasive plant species. Brevard County amended its Landscaping and Land Clearing ordinances on May 28, 2002, by adopting ordinance #02-26. These amendments require the removal of targeted non-native noxious invasive plant species during land development and require controlling re-growth of such species in perpetuity.

Though troublesome in other respects, some species (such as feral pigs) are important as prey for native predators (Florida panthers) and serve as an attraction for hunters. However, negative impacts from invasive species include habitat destruction, competition with native species, predation, hybridization, disease and parasites. Brevard mammal pests include the Norway rat, roof rat, house mouse and feral pig. Siting of invasive fish in Brevard include lionfish, and Nile tilapia. Non-native invasive birds that have invaded Brevard include Muscovy ducks, Rock Doves, European starlings, house sparrows, and monk parakeets.

On top of having profound ecological impacts, invasive species cost; these costs include monitoring, testing, management, eradication, and restoration efforts. For instance, insect pests cause an estimated \$1 billion in damages in Florida, and many of the worst pests are non-indigenous. According to entomologist Dr. John Capinera, 12-18 invading species become established in Florida annually. These non-natives arrive by flying, walking, swimming, rafting and by stowing away on cargo (often on infested plants commercially imported).

The probability of invasive species continuing to impact Brevard County is considered highly likely, occurring once a year or more.

Hazard Summary	
<i><b>Hazard</b></i>	<i><b>Frequency of Occurrence</b></i>

<b>Invasive Species</b>	<input type="checkbox"/> <b>Once a year or more</b> <input checked="" type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
<p>Florida's natural ecosystems are increasingly coming under attack by invading exotic species which displace native species, thereby degrading the diversity of floral and faunal resources. Florida has ecosystems not found in the other 47 contiguous states, and it also has more non-native species than any state other than Hawaii. EDDMapS notes 176 separate invasive plant species found in Brevard County to date. Example pest plants include hydrilla, old world climbing fern, melaleuca and Brazilian Pepper. Many of the listed species are distributed throughout the county and are found in natural and disturbed landscapes.</p>	
<p style="text-align: center;"><b>Risks</b></p>	
<b>People</b>	<ul style="list-style-type: none"> <li>Some invasive plant species can affect health (i.e. Some are allergic to Brazilian Pepper)</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Since many invasive species are mobile they can affect all properties.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Reduction in ecosystem health and biodiversity affects us all as humans are part of the chain.</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Land managers should beware that some plants can be harmful, i.e. Some are allergic to Brazilian Pepper.</li> </ul>
<p style="text-align: center;"><b>Impacts</b></p>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- Learn to recognize these species, and report them to the proper control agencies.</li> <li>Responders- Keep invasive species under control based on guidelines set by your agency.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Possible effect on all properties and natural resources, these species are destructive enough to be considered pests.</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Little to no risk to temporarily disrupt government services.</li> </ul>
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>

<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• Low risk to economy, but possibility of invasive species effecting crops on local farms, driving prices up.</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• If the infestation isn't dealt with, it could lead to the wide spread death of crops, as well as displacement of natural species.</li></ul>

**Seismic Hazards | *Natural Hazards***

Nowhere in Brevard County is there a more than .02g Seismic Zone, rendering people, properties, and the environment reasonably safe area from this hazard. Therefore, earthquake hazards have not been a significant consideration for the mitigation planning process by Brevard Prepares or any of the participating jurisdictions, and therefore will not interrupt services.

**Sinkholes and Subsidence | *Natural Hazards***

This hazard does not affect Brevard County's people, properties, and the environment to any great extent and therefore won't interrupt operations and services. Mapping indicates little risk for Brevard County. Risk of sinkhole activity for the entire county is low. Therefore, subsidence hazards have not been a significant consideration for the mitigation planning process by Brevard Prepares or any of the participating jurisdictions.

**Space Weather and Geomagnetic Storms | *Natural Hazards***

The sun is the main source of space weather. Sudden bursts of plasma and magnetic field structures from the sun's atmosphere called coronal mass ejections (CME) together with sudden bursts of radiation, or solar flares, all cause space weather effects on Earth.

Space weather hazards include malfunction or even permanent damage of power distribution grids and of telecommunication, navigation and surveillance satellites, disturbances of over-the-horizon (OTH) radar, HF, VHF and UHF communications, surveying and navigation systems that use Global Positioning System (GPS) satellites, surveillance (optical and radar) and satellite tracking. As public safety systems become increasingly technologically reliant, any disruption to those systems could result in an interruption to program operations. There would be no risk to people, property, or the environment beyond the impacts to decreased radio and telephone communications. This hazard has an unknown but rare occurrence level.

For more information on space weather, visit the Florida Division of Emergency Management's web site: <http://www.floridadisaster.org/EMTOOLS/spacewx/index.htm>

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Space Weather/ Geomagnetic Storms</b>	<input type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input checked="" type="checkbox"/> <b>Greater than 500 years</b>
<p>The sun is the main source of space weather. Sudden bursts of plasma and magnetic field structures from the sun's atmosphere called coronal mass ejections (CME) together with sudden bursts of radiation, or solar flares, all cause space weather effects on Earth.</p>	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Injured and sick people that need ambulance services may experience delays</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>There is no anticipated risk to properties</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>There is no anticipated risk to the environment</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Communications may be affected</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Responders- run diagnostic tests on telecommunication, navigation and surveillance satellites, as well as global positioning systems.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Known to damage satellites and other high-tech systems, as well as cause radio blackouts.</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Possible impact on delivery of services, due to GPS and satellite interruptions.</li> </ul>
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b>Economic Condition</b>	<ul style="list-style-type: none"> <li>Little to no risk to local economy due to frequency of occurrence, however, if it did occur countywide systems would be affected including emergency radio services and every person or business that relies on</li> </ul>



	telecommunication navigation and GPS causing widespread economic failure.
<b>Environment</b>	<ul style="list-style-type: none"> <li>Geomagnetic Storms can produce elevated radiation aboard aircrafts flying at high altitudes. Although these risks are small.</li> </ul>

### **Tsunami | Natural Hazards**

Tsunamis, the potentially devastating waves that can follow seismic events are threats to any coastal region. Florida has 1,197 miles of coastline, more than any of the lower 48 States.

Causes in this area include a seismic shift in the Puerto Rico Trench part of the tectonic plates between the Caribbean, North America, and South America. Tsunamis that would affect this area could also be caused by undersea landslides creating an Atlantic ocean-wide tsunami (a.k.a. Tele-tsunami). A Tele-tsunami could also originate from the Azores-Gibraltar Fracture Zone.

Deep ocean Assessment and Reporting of Tsunamis (DART) buoys confirm tsunami propagation. A network of seven DART buoys is in operation within western Atlantic, Caribbean, and Gulf of Mexico. NOAA's Tsunami Warning Centers continuously monitor seismic activity for potential tsunami generation. Tsunami warnings are issued if a magnitude 7 or greater earthquake is detected on or near the coast.

Although tsunamis are an unpredictable, with an unknown and rare occurrence, due to the location of Brevard County, it is vulnerable to tsunami activity; therefore, Brevard County must be prepared for the potential threat.

Brevard County has 72 miles of susceptible shoreline and is a host to many seasonal tourists and could have an estimated 40,000 people affected by tsunami activity. According to the National Weather Service (NWS), an estimated 12,000 residents live within the Tsunami Hazard Zone.

The maximum tsunami we could see in Brevard is 1.5 meters. The danger zone in Brevard County extends 300 feet inland. Should a tsunami affect this area, residents and tourists would evacuate the beach to beyond the 300-foot danger zone (inland of coastal roadways) or





west of Highway A1A and, if evacuation of danger zone is not possible, move to the second floor (at least 15 feet high) of a well-constructed building. In 2011, the City of Indian Harbor Beach became the first “Tsunami Ready” community on the eastern seaboard.

Jurisdictions within the tsunami danger zone include: Cape Canaveral, Cocoa Beach, Satellite Beach, Melbourne Beach, Indian Harbour Beach, Indialantic, and Unincorporated Brevard. There are approximately 24,741 businesses and residences east of Highway A1A in those jurisdictions. Based on tourism numbers a conservative average of daily beach goers is over 10 thousand. Those beachgoers are typically concentrated at crossovers and well-known parks, such as Jetty Park in Cape Canaveral, the Cocoa Beach Pier and Lori Wilson Park in Cocoa Beach, and other parks along the coast.



Because of the rarity of this type of event, the occurrence is greater than 500 years. While tsunamis are a known hazard risk in Brevard, no tsunami has ever occurred in the County.

Hazard Summary	
<i><b>Hazard</b></i>	<i><b>Frequency of Occurrence</b></i>
<b>Tsunami</b>	<input type="checkbox"/> <i><b>Once a year or more</b></i> <input type="checkbox"/> <i><b>25 years or less</b></i> <input type="checkbox"/> <i><b>100 years or less</b></i> <input type="checkbox"/> <i><b>500 years or less</b></i> <input checked="" type="checkbox"/> <i><b>Greater than 500 years</b></i>
<p>Tsunamis, the potentially devastating waves that can follow seismic events are threats to any coastal region. Florida has 1,197 miles of coastline, more than any of the lower 48 States. Causes in this area include a seismic shift in the Puerto Rico Trench part of the tectonic plates between the Caribbean, North America, and South America. Tsunamis that would affect this area could also be caused by undersea landslides creating an Atlantic ocean-wide tsunami (a.k.a. Tele-tsunami). A Tele-tsunami could also originate from the Azores-Gibraltar Fracture Zone.</p>	

<b><i>Risks</i></b>	
<b><i>People</i></b>	<ul style="list-style-type: none"> <li>Those within 300 feet of the ocean at ground floor</li> </ul>
<b><i>Property</i></b>	<ul style="list-style-type: none"> <li>Those within 300 feet of the ocean</li> </ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"> <li>Flora and Fauna within 300 feet of the ocean</li> </ul>
<b><i>Program Operations</i></b>	<ul style="list-style-type: none"> <li>No operational impacts are anticipated</li> </ul>
<b><i>Impacts</i></b>	
<b><i>Public and Responders</i></b>	<ul style="list-style-type: none"> <li>Although tsunamis are an unpredictable, with an unknown and rare occurrence, due to the location of Brevard County, it is vulnerable to tsunami activity; therefore, Brevard County must be prepared for the potential threat.</li> </ul>
<b><i>Continuity of Operations and Program Operations</i></b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b><i>Property, Facilities, and Infrastructure</i></b>	<ul style="list-style-type: none"> <li>Jurisdictions within the tsunami danger zone include: Cape Canaveral, Cocoa Beach, Satellite Beach, Melbourne Beach, Indian Harbour Beach, Indialantic, and Unincorporated Brevard. There are approximately 24,741 businesses and residences east of Highway A1A in those jurisdictions.</li> </ul>
<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"> <li>Disruption of services will occur for businesses located within the Tsunami's effective range.</li> </ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"> <li>High risk to affect future tourism economy, as well as businesses and housing within the Tsunami's susceptible range.</li> </ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"> <li>The danger zone for a tsunami in Brevard County is only 300 feet, so environmental damage would most likely be minimal.</li> </ul>

**Dam/Levee Failure | *Natural Hazards***

A dam failure is defined as an uncontrolled release of a reservoir. The causes of dam failures can be divided into three groups: dam overtopping, excessive seepage and structural failure of a component. Despite efforts to provide sufficient structural integrity and to perform inspection and maintenance, problems can develop that can lead to failure.

Brevard County has no dams, but there is a weir on Lake Washington in Melbourne. A weir is a barrier across a body of water designed to alter its flow characteristics. The Lake Washington weir is critical to maintaining water levels in the lake, which is one of the area's drinking water supplies. The St. John's River Water Management District (SJRWMD) is responsible for maintaining the weir and in 2007, permanent repairs were made to improve the flow and create a new boat channel. It is anticipated that in any future events, the SJRWMD would coordinate with the Florida Department of Environmental Protection for any emergency repairs.

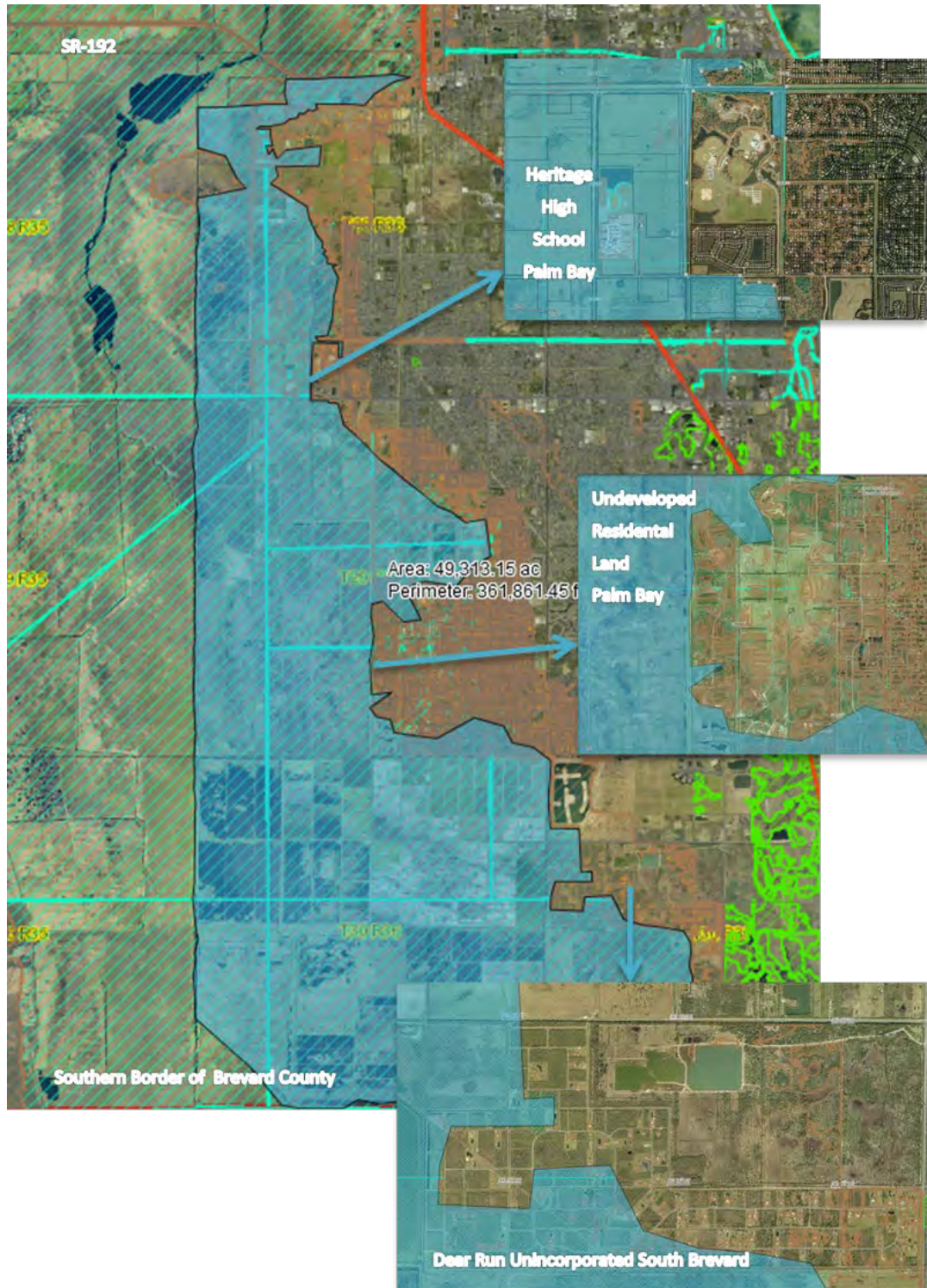
Since 1977, the SJWMD has actively maintained a federal levee system in the Upper St. Johns River Basin in Brevard and Indian River counties. There are approximately 127 miles of levees in the upper basin, of which 92 miles are federal flood protection levees and 35 miles are District levees. Approximately 30 miles of these levees lie within the jurisdictional boundaries of Brevard County.

The primary purpose of the original Upper St. Johns River Basin Project, when it was authorized by the federal government in the 1950s, was to protect agricultural land. The U.S. Army Corps of Engineers initiated construction of the project in 1966. The operation and maintenance responsibility of much of the federal levee system in the basin was turned over to the District in the late 1970s after the original federal water control project was abandoned.

Today, levees on the east side of the project area protect agricultural lands, a high school and some undeveloped residential parcels in the western Palm Bay; and a subdivision in southern unincorporated Brevard from riverine flooding.

Levees on the west-side of the river are designed to detain water from immediately entering the river. Western-most homes in the northern Palm Bay including the High School and southern Brevard Subdivision, due to their construction date, required finished floor elevations above the 100-year flood. While those structures may see water in yards or have affected septic systems, they would not see water in the

structure or have impeded roadway access as the result of a levee failure. The map below shows those areas.



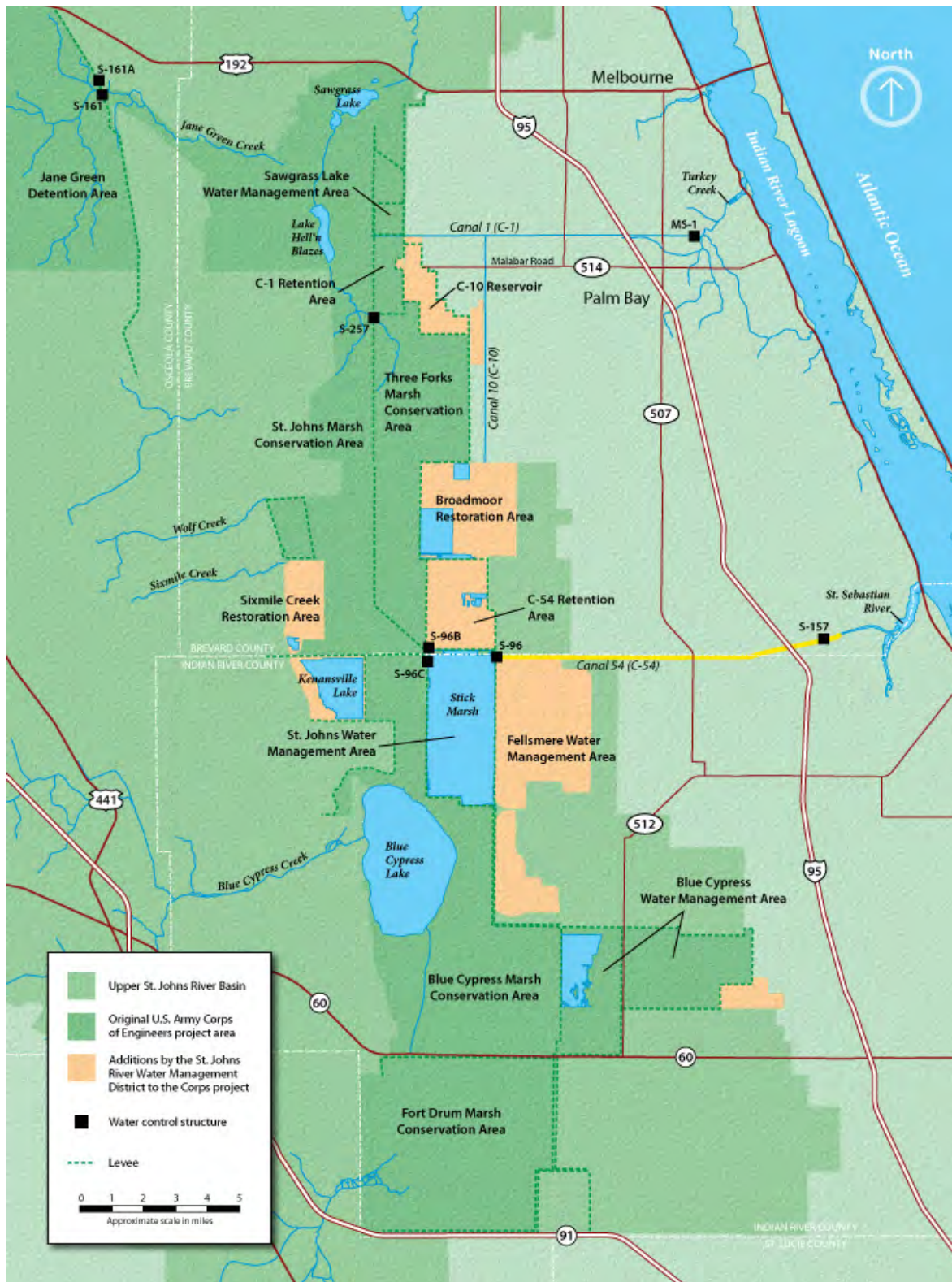
There is no specific data that would indicate depth of flooding for a levee breach in Brevard. However, after discussions with SJRWMD engineers and the county engineer; using SJRWMD technical publication SJ85-3, by Dr. Donthamsetti V. Rao, P. E., and the DFIRM panels and topographic maps for the area, an estimate was determined. The 100-year flood elevation in the area of the levees ranges from 20.5 to 24.6 feet NGVD. The 100 -year floodplain in this area did not take the levees into account so we could expect that those 100-year floodplain areas east of the levees would be affected by a levee breach. The land area east of the levees and within the 100-year floodplain is over 49,000 acres and topography ranges from 10 to 20 ft. NGVD. Most of the acreage is too wet for development and is restricted to development by floodplain regulations as much is well below the 10-year flood elevation of 18.9 to 24.2 NGVD. If there was a catastrophic levee failure which breached down to 10 feet NGVD, and it was left unchecked for prolonged period of time, there could be a range of 0.5 to 14.6 feet of water above ground surface east of the levees. Currently the levees are about 3-feet higher than the 100- year flood elevation.

The SJRWMD conducts annual co-inspections of the federal structures and levees, accompanied by the Army Corps, and produce a status report. Although minor maintenance items exist and must be addressed, all federal and District water control structures are in good working order.

Since construction began in 1988 on the current Upper St. Johns River Basin Project, major storm events have occurred in four separate years: Tropical Storm Gordon in 1994, four hurricanes in 2004, Tropical Storm Fay in 2008 and an October 8, 2011 unnamed storm. These separate and very different events all served to test the project's flood management efficacy. Historical performance of the project has repeatedly proven that the levees and structures perform at or above expectations during storms and rain events.

The SJRWMD is committed to continuing its work with the Army Corps to ensure maintenance efforts are appropriate and protective of the levee systems. The probability of future weir or levee failures in Brevard County is greater than 500 years. No failure has occurred to the levee system in Brevard County.





<b>Hazard</b>		<b>Frequency of Occurrence</b>
<b>Dam/Levee Failure</b>		<input type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input checked="" type="checkbox"/> <b>Greater than 500 years</b>
<p>A dam failure is defined as an uncontrolled release of a reservoir. The causes of dam failures can be divided into three groups: dam overtopping, excessive seepage and structural failure of a component. Despite efforts to provide sufficient structural integrity and to perform inspection and maintenance, problems can develop that can lead to failure.</p>		
<b>Risks</b>		
<b>People</b>	•	
<b>Property</b>	•	
<b>Environment</b>	•	
<b>Program Operations</b>	•	
<b>Impacts</b>		
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- Clear the immediate disaster area and be on the lookout for any updates on the situation.</li> <li>Responders- the St. John's River Water Management District will coordinate with the Florida Department of Environmental Protection for any emergency repairs.</li> </ul>	
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>	
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>There are approximately 127 miles of levees in the upper basin, of which 92 miles are federal flood protection levees and 35 miles are District levees. Approximately 30 miles of these levees lie within the jurisdictional boundaries of Brevard County.</li> </ul>	
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Little to no disruption to the delivery of services.</li> </ul>	
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>	
<b>Economic Condition</b>	<ul style="list-style-type: none"> <li>Low risk to economy, but possibility if businesses are in the area of the dam failure.</li> </ul>	
<b>Environment</b>	<ul style="list-style-type: none"> <li>Low risk to the environment.</li> </ul>	

### 1.9.9 Technological Hazards

Technological hazards include those that are caused by man-made technological advancements, although some can be a result of natural hazards in specific circumstances.

#### **Hazardous Materials** | *Technological Hazards*

Hazardous materials are materials that if released, can pose a threat to human health or the environment. Hazardous material releases can cause acute or chronic health effects, damage to property, expensive cleanup/contractor costs, serious injury and even death. Hazardous materials are stored and transported throughout the East Central Florida area in various quantities. The storage of hazardous materials ranges from residential storage of household products to bulk storage of large volumes for industrial purposes. Hazardous materials are transported by various methods such as railcars, barges and trucks. For purposes of this study, only those locations where the bulk storage of hazardous materials is present will be addressed because the amount of bulk storage material affects its potential risk.

The release of a hazardous material during handling would most likely be the initial responsibility of the facility or carrier. If the release could not be contained by the facility or carrier, then resources would need to be mobilized to remediate the release. Immediate action must be taken to respond to the release to preserve health and safety and reduce the impact to the neighboring community and the environment. Hazardous material releases in highly populated areas could result in evacuation or “shelter-in-place” situations.

Brevard County has many facilities and operations, both public and private, where significant quantities of hazardous materials are present. The space industry poses a unique challenge to Brevard County. The county also has several major roadways, railroad routes and marine port facilities that support transportation of large quantities of hazardous materials. As sources of hazardous materials releases, fixed-facilities and transportation routes are often in close proximity to populated areas, significant property development and very valuable environmental resources important to the human and economic well-being of the county. Due to the continuous presence of hazardous materials being transported or stored in and around Brevard County, hazardous materials events of varying magnitudes are considered highly likely future events.

The worst-case scenario would involve the release of a highly toxic hazardous material near a highly populated area. Local hazmat specialty teams would likely be taxed and

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require additional outside support. Acute medical care facilities would be overwhelmed. Mass decontamination would be required; contamination of first responders, response vehicles, and medical treatment centers would exponentially complicate response actions. The hazardous material could potentially leach into the soil and affect the water supply. It could potentially take months or years to fully clean up a hazardous material release or spill. In the event of a worst-case scenario, responders from Orange, Volusia and Martin Counties would be available for assistance if need be.

Brevard County has a Hazardous Materials Response Plan Annex as part of its Comprehensive Emergency Management Plan; documentation is available upon request.

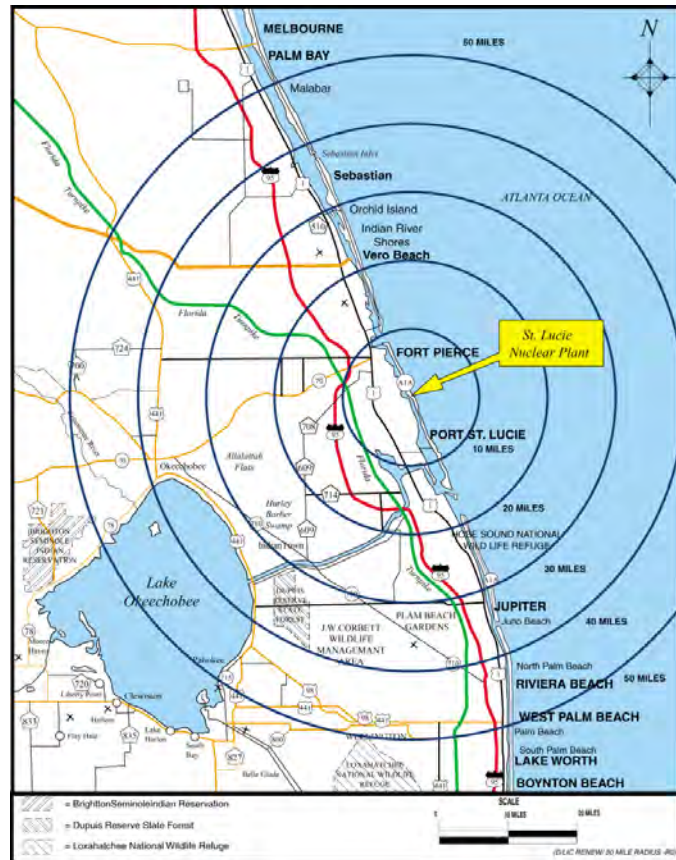
Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Hazardous Materials</b> (includes hazard –specific effects : Bulk Fuel Tank, Radiological Release, Rail Transportation Incident & Oil spill)	<input type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input checked="" type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
471 hazardous materials events were reported to the State Watch Office from January 2016 to date. 6.8 percent of these reports involved evacuation of individuals from the area of impact.	
<b>Risks</b>	
<b>People</b>	•
<b>Property</b>	•
<b>Environment</b>	•
<b>Program Operations</b>	•
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- Can cause acute or chronic health effects, damage to property, serious injury, and even death.</li> <li>Responders- Extremely High Risk, would require mass decontamination, as well as a lengthy and complicated clean up and restoration effort.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>High impact to property, facilities, and infrastructure, the hazardous material could potentially leach into the soil and affect the water supply. It could potentially take months or years to fully clean up a hazardous material release or spill.</li> </ul>

<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"><li>• Low, but possible, risk to temporarily disrupt government services.</li></ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"><li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li><li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li></ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• There are also potential short-term and long-term economic impacts</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• High impact to those areas directly affected by the hazardous materials, low to medium risk outside of immediate disaster zone.</li></ul>

**Radiological Incident | Technological Hazards**

A radiological incident is the uncontrolled release of radioactive material that can harm people or damage the environment. The United States has had only one major commercial nuclear power plant incident. In 1979, the Three Mile Island facility near Harrisburg, Pennsylvania had a partial meltdown that prompted stringent regulations and response guidelines. Other incidents have occurred, but these have been infrequent and have caused few off-site consequences.

Brevard County is located outside of the Plume Exposure Pathway (10-mile radius) of the Florida Power and Light Nuclear Power Generating Station in St. Lucie County, in which shelter in place or evacuation would be the immediate protective actions. The southern end of the county is located in the Ingestion Pathway Zone (50-mile radius), including portions of Palm Bay, Malabar, Grant-Valkaria, and unincorporated Brevard County; impacts to this area following a Plant accident may be ingestion related. Embargos may be placed on foodstuffs grown or raised within the area, if contaminated with radiation. In addition to providing assistance within operations in the 50-mile ingestion pathway, Brevard also hosts evacuees from the 10-mile Plume Exposure Pathway.



Another radiological concern for Brevard County would be an on-pad or low-altitude launch accident during a space launch or landing involving a Major Radiological Source (MRS). The principal risk to the population would be from inhalation or ingestion of radiation contaminants.

Of primary concern for each radiological hazard mentioned is that of perceived threat to life from a catastrophic event. Prevention and control of large crowds will reduce the

number and severity of additional incidents that divert or overwhelm local emergency response agencies.

The overall probability of a radiological incident in Brevard County remains extremely low. The County has a Radiological Contingency Plan and Radiological Launch Plan; documentation is available upon request.

### Mars 2020 Rover - Perseverance



Hazard Summary	
<i><b>Hazard</b></i>	<i><b>Frequency of Occurrence</b></i>
<b>Radiological Incident</b>	<input type="checkbox"/> <i><b>Once a year or more</b></i> <input checked="" type="checkbox"/> <i><b>25 years or less</b></i> <input type="checkbox"/> <i><b>100 years or less</b></i> <input type="checkbox"/> <i><b>500 years or less</b></i> <input type="checkbox"/> <i><b>Greater than 500 years</b></i>
A radiological incident is the uncontrolled release of radioactive material that can harm people or damage the environment. There are several sources of this hazard in Brevard. First a transportation incident involving a radiation source is the most likely	

occurrence. The next involves stationary industrial sources which there are several given the number of space and military contractors. Brevard is within 50-miles of the St. Lucie Nuclear Power Plant. Finally, there are periodic Space Launches that utilize a radiation source to either power payload equipment or various onboard equipment.

<b><i>Risks</i></b>	
<b><i>People</i></b>	<ul style="list-style-type: none"> <li>• Panic and potential contamination</li> </ul>
<b><i>Property</i></b>	<ul style="list-style-type: none"> <li>• Loss of productive agriculture</li> </ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"> <li>• Loss of hunting and fishing</li> </ul>
<b><i>Program Operations</i></b>	<ul style="list-style-type: none"> <li>• Long term cleanup efforts</li> </ul>
<b><i>Impacts</i></b>	
<b><i>Public and Responders</i></b>	<ul style="list-style-type: none"> <li>• Public- Listen to local and state health officials, and take all the necessary steps to be protected against internal and external contamination and exposure.</li> <li>• Responders- Provide all relevant information to the public, and make sure to provide sheltering, monitoring, and decontamination to keep the public safe.</li> </ul>
<b><i>Continuity of Operations and Program Operations</i></b>	<ul style="list-style-type: none"> <li>• Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major radiological disaster.</li> </ul>
<b><i>Property, Facilities, and Infrastructure</i></b>	<ul style="list-style-type: none"> <li>• Local hospitals and clinics may become over whelmed</li> <li>• Facilities and infrastructure may become contaminated.</li> </ul>
<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"> <li>• Any medical services that would be routinely supplied would most likely be overwhelmed due to worried well.</li> <li>• Supply chains would be interrupted</li> <li>• Economic downturn would affect the region</li> <li>• Embargos may be placed on foodstuffs grown or raised within the area, if contaminated with radiation</li> </ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"> <li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"> <li>• Temporary health care facilities and reception centers would have to be activated and staffed by professionals.</li> <li>• Overall, the economic consequences of the event would be substantial.</li> </ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"> <li>• Significant impact on the environment.</li> </ul>



**Railroad Transportation Incident | Technological Hazards**

Brevard County includes heavily used roadways and railroads with a total of 146 railroad crossings. At this time there are no current rail stops in the county. A rail incident presents a potential scene where wreckage, victims and survivors may be strewn over a wide area. It can be further complicated by hazardous cargo. An incident can occur in a populated area or in an inaccessible area. In the likelihood that a passenger rail line travels through Brevard County, a rail incident response plan allows proactive planning and preparation for that eventuality.

The following table shows high traffic railroad crossings in Brevard County that are along the Florida East Coast Railway line. The table sorts the crossings by Annual Average Daily Traffic (AADT) and Truck Annual Average Daily Traffic as a method of identifying crossings with the highest risk parameters.

<b>High Traffic Railroad Crossings and Average Daily Traffic in Brevard County</b>						
Road Name	Local Street Name	Jurisdiction	AADT	Truck AADT	% Truck Volume	Speed Limit
S.R. 50	Cheney Highway	Titusville	12100	1258	10.4%	35
S.R. 405	NASA Causeway	Titusville	13600	435	3.2%	55
S.R. 528	Beachline Expressway	Cocoa	35000	2730	7.8%	60
See Local Name	Michigan Avenue	Cocoa	12300	369	3.0%	45
S.R. 520	King Street	Cocoa	31000	2046	6.6%	35
See Local Name	Barton Boulevard	Rockledge	12500	563	4.5%	35
C.R. 502	Barnes Boulevard	Rockledge	11200	616	5.5%	45
S.R. 404	Pineda Causeway	Palm Shores	40000	2000	5.0%	45
See Local Name	Post Road	Melbourne	12100	545	4.5%	35
See Local Name	Lake Washington Road	Melbourne	13400	603	4.5%	NA
C.R. 511	Aurora Road	Melbourne	11200	504	4.5%	40
S.R. 518	Eau Gallie Boulevard	Melbourne	18900	1285	6.8%	35
See Local Name	Sarno Road	Melbourne	14600	1022	7.0%	35
See Local Name	Babcock Street	Melbourne	21000	756	3.6%	35
S.R. 508	NASA Boulevard	Melbourne	17900	591	3.3%	35
See Local Name	Hibiscus Boulevard	Melbourne	13100	590	4.5%	35
See Local Name	Lincoln Avenue	Melbourne	15700	1978	12.6%	30
See Local Name	S. East Palm Bay Road	Palm Bay	26000	884	3.4%	35
S.R. 514	Malabar Road	Malabar	11800	791	6.7%	30

Source: FDOT --- Roads are listed north to south

Although it is difficult to determine the probability of a significant railroad accident, the table above summarizes locations where such accidents could potentially pose a greater risk. The County recently updated its plan for a railroad incident, and information concerning this type of hazard can be provided upon request.

**Bulk Fuel Incident | *Technological Hazards***

Like hazardous chemical incidents, bulk fuel incidents generally occur without warning, are a life-threatening situation for residents and require a quick and thorough response from fire, HazMat and emergency response crews immediately following an incident. In the event of a bulk fuel spill or containment scenario, a quick response is critical due to the risk posed to human life and the risk of chemical exposure to secondary sources, such as water sources or sewage systems. In Brevard County, much of the risk from bulk fuels comes from Port Canaveral, where quantities of bulk fuels are moved. A number of companies run operations in Brevard County, including Glover Oil Company, TransMontaigne, Florida City Gas, Florida Gas and Seaport Canaveral Corporation.

**Oil Spills | *Technological Hazards***

Oil spills may occur for a variety of reasons, including oil tanker leak, pipeline failure, and compromised oil rigs. As learned from the Deepwater Horizon incident in April 2010, oil spills can have massive impacts on the environment, public health and the local economy.

Although there are currently no offshore oil rigs that would likely impact Brevard County from the Caribbean Sea or the Atlantic Ocean, efforts to drill for oil offshore are ongoing in both Cuba and the Bahamas and should be monitored. Recent legislative changes in Florida supporting oil exploration illustrates that there are no guarantees that spills will not happen near our beaches. In the event of another incident in the Gulf of Mexico, the concern would be for oil to travel via the Gulf Stream to the eastern coast of Florida.

There have been several minor oil spills at Port Canaveral: in 2010, 420 gallons of oil spilled in the water during a transfer from ship to barge. These oil spills tend to be cleaned up quickly and may have a small impact on port traffic or operations. The businesses located in and near Port Canaveral could potentially be minimally impacted during the mitigation process. The probability of future oil spills of varying degrees occurring in Brevard County is considered likely. In a typical year the county will experience near 100 spills – most of them small.

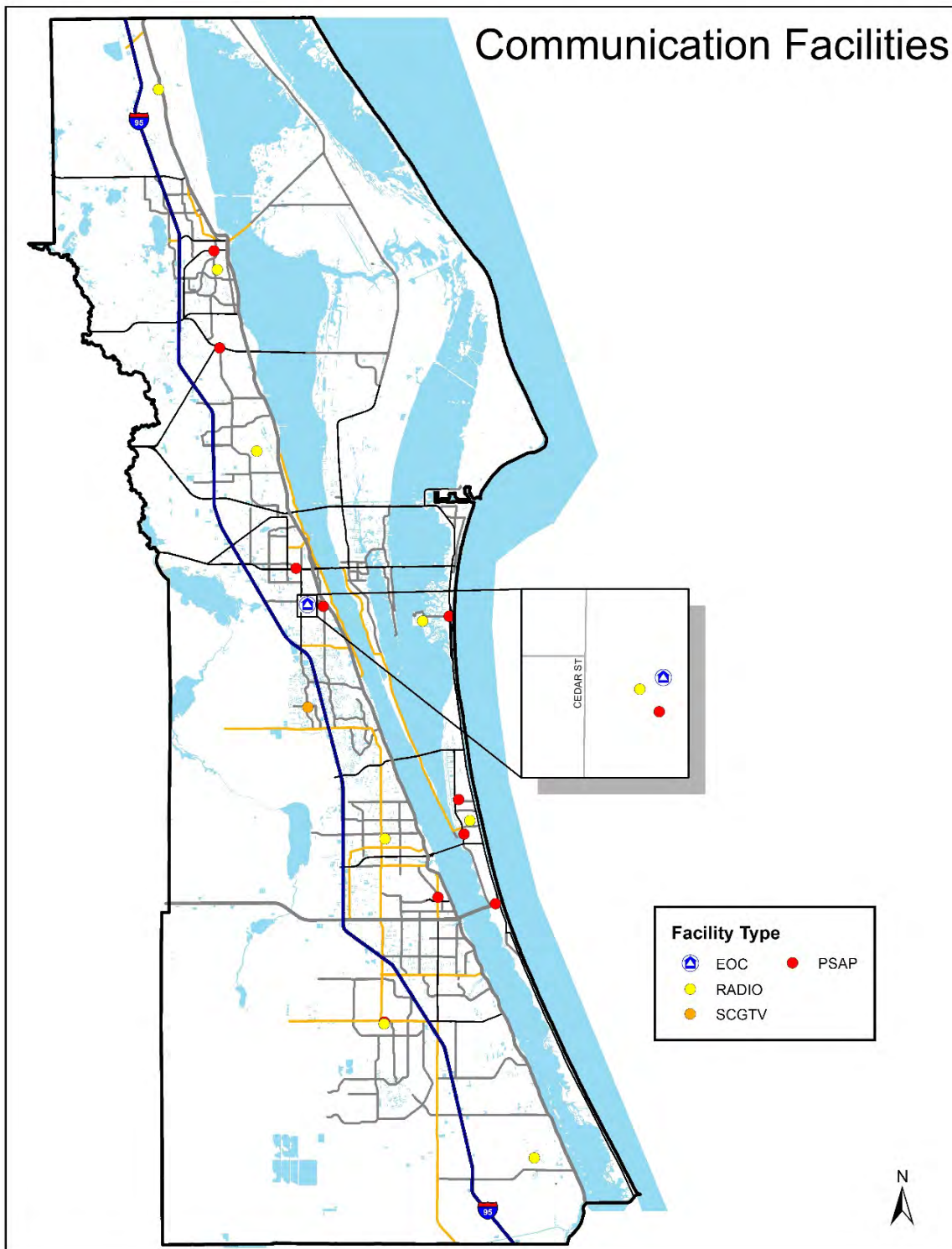


**Communications Failure** | *Technological Hazards*

Communication failure is defined as the severe interruption or loss of private and or public communications systems, including but not limited to transmission lines, broadcast, relay, switching and repeater stations as well as communications satellites, electrical generation capabilities, and associated hardware and software applications necessary to operate communications equipment. These disruptions may result from equipment failure, human acts (deliberate or accidental), or the results of natural or human made disasters.

A communications failure would affect essential facilities and the day to day operations of local government as well as the business community. Sites of concern would range from dispatch agencies, satellite uplink and downlink sites, internet service provider sites, and the telecommunication industry switching sites. Interruptions in day to day communications would create problems for businesses, public agencies, citizens and emergency services. There are no environmental concerns. The probability of communications failure in Brevard County is infrequent, with a once in 25 year or less occurrence.

Problems encountered by Brevard County and its municipalities would range from minor inconveniences to loss of production and revenues for businesses. Emergency services could face more serious consequences, as poor or nonexistent communications could escalate what would have been a minor emergency into a disaster situation. The following map shows key communication facilities in Brevard County.



Source: Brevard County Emergency Management 2020

Hazard Summary	
Hazard	Frequency of Occurrence
<b>Communications Systems Failure</b>	<input type="checkbox"/> <b>Once a year or more</b> <input checked="" type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
<p>Communication failure is defined as the severe interruption or loss of private and or public communications systems, including but not limited to transmission lines, broadcast, relay, switching and repeater stations as well as communications satellites, electrical generation capabilities, and associated hardware and software applications necessary to operate communications equipment.</p>	
Risks	
<b>People</b>	<ul style="list-style-type: none"> <li>Problems for businesses, public agencies, citizens and emergency services</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Damage to broadcast, relay, switching and repeater stations as well as communications satellites</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>There are no environmental concerns</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>affect essential facilities and the day to day operations of local government as well as the business community</li> </ul>
Impacts	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Responders - Number one priority is to get communications up and running as soon as possible.</li> <li>Responders issue statements to calm the public while working together with multiple agencies to solve the problem.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>A communications failure would affect essential facilities and the day to day operations of local government and business. Sites of concern would range from dispatch agencies, satellite uplink and downlink sites, internet service provider sites, and the telecommunication industry switching sites. Interruptions in day to day communications would create problems for businesses, public agencies, citizens and emergency services.</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Disruption in communications would lead to an interruption in services, depending on the medium by which it is provided.</li> </ul>
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b>Economic Condition</b>	<ul style="list-style-type: none"> <li>Problems encountered by Brevard County and its municipalities would range from minor inconveniences to loss of production and revenues for businesses.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>No significant impact on the local environment.</li> </ul>

**Prolonged Utility Failure | Technological Hazards**

Power failure can result from a variety of related causes, including sagging lines due to hot weather, flashovers from transmission lines to nearby trees and incorrect relay settings. According to the electric utility industry's trade association, the potential for such disturbances is expected to increase with the profound changes now sweeping the electric utility industry.

To address times when generating capacity is tight, or falls below consumer demand due to State or local emergencies, the Florida Electrical Emergency Contingency Plan was developed. Alerts have been created to give early warning of potential electricity shortfalls and bring utilities, emergency management officials and the general public to a state of preparedness.

Power failure can have the following potential impacts on Brevard County: electrical power outage, surface and air transportation disruption, potable water system loss or disruption, sewer system outage, telecommunication system outage, human and health safety, psychological hardship, economic disruption and disruption of community services. All municipalities are at equal risk for prolonged power outages; however, some communities may be restored more quickly than others depending on other high priority locations with which they share a grid. Emergency Management operations could be impacted by a prolonged utility failure; however, alternative redundant resources are available. There are no environmental concerns. The probability of prolonged utility failure in Brevard County is considered possible with a once a year or more occurrence.

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Prolonged Utility Failure</b>	<input checked="" type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
Power failure can result from a variety of related causes, including sagging lines due to hot weather, flashovers from transmission lines to nearby trees and incorrect relay settings. According to the electric utility industry's trade association, the potential for such disturbances is expected to increase with the profound changes now sweeping the electric utility industry. Water utilities could be affected.	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Those who are power dependent are at risk, psychological hardships, food preservation, and communications issues</li> </ul>

<b>Property</b>	<ul style="list-style-type: none"> <li>Secure facilities would have issues with gates and doors.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Lift stations may lose power and affect the environment</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>In the increasing use of VOIP phones communication failures would disrupt operations along with A/C and computers, cell phones, etc.</li> <li>Widespread economic impacts</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>To address times when generating capacity is tight, or falls below consumer demand due to State or local emergencies, the Florida Electrical Emergency Contingency Plan was developed. Alerts have been created to give early warning of potential electricity shortfalls and bring utilities, emergency management officials and the general public to a state of preparedness.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Power failure can have the following potential impacts on Brevard County: electrical power outage, surface and air transportation disruption, potable water system loss or disruption, sewer system outage, and telecommunication system outage.</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Power failure would interrupt services briefly, but not in a serious way.</li> </ul>
<b>Public's Confidence in Jurisdiction's Governance</b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b>Economic Condition</b>	<ul style="list-style-type: none"> <li>A prolonged utility failure could cause economic hardship, depending on the length of the outage, but most businesses would be fine because of emergency plans in place for this specific situation.</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>No significant impact on the local environment.</li> </ul>

### 1.9.10 Societal Hazards

Societal hazards are hazards that are created by humans or hazards that directly impact humans by means other than a natural or technological incident. The societal hazards covered in this report include terrorism, pandemic, mass casualty, transportation incidents and civil disorder.

#### **Terrorism** | *Societal Hazards*

A terrorist incident could involve a wide variety of materials or actions, or combinations of materials and actions. These could range from uncomplicated incidents impacting soft targets, to highly complex incidents with very widespread physical or economic consequence impacting visible, high priority targets. The response to such an incident would require specialized personnel and resources beyond the capabilities of Brevard County and its municipalities, and require assistance from mutual aid organizations, adjacent counties, the State of Florida and the Federal government. A “cyber terrorist attack” could also result in extensive disruption to computer networks, telecommunication systems or Internet services, and be intended to cause severe or widespread economic damage and/or physical impacts in the community. As this is a societal hazard, there are limited environmental concerns.

Brevard County has many facilities and systems that are “Critical Infrastructure” whose continued and uninterrupted operation is necessary for the health, safety and well-being of the community. These facilities could be considered potential targets for a terrorist attack and an attack on these locations could have important and potentially widespread consequences for adjacent neighborhoods or the community. Vulnerability of the county and its municipalities to the consequences of a terrorist attack on these facilities or systems is due to the potential for the following to occur:

- Disruption to the ability to initiate and sustain emergency response operations
- Increased safety risks to the community from the release of hazardous materials or dangerous substances
- Disruption to the ability to maintain all types of governmental functions, including law and order, public safety, education, and similar critical operations
- Threats to institutions serving large numbers of individuals with higher vulnerability to the health and safety consequences
- Threats to the economic vitality of the community and its businesses
- Damage or disruption to components of the transportation or utility infrastructure resulting in additional physical or economic consequences

The probability of a terrorism event occurring in Brevard County is considered as an unknown but anticipated occurrence. Brevard County has a Terrorism Response Annex as part of the Comprehensive Emergency Management Plan; documentation is available upon request.

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Terrorism</b>	<input type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input checked="" type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
Florida has many targets of opportunity for Terrorists—political, industrial, historical, and military. South Florida experienced an Anthrax outbreak in 2001. In addition, several terrorist plots directed at Florida residents have been thwarted in recent years.	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Safety risks to the community from an active shooter or the release of hazardous materials or dangerous substances</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Threats to institutions serving large numbers of individuals</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>The release of hazardous materials or dangerous substances could also impact the environment, some for long periods</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Critical Infrastructure whose continued and uninterrupted operation is necessary for the health, safety and well-being of the community</li> <li>Threats to the economic vitality of the community</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- High risk to both health and safety of the public, including damage to government and residential buildings, as well as possible danger from the release of hazardous materials.</li> <li>Responders- High risk of being affected, both by hazardous materials, as well as ballistics or explosives.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Would be completely dependent on what was targeted, and the magnitude of the attack</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Depending on what the type of attack was, Delivery of Services would come to a crawl or even a possible halt, a cyber-attack could even stop the mailing system.</li> </ul>



<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"><li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li><li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li></ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• Long term economic impacts of a terrorist attack depending on the severity, many businesses would have to close or relocate.</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• In the case of terrorists using a CBRNE, there would be widespread environmental ruin in the area affected.</li></ul>

**Pandemic/Epidemic | Societal Hazards**

Pandemics typically occur in waves lasting anywhere from six to eight weeks. As immunity is developed within a population, the virus will recede for a period of 8-12 weeks. The virus will then reemerge slightly mutated for another wave lasting six to eight weeks. This process repeats during a pandemic two to three times.

Symptoms of pandemic influenza vary depending on the virulence of the strain but mirror typical seasonal symptoms including: fever, coughing, sore throat, congestion, headaches, soreness in the muscles and joints, chills and fatigue. During a pandemic, these symptoms can be severe resulting in hospitalizations and death.

The severity of pandemic influenza has varied in the past, but estimates range from an infection rate of 30 to 40 percent. Mortality rates will depend on the virulence of the strain. The 1918 strain has an estimated mortality rate of three percent of infected persons. Special populations to consider are those with weakened immunity such as infants and the elderly, those with an autoimmune disease and individuals with respiratory complications. However, pandemics in the past have also affected those with healthy immunity such as young adults because of the massive immune response certain strains have generated.

The most effective strategy to combating pandemic influenza is vaccination. However, since a pandemic is caused by a novel strain, it is likely vaccine will not be available for the first wave and sometimes not until the middle of the second wave. Alternate strategies for mitigation include the use of antiviral medication, antibiotics for bacterial pneumonia often associated with influenza, social distancing and public health hygienic practices. However, some conditions that have been recorded in Brevard County, including West Nile Virus and Dengue Fever, require more serious treatment and containment.

It is considered that populated areas throughout the county and all of its jurisdictions are at risk from human disease. Disease is not a risk to the physical or operational integrity of any type of structure. However, high absenteeism could threaten the operating capabilities of businesses, industries, institutions and government agencies. In the event of a pandemic, medical and health care facilities would be overwhelmed, with local care not readily accessible to those in need. Fatalities would significantly increase. Public safety would be compromised due to illness among public safety and security agencies. Quarantine and isolation techniques would be imposed, requiring a significant enforcement challenge. Temporary health care facilities and field hospitals would have

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to be activated and staffed by professionals from outside the county. Overall, the human and economic consequences of the event would be very substantial. Environmental influences, such as mosquitos, standing water, etc. can serve as contributing or exacerbating factors to pandemics/epidemics.

The probability of a pandemic or an epidemic occurring in Brevard County is considered possible with a 100 year or less occurrence. Brevard County has a Pandemic Plan Annex as part of the Comprehensive Emergency Management Plan; documentation is available upon request.

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Pandemic/Epidemic</b>	<input type="checkbox"/> <b>Once a year or more</b> <input checked="" type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
<p>Pandemics typically occur in waves lasting anywhere from six to eight weeks. As immunity is developed within a population, the virus will recede for a period of 8-12 weeks. The virus will then reemerge slightly mutated for another wave lasting six to eight weeks. This process repeats during a pandemic two to three times.</p>	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>Entire population is at risk, especially those with underlying health issues</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Social distancing may affect certain properties</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>No significant impact on the environment</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Social distancing may be warranted which will affect many aspects of normal life</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- Listen to local and state health officials, and take all the necessary steps to be protected against the disease.</li> <li>Responders- Provide all relevant information to the public, and make sure to use quarantines and antibiotics to stop the spread of disease.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Local hospitals may become overwhelmed</li> <li>Facilities where there are large gatherings</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Any medical services that would be routinely supplied would most likely be interrupted because of the pandemic as well as supply chains.</li> <li>Facilities catering to special populations may be affected.</li> </ul>

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	<ul style="list-style-type: none"><li>• Areas where there are large gatherings, hospitality, and conference Industry</li></ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"><li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li><li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li></ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• Temporary health care facilities and field hospitals would have to be activated and staffed by professionals from outside the county. Overall, the human and economic consequences of the event would be substantial.</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• No significant impact on the environment.</li></ul>

**Mass Casualty | Societal Hazards**

A mass casualty incident (MCI) is any incident in which emergency medical services resources, such as personnel and equipment, are overwhelmed by the number and severity of casualties.

Brevard County is a major terminal area for both air and marine transportation, one of the major tourist ports in the world, and home of the only viable worldwide spaceport. Characteristics include heavily used roadways and railroads. Large volumes of toxic, explosive and flammable substances pass through Brevard County. The probability of disasters involving mass casualties resulting from an aircraft crash, port or cruise ship incident, highway, or rail accident in Brevard County is considered probable with a once a year or more occurrence. The cascading consequences from the source of an MCI pose the only risk to the surrounding environment.

Brevard County has a Mass Casualty Response Annex as part of its Comprehensive Emergency Management Plan; documentation is available upon request.

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Mass Casualty</b>	<input checked="" type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
A mass casualty incident (MCI) is any incident in which emergency medical services resources, such as personnel and equipment, are overwhelmed by the number and severity of casualties.	
Risks	
<b>People</b>	<ul style="list-style-type: none"> <li>A large number of people would be injured or killed depending on the incident level</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>Property could be damaged during an MCI</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>The environment could be damaged depending on the incident cause</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Fire Rescue and Hospitals may be overwhelmed</li> </ul>
Impacts	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- do not panic, and wait for clear instructions from the first responders before you act.</li> <li>Responders- Make sure to know the severity of the incident before arriving on scene.</li> </ul>

<b><i>Continuity of Operations and Program Operations</i></b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b><i>Property, Facilities, and Infrastructure</i></b>	<ul style="list-style-type: none"> <li>Depending on the type of Mass Casualty Incident, the county could experience a loss of materials used in nuclear plants, or a decline in tourism, if the accident involved a cruise ship.</li> </ul>
<b><i>Delivery of Services</i></b>	<ul style="list-style-type: none"> <li>Size/severity of the event would dictate its effect on delivery of services.</li> </ul>
<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"> <li>As with any large-scale disaster, we would see a decline in tourism that might stunt the county economically.</li> </ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"> <li>Minor impact to environment if disaster is chemical in nature.</li> </ul>

### **Transportation Incidents | Societal Hazards**

Disruption of highway systems, mass transit or commercial and industrial modes of transportation can strangle traffic and can affect the productivity of an urban area and its residents. Inter-dependencies exist between transportation and nearly every other sector of the economy. A failure to the transportation infrastructure is defined as a shutdown of a segment of the transportation sector.

Most significant transportation incidents are the effects of natural or technological hazards. Operator error or equipment malfunction is typically an isolated event; however, these isolated events can also result in mass casualties.

Urban areas are dependent on a maintained and functioning transportation system for it to carry out daily activities and major accidents can have a significant cascading impact on the short-term efficiency of an area and program operations.

I-95 in the state of Florida is considered one of the most dangerous roads in the United States in terms of crash incidence and overall fatalities. The National Highway Transportation Safety Administration discovered that from 2004 to 2008, there were 765 deaths on Florida's 382-mile I-95 network, an average of 1.73 accidents per mile during

that time span. A total of 118 fatalities, or 15.4% of the statewide total, occurred in Brevard County from 2004 to 2008.

A secondary source of risk for transportation incidents in Brevard County is the presence of Port Canaveral is the second-busiest cruise port in the world, with millions of visitors annually. It also encompasses cargo and naval operations.

The probability of future transportation incidents in Brevard County is considered highly likely with a once a year or more occurrence. The cascading consequences from the source of an incident pose the only risk to the surrounding environment.

Hazard Summary	
<b>Hazard</b>	<b>Frequency of Occurrence</b>
<b>Transportation Accidents</b>	<input type="checkbox"/> <b>Once a year or more</b> <input type="checkbox"/> <b>25 years or less</b> <input type="checkbox"/> <b>100 years or less</b> <input checked="" type="checkbox"/> <b>500 years or less</b> <input type="checkbox"/> <b>Greater than 500 years</b>
Disruption of highway systems, mass transit or commercial and industrial modes of transportation can strangle traffic and can affect the productivity of an urban area. Inter-dependencies exist between transportation and nearly every other sector of the economy. A failure to the transportation infrastructure is defined as a shutdown of a segment of the transportation sector.	
<b>Risks</b>	
<b>People</b>	<ul style="list-style-type: none"> <li>May affect large number of people dependent on the mode of transportation</li> </ul>
<b>Property</b>	<ul style="list-style-type: none"> <li>There is a risk of infrastructure damage</li> </ul>
<b>Environment</b>	<ul style="list-style-type: none"> <li>Cascading consequences from the source may affect the environment</li> </ul>
<b>Program Operations</b>	<ul style="list-style-type: none"> <li>Operations would be affected if infrastructure is damaged.</li> </ul>
<b>Impacts</b>	
<b>Public and Responders</b>	<ul style="list-style-type: none"> <li>Public- Report any incidents you witness to the local authorities and be sure to stay a safe distance.</li> <li>Responders- Police and medical response will be based on the severity of the incident; all have proper training on this situation.</li> </ul>
<b>Continuity of Operations and Program Operations</b>	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
<b>Property, Facilities, and Infrastructure</b>	<ul style="list-style-type: none"> <li>Personal property, such as cars or trucks, are most likely to be damaged in this kind of incident, but corporate owned property like ships and trains cannot be ruled out.</li> </ul>
<b>Delivery of Services</b>	<ul style="list-style-type: none"> <li>Most likely to not effect delivery of services except for in the most extreme of cases.</li> </ul>



<b><i>Public's Confidence in Jurisdiction's Governance</i></b>	<ul style="list-style-type: none"><li>• Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li><li>• Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li></ul>
<b><i>Economic Condition</i></b>	<ul style="list-style-type: none"><li>• Disruption of highway systems, mass transit or commercial and industrial modes of transportation can strangle traffic and can affect the productivity of an urban area. Inter-dependencies exist between transportation and nearly every other sector of the economy.</li></ul>
<b><i>Environment</i></b>	<ul style="list-style-type: none"><li>• No significant impact on the environment.</li></ul>

### **Civil Disorder | Societal Hazards**

Civil disorder is the result of groups or individuals within the population feeling, rightly or wrongly, that their needs or rights are not being met, either by the society at large, a segment thereof, or the current overriding political system. Civil disturbances can also occur in reaction to political movements or special events that attract large crowds, or as a result of an unemployment or economic crisis. Mass gatherings can pose a risk to public infrastructure, modes of transportation, and program operations. When groups or individuals disrupt the community to the point where intervention is required to maintain public safety, the event has become a civil disturbance.

Civil disturbance spans a wide variety of actions and includes, but is not limited to, labor unrest, strikes, civil disobedience, demonstrations, riots, prison riots or rebellion leading to revolution. Triggers could include racial tension, religious conflict, unemployment, a decrease in normally accepted services or goods, such as extreme water, food, or gasoline rationing, or unpopular political actions. The most common type of civil disturbance is riots. Riots can cause extensive social disruption, loss of jobs, death, and property damage. The loss and damages may result from those involved in the action or initiated by authorities in response to the perception of a potential threat.

There have been no recorded instances of large, unlawful civil disturbances in Brevard County that have exceeded the ability of existing law enforcement resources and partnering agencies to suppress and control. Aside from existing operations planning and ongoing security preparedness efforts, there is little that may be done in terms of hazard mitigation. The cascading consequences from civil disorder pose the only risk to the surrounding environment. The probability of civil disorder occurring in Brevard County is greater than 500-year probability of occurrence.

Hazard Summary	
Hazard	Frequency of Occurrence
Civil Disorder	<input type="checkbox"/> Once a year or more <input type="checkbox"/> 25 years or less <input type="checkbox"/> 100 years or less <input type="checkbox"/> 500 years or less <input checked="" type="checkbox"/> Greater than 500 years
Civil disorder is the result of groups or individuals within the population feeling, rightly or wrongly, that their needs or rights are not being met, either by the society at large, a segment thereof, or the current overriding political system.	
Risks	
People	<ul style="list-style-type: none"> <li>This is a risk that emanates from people</li> </ul>
Property	<ul style="list-style-type: none"> <li>Property may be damaged by individuals that take part in the disorder</li> </ul>
Environment	<ul style="list-style-type: none"> <li>The environment may be affected by individuals</li> </ul>
Program Operations	<ul style="list-style-type: none"> <li>Operations may be suspended or increased depending on the sector of the community</li> </ul>
Impacts	
Public and Responders	<ul style="list-style-type: none"> <li>Public- Stay inside and be very careful when in close proximity to Civil Disorder, you could be harmed</li> <li>Responders- Follow the protocol set by your agencies to handle the situation accordingly.</li> </ul>
Continuity of Operations and Program Operations	<ul style="list-style-type: none"> <li>Brevard County and Primary ESF agencies are responsible to provide for continuity of operations and have plans in place to provide essential services following a major disaster.</li> </ul>
Property, Facilities, and Infrastructure	<ul style="list-style-type: none"> <li>The most common type of civil disturbance is riots. Riots can cause extensive social disruption, loss of jobs, death, and property damage. The loss and damages may result from those involved in the action or initiated by authorities in response to the perception of a potential threat.</li> </ul>
Delivery of Services	<ul style="list-style-type: none"> <li>A large-scale case of Civil Disorder would cause a huge disruption in the delivery of services.</li> </ul>
Public's Confidence in Jurisdiction's Governance	<ul style="list-style-type: none"> <li>Elected Officials and members of the Policy Group are ultimately held responsible for recovery from a major disaster.</li> <li>Their approval may decline if the recovery is not progressing quickly enough or if emergency response is not done well.</li> </ul>
Economic Condition	<ul style="list-style-type: none"> <li>An economic downturn, if not collapse, would occur if a large-scale Civil Disorder took place.</li> </ul>
Environment	<ul style="list-style-type: none"> <li>Impact on environment due to spreading of fires caused by riots.</li> </ul>

**Jurisdictional Hazard Ranking**

The following table illustrates the top three hazards as identified by each jurisdiction:

<b>Jurisdiction</b>	<b>Number One</b>	<b>Number Two</b>	<b>Number Three</b>
Cape Canaveral	High Winds	Storm Surge	Lightning
Cocoa	High Winds	Hazardous Materials	Utility Failure
Cocoa Beach	Lightning	High Winds	Flooding
Grant-Valkaria	High Winds	Flooding	Wildfire
Indianalantic	High Winds	Storm Surge	Utility Failure
Indian Harbour Beach	High Winds	Storm Surge	Utility Failure
Malabar	Wildfire	Flooding	Utility Failure
Melbourne	Lightning	High Winds	Utility Failure
Melbourne Beach	High Winds	Storm Surge	Lightning
Palm Bay	Flooding	Wildfire	High Winds
Palm Shores	High Winds	Lightning	Utility Failure
Rockledge	High Winds	Hazardous Materials	Utility Failure
Satellite Beach	High Winds	Storm Surge	Lightning
Titusville	High Winds	Flooding	Lightning
West Melbourne	High Winds	Lightning	Utility Failure
Unincorporated Brevard County	High Winds	Lightning	Utility Failure
Brevard Public Schools	High Winds	Lightning	Utility Failure
Port Canaveral	Storm surge	High Winds	Utility Failure

**1.9.11 Jurisdiction Policies for Control of Vulnerabilities**

An important aspect of the vulnerability assessment process has been to determine if the local jurisdictions have policies, plans, codes or requirements in place that are intended to avoid or minimize the vulnerability of the community to the hazards that threaten it. These policies and programs can take many forms, such as building and land use codes, hazard mitigation and emergency response plans, requirements for facility operations and maintenance, etc. If local governments' policies, plans and requirements effectively address the hazards posing the greatest risk to the community, then the vulnerability to future disasters can be reduced.

These mitigation-related policies were discussed in the previous versions of the plan and, updated information is in Appendix V of this plan. Appendix V lists the policies applied to development which expand and improve jurisdictional resiliency.

Jurisdictional resiliency coupled with the initiative projects improve each jurisdiction's capabilities. As this is a living document this information will continue to be updated outside the review cycle and inserted into the local mitigation strategy as appropriate.

Just like the vulnerability assessment process being undertaken by Brevard Prepares for facilities, systems and neighborhoods, the assessment of the extent to which the policy framework responds to the hazards of concern is another vehicle to identify the need for mitigation initiatives. In this case, however, the mitigation initiatives proposed by a participating local government jurisdiction would be non-structural in concept, i.e., the development of new plans, codes or policies to address the identified hazards and to reduce the present or future vulnerabilities of the community. The following section describes some of the ways policies are employed by Brevard County and its jurisdictions to control specific hazard vulnerabilities.

### **High Winds**

The jurisdictions of Brevard County have implemented at least 60 policies that mitigate the effect of High Winds. As can be seen from the tables below, a majority of policies fall into the areas of building code, evacuation routes and those regulating mobile or manufactured housing in some way. Although not all jurisdictions listed "building code" in their policy analysis, all use the Florida Building Code as their standard. Indian Harbour Beach states that hazard mitigation regulations will be reviewed and enforced as they relate to building practices. Melbourne Beach refers to anchoring new construction and substantial improvements. Titusville has a regulation that any alteration, repair, reconstruction or improvement to a structure must protect human life. Palm Bay also states that new construction or substantial improvements must use methods to minimize damage. West Melbourne mentions updating and enforcing building codes to ensure safe and healthful structures.

To facilitate evacuation, Indian Harbour Beach shall limit development that would increase hurricane evacuation times, and Melbourne, Palm Shores and Palm Bay have similar policies to protect evacuation routes by considering population density. Several, but not all jurisdictions have policies in place to ensure that the time duration for evacuation to shelters does not increase with new development.

Police and fire departments will coordinate with the County in evacuating Titusville; Rockledge mentions evacuating the recreational vehicle park. The county will determine the priority of road improvements by evacuation times/volume/capacity. In Satellite Beach, it is the responsibility of recreational park management to notify occupants to

evacuate, and the city is to correlate coastal population densities with BCEM's evacuation plans.

There were at least 21 citations regarding mobile or manufactured housing in the policy framework, many of which refer to anchors and tie-downs. Cape Canaveral prohibits placement of mobile and manufactured housing outside of parks or neighborhoods designated for this purpose. In Cocoa, all mobile and manufactured housing must be located on masonry and tied down. Further, in Cocoa Beach, the city shall inventory and identify structures to consider for purchase should they be 50% or more destroyed in an emergency. In Palm Shores, the mobile and manufactured housing stands shall not settle under weight of the structure, and existing mobile and manufactured housing parks are encouraged to upgrade through code enforcement. In the event of any conflict between regulations, the county states that the more restrictive regulations shall prevail. In addition, new mobile and manufactured housing, or recreational vehicle development, is not permitted on the barrier islands. Satellite Beach bans mobile and manufactured housing within the city. Structures that are not hurricane-resistant are prohibited in Malabar.

Other considerations in mitigating high wind events are protecting the public from flying debris such as signage or trees limbs. Indianalantic has two policies regarding signage, one of which states that all shall be able to withstand the force of 120 mph winds. Trees shall be kept pruned and trimmed to prevent hazards to persons in Cape Canaveral; Palm Bay may remove from its property trees or limbs unsafe to public utilities; and Satellite Beach refers to debris removal in its city code. These kinds of policies should be replicated in other jurisdictions.

The following table illustrates policies directed at high wind mitigation:

<b>Policies for High Winds Mitigation</b>						
<i><b>Jurisdiction</b></i>	<i><b>Signs</b></i>	<i><b>Building Code</b></i>	<i><b>Trees/ debris</b></i>	<i><b>Dunes</b></i>	<i><b>Shelter</b></i>	<i><b>Overhead wires</b></i>
<b>Cape Canaveral</b>		1	1			
<b>Cocoa</b>						
<b>Cocoa Beach</b>						
<b>Indianalantic</b>	2					
<b>Indian Harbour Beach</b>		1				

<b>Policies for High Winds Mitigation</b>						
<i>Jurisdiction</i>	<i>Signs</i>	<i>Building Code</i>	<i>Trees/debris</i>	<i>Dunes</i>	<i>Shelter</i>	<i>Overhead wires</i>
Malabar		1				
Melbourne		1				
Melbourne Beach		1				
Melbourne Village	1	1	1			
Grant-Valkaria	Uses BC COMP Plan					
Palm Bay		1	1		2	
Palm Shores						
Rockledge		1				
Satellite Beach			1	1		
Titusville		5			1	
West Melbourne		2				
Brevard County Unincorporated						1

The following table illustrates additional policies, as well as plans and actions concerning high winds mitigation:

<b>Policies for High Winds Mitigation</b>					
<i>Jurisdiction</i>	<i>Mobile Home Regulations</i>	<i>Evacuation</i>	<i>Study</i>	<i>Plan</i>	<i>Drills</i>
Cape Canaveral	1				

<b>Policies for High Winds Mitigation</b>					
<i>Jurisdiction</i>	<i>Mobile Home Regulations</i>	<i>Evacuation</i>	<i>Study</i>	<i>Plan</i>	<i>Drills</i>
Cocoa	1				
Cocoa Beach	1				
Indialantic		1			
Indian Harbour Beach		1			
Malabar					
Melbourne		2		1	
Melbourne Beach					
Grant-Valkaria	Uses BC COMP				
Palm Bay	2	2			
Palm Shores	2	1			
Rockledge	5	1		1	
Satellite Beach	7	3			
Titusville		1		1	
West Melbourne					
Brevard County Unincorporated	2	2	1	1	1

Examples of non-structural initiatives that might strengthen the policy framework are plans or procedures for: pre-hurricane preparation of a facility or system, relocation to an alternative operational site, or removal and storage of valuable contents, etc.

### **Lightning**

Although Brevard County has incurred occasional damage from wildfires or power outages caused by lightning, as well as occasional deaths or injuries, only one policy



could be construed as aimed directly at mitigating the effects of lightning.

Unincorporated Brevard County stated, "The franchisee shall maintain wires, cables and all other real and personal property and facilities constituting the system in good repair during the term of the franchise."

In addition, there were only four policies identified concerning Major Fire-Wildland. Some possible non-structural initiatives to remedy this situation, would be to prepare and implement educational programs in urban and wildfire safety, develop codes or policies for improved wildfire mitigation or develop a plan for periodic vegetative fuels reduction on undeveloped lands in the county.

Other more focused non-structural options to remedy this deficit are to develop plans, policies or procedures for suspension of operations during a lightning episode; damage assessment and operation restoration after a lightning strike; a plan for equipment/facility protection during lightning episodes; alternative locations for operations; or a policy of routine testing of all lightning protection equipment or systems.

### **Flooding**

The vast majority of mitigation-related policies included in the strategy - more than 400 - are for flood mitigation. Many policies crossover more than one category listed below, such as: avoidance of new construction in wetlands. All jurisdictions have instituted policies controlling the destruction and/or encroachment into wetlands, thus preventing any increase in flooding risk caused by new development.

Those communities, where applicable, have also addressed protection or restoration of dunes for retention purposes by recognizing the protection from floodwaters these natural barriers provide to the population. (Some of the policies relating to dunes also may be listed under "Landslide/Erosion".)

Examples include:

- Direct future incompatible land uses away from protected wetlands
- Promote construction of boardwalks to protect dunes and wetlands
- Working towards acquiring vacant shoreline
- No new construction permitted that threatens the dune systems or beach
- Coastal development that does not alter tidal flushing/circulation patterns
- Protection of natural salinity levels in estuarine areas

Jurisdictions of Brevard County will also have to plan for the effects of the Biggert-Waters Act, which could lessen the number of residents within the county with flood insurance.

The following table illustrates if and how many policies Brevard County and its jurisdictions have for flood mitigation:

---

<b>Policies for Flood Mitigation</b>						
<i><b>Jurisdiction</b></i>	<i><b>Dunes</b></i>	<i><b>Wetlands</b></i>	<i><b>Building Codes</b></i>	<i><b>Avoidance</b></i>	<i><b>Drainage</b></i>	<i><b>Mobile Home Regs.</b></i>
<b>Cape Canaveral</b>		1	3		5	
<b>Cocoa</b>		3	3	3	5	
<b>Cocoa Beach</b>	2	2	5	2		
<b>Indialantic</b>	1	1	1	1	1	
<b>Indian Harbour Beach</b>	2	2	9	2	6	
<b>Malabar</b>	4	28	5	4		
<b>Melbourne</b>	3	6	19	5	9	4
<b>Melbourne Beach</b>	2	1	5	1	3	
<b>Melbourne Village</b>						
<b>Grant-Valkaria</b>	Uses BC COMP					
<b>Palm Bay</b>		10	12	4	3	4
<b>Palm Shores</b>		2	2	1	2	1
<b>Rockledge</b>	1	1	23	10	12	2
<b>Satellite Beach</b>	2	4	8	16	27	4
<b>Titusville</b>		3	17	13	13	2
<b>West Melbourne</b>		3	3	1	7	
<b>Brevard County Unincorporated</b>		2	26	6	12	3

Every jurisdiction reported has building codes restricting the placement of, the elevation of or requirements to control the flotation or lateral movement of structures in any flood risk area.

The jurisdictions have also demonstrated consistency in establishing elevation standards, although they vary among jurisdictions. Depending upon reference to wave, tide, or inland flood plain, jurisdictions have required the lowest floor to be elevated to or above base flood elevation, (up to 12 inches above Base Flood Elevation in one jurisdiction). As well, jurisdictions have implemented policies to enable construction to resist flood damage, examples include having the crown of the road above Base Flood Elevation (BFE) and to have no utilities installed below BFE.

The strongest mitigation effort reducing future or expanded risk to flood prone areas, is implementing risk avoidance.

Avoidance action items include:

- Restrictions for building new facilities in exposed areas
- Provisions that development must not degrade current conditions
- Development in the 10-25 year floodplain shall not result in loss of flood storage
- Granting a variance will not result in increased flood heights
- Development within flood-prone areas are not to negatively impact adjacent land
- No financial support for new local transportation corridors in Coastal High Hazard Areas
- No sanitary sewer or transmission lines in Coastal High Hazard Areas
- Prohibits construction in ocean bluff protection area
- Town-funded public facilities shall not be built in Coastal High Hazard Areas
- Noticing potential home buyers are notified that property is in a flood area
- Prohibits expenditures for development or redevelopment east of Coastal Construction Control Line
- Minimizes the need for rescue and relief efforts associated with flooding
- Avoiding Public subsidization of infrastructure in Coastal High Hazard Zones
- Encouraging retention of floodplain as an open space preserve

Some policies relating to drainage issues are:

- County shall develop regulations to ensure drainage is not affected
  - Stormwater management systems to employ Best Management Practices
  - Stormwater runoff shall be adequately treated on roadway systems
  - County to determine feasibility of innovative stormwater treatment methods
  - Initiating drainage needs assessment where flooding occurs
  - Maintain storm sewers to reduce maintenance dredging along canals
  - Determine feasibility of updating stormwater treatment facilities
-

- Protect drainage functions by controlling grading, runoff rate and direction
- New construction or reconstruction must retain the first ½" runoff
- Encourage diversion of stormwater runoff to recharge areas
- Reduce point sources of direct stormwater discharge into water bodies
- Prevent or regulate construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other lands

Another important area to examine is how mobile or manufactured homes are addressed in the policy framework. At least seven jurisdictions mentioned some regulations, such as:

- Anchoring and tying down manufactured homes
- New mobile and manufactured home and recreational vehicle park development not permitted on barrier island
- Prohibiting the placement of mobile and manufactured homes except in an existing mobile or manufactured home parks or subdivisions
- Encouraging existing mobile and manufactured home parks to upgrade through code enforcement

Brevard County has a particular interest in participation in the federal floodplain-mapping project and the Community Rating System (CRS), in order to assist homeowners and businesses with decisions about property vulnerability and flood insurance. The National Flood Insurance Program (NFIP) allows property owners in the 100-year flood zone to acquire federal flood insurance policies on their land, which is subject to flood hazards. By participating in the CRS, a FEMA program, residents are qualified for reduced rates on flood insurance, which vary depending on level of activities the jurisdiction performs to reduce its flood potential.

A summary of participation in flood-related activities is shown in the following table:

<b>Flood Related Activities</b>							
<i>Community Name/Number</i>	<i>CRS Entry Date</i>	<i>Current Effective Date</i>	<i>Current Class*</i>	<i>% Discount for SFHA ***</i>	<i>% Discount for Non-SFHA **** Status</i>	<i>Status *****</i>	<i>NFIP</i>
<b>Brevard County 125092</b>	10/01/91	10/01/10	7	15	5	C	Yes
<b>Cape Canaveral 125094</b>	10/01/93	05/01/13	8	10	5	C	Yes
<b>Cocoa 120020</b>	10/01/94	10/01/04	10	0	0	R	Yes
<b>Cocoa Beach 125097</b>	10/01/94	10/01/04	8	10	5	C	Yes
<b>Grant-Valkaria 120224</b>	No						Yes
<b>Indialantic 125115</b>	No						Yes
<b>Indian Harbour Beach 125116</b>	No						Yes

<b>Flood Related Activities</b>							
<i>Community Name/Number</i>	<i>CRS Entry Date</i>	<i>Current Effective Date</i>	<i>Current Class*</i>	<i>% Discount for SFHA ***</i>	<i>% Discount for Non-SFHA **** Status</i>	<i>Status *****</i>	<i>NFIP</i>
<b>Malabar 120024</b>	No						Yes
<b>Melbourne 120025</b>	10/01/93	05/01/13	8	10	5	C	Yes
<b>Melbourne Beach 125128</b>	No						Yes
<b>Melbourne Village 125125</b>	No						Yes
<b>Palm Bay 120404</b>	10/01/93	05/01/12	7	15	5	C	Yes
<b>Palm Shores 120612</b>	No						Yes
<b>Rockledge 120027</b>	10/01/91	10/01/13	8	10	5	C	Yes

<b>Flood Related Activities</b>							
<i>Community Name/Number</i>	<i>CRS Entry Date</i>	<i>Current Effective Date</i>	<i>Current Class*</i>	<i>% Discount for SFHA ***</i>	<i>% Discount for Non-SFHA **** Status</i>	<i>Status *****</i>	<i>NFIP</i>
<b>Satellite Beach 120028</b>	10/01/92	5/1/12	10	0	0	R	Yes
<b>Titusville 125152</b>	10/01/92	5/1/11	7	15	5	C	Yes
<b>West Melbourne 120335</b>	No						Yes

Source: October 2019 CRS manual

All jurisdictions are continuing their participation in these programs, and a few expressed interested in being part of the Community Rating Scale program, but were hampered by lack of staff to oversee the program. Most jurisdictions have flood insurance information available online or at city or town offices for their residents.



These are the flood insurance statistics for Brevard County as of August 2018 and repetitive loss properties as of December 2019:

<b>Flood Insurance Statistics</b>				
<i>Community Name</i>	<i>Policies In-Force</i>	<i>Insurance In-Force Whole</i>	<i>Written Premium In-Force</i>	<i>Number of NFIP Insured Repetitive Loss Properties</i>
<b>Brevard County</b>	23,259	6,603,690,300	9,830,743	78 Residential 3 Commercial 0 Institutional
<b>Canaveral Port Authority</b>	17	8,897,900	31,944	0 Residential 1 Commercial (at Port Canaveral) 0 Institutional
<b>Cape Canaveral</b>	3,248	625,109,200	975,787	3 Residential 0 Commercial 0 Institutional
<b>Cocoa Beach</b>	6,461	1,336,147,300	2,371,963	2 Residential 1 Commercial 0 Institutional
<b>Cocoa</b>	469	116,762,900	204,001	5 Residential 0 Commercial

Flood Insurance Statistics				
<i>Community Name</i>	<i>Policies In-Force</i>	<i>Insurance In-Force Whole</i>	<i>Written Premium In-Force</i>	<i>Number of NFIP Insured Repetitive Loss Properties</i>
				0 Institutional
Grant-Valkaria	365	110,621,700	200,733	8 Residential 0 Commercial 0 Institutional
Indialantic	805	225,668,200	348,945	3 Residential 0 Commercial 0 Institutional
Indian Harbour Beach	1,890	497,765,500	650,029	1 Residential 0 Commercial 0 Institutional
Malabar	213	65,283,600	105,146	4 Residential 0 Commercial 0 Institutional
Melbourne Beach	750	227,545,400	376,475	4 Residential 0 Commercial 0 Institutional
Melbourne Village	44	13,419,000	16,662	0 Residential

Flood Insurance Statistics				
<i>Community Name</i>	<i>Policies In-Force</i>	<i>Insurance In-Force Whole</i>	<i>Written Premium In-Force</i>	<i>Number of NFIP Insured Repetitive Loss Properties</i>
				0 Commercial 0 Institutional
<b>Melbourne</b>	4,145	1,179,672,400	1,736,178	21 Residential 1 Commercial 0 Institutional
<b>Palm Bay</b>	3,036	844,222,600	1,221,932	15 Residential 0 Commercial 0 Institutional
<b>Palm Shores</b>	54	16,597,000	19,341	0 Residential 0 Commercial 0 Institutional
<b>Rockledge</b>	1,101	319,989,500	417,990	0 Residential 0 Commercial 0 Institutional
<b>Satellite Beach</b>	2,130	628,817,400	813,844	2 Residential 0 Commercial 0 Institutional

Flood Insurance Statistics				
<i>Community Name</i>	<i>Policies In-Force</i>	<i>Insurance In-Force Whole</i>	<i>Written Premium In-Force</i>	<i>Number of NFIP Insured Repetitive Loss Properties</i>
Titusville	1,367	370,804,500	580,448	1 Residential 0 Commercial 0 Institutional
West Melbourne	1319	399,211,000	492,062	8 Residential 0 Commercial 0 Institutional

Source: FEMA NFIP, Policy and Claim Statistics for Flood Insurance  
<https://bsa.nfipstat.fema.gov/reports/1011.htm#FLT>

It is important to note that the Brevard County mitigation planning process intentionally encourages participating jurisdictions to continue to assess this information and to propose non-structural mitigation initiatives for the plan to strengthen their mitigation policy and program framework. The policies, codes and plans identified here are not an exhaustive list, and efforts will be made to update this information for the new planning cycle since most jurisdictions are simultaneously submitting new Comprehensive Plans and other plans to reviewing bodies. At that time, there can be further examination of the relationship between the mitigation strategy and other planning efforts as well.

Since modifications or enhancements to the policy and program framework are typically the responsibility of individual jurisdictions, where applicable, modifications to existing plans and programs in order to improve the policy framework of the jurisdictions for control of risks and vulnerabilities may be proposed as mitigation initiatives.

**1.10 MITIGATION GOALS, OBJECTIVES, AND ACTIONS**

This section of the Brevard County Local Mitigation Plan describes the goals and objectives established by Brevard Prepares, and the completed and anticipated actions for implementation and maintenance of this plan in an ongoing effort to achieve these goals.

**1.10.1 Develop Goals and Objectives for the Mitigation Plan**

Brevard Prepares has established a number of goals and objectives to guide its work in the development of this plan. The goals and objectives help to focus the efforts of the group in the mitigation planning effort to achieve an end result that matches the unique needs, capabilities and desires of the participating jurisdictions. For purposes of this update, the overarching mitigation goals and objectives established by Brevard Prepares did not changed. However, emphasis by the State on flood mitigation influenced jurisdictions to prioritize submit grant applications to buy flood prone properties and drainage projects this cycle. The following are a list of all goals and objectives.

1. The disaster-resistant economy will be strengthened
  - a. Local government will establish programs, facilities and resources to support business resumption activities by impacted local businesses and industry
  - b. Local government emergency response and disaster recovery plans will appropriately consider the needs of key employers in the community
  - c. Local government will encourage community businesses and industries to make their facilities and operations disaster resistant
  - d. Components of the infrastructure needed by the community's businesses and industries will be protected from the impacts of disaster
2. Local government in partnership with the community will continue to develop, implement and maintain effective mitigation programs
  - a. The capability to effectively utilize data and information related to mitigation planning and program development including "lessons learned"
  - b. The effectiveness of mitigation initiatives implemented in the community will be measured
  - c. Outreach programs to gain participation in mitigation programs by business, industry, institutions and community groups will be developed and implemented
  - d. The community's public and private sector organizations will partner to promote hazard mitigation programming throughout the community
  - e. Local elected governing bodies will promulgate the local mitigation plan and support community mitigation
3. The health, safety and welfare of our disaster-resistant community will be maintained
  - a. Local governments will establish and enforce building and land development

- codes that are effective in addressing the hazards
  - b. Land use policies, plans, and regulations will discourage or prohibit inappropriate location of structures or infrastructure
  - c. Local government will ensure that hazard mitigation needs and programs are given appropriate emphasis
  - d. Regulations will be established and enforced to ensure that public and private property maintenance is consistent with minimizing vulnerabilities to disaster
  - e. Designated evacuation routes will be relocated, retrofitted or modified to remain open before, during and after disaster events, and vehicle access routes to key areas will remain open.
  - f. The potential for infrastructure system failure because of or during a disaster will be minimized through routine maintenance
  - g. Local government will support key employers in the community in the implementation of mitigation measures for their facilities and systems
  - h. Facilities in the community posing an extra health or safety risk when damaged or disrupted will be made less vulnerable to the impacts of a disaster
  - i. Programs for removal, relocation or retrofitting of vulnerable structures and utilities in hazard areas will be established and implemented
  - j. There will be adequate resources, equipment and supplies to meet victims' health and safety needs after a disaster
  - k. Adequate systems for notifying the public at risk and providing emergency instruction during a disaster will be available
  - l. Local governments will protect high hazard natural areas from new or continuing development
  - m. Local jurisdictions will participate fully in the National Flood Insurance Program and the associated Community Rating System
  - n. Reconstruction and rehabilitation of structures and utilities in the community will incorporate appropriate hazard mitigation techniques
4. Public education will be enhanced to increase the level of disaster awareness
- a. The community will be periodically updated regarding local efforts in mitigation planning and programming
  - b. The owners and operators of businesses and industries in the community will be knowledgeable in appropriate techniques
  - c. Managers of public facilities will be knowledgeable in hazard mitigation techniques and the components of the community's mitigation plan
  - d. All interested individuals will be encouraged to participate in hazard mitigation planning and training
  - e. The public living or working in defined hazard areas will be aware of that fact, understand their vulnerability and know appropriate techniques
  - f. Education programs in risk communication and hazard mitigation will continue to be established and implemented

The goals were established by the Brevard Prepares Steering Committee in 2004 and then formally adopted. These goals continue to guide the work of Brevard Prepares.

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The goals selected are related to the broad mitigation needs and capabilities of the communities involved, rather than addressing a specific hazard type or category. Therefore, the Brevard County mitigation goals and objectives, by definition, are “multi-hazard” in scope and can be described as statements of the desired “mitigation-related capabilities” that will be present in each participating jurisdiction in the future as the goals are achieved.

#### **1.10.2 Using a “Goal-Based” Planning Process**

The goals established by Brevard Prepares are considered to be broad, general guidance that define the long-term direction of the planning. As indicated in the list of goals and objectives attached to this section, each goal statement has one or more objectives that provide a more specific framework for actions to be taken by Brevard Prepares and its participants. The objectives define actions or results that can be placed into measurable terms by Brevard Prepares, and translated into specific assignments by the Steering Committee for implementation by the participating jurisdictions and associated agencies and organizations.

The objectives selected by Brevard Prepares are intended to create a specific framework for guiding the development of proposed mitigation initiatives for incorporation into the plan. Whenever feasible, the planning participants have attempted to associate each proposed mitigation initiative with the objective statement the initiative is intended to achieve. By associating a mitigation initiative with a specific objective, the proposed initiative is also, of course, intended to help achieve the broader goal statement to which the objective corresponds. Proposing mitigation initiatives that are consistent with the selected objectives is a principal mechanism for the participants to achieve the stated goals of the mitigation-planning program.

As the Brevard County Local Hazard Mitigation Strategy is reviewed and updated by Brevard Prepares participants, the goals and supporting objective statements are also reviewed to ensure they are still applicable to meeting the unique needs, interests and desires of the community. The following goals and objectives were reviewed for this update, and it was determined to continue to plan towards these mitigation goals:

#### **1.10.3 Addressing Known Risks and Vulnerabilities**

A logical consequence of having determined the hazards and amount of risk from each to the participating jurisdictions, and having assessed facilities and neighborhoods for their vulnerabilities to those hazards the involved agencies and organizations have the information at hand with which to propose initiatives addressing both known vulnerabilities and established goals. Appendix I is a list of initiatives proposed for the assessed facilities, neighborhoods or repetitive loss properties in the reports given by each jurisdiction.

In addition, there are many initiatives included in the plan that are of general benefit to the whole county and all of its citizens through, for example, protecting facilities and systems that benefit all communities. These proposed initiatives address a wide range of vulnerabilities to different hazards that, because of the facility or system protected, basically address countywide vulnerabilities. Numerous other initiatives have been included in the strategy to reduce specific communitywide vulnerabilities, proposed by incorporated jurisdictions. The initiatives would facilitate traffic and evacuation route mobility, communications, drainage, relocate overhead wires, restore shoreline, provide portable bridges, and purchase equipment that might be shared with others during disaster events. These are all designed to benefit travelers and residents alike.

#### **1.10.4 Mitigation Planning for Critical Facilities**

Another indication of the goal-based mitigation planning process used in Brevard County is that critical facilities in the participating jurisdictions have been identified and, when applicable, their vulnerabilities to future disasters assessed. To date, a large majority of mitigation initiatives have been proposed that are intended to benefit these designated critical facilities and these are listed in Appendix I.

Among the goals established by Brevard Prepares that specifically address the mitigation needs of critical facilities are:

- Goal #1: The disaster-resistant economy will be strengthened
- Goal #2: Local government in partnership with the community will continue to develop, implement and maintain effective mitigation programs
- Goal #3: The health, safety and welfare of our disaster-resistant community will be maintained

The jurisdictions' action to propose initiatives for critical facilities is evidence of the participants' attempt to achieve its goals.

#### **1.10.5 Modification to Other Policies, Plans and Programs**

Finally, it is the intention of Brevard Prepares to continue to improve the existing policy framework for the participating jurisdictions so that they will be able to more effectively manage the community's vulnerabilities to future disasters. Any shortfalls in the number of policies addressing identified higher risk hazards can be addressed by implementing non-structural initiatives intended to modify or enhance current plans, policies and programs. Each jurisdiction reports on the progress of their planning efforts at annual meetings and revisions to the plan updating the progress begins at least one year before the plan's 5-year expiration date.

Organizations proposing initiatives may associate them, if applicable, with the plans or policies to be changed. These are reported on a jurisdiction-by-jurisdiction basis, and

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proposed mitigation initiatives intended to modify or improve existing policies and programs are listed in Appendix I. The proposed modifications to the listed policies and programs are additional documentation of Brevard Prepares' efforts to achieve its established goals and objectives. Goal #3, with the objective of, "Regulations will be established and enforced to ensure that public and private property maintenance is consistent with minimizing vulnerabilities to disaster" is directed at improving the jurisdictions' mitigation-related policy framework. A list of mitigation policies and programs by jurisdiction can be found as part of Appendix V.

#### **1.10.6 Implementation of Mitigation Actions, Responsibilities and Schedules**

As noted above, implementation of the Brevard County Local Mitigation Strategy is through the proposal and completion of the mitigation initiatives incorporated into the plan and the policies and regulation of each jurisdiction. As the initiatives are implemented over the years, the facilities, systems and neighborhoods of the participating jurisdictions will become less vulnerable to the impacts of future disasters, and the communities of Brevard County will become increasingly more disaster resistant.

The individual agencies and organizations that originally proposed the mitigation initiatives incorporated into the plan are responsible for their implementation when the resources or opportunity to do so become available. In most cases, this means that the proposing agencies identify the most feasible funding source (e.g., a state or federal grant program, the agency's budgetary process, etc.), apply to the funding source or otherwise allocate funds, and, upon receipt of funding, take the necessary steps to implement the project (e.g., design, permitting, construction, etc.). In other cases, this may mean that should a unique opportunity for implementation of an initiative arise, e.g., upon receipt of unexpected funds, immediately after a disaster event, etc., the agency can proceed with implementation of the initiative.

While the actual responsibility for implementation of a mitigation initiative remains the responsibility of the sponsoring agency, Brevard Prepares, as a multi-jurisdictional, cooperative organization, has a substantial involvement in plan implementation, and can assist with the coordinating and scheduling of the implementation of approved mitigation initiatives. As a part of the planning process on an annual basis, per the Operating Procedures, approved mitigation initiatives included in the plan are re-evaluated as to their relevancy.

Brevard Prepares assigns four categories of implementation: complete, new, updated, deferred, and in progress. "Complete" means that, the sponsoring agency or organization has finished the project showing the progress the jurisdiction has made. "New" means that, the project was proposed and accepted by the committee in the

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calendar year. “Updated” means that the project changed scope or cost and was updated upon the approval of the committee. “Deferred” priority means that the initiative is still a valid proposal, but that under present circumstances, its implement should be deferred until a future date, allowing the participating agencies to focus on higher priority initiatives. All have been deferred due to funding constraints. “In progress” is when funding has been obtained and the project is moving forward. Projects that were terminated are not in this plan but are kept track of on a separate spreadsheet that is made available to each jurisdiction during the plan update.

Brevard Prepares Steering Committee Members bring forward priority projects when funding becomes available and assigns a rank based on priority score. It is planned that the jurisdictions sponsoring the listed initiatives will continue to seek the resources or opportunities for implementation as they arise.

Recent funding opportunities include HMGP funding following hurricanes Matthew, Irma, and Michael allowed many jurisdictions to move forward with deferred projects that were a priority.

#### 1.10.7 Mitigation Initiative Project Priority Scoring and Benefit-to-Cost

Using common evaluation criteria enables the Brevard Prepares Steering Committee to make comparisons of the relative risk of one hazard type in relation to another; the composite risk posed by three categories of hazards addressed (natural, technological and societal); as well as, total relative risk among all participating jurisdictions. When the LMS was initially drafted the project priority score and benefit-to-cost analysis was done by a contractor’s software program called Mitigation 20/20. The company went out of business along with the software program and the following procedure was developed and approved by the Steering Committee on August 31, 2016. It is based on the risk factors and evaluation criteria listed in the description of the Mitigation 20/20 review process. The following comparison can be used to guide and prioritize the planning process by enabling planners to focus on the highest assessed risk for a hazard, for a hazard category or for the involved jurisdictions. The common risk estimation numeric factors used by all participants in the planning are as follows:

Risk Factor	Evaluation Criteria	Assigned Value
Area Impacted	No developed area impacted	0
	Less than 25% of developed area impacted	1
	Less than 50% of . area impacted	2
	Less than 75% of developed area impacted	3
	Over 75% of developed area impacted	4
Health and Safety Consequences	No health or safety impact	0
	Few injuries/illnesses	1
	Few fatalities by many injuries/illnesses	2
	Numerous fatalities	3

Consequences to Property	No property damage	0
	Few properties destroyed or damaged	1
	Few destroyed - many damaged	2
	Few damaged - many destroyed	2
	Many properties destroyed or damaged	3
Consequences to Environmental Resources	Little or no environmental damage	0
	Resources damaged with short term recovery practical	1
	Resources damaged with long term recovery feasible	2
	Resources destroyed beyond recovery	3
Economic Consequences	No economic impact	0
	Low direct / or low indirect costs	1
	Low direct and high indirect costs	2
	High direct and low indirect costs	2
	High direct and high indirect costs	3
Probability of Occurrence	Greater than 500-year occurrence	0
	500 years or less occurrence	1
	100 years or less occurrence	2
	25 years or less occurrence	3
	Once a year or more occurrence	4

In the process, a single, numeric value is selected from each of the five risk factors. The five values are then used to derive a total relative risk value for a particular hazard that is “weighted” for the probability of its occurrence. The total relative risk for a particular hazard is calculated by adding the selected numeric values for each of the “Impacted Area,” “Health & Safety,” “Property,” “Environment” and “Economy” and multiplying this total by the numeric value selected for the “Probability of Occurrence” by using the formula below:

$$[ \text{Area Impacted} + \text{Health and Safety Consequences} + \text{Consequences to Property} + \text{Consequences to Environmental Resources} + \text{Economic Consequences} ] \times \text{Probability of Occurrence} = \text{Relative Risk}$$

The resulting numeric value for relative risk can vary from zero, meaning the identified hazard poses no estimated risk at all to the jurisdiction, up to a maximum of 64, which means that hazard poses a very substantial risk to the jurisdiction.

The Steering Committee also decided during the same meeting that the benefit-to-cost calculation done by the Mitigation 20/20 software was obsolete given that it is a requirement of FEMA grant applications that one be done by the time projects were submitted. The LMS Steering Committee emphasizes the importance and requires the use of FEMA’s Benefit-Cost Analysis (BCA) which is a method that determines the future risk reduction benefits of a hazard mitigation project and compares those benefits to its costs. The result is a Benefit-Cost Ratio (BCR). A project is considered cost-effective when the BCR is 1.0 or greater. Grant applicants use FEMA’s BCA toolkit to ensure the project is worth the cost and effort. The Steering Committee also approved an application process that gave them the information they needed to consider each project without making the process overly cumbersome.

### **1.11 PLAN INTEGRATION**

One of the methods to implement the Brevard County Local Mitigation Strategy effectively is to propose and implement initiatives that will modify other community plans, policies and programs. Efforts to incorporate the mitigation plan into Comprehensive Plans, Capital Improvement Plans, Master Plans and Comprehensive Emergency Management Plans, or other programs and policies, etc., wherever appropriate, will be given emphasis in each planning cycle.

The County's 2016 Comprehensive Emergency Management Plan, that is in compliance with the requirements of the Florida Division of Emergency Management (FDEM), has had the benefit of over 20 years' implementation of this local mitigation strategy. Through Brevard Prepares, participating jurisdictions are working to incorporate mitigation principles and concepts into their normal planning and programming operations and activities.

A variety of methods are available for participating jurisdictions to integrate the information from the mitigation plan with other important plans and programs, many of which are key to the implementation of proposed mitigation initiatives. For Brevard County jurisdictions, consideration is given to integration of the mitigation plan with the following, as applicable to the specific jurisdiction:

- Comprehensive Plan/Evaluation and Reports
- Emergency Management Plan
- Capital Improvement Plan
- Operations and Maintenance Plan
- Stormwater Management Plan
- Economic Development Plan
- Related planning and training programs, e.g., for emergency response personnel
- Public education and information programs

The process for integrating planning efforts is the responsibility of the individual jurisdiction, acting principally through the agency or organization sponsoring proposed mitigation initiatives incorporated into the plan. For the mitigation strategy, many initiatives are identified and developed through the hazard identification and vulnerability assessment process. Others originate through the analysis of the jurisdiction's framework of mitigation-related policies or the after action assessment of emergency events. Once identified, developed, and approved for incorporation into the plan, the jurisdiction's agency representatives can, as applicable, incorporate the initiatives into one of the types of plans or programs noted above. Generally, a proposed and approved mitigation initiative would be incorporated into the applicable plan or program on the next update of that plan or program, which varies with the specific jurisdiction.

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In addition, the plans noted above are likely to contain proposed projects and programs that would be directly relevant to hazard mitigation in the jurisdiction, e.g., drainage control projects in a Stormwater Management Plan. These are frequently integrated with the local hazard mitigation strategy by identifying them as proposed initiatives, characterizing them appropriately in accordance with the Brevard Prepares mitigation planning process, and approving them for incorporation into the mitigation strategy. In this way, the project is identified in both plans, making the plans both consistent and mutually supportive.

Further, when a jurisdiction includes relevant projects in the local hazard mitigation plan, and the plan is approved by FDEM, the projects are eligible for federal mitigation funding programs. Conversely, by integrating projects originally developed through the mitigation planning process with another jurisdictional plan, such as the jurisdiction's Capital Improvement Plan, funding for implementation of the initiative can occur through other budgetary channels.

**1.12 APPENDIX I****1.12.1 Initiative/Project Listing**

This section of Brevard County Local Mitigation Plan contains the compilation of the proposed mitigation initiatives/projects that have been formulated as the result of the planning efforts by Brevard Prepares. These mitigation initiatives form the fundamental mechanism for the implementation of the local mitigation plan. After each successful implementation of an initiative, the benefited community will become that much more resistant to the impacts of future disasters. Projects are deferred due to monetary constraints. There are 65 terminated projects due to annexation, unwilling owner, building closure, low scoring, and unknown. Terminated projects are tracked by each jurisdiction but are not part of this list.

Hazard: W = Winds FR = Fire UL= Utility Loss L = Lightning SS = Storm Surge C = Civil Disorder FL = Flooding E = Erosion HZ= Hazmat WS = Winter Storm D = Drought I = Infestation/Disease All = All Hazards										
Funding Source: 1-PDM (Pre-Disaster Mitigation) 2-SHSP (State Homeland Security Program) 3-CDBG (Community Development Block Grant) 4-FMA (Flood Mitigation Assistance) 5-HMGP (Hazard Mitigation Grant Program) 6-PA (Public Assistance) 7-SRLP (Severe Repetitive Loss Program) 8-General Fund (Jurisdiction Annual Budget) Other specific funding sources are spelled out in column										
Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress										
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Priority	Cost
BRV-0830	All	Brevard County Emergency Management	All	Outreach for Mitigation - Brevard Prepares	8	6/15/2015	6/15/2020	D	32	\$2,500
BRV-0647	Brevard County (Unincorporated)	American Red Cross	All	Purchase 1000 Cots & 20 Trailers	8	11/16/2004	7/7/1905	IP 50%	32	\$100,000
BRV-0649	Brevard County (Unincorporated)	American Red Cross	W	American Red Cross HQ - Shutters	8	11/16/2004	7/2/1905	C	31	\$80,000
BRV-0236	Brevard County (Unincorporated)	BCSO Animal Services	All	N. Brevard Animal Shelter - Generator	1, 5, 8	6/14/1999	7/20/2020	D	32	\$25,000
BRV-0237	Brevard County (Unincorporated)	BCSO Animal Services	All	S. Brevard Animal Shelter - Generator	1, 5, 8	6/14/1999	6/27/1905	C	32	\$25,000
BRV-0239	Brevard County (Unincorporated)	BCSO Animal Services	W	S. Brevard Animal Shelter - Shutters	1, 5, 8	6/14/1999	7/20/2020	D	32	\$20,000

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<b>Funding Source: 1-PDM (Pre-Disaster Mitigation) 2-SHSP (State Homeland Security Program) 3-CDBG (Community Development Block Grant) 4-FMA (Flood Mitigation Assistance) 5-HMGP (Hazard Mitigation Grant Program) 6-PA (Public Assistance) 7-SRLP (Severe Repetitive Loss Program) 8-General Fund (Jurisdiction Annual Budget) Other specific funding sources are spelled out in column</b>										
<b>Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress</b>										
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Priority	Cost
BRV-0240	Brevard County (Unincorporated)	BCSO Animal Services	All	S. Brevard Animal Shelter - Potable Water	8	6/14/1999	7/20/2020	D	32	\$15,000
BRV-0241	Brevard County (Unincorporated)	BCSO Animal Services	All	S. Brevard Animal Shelter - Lighting	1, 5, 8	6/14/1999	6/30/2006	D	29	\$5,000
BRV-0243	Brevard County (Unincorporated)	BCSO Animal Services	All	N. Brevard Animal Shelter - Potable Water	8	6/14/1999	7/20/2020	D	32	\$15,000
BRV-0743	Brevard County (Unincorporated)	BCSO Animal Services	All	Purchase of a pick-up truck and livestock trailer	8	10/30/2008	7/20/2020	IP 50%	23	\$55,150
BRV-0744	Brevard County (Unincorporated)	BCSO Animal Services	All	Improve Pasture @ South Animal Care Center	8	10/30/2008	7/20/2020	D	22	\$130,372
BRV-0746	Brevard County (Unincorporated)	BCSO Animal Services	All	Expansion of the South Animal Care Center	8	10/30/2008	7/20/2020	D	29	\$428,300
BRV-0692	Brevard County (Unincorporated)	Brevard Amateur Radio Emergency Service	All	Enhance Emergency Amateur Comm Network	8	1/19/2005	9/30/2020	D	35	\$30,000
BRV-0693	Brevard County (Unincorporated)	Brevard Amateur Radio Emergency Service	All	Update Emerg. Amateur Mobile Service Comm Vehicle	8	1/19/2005	9/30/2020	D	35	\$25,000
BRV-0366	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters, Cuyler Park Community Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	30	\$3,770
BRV-0367	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters, Isaac Campbell Sr. Park Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	30	\$7,813

Hazard: W = Winds FR = Fire UL= Utility Loss L = Lightning SS = Storm Surge C = Civil Disorder FL = Flooding E = Erosion HZ= Hazmat WS = Winter Storm D = Drought I = Infestation/Disease All = All Hazards										
Funding Source: 1-PDM (Pre-Disaster Mitigation) 2-SHSP (State Homeland Security Program) 3-CDBG (Community Development Block Grant) 4-FMA (Flood Mitigation Assistance) 5-HMGP (Hazard Mitigation Grant Program) 6-PA (Public Assistance) 7-SRLP (Severe Repetitive Loss Program) 8-General Fund (Jurisdiction Annual Budget) Other specific funding sources are spelled out in column										
Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress										
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Priority	Cost
BRV-0368	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Shutters, North Area Operations Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	30	\$1,833
BRV-0369	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters, Port St. John Community Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	30	\$5,600
BRV-0370	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Shutters, Tom Statham Park Comm Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	30	\$1,534
BRV-0371	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Shutters, Space Coast Comm Sport Complex	1, 5, 8	7/20/1999	7/20/2020	D	30	\$1,625
BRV-0372	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Shutters, Merritt Island/Beach Maint Fac	1, 5, 6, 8	7/20/1999	7/20/2020	D	29	\$5,811
BRV-0373	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Shutters, Cocoa West Recreation Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	29	\$10,712
BRV-0374	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters, Joe Lee Park Community Center	1, 5, 8	7/20/1999	7/20/2020	D	29	\$8,892
BRV-0375	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters, Kiwanis Island Park Rec Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	29	\$6,890
BRV-0377	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters, Travis Park Community Center	1, 5, 8	7/20/1999	7/20/2020	D	29	\$12,285
BRV-0378	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Shutters, Veterans Mem Park Comm Bldg	1, 5, 6, 8	7/20/1999	7/20/2020	D	29	\$8,177



Hazard: W = Winds FR = Fire UL= Utility Loss L = Lightning SS = Storm Surge C = Civil Disorder FL = Flooding E = Erosion HZ= Hazmat WS = Winter Storm D = Drought I = Infestation/Disease All = All Hazards										
Funding Source: 1-PDM (Pre-Disaster Mitigation) 2-SHSP (State Homeland Security Program) 3-CDBG (Community Development Block Grant) 4-FMA (Flood Mitigation Assistance) 5-HMGP (Hazard Mitigation Grant Program) 6-PA (Public Assistance) 7-SRLP (Severe Repetitive Loss Program) 8-General Fund (Jurisdiction Annual Budget) Other specific funding sources are spelled out in column										
Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress										
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Priority	Cost
BRV-0379	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters, Woody Simpson Park Community Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	29	\$1,365
BRV-0382	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Emergency Radios Parks & Rec Admin Office	1, 5, 8	7/20/1999	7/20/2020	D	31	\$22,000
BRV-0383	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Emergency Radios North Operations Area	1, 5, 6, 8	7/20/1999	7/20/2020	D	27	\$22,000
BRV-0384	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Emergency Radios Central Operations Area	1, 5, 8	7/20/1999	7/20/2020	D	26	\$44,000
BRV-0385	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Emergency Radios South Operations Area	1, 5, 6, 8	7/20/1999	7/20/2020	D	28	\$44,000
BRV-0386	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Generator, Cuyler Park Community Center	1, 5, 8	7/20/1999	7/20/2020	D	26	\$8,500
BRV-0387	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Isaac Campbell Sr. Park	1, 5, 6, 8	7/20/1999	7/20/2020	D	26	\$8,500
BRV-0388	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Manatee Hammock Campground	1, 5, 8	7/20/1999	7/20/2020	D	26	\$8,500
BRV-0392	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Generator, Statham Park Community Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	26	\$8,500
BRV-0393	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Central Area Park Operations	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$8,500

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BRV-0394	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Central Area Parks / Mainland	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$8,500
BRV-0395	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Cocoa West Recreation Complex	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$8,500
BRV-0396	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Joe Lee Smith Park	1, 5, 8	7/20/1999	7/20/2020	D	25	\$8,500
BRV-0397	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Kiwanis Island Park Community Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$8,500
BRV-0399	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Travis Park Community Center	1, 5, 8	7/20/1999	7/20/2020	D	25	\$8,500
BRV-0400	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Woody Simpson Park Community Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$8,500
BRV-0402	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator, Long Point Park Campground	1, 5, 6, 8	7/20/1999	7/20/2020	D	28	\$8,500
BRV-0793	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Barrier Island Environmental Center	1, 5, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0796	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Flutie Athletic Complex Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0799	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Irene H. Canova	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000

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BRV-0806	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - POW/MIA Park	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0807	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Sam's House Environmental Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0808	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Savannah's Golf Course Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0809	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Viera Regional Park Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0817	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters - Sam's House Environmental Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0819	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters - Savannah's Golf Course Clubhouse	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0820	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters - Scottsmoor Meeting HUL	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0821	Brevard County (Unincorporated)	Brevard County Parks & Recreation	W	Shutters - Spessard Holland Golf Course Clubhouse	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0822	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Space Coast Comm. Sports Complex Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0823	Brevard County (Unincorporated)	Brevard County Parks & Recreation	UL	Generator - Spessard Holland Golf Course Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000

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BRV-0685	Brevard County (Unincorporated)	Circles of Care	UL	2020 Commerce Dr. - Generator	1, 5, 8	1/19/2005	9/30/2030	D	29	\$113,425
BRV-0686	Brevard County (Unincorporated)	Circles of Care	UL	400 E. Sheridan Rd. - Generator	8	1/19/2005	9/30/2020	IP	23	\$20,000
BRV-0687	Brevard County (Unincorporated)	Circles of Care	UL,W	2000 Commerce Dr - Shutters & Generator	1, 5, 8	1/19/2005	9/30/2030	D	27	\$343,900
BRV-0688	Brevard County (Unincorporated)	Circles of Care	W	400 E. Sheridan Rd. - Build Storage Shed	8	1/19/2005	9/30/2030	D	29	\$20,000
BRV-0689	Brevard County (Unincorporated)	Circles of Care	W	400 E. Sheridan Rd. - Harden Building	1, 5, 8	1/19/2005	9/30/2030	D	27	\$884,000
BRV-0426	Brevard County (Unincorporated)	Emergency Management	All	LMS Financial Issues Subcommittee	1, 2, 8	8/23/1999	9/30/2030	D	35	\$10,000
BRV-0446	Brevard County (Unincorporated)	Emergency Management	W	Barefoot Bay - Shelters	1, 2, 5, 6, 8	5/24/1999	9/30/2030	D	26	\$250,000
BRV-0447	Brevard County (Unincorporated)	Emergency Management	W	Create LMS Coordinator Position	1, 2, 8	7/20/1999	9/30/2030	D	30	\$68,400
BRV-0787	Brevard County (Unincorporated)	Emergency Management	All	New Brevard County EOC and PSAP Center	2, 5, 8	12/19/2013	12/19/2023	D	52	\$14,404,729
BRV-0222	Brevard County (Unincorporated)	Facilities	UL	Shutters for County Government Center	1, 2, 5, 6, 8	6/1/1999	9/30/2030	D	32	\$197,000
BRV-0234	Brevard County (Unincorporated)	Facilities	W	Purchase 12V to 120V Power Converters	8	6/14/1999	9/30/2030	D	27	\$10,000

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BRV-0235	Brevard County (Unincorporated)	Facilities	All	Harden Clerk of Court Archive Facility	1, 5, 8	11/16/2004	9/30/2030	D	31	\$75,000
BRV-0223	Brevard County (Unincorporated)	Fire Rescue	FR	Metal Shutters for Fire Stations	8, NFPA	7/20/1999	7/25/2012	C	34	\$197,736
BRV-0224	Brevard County (Unincorporated)	Fire Rescue	W	Acquisition of additional brush trucks	8	7/20/1999	7/1/2009	C	20	\$825,000
BRV-0230	Brevard County (Unincorporated)	Fire Rescue	All	Overhead Bay Doors for 10 fire stations	1, 5, 8	7/20/1999	9/30/2030	C	24	\$80,000
BRV-0231	Brevard County (Unincorporated)	Fire Rescue	W	Recur firefighter gear replacement cost	8	11/16/2004	7/25/2012	C	30	\$750,000
BRV-0232	Brevard County (Unincorporated)	Fire Rescue	W	Emergency Comm Improvements	1, 5, 8	11/16/2004	9/30/2030	D	27	\$2,000,000
BRV-0616	Brevard County (Unincorporated)	Fire Rescue	W	Provide Bay Doors for 33 Fire Stations	1, 5, 8	11/16/2004	9/30/2030	D	36	\$197,736
BRV-0643	Brevard County (Unincorporated)	Fire Rescue	W	Fire Station 65 Hardening	8	11/16/2004	7/25/2012	C	26	\$380,235
BRV-0644	Brevard County (Unincorporated)	Fire Rescue	W	Fire Station 64 Hardening	8	7/20/1999	7/25/2012	C	23	\$1,014,299
BRV-0645	Brevard County (Unincorporated)	Fire Rescue	W	Fire Station 62 Hardening	1, 5, 8	11/16/2004	9/30/2030	D	22	\$1,064,891
BRV-0646	Brevard County (Unincorporated)	Fire Rescue	FR	Fire Station 63 Hardening	8	7/20/1999	4/1/2013	D	22	\$1,212,181

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BRV-0667	Brevard County (Unincorporated)	Fire Rescue	UL	Fire Station 21 Hardening	1, 5, 8	1/19/2005	9/30/2030	D	24	\$975,000
BRV-0668	Brevard County (Unincorporated)	Fire Rescue	W	Fire Station 87 Hardening	1, 5, 8	7/20/1999	9/30/2030	D	23	\$1,100,000
BRV-0831	Brevard County (Unincorporated)	Fire Rescue	W	Wind Mitigation of the T. J. Mills Fire Rescue Headquarters Building	1, 5, 8	8/31/2016	8/31/2026	D	64	\$1,200,000
BRV-0848	Brevard County (Unincorporated)	Fire Rescue	W	Weather Bug Stations	1, 5, 8	12/14/2016	12/14/2026	D	40	\$92,000
BRV-0672	Brevard County (Unincorporated)	Florida Solar Energy Center	UL	Post Disaster Building Codes Updates	1, 5, 6, 8	1/19/2005	9/30/2025	D	31	\$80,000
BRV-0673	Brevard County (Unincorporated)	Florida Solar Energy Center	UL	Develop Renewable Power Shelter Guideline	1, 5, 6, 8	1/19/2005	9/30/2025	D	31	\$80,000
BRV-0677	Brevard County (Unincorporated)	Florida Solar Energy Center	UL	Purchase Portable Renewable Generators	1, 5, 6, 8	1/19/2005	9/30/2025	D	26	\$3,407,937
BRV-0678	Brevard County (Unincorporated)	Florida Solar Energy Center	W, H	Purchase Fuel Cell Generator Trailers	1, 5, 6, 8	1/19/2005	9/30/2025	D	30	\$1,450,000
BRV-0679	Brevard County (Unincorporated)	Florida Solar Energy Center	UL	Building Durability & Moisture Intrusion	1, 5, 6, 8	1/19/2005	9/30/2025	D	30	\$500,000
BRV-0680	Brevard County (Unincorporated)	Florida Solar Energy Center	UL	Solar Water Heating for Hotels	1, 5, 6, 8	11/16/2004	9/30/2025	D	17	\$1,646,000
BRV-0681	Brevard County (Unincorporated)	Florida Solar Energy Center	UL	Keep the Lights on for Special Need Homes	1, 5, 6, 8	1/19/2005	9/30/2025	D	14	\$2,100,000

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BRV-0683	Brevard County (Unincorporated)	Florida Solar Energy Center	UL	Alternative-Fuel Cell Emergency Vehicle	1, 5, 6, 8	11/16/2004	9/30/2025	D	30	\$400,000
BRV-0774	Brevard County (Unincorporated)	Library Services	FL	Central Brevard Library - Generator	EPA/TMDL DEP/NEP SJRWMD	10/30/2008	11/1/2014	C	30	\$147,000
BRV-0249	Brevard County (Unincorporated)	Natural Resources	FL	Sarno Lakes Phase 1 - Drainage	SWU	11/16/2004	8/31/2013	C	23	\$800,000
BRV-0269	Brevard County (Unincorporated)	Natural Resources	FL	Crane Creek Phase 1 - Drainage	SWU	11/16/2004	12/31/2014	C	28	\$220,000
BRV-0528	Brevard County (Unincorporated)	Natural Resources	FL	Old Oak Lodge Hammock	1, 5, 6, 8,	7/20/1999	12/31/1930	D	25	\$8,200,000
BRV-0583	Brevard County (Unincorporated)	Natural Resources	All	Crane Creek St. Johns Outfall Improvements	SWU, 5	11/16/2004	8/31/2013	C	18	\$3,959,000
BRV-0584	Brevard County (Unincorporated)	Natural Resources	FL	Sarno Lakes Phase 2	SWU, 5	7/20/1999	8/31/2013	C	18	\$1,572,550
BRV-0585	Brevard County (Unincorporated)	Natural Resources	FL	Upper Eau Gallie Improvements	SWU, 5	11/16/2004	9/30/2030	D	18	\$2,600,000
BRV-0620	Brevard County (Unincorporated)	Natural Resources	FL	South Beach Residential Prop Acquisition	SWU/NRCS EWP	10/30/2008	6/15/2009	C	28	\$7,665,060
BRV-0621	Brevard County (Unincorporated)	Natural Resources	FL, SS	South Beaches Vacant Property Acquisition	SWU, 5	5/21/2003	12/31/2020	D	29	\$3,446,000

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BRV-0622	Brevard County (Unincorporated)	Natural Resources	FL	South Beaches Commercial Prop Acquisition	SWU, 1	10/30/2008	4/30/2015	IP	28	\$3,436,850
BRV-0739	Brevard County (Unincorporated)	Natural Resources	E, SS	Flood Hazard Mitigation-Kingsmill Subdivision, Palomino Rd & Aurora Rd	5, 7, 8	11/16/2004	12/31/2030	D	22	\$1,500,000
BRV-0740	Brevard County (Unincorporated)	Natural Resources	E, SS	Flood Hazard Mitigation-Windover Farms, Lake Washington/Post Road residential areas	5, 7, 8	11/16/2004	12/31/2030	D	24	\$1,000,000
BRV-0751	Brevard County (Unincorporated)	Natural Resources	FL	Broadway Drainage Hardening	USGS PD	10/30/2008	6/1/2009	C	27	\$420,000
BRV-0752	Brevard County (Unincorporated)	Natural Resources	FL	Flood hazard mitigation - West Cocoa	SWU, 5	11/16/2004	10/31/2014	IP	35	\$3,050,000
BRV-0753	Brevard County (Unincorporated)	Natural Resources	E, SS	Flood hazard mitigation - north Merritt island	SWU, 5	11/16/2004	12/31/2030	D	17	\$4,700,000
BRV-0832	Brevard County (Unincorporated)	Natural Resources	FL	Mud Lake Acquisition for West Cocoa drainage improvement	1, 5, 6, 8	4/14/2016	4/14/2026	D	36	\$1,500,000
BRV-0833	Brevard County (Unincorporated)	Natural Resources	FL	Scottsmoor Project K: Burkholm Rd. Basin drainage improvement	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$527,440
BRV-0834	Brevard County (Unincorporated)	Natural Resources	FL	Scottsmoor Project J: Harrison Rd, Aurantia Rd, D. Johnson Ave, & Lloyd St drainage improvement	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$987,000
BRV-0835	Brevard County (Unincorporated)	Natural Resources	FL	Rosehill Estates drainage improvement	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$343,400



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BRV-0836	Brevard County (Unincorporated)	Natural Resources	FL	Grecian Estates, Dalehurst Ranches & Pines drainage improvements	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$850,000
BRV-0837	Brevard County (Unincorporated)	Natural Resources	FL	Micco Project B: Outfall removal and pond construction drainage improvement	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$750,000
BRV-0838	Brevard County (Unincorporated)	Natural Resources	FL	Upper Eau Gallie Northwest drainage improvements	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$3,600,000
BRV-0840	Brevard County (Unincorporated)	Natural Resources	FL	L-1 Canal Stabilization	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$2,200,000
BRV-0843	Brevard County (Unincorporated)	Natural Resources	FL	Merritt Ridge Basin P1-4 Project B: drainage improvements	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$64,680
BRV-0844	Brevard County (Unincorporated)	Natural Resources	FL	Scottsmoor Project B: Flounder Creek Rd. drainage improvements	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$316,546
BRV-0845	Brevard County (Unincorporated)	Natural Resources	FL	North Basin (Fiske Blvd) Phase I drainage improvements	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$178,560
BRV-0846	Brevard County (Unincorporated)	Natural Resources	FL	Baymeadows Project H: Parkland Ditch drainage improvements	1, 5, 6, 8	4/14/2016	4/14/2026	D	24	\$22,750
BRV-0847	Brevard County (Unincorporated)	Natural Resources	FL	Lake Washington Road Ditch Bank Restoration	1, 5, 6, 9	12/14/2016	12/14/2026	D	28	\$400,000
BRV-0863	Brevard County (Unincorporated)	Natural Resources	FL	West Cocoa SFHA Property Acquisition	5, SWU	6/25/2018	6/25/2022	IP	36	\$4,725,000

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BRV-0868	Brevard County (Unincorporated)	Natural Resources	FL	Mud Lake Acquisition for West Cocoa drainage improvements	5, SWU	7/16/2018	7/16/2028	IP	36	\$817,464
BRV-0869	Brevard County (Unincorporated)	Natural Resources	FL	NMI (Church, Horseshoe, Crisafulli) - SFHA Acquisitions	5, SWU	7/16/2018	7/16/2028	IP	24	\$2,582,000
BRV-0870	Brevard County (Unincorporated)	Natural Resources	FL	Legay - SFHA Acquisitions	5, 8	7/16/2018	7/16/2028	IP	24	\$600,000
BRV-0871	Brevard County (Unincorporated)	Natural Resources	FL	Silver Pines - SFHA Acquisitions	5, 8	7/20/2028	7/16/2028	IP	24	\$1,100,000
BRV-0250	Brevard County (Unincorporated)	Road & Bridge	W	Aurantia Road - Drainage, Retention Pond	1, 5, 6, 8	7/20/1999	9/30/2020	D	15	\$350,000
BRV-0251	Brevard County (Unincorporated)	Road & Bridge	FL	Hammock Road - Eliminate Flooding	1, 5, 6, 8	7/20/1999	9/30/2020	D	18	\$550,000
BRV-0252	Brevard County (Unincorporated)	Road & Bridge	FL	Windover Farms - Retention Areas	1, 5, 6, 8	7/20/1999	9/30/2020	D	21	\$4,000,000
BRV-0253	Brevard County (Unincorporated)	Road & Bridge	W	West I-95/Six Mile Creek - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	15	\$2,500,000
BRV-0254	Brevard County (Unincorporated)	Road & Bridge	FL, SS, W	Lloyd and Harrison - Build up	1, 5, 6, 8	7/20/1999	9/30/2020	D	12	\$1,000,000
BRV-0255	Brevard County (Unincorporated)	Road & Bridge	W	Hatbill Road - Build up road	1, 5, 6, 8	6/20/1999	9/30/2020	D	17	\$400,000
BRV-0256	Brevard County (Unincorporated)	Road & Bridge	FL	Salt Lake Landing - Build up road	1, 5, 6, 8	7/20/1999	9/30/2020	D	18	\$150,000

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BRV-0257	Brevard County (Unincorporated)	Road & Bridge	FL	Welding, Tire, and Equip Shop - Shutters	1, 5, 6, 8	7/20/1999	9/30/2020	D	28	\$8,000
BRV-0258	Brevard County (Unincorporated)	Road & Bridge	FL	Maint Facility, 2675 Flake Rd. - Shutters	1, 5, 6, 8	6/20/1999	9/30/2020	D	28	\$6,000
BRV-0259	Brevard County (Unincorporated)	Road & Bridge	FL	5 changeable Message Signs	1, 5, 6, 8	7/20/1999	9/30/2020	D	34	\$100,000
BRV-0275	Brevard County (Unincorporated)	Road & Bridge	ALL	Palm Estates/Shakespeare Park - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	24	\$220,000
BRV-0276	Brevard County (Unincorporated)	Road & Bridge	FL	Victor Road - Increase retention dune	1, 5, 6, 8	7/20/1999	9/30/2020	D	24	\$35,000
BRV-0278	Brevard County (Unincorporated)	Road & Bridge	FL	Hidden Pine Ranchettes - Swale system	1, 5, 6, 8	7/20/1999	9/30/2020	D	24	\$5,000
BRV-0279	Brevard County (Unincorporated)	Road & Bridge	FL	Friday Acres - Replace damaged pipe	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$30,000
BRV-0280	Brevard County (Unincorporated)	Road & Bridge	FL	Grecian Estates - Raise road elevation	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$75,000
BRV-0281	Brevard County (Unincorporated)	Road & Bridge	FL	Hall ,Chase Hammock, etc - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	23	\$750,000
BRV-0282	Brevard County (Unincorporated)	Road & Bridge	FL	Judson Road - Pave road	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$250,000
BRV-0283	Brevard County (Unincorporated)	Road & Bridge	FL	Barton Blvd. West Extension - Pave road	1, 5, 6, 8	7/20/1999	9/30/2020	D	25	\$80,000

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BRV-0284	Brevard County (Unincorporated)	Road & Bridge	UL	Rockledge Drive (South) -	1, 5, 6, 8	7/20/1999	9/30/2020	D	25	\$40,000
BRV-0285	Brevard County (Unincorporated)	Road & Bridge	FL	Satellite Blvd - Improve road & Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	19	\$800,000
BRV-0286	Brevard County (Unincorporated)	Road & Bridge	W	Range, Lake, Gray Roads - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	C	20	\$122,000
BRV-0287	Brevard County (Unincorporated)	Road & Bridge	FL	North Gray Road - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	29	\$50,000
BRV-0288	Brevard County (Unincorporated)	Road & Bridge	FL	Lake Drive, Cocoa - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	27	\$30,000
BRV-0289	Brevard County (Unincorporated)	Road & Bridge	FL	Mathers Bridge - Replace Bridge	1, 5, 6, 8	6/20/1999	9/30/2020	D	21	\$2,000,000
BRV-0290	Brevard County (Unincorporated)	Road & Bridge	FL	555 Cone Road - Rep Storm Damage Facility	1, 5, 6, 8	6/20/1999	9/30/2020	D	29	\$800,000
BRV-0291	Brevard County (Unincorporated)	Road & Bridge	FL	Cone Rd, Office Bldg & Storage - Shutters	1, 5, 6, 8	7/20/1999	9/30/2020	D	21	\$1,000,000
BRV-0292	Brevard County (Unincorporated)	Road & Bridge	FL	Wenner Way - Replace Damaged Facilities	1, 5, 6, 8	7/20/1999	9/30/2020	D	26	\$669,650
BRV-0293	Brevard County (Unincorporated)	Road & Bridge	FL	#400-07 Office and Storage Fac - Shutters	1, 5, 6, 8	7/20/1999	9/30/2020	D	25	\$1,664
BRV-0294	Brevard County (Unincorporated)	Road & Bridge	W	East, Citrus River Ranchettes - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$170,000

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BRV-0295	Brevard County (Unincorporated)	Road & Bridge	FL	East (6) Areas Joseph/Pine Isl - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	22	\$3,000,000
BRV-0296	Brevard County (Unincorporated)	Road & Bridge	FL	MacArthur Heights - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	24	\$69,900
BRV-0297	Brevard County (Unincorporated)	Road & Bridge	FL	Pinebreeze Park - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$750,000
BRV-0298	Brevard County (Unincorporated)	Road & Bridge	FL	Riviera Blvd, North Riverside - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	19	\$100,000
BRV-0299	Brevard County (Unincorporated)	Road & Bridge	W	Lake Washington, Wickham - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	17	\$150,000
BRV-0300	Brevard County (Unincorporated)	Road & Bridge	FL	Parkway Drive, Wickham/Harlock - Drainage	1, 5, 6, 8	6/20/1999	9/30/2020	D	17	\$280,000
BRV-0301	Brevard County (Unincorporated)	Road & Bridge	FL	Croton Road, Post/Parkway - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	15	\$150,000
BRV-0302	Brevard County (Unincorporated)	Road & Bridge	FL	Harlock Road, Aurora/Lake Wash - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	18	\$200,000
BRV-0303	Brevard County (Unincorporated)	Road & Bridge	FL	Rodes Blvd, SR192/Ellis - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	17	\$300,000
BRV-0304	Brevard County (Unincorporated)	Road & Bridge	FL	N. Riverside, Eau Gallie/Coral - Drainage	1, 5, 6, 8	6/20/1999	9/30/2020	D	14	\$200,000
BRV-0305	Brevard County (Unincorporated)	Road & Bridge	FL	Wickham Road, Sarno/Ellis - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$200,000

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BRV-0306	Brevard County (Unincorporated)	Road & Bridge	FL	Wickham Rd/Eau Gallie Creek - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$200,000
BRV-0307	Brevard County (Unincorporated)	Road & Bridge	UL	Old Dixie Highway, Grant/Shell - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	14	\$1,300,000
BRV-0308	Brevard County (Unincorporated)	Road & Bridge	FL	Micco Road, Babcock/Dottie Ln. - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	17	\$200,000
BRV-0309	Brevard County (Unincorporated)	Road & Bridge	FL	Grant Road, Babcock/Brabrook - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	18	\$300,000
BRV-0310	Brevard County (Unincorporated)	Road & Bridge	FL	Bahama Drive, Riverside/Palm - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	19	\$80,000
BRV-0311	Brevard County (Unincorporated)	Road & Bridge	W	Lake Washington Estate, Dist 4 - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	16	\$500,000
BRV-0312	Brevard County (Unincorporated)	Road & Bridge	FL	Crane Creek - Dist. 3 & 5 - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	15	\$1,200,000
BRV-0313	Brevard County (Unincorporated)	Road & Bridge	FL	Simon Rd, West I95/South SR192 - Drainage	1, 5, 6, 8	6/20/1999	9/30/2020	D	18	\$100,000
BRV-0314	Brevard County (Unincorporated)	Road & Bridge	FL	Wickham, Sarno South to Ellis - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	20	\$200,000
BRV-0315	Brevard County (Unincorporated)	Road & Bridge	W	Deer Run Subdivision - Drainage	1, 5, 6, 8	6/20/1999	9/30/2020	D	13	\$300,000
BRV-0316	Brevard County (Unincorporated)	Road & Bridge	FL	Valkaria, Micco/Babcock - Drainage Study	1, 5, 6, 8	7/20/1999	9/30/2020	D	9	\$1,200,000

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BRV-0317	Brevard County (Unincorporated)	Road & Bridge	FL	Dist 5, Pinetree/Franklin, A1A - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	17	\$400,000
BRV-0318	Brevard County (Unincorporated)	Road & Bridge	FL	Post/Aurora, Turtlemond/Lake W.- Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	11	\$1,000,000
BRV-0319	Brevard County (Unincorporated)	Road & Bridge	FL	Windover Farms - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	18	\$800,000
BRV-0320	Brevard County (Unincorporated)	Road & Bridge	W	June Pk, Police, Brandywine- Drainage Study	1, 5, 6, 8	7/20/1999	9/30/2020	D	13	\$250,000
BRV-0321	Brevard County (Unincorporated)	Road & Bridge	FL	4690 N Wickham - Rebuild Storage Facility	1, 5, 6, 8	7/20/1999	9/30/2020	D	26	\$32,000
BRV-0322	Brevard County (Unincorporated)	Road & Bridge	FL	4690 N Wickham - Repl Trailer w/ Building	1, 5, 6, 8	7/20/1999	9/30/2020	D	25	\$8,000
BRV-0323	Brevard County (Unincorporated)	Road & Bridge	FL	6170 SW Babcock- Rebuild office & storage	1, 5, 6, 8	7/20/1999	9/30/2020	D	22	\$109,000
BRV-0324	Brevard County (Unincorporated)	Road & Bridge	SS	1445 Wickham Wy- Rebuild Storage Facility	1, 5, 6, 8	7/20/1999	9/30/2020	D	23	\$40,500
BRV-0325	Brevard County (Unincorporated)	Road & Bridge	FL	4690 N Wickham - Replace Generator & Shed	1, 5, 6, 8	7/20/1999	9/30/2020	D	27	\$33,000
BRV-0424	Brevard County (Unincorporated)	Road & Bridge	FL	Merritt Park - Stormwater improvements	1, 5, 6, 8	6/20/1999	9/30/2020	D	25	\$125,000
BRV-0425	Brevard County (Unincorporated)	Road & Bridge	FL	Skylark Blvd. - Drainage	1, 5, 6, 8	7/20/1999	9/30/2020	D	24	\$100,000

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BRV-0271	Brevard County (Unincorporated)	Sheriff's Office	W	Enhanced Grounding for transmitter	800 Mhz	11/16/2004	7/12/2005	C	33	\$245,000
BRV-0273	Brevard County (Unincorporated)	Sheriff's Office	ALL	Auto start generator for tower	800 Mhz	1/31/2002	7/12/2005	C	33	\$59,000
BRV-0524	Brevard County (Unincorporated)	Sheriff's Office	ALL	Replace 125 800Mhz Radios	800 Mhz	7/20/1999	7/12/2005	C	30	\$500,000
BRV-0884	Brevard County (Unincorporated)	Sheriff's Office	UL	County 911 Communications Generator	5, 8	1/6/2020	1/6/2030	N	44	\$100,000
BRV-0582	Brevard County (Unincorporated)	Solid Waste	FL	Shutters, Sarno and Central Disposal Fac	SWU, 5	7/20/1999	3/31/2011	C	34	\$8,000
BRV-0623	Brevard County (Unincorporated)	Transportation Engineering	ALL	Traffic Operations Relocation	8	11/16/2004	9/30/2015	IP	31	\$3,320,000
BRV-0624	Brevard County (Unincorporated)	Transportation Engineering	FL	Intelligent Transportation System (ITS)	1, 5, 6, 8	11/16/2004	9/30/2020	D	28	\$8,440,000
BRV-0625	Brevard County (Unincorporated)	Transportation Engineering	FL	Convert Traffic Signal to Mast Arm Assm	1, 5, 6, 8	11/16/2004	9/30/2020	D	32	\$5,425,000
BRV-0626	Brevard County (Unincorporated)	Transportation Engineering	FL	Retrofit Traffic Signal Emergency Power	1, 5, 6, 8	11/16/2004	9/30/2020	D	30	\$293,750
BRV-0627	Brevard County (Unincorporated)	Transportation Engineering	UL	Emergency Communications Equipment	8	11/16/2004	11/16/2005	C	37	\$115,000
BRV-0629	Brevard County (Unincorporated)	Transportation Engineering	FL, SS	Repetitive Loss Property Acquisition 2	1, 5, 6, 8	11/16/2004	9/30/2025	D	34	\$252,000



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BRV-0632	Brevard County (Unincorporated)	Transportation Engineering	FL	Repetitive Loss Property Acquisition 5	1, 5, 6, 8	11/16/2004	9/30/2025	D	35	\$120,000
BRV-0633	Brevard County (Unincorporated)	Transportation Engineering	FL	Repetitive Loss Property Acquisition 6	8	11/16/2004	9/30/2021	IP	35	\$163,000
BRV-0634	Brevard County (Unincorporated)	Transportation Engineering	FL	Repetitive Loss Property Acquisition 7	1, 5, 6, 8	7/20/1999	9/30/2020	D	35	\$135,000
BRV-0635	Brevard County (Unincorporated)	Transportation Engineering	FL	Repetitive Loss Property Acquisition 8	1, 5, 6, 8	11/16/2004	9/30/2021	IP	35	\$129,000
BRV-0636	Brevard County (Unincorporated)	Transportation Engineering	FL	Repetitive Loss Property Acquisition 9	1, 5, 6, 8	11/16/2004	9/30/2020	IP	35	\$84,000
BRV-0755	Brevard County (Unincorporated)	Utility Services	UL	Slip Lining Beachside sewer lines	8	1/19/2005	7/22/1905	IP	23	\$15,000,000
BRV-0852	Brevard County (Unincorporated)	Utility Services	UL	Barefoot Bay - Slip Lining of Sewer Lines	1, 5, 6, 9	4/13/2018	4/13/2028	D	32	\$1,500,000
BRV-0669	Brevard County (Unincorporated)	Wuesthoff Health Systems	UL	Wuesthoff Prog Care Fac Harden Win/Door	8	1/19/2005	7/17/1905	D	25	\$87,000
BRV-0670	Brevard County (Unincorporated)	Wuesthoff Health Systems	W	Assisted Liv Fac Harden Win/Door Shutters	8	11/18/1999	7/3/1905	C	27	\$194,000
BRV-0696	Brevard County (Unincorporated)	Wuesthoff Health Systems	W	Wuesthoff Medical Center - Generator	8	11/16/2004	7/17/1905	D	29	\$350,000
BRV-0697	Brevard County (Unincorporated)	Wuesthoff Health Systems	W	Wuesthoff Medical Center - Replace Roof	8	11/16/2004	7/17/1905	D	29	\$400,000

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BRV-0407	Brevard Public Schools	Planning & Project Management	ALL	Oak Park Elementary - Generator/Wiring	5, 8	10/1/2014	7/12/1905	IP	38	\$121,357
BRV-0410	Brevard Public Schools	Planning & Project Management	UL	Melbourne High School, Wiring	5, 8	10/1/2014	6/30/1905	C	18	\$25,000
BRV-0413	Brevard Public Schools	Planning & Project Management	UL	Apollo Elem School-Generator/Wiring	5, 8	7/20/1999	7/12/1905	D	18	\$25,000
BRV-0700	Brevard Public Schools	Planning & Project Management	W	Emergency Protective Meas for Edu Svc Fac	5, 8	1/19/2005	7/17/1905	D	34	\$50,000
BRV-0701	Brevard Public Schools	Planning & Project Management	UL	BCOEM Special Needs Shelters - Generators	5, 8	10/1/2014	7/2/1905	C	27	\$3,200,000
BRV-0703	Brevard Public Schools	Planning & Project Management	UL	Shutter Installation - Central Middle School	5, 8	10/1/2014	7/5/1905	C	26	\$200,000
BRV-0705	Brevard Public Schools	Planning & Project Management	UL	Potable Water Tanks & Sew Res for EHPA's	5, 8	10/1/2014	6/30/1905	C	29	\$234,000
BRV-0706	Brevard Public Schools	Planning & Project Management	UL	Communication Improvements @ Heritage HS	5, 8	10/1/2014	7/1/1905	C	33	\$104,000
BRV-0866	Brevard Public Schools	Planning & Project Management	W	Hardening of Brevard Public Schools with Impact Resistant Glass	5, 8	7/16/2018	7/16/2028	D	48	\$3,000,000
BRV-0142	Cape Canaveral	City Hall/Admin.	UL	Telephone emergency alert system	8	11/18/1999	7/3/1905	C	27	\$150,000
BRV-0143	Cape Canaveral	Public Works	FL, W	Sewer Lift Stations - 60 Kw Generator	5, 8	11/18/1999	7/10/1905	D	29	\$90,000

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BRV-0145	Cape Canaveral	Public Works	UL	Cape Canaveral stormwater upgrade	5, 8	11/18/1999	7/10/1905	D	19	\$6,000,000
BRV-0146	Cape Canaveral	Public Works	W, UL	Portable Lighting Generator	5, 8	11/18/1999	7/10/1905	D	24	\$50,000
BRV-0148	Cape Canaveral	Public Works	FL, SS, E	Clean, restore 3,000 ft of drainage canal	5, 8	11/18/1999	7/8/1905	D	25	\$750,000
BRV-0102	Cocoa	Fire Department	W, UL	Enclose generators at 3 Fire Stations	5, 8	5/6/1999	6/30/2020	D	32	\$5,000
BRV-0246	Cocoa	Fire Department	W	Install storm shutters Cocoa Civic Centers	5, 8	5/6/1999	6/30/2020	D	22	\$8,000
BRV-0247	Cocoa	Fire Department	W	Remove shingle roofing from Fire Stn 2	8	5/6/1999	9/1/2019	C	25	\$50,000
BRV-0756c	Cocoa	Public Works	FL	Strengthen Public Works Facility	5, 8	1/19/2005	6/30/2020	D	25	\$300,000
BRV-0757	Cocoa	Public Works	FL	Diamond Square Drainage Improvements	5, 8	1/19/2005	7/4/1905	C	16	\$500,000
BRV-0758c	Cocoa	Public Works	W	Reconstruct Fire Station #2	8	1/19/2005	6/30/2020	D	19	\$1,500,000
BRV-0872	Cocoa	Public Works	FL	Fiske Blvd. Drainage Improvements	5, 8	7/16/2018	7/16/2028	D	28	\$600,000
BRV-0874	Cocoa	Public Works	FL	Broadmoor Drainage Improvements	5, 8	7/16/2018	7/16/2028	D	24	\$3,092,780
BRV-0878	Cocoa	Public Works	E, UL	Indian River Drive Bank Stabilization	5, 8	1/6/2020	1/6/2030	N	24	\$530,300
BRV-0106	Cocoa	Utilities	UL	Generators at 15 lift stations	5, 8	5/6/1999	6/30/2020	D	29	\$375,000
BRV-0113	Cocoa	Utilities	W	Replace rollup door IPPS	5, 8	5/6/1999	6/30/2020	D	34	\$10,000
BRV-0116	Cocoa	Utilities	UL	Emergency Power Generator Industrial Park PS	8	1/15/1999	6/30/2015	C	32	\$130,000

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BRV-0118	Cocoa	Utilities	UL	Generator Utilities Admin Bldg	5, 8	5/6/1999	7/4/1905	D	30	\$30,000
BRV-0122	Cocoa	Utilities	W	Storm shutters on HS pump bldg Dyal WTP	8	5/6/1999	12/31/2015	C	34	\$30,000
BRV-0123	Cocoa	Utilities	W	Replace rollup door Wewahootee WTP	5, 8	5/6/1999	6/30/2020	D	31	\$3,000
BRV-0873	Cocoa	Utilities	UL, FL	Lift Station 1 Reconstruction/Generator	5, 8	7/16/2018	7/16/2028	D	28	\$844,000
BRV-0876	Cocoa	Crosswinds Youth Services, Inc.	UL	Robert E. Lehton Children's Shelter Generator	5, 8	7/19/2019	7/19/2029	N	28	\$91,833
BRV-0789	Cocoa Beach	Communications	UL	Communications Tower	2, 8	8/29/2014	1/15/2016	D	56	\$30,000
BRV-0788	Cocoa Beach	Fire Department	L	Citywide Lightning Prediction System	5, 8	8/29/2014	3/1/2016	D	25	\$62,105
BRV-0790	Cocoa Beach	Fire Department	UL	VHF back-up radio system	1, 2	8/29/2014	6/30/2015	D	25	\$60,000
BRV-0340	Cocoa Beach	Public Works	FL	Storm Shutters - Fire Station #1	8	1/15/1999	5/10/2005	C	24	\$7,000
BRV-0342	Cocoa Beach	Public Works	W	Storm Shutter - Fire Station #2	8	1/15/1999	3/1/2005	C	22	\$8,000
BRV-0343	Cocoa Beach	Public Works	W	Storm Shutters - Utilities	8	1/15/1999	11/1/2004	C	31	\$17,500
BRV-0345	Cocoa Beach	Public Works	W	Recreation Storm Shutters	8	1/15/1999	2/28/2015	D	28	\$140,000
BRV-0351	Cocoa Beach	Public Works	W	Traffic Control Devices (emergency)	8	1/15/1999	8/1/2006	C	23	\$5,000
BRV-0875	Cocoa Beach	Public Works	UL	Emergency Generators to Power Key Traffic Signals	5, 8	7/16/2018	7/16/2028	D	28	\$12,000
BRV-0434	Cocoa Beach	Stormwater Utility	FL	Atlantic Av Stormwater Project	4	10/15/2014	11/15/2017	D	23	\$250,000

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BRV-0436	Cocoa Beach	Stormwater Utility	ALL	Downtown Stormwater Project	FDEP/FDOT/IRLNEP	10/15/2014	11/15/2017	IP (design)	31	\$800,000
BRV-0759	Cocoa Beach	Stormwater Utility	FL	Fairways DR Flood Mitigation	8	1/15/1999	1/15/2011	C	27	\$1,000,000
BRV-0856	Cocoa Beach	Water Reclamation	UL	Lift Station Generators	5, 8	4/13/2018	4/13/2028	D	28	\$400,000
BRV-0798	Grant-Valkaria	Brevard County Parks & Recreation	UL	Generator - Habitat Golf Course Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0814	Grant-Valkaria	Brevard County Parks & Recreation	W	Shutters - Habitat Golf Course Clubhouse	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0784	Grant-Valkaria	Town Hall	FL	Stormwater Master Plan	8	10/30/2008	3/1/2014	C	26	\$50,000
BRV-0785	Grant-Valkaria	Town Hall	FL	Emergency radios	1, 5, 6, 8	10/30/2008	1/1/2020	D	28	\$2,500
BRV-0786	Grant-Valkaria	Town Hall	All	Town Hall	8	10/30/2008	3/1/2014	C	23	\$500,000
BRV-0791	Grant-Valkaria	Town Hall	UL	Emergency Generator for New Town Hall	8	8/29/2014	6/25/2019	C	0	\$30,000
BRV-0734	Indialantic	Fire/Rescue Department	W	Replace Bay Doors to wind - resistant doors	8	9/20/2009	3/1/2011	C	29	\$5,000
BRV-0779	Indialantic	Public Works	W	Public Works Garage Doors	8, 6	9/20/2009	9/1/2019	D	24	\$6,000
BRV-0780	Indialantic	Public Works	W	Nance Park Restrooms	8, 6	9/20/2009	9/1/2019	D	23	\$102,000
BRV-0803	Indian Harbour Beach	Brevard County Parks & Recreation	UL	Generator - North Beaches Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000

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BRV-0193	Indian Harbour Beach	City Hall/Admin	W, UL	Community Services Center Generator	5, 8	4/5/1999	4/1/2020	U	25	\$95,000
BRV-0002	Indian Harbour Beach	City Hall/Admin.	FL	Retrofit Ind Harbour Main Drainage Canal	1, 4, 5, 8	2/4/2014	1/1/2020	D	34	\$500,000
BRV-0007	Indian Harbour Beach	City Hall/Admin.	FR, UL	Hooking up power & Adding generator to RC storage unit. Part of COOP Plan	8	2/4/2014	1/1/2020	D	29	\$15,000
BRV-0003	Indian Harbour Beach	Fire Department	FR	Replacing Engine 356 (20yrs old)	8	2/4/2014	1/1/2025	D	25	TBD
BRV-0004	Indian Harbour Beach	Fire Department	FR	Replacing Ladder Truck 56 (15yrs old)	8	2/4/2014	1/1/2025	D	25	TBD
BRV-0005	Indian Harbour Beach	Fire Department	FR	Replacing SCBA bottles/packs	8	2/4/2014	1/1/2020	D	25	TBD
BRV-0006	Indian Harbour Beach	Fire Department	W	Extending Southside Fire Bays	8	11/18/1999	1/1/2020	D	25	TBD
BRV-0792	Malabar	Town Hall	W	Town Hall (Shutters/Window Retrofit) Greening	5,6,8	8/29/2014	9/30/2016	D	25	\$14,500
BRV-0404	Melbourne	Brevard County Parks & Recreation	UL	Generator, Wickham Park Campground	1, 5, 6, 8	7/20/1999	7/20/2020	D	28	\$8,500
BRV-0810	Melbourne	Brevard County Parks & Recreation	UL	Generator - Wickham Park Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0811	Melbourne	Brevard County Parks & Recreation	UL	Generator - Wickham Park Senior Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0168	Melbourne	City Hall/Admin.	UL	Streets Dept. - Generator Bldg.	1, 4, 5, 8	7/20/1999	1/1/2020	D	29	\$17,000
BRV-0612	Melbourne	City Hall/Admin.	W	Intersection at 7 locations - Mast Arms	8	11/16/2004	9/30/2014	C	28	\$1,525,000

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BRV-0613	Melbourne	City Hall/Admin.	E	Front St. Park Shoreline Stabilization	8	11/16/2004	6/8/2006	C	0	\$200,000
BRV-0877	Melbourne	City Hall/Admin.	UL	Fire Stations & Fleet Services Generators	5, 8	7/19/2019	7/19/2029	D	32	\$582,000
BRV-0853	Melbourne	Florida Institute of Technology	W/UL	Panther Dining Hall Hardening & Backup Power	8	4/13/2018	4/13/2028	D	40	\$331,906
BRV-0854	Melbourne	Florida Institute of Technology	W/UL	Harris Village Hardening & Backup Power	8	4/13/2018	4/13/2028	D	36	\$1,270,376
BRV-0855	Melbourne	Florida Institute of Technology	W/UL	Shaw Hall Hardening & Backup Power	5, 8	4/13/2018	4/13/2028	D	32	\$619,199
BRV-0862	Melbourne	Melbourne Fire Department	W	Hardening of Melbourne Fire Department Fire Stations	5, 8	6/25/2018	6/25/2022	D	48	\$176,000
BRV-0733	Melbourne	Public Works	E	US 1 Scenic Corridor Stormwater Washout	FDOT	1/19/2005	12/16/2013	C	30	\$100,000
BRV-0824	Melbourne	Public Works	FL, E	Parkway Ditch Piping-mitigate drainage ditch erosion	1, 4, 5, 6, 8	6/15/2015	6/15/2020	D	24	\$1,755,000
BRV-0825	Melbourne	Public Works	FL	Dairy Road at Kanawha Street Drainage Improvements	4, 5, 7, 8	6/15/2015	6/15/2020	D	9	\$250,000
BRV-0826	Melbourne	Public Works	FL	Edgewood Ditch North Bank Erosion Control	4, 5, 7, 8	6/15/2015	6/15/2020	D	30	\$1,970,000
BRV-0827	Melbourne	Public Works	FL	Florida Ave Drainage Improvements	4, 5, 7, 8	6/15/2015	6/15/2020	D	25	\$750,000
BRV-0849	Melbourne	Public Works	FL	Paradise Blvd. Ditch Retrofit	1, 5, 6, 8	4/18/2017	4/18/2027	D	15	\$850,000
BRV-0850	Melbourne	Public Works	FL	North-South Terminal Canal Erosion Ctrl.	1, 5, 6, 8	4/18/2017	4/18/2027	D	6	\$1,800,000
BRV-0864	Melbourne Beach	Administration	UL	Emergency Generator/Communications	5, 8	7/16/2018	7/16/2028	D	52	\$156,000
BRV-0778	Melbourne Beach	Public Works	FL, SS	Orange St. Exfiltration	8	10/30/2008	7/12/1905	D	25	TBD

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BRV-0204	Melbourne Beach	Town Hall	UL	Incorp Mitigation Strategy to Comp Plan	8	10/30/2008	7/8/1905	IP 10%	31	\$4,000
BRV-0205	Melbourne Beach	Town Hall	ALL	6th Ave Area - Stormwater Drainage	5	11/18/1999	7/2/1905	C	26	\$600,000
BRV-0749	Melbourne Beach	Town Hall	FL, SS	Basin 8- Pine Street	5	11/18/1999	7/5/1905	C	27	\$271,000
BRV-0215	Melbourne Village	Town Hall/Police Dept.	W	Town Hall /Police Department Shutters	8	6/14/1999	7/1/1905	C	27	\$6,000
BRV-0216	Melbourne Village	Town Hall/Police Dept.	UL	Town Hall Police Department Generator	8	6/14/1999	7/1/1905	C	29	\$10,000
BRV-0217	Melbourne Village	Town Hall/Police Dept.	UL	Rights-of-Way Tree Trimming	8	6/14/1999	7/1/1905	C	24	\$4,000
BRV-0218	Melbourne Village	Town Hall/Police Dept.	W	Town Garage Shutters	8	6/14/1999	7/1/1905	C	28	\$2,500
BRV-0219	Melbourne Village	Town Hall/Police Dept.	All Hazards	Purchase Emergency Communication Equipt.	8	6/14/1999	7/1/1905	C	29	\$8,000
BRV-0220	Melbourne Village	Town Hall/Police Dept.	W	Purchase A Waterouse Pump	8	6/14/1999	7/1/1905	C	28	\$2,500
BRV-0797	Palm Bay	Brevard County Parks & Recreation	UL	Generator - Greater Palm Bay Senior Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	23	\$50,000
BRV-0805	Palm Bay	Brevard County Parks & Recreation	UL	Generator - Palm Bay Regional Park Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	23	\$50,000
BRV-0813	Palm Bay	Brevard County Parks & Recreation	W	Shutters - Greater Palm Bay Senior Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	23	\$10,000
BRV-0737	Palm Bay	Emergency Management	ALL	Standby Generator	1, 5, 6, 8	7/20/1999	9/30/2019	D	31	\$200,000



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BRV-0187	Palm Bay	Fire Department	ALL	Training Facility	Fire Impact Fee	7/20/1999	9/30/2016	U	29	\$2,500,000
BRV-0857	Palm Bay	Fire Department	W, UL	Hardening Fire Stations 1 & 5	5, 8	4/13/2018	4/13/2028	U	44	\$509,750
BRV-0858	Palm Bay	Fire Department	W, UL	Hardening for Fire Stations 2, 3, 4	5, 8	4/13/2018	4/13/2028	IP	44	\$504,643
BRV-0860	Palm Bay	Growth Management	FL	Cimмерon Circle Repetative Loss Acquisitions	5, 7, 8	4/13/2018	4/13/2028	D	30	\$1,980,000
BRV-0736	Palm Bay	Police Department	FL	Interoperable Communication Equipment	1, 5, 6, 8	7/20/1999	9/30/2019	D	36	\$200,000
BRV-0760	Palm Bay	Police Department	ALL	Law Enforcement Mobile Command Vehicle	US DOJ – COPS Grant & LETF Funds	11/9/2004	9/30/2012	C	32	\$800,000
BRV-0128	Palm Bay	Public Works	E	Basin 11 Powell Subdivision Drainage	3	7/20/1999	9/30/2007	C	20	\$750,000
BRV-0130	Palm Bay	Public Works	FL	Basin 2 Kingswood Dr.- Drainage	3	7/20/1999	1/31/2015	IP	26	\$200,000
BRV-0136	Palm Bay	Public Works	FL	Spare Traffic Signal-Backup power	8	7/20/1999	10/31/2013	C	33	\$150,000
BRV-0492	Palm Bay	Public Works	W	Upgrade Communications Equipment	8	11/9/2004	9/30/2019	D	25	\$200,000
BRV-0506	Palm Bay	Public Works	FL	Basin 1 Reduce/Elim Flood Relieve Flood	SJRWMD/ DCA	7/20/1999	1/7/2003	C	25	\$400,000
BRV-0544	Palm Bay	Public Works	UL	Backup Generators-Traffic	8	11/9/2004	5/31/2005	C	34	\$200,000
BRV-0735	Palm Bay	Public Works	FL	Basin 3 Drainage System Improvements	3	11/9/2004	9/30/2011	C	0	\$750,000

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BRV-0762	Palm Bay	Public Works	FL	Malabar Road Pipe Failures	1, 5, 6, 8	10/1/2014	9/30/2019	D	26	\$1,000,000
BRV-0766	Palm Bay	Public Works	FL	Ferguson Street/MTWCD Canal 9R		11/9/2004	8/29/2024	D	20	\$450,000
BRV-0859	Palm Bay	Public Works	FL	Ferguson Culvert Replacement	5, 8	4/13/2018	4/13/2028	D	33	\$1,500,000
BRV-0759	Palm Bay	Utilities	W	Utility Operations Facility retrofit	1, 5, 6, 8	11/16/2004	9/30/2019	D	29	\$450,000
BRV-0610	Palm Shores	Town Hall/Admin.	W	Town Hall - Wind Retrofit	8	11/16/2004	6/30/1905	C	31	\$37,471
BRV-0611	Palm Shores	Town Hall/Admin.	All	Purchase 10 800 mhz radios	8	11/16/2004	7/12/1905	D	31	\$3,000
BRV-0865	Port Canaveral	Canaveral Port Authority	UL	Generator for Bulk Fuel Shipments	5, 8	7/16/2018	7/16/2028	D	44	\$203,660
BRV-0885	Port Canaveral	Canaveral Port Authority	SS, E	North Jetty Sediment Trap	5, 8	1/6/2020	1/6/2030	N	44	\$7,660,000
BRV-0886	Port Canaveral	Canaveral Port Authority	UL	Infrastructure Hardening/Burying – Utility Poles	5, 8	1/6/2020	1/6/2030	N	36	\$3,000,000
BRV-0887	Port Canaveral	Canaveral Port Authority	UL	Infrastructure Hardening – Non-Structural Retrofitting of Existing Building/IT Room	5, 8	1/6/2020	1/6/2030	N	20	\$1,200,000
BRV-0376	Rockledge	Brevard County Parks & Recreation	W	Shutters, McLarty Park Community Bldg	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$8,500
BRV-0398	Rockledge	Brevard County Parks & Recreation	UL	Generator, McLarty Park Community Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$50,000
BRV-0800	Rockledge	Brevard County Parks & Recreation	UL	Generator - Martin Anderson Senior Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000

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BRV-0815	Rockledge	Brevard County Parks & Recreation	W	Shutters - Martin Anderson Senior Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0027	Rockledge	City Hall (Building)	UL	Barnes Blvd. - Drainage Improvements	8	11/16/2004	7/10/2018	C	20	\$1,000,000
BRV-0028	Rockledge	City Hall (Building)	W	WWTF - Emergency Vehicle Storage	1, 5, 8	11/16/2004	7/2/1905	C	31	\$10,000
BRV-0032	Rockledge	City Hall (Building)	ALL	North/South Master Canal - Drainage	STORM WATER	11/16/2004	6/30/1905	C	19	\$500,000
BRV-0033	Rockledge	City Hall (Building)	ALL	Casa Loma - Drainage	STORM WATER	11/16/2004	7/7/1905	C	20	\$150,000
BRV-0040	Rockledge	City Hall (Building)	ALL	Carboni Park Drainage Improvements	1,5,8	11/16/2004	7/10/1905	D	21	\$120,000
BRV-0042	Rockledge	City Hall (Building)	FL	Pipe Limerick Ln - canal	1,5,8	11/18/1999	7/8/1905	D	19	\$500,000
BRV-0651	Rockledge	City Hall (Building)	UL	Public works - 100 kt Generator	8	11/18/1999	6/29/1905	C	25	\$8,500
BRV-0652	Rockledge	City Hall (Building)	UL	17 intersection micro and solar array	8	11/16/2004	7/3/1905	C	29	\$100,000
BRV-0653	Rockledge	City Hall (Building)	FL	Rockledge Drive stabilization (planning)	1, 5, 8	11/18/1999	7/9/1905	D	29	\$85,000
BRV-0654	Rockledge	City Hall (Building)	W	Rockledge Drive (eng)	8	11/16/2004	6/27/1905	C	21	\$80,000
BRV-0655	Rockledge	City Hall (Building)	FL	Rockledge Drive Stabilization (Const.)	8	11/16/2004	6/27/1905	C	22	\$200,000
BRV-0658	Rockledge	City Hall (Building)	UL	Eyster/Murrell Mast Arms	8	11/18/1999	6/25/1905	C	20	\$1,000,000
BRV-0659	Rockledge	City Hall (Building)	UL	Murrell/Barnes Traffic Signal Mast Arm	BREVARD COUNTY	10/30/2008	7/10/1905	C	25	\$100,000

Hazard: W = Winds FR = Fire UL= Utility Loss L = Lightning SS = Storm Surge C = Civil Disorder FL = Flooding E = Erosion HZ= Hazmat WS = Winter Storm D = Drought I = Infestation/Disease All = All Hazards										
Funding Source: 1-PDM (Pre-Disaster Mitigation) 2-SHSP (State Homeland Security Program) 3-CDBG (Community Development Block Grant) 4-FMA (Flood Mitigation Assistance) 5-HMGP (Hazard Mitigation Grant Program) 6-PA (Public Assistance) 7-SRLP (Severe Repetitive Loss Program) 8-General Fund (Jurisdiction Annual Budget) Other specific funding sources are spelled out in column										
Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress										
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Priority	Cost
BRV-0660	Rockledge	City Hall (Building)	FL	Create 60 acre master retention area	STORM WATER	11/18/1999	7/7/1905	C	25	\$100,000
BRV-0663	Rockledge	City Hall (Building)	FL	Installation Weather Station at EOC	8	11/18/1999	7/7/1905	D	19	\$1,500,000
BRV-0750	Rockledge	City Hall (Building)	FL	Fiske Blvd Force Main	WASTE WATER	11/18/1999	7/4/1905	C	30	\$1,000
BRV-0879	Rockledge	Fire Department	W, UL	Fire Station 1 and 3 Hardening and Generator	5, 8	1/6/2020	1/6/2030	N	56	\$1,588,541
BRV-0851	Rockledge	Public Works	UL	Generators for Lift Stations	1, 5, 6, 8	4/18/2017	4/18/2027	IP	28	\$57,765
BRV-0332	Satellite Beach	City Hall	ALL	Eng. study - Building Wind Vulnerability	8	7/20/1999	7/17/1905	D	30	\$20,000
BRV-0459	Satellite Beach	City Hall	FL, SS, W	Isl. Dr and So. Patrick-Traffic Sig/Bike P	8	7/20/1999	7/7/1905	C	0	\$30,000
BRV-0468	Satellite Beach	City Hall	W	Police indoor incident training facility	8	7/20/1999	7/17/1905	D	0	\$25,000
BRV-0575	Satellite Beach	City Hall	FL	A1A/SR517 - North Drainage System	8	7/20/1999	7/5/1905	C	25	\$800,000
BRV-0880	Satellite Beach	Support Services	W, UL	Fire Station Hardening & Generator	5, 8	1/6/2020	1/6/2030	N	44	\$162,185
BRV-0881	Satellite Beach	Support Services	W, UL	Police Station Hardening & Generator	5, 8	1/6/2020	1/6/2030	N	44	\$794,385
BRV-0882	Satellite Beach	Support Services	W, UL	City Hall and Civic Center Hardening & Generator	5, 8	1/6/2020	1/6/2030	N	44	\$990,730
BRV-0883	Satellite Beach	Support Services	W, UL	DRS Community Center Hardening	5, 8	1/6/2020	1/6/2030	N	32	\$853,450
BRV-0391	Titusville	Brevard County Parks & Recreation	UL	Generator, Sandrift Recreation Center	1, 5, 6, 8	7/20/1999	7/20/2020	D	25	\$50,000

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Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress										
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Priority	Cost
BRV-0794	Titusville	Brevard County Parks & Recreation	UL	Generator - Chain of Lakes Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0795	Titusville	Brevard County Parks & Recreation	UL	Generator - Enchanted Forest Environmental Complex	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0802	Titusville	Brevard County Parks & Recreation	UL	Generator - North Area Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0804	Titusville	Brevard County Parks & Recreation	UL	Generator - North Brevard Senior Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0812	Titusville	Brevard County Parks & Recreation	W	Shutters - Enchanted Forest Environmental Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0816	Titusville	Brevard County Parks & Recreation	W	Shutters - North Brevard Senior Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$10,000
BRV-0818	Titusville	Brevard County Parks & Recreation	W	Shutters - Sandrift Recreation Center	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0010	Titusville	City Hall	FL	Basin 1- Drainage	1, 5, 6, 8	10/27/2000	9/30/2020	D	24	\$1,918,820
BRV-0014	Titusville	City Hall	ALL	Area 2 Sycamore Subbasin - Flood Control	1, 5, 6, 8	10/27/2000	9/30/2020	D	26	\$268,300
BRV-0015	Titusville	City Hall	FL	Main St. Sub Basin - Drainage	8	4/5/1999	9/30/2013	C	29	\$1,724,912
BRV-0095	Titusville	City Hall	UL	Vista and Lakeview Avenue Inlets & Ditch	8	11/16/2004	9/30/2013	C	18	\$100,000
BRV-0098	Titusville	City Hall	W	Harrison Street - Drainage	1, 5, 6, 8	11/16/2004	9/30/2020	D	29	\$75,000

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<b>Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress</b>										
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Priority	Cost
BRV-0100	Titusville	City Hall	W	Drainage Plan for Basins 3-8	8	11/16/2004	9/30/2013	C	22	\$5,000,000
BRV-0536	Titusville	City Hall	FL	Max Brewer Causeway - Rock Revetment	1, 5, 6, 8	4/5/1999	9/30/2020	D	26	\$8,500
BRV-0617	Titusville	City Hall		Portable generators for Water/Wastewater	1, 5, 6, 8	11/9/2004	9/30/2020	C	32	\$360,000
BRV-0768	Titusville	City Hall	FL	City fire stations wind retrofit	1, 5, 6, 8	4/5/1999	9/30/2020	D	29	\$180,000
BRV-0781	Titusville	City Hall	W	Vehicle Maintenance Facility Upgrade	8	10/30/2008	9/30/2013	C	29	\$225,000
BRV-0782	Titusville	City Hall	W	Water Resource Facilities	1, 5, 6, 8	10/30/2008	9/30/2020	D	26	\$1,500,000
BRV-0783	Titusville	City Hall	FL	Wind Retrofit Municipal Marina Bldgs.	1, 5, 6, 8	10/30/2008	9/30/2020	D	29	\$400,000
BRV-0861	Titusville	Titusville Water Resources	UL	Titusville Lift Station Generators	5, 8	6/25/2018	6/25/2022	IP	32	\$1,043,867
BRV-0801	West Melbourne	Brevard County Parks & Recreation	UL	Generator - Max K. Rodes Park Maintenance Facility	1, 5, 6, 8	8/29/2014	8/29/2024	D	25	\$50,000
BRV-0828	West Melbourne	City Hall/Admin	UL	Portable generator 1 - wastewater lift station	4, 5, 7, 8	6/15/2015	6/15/2020	U	32	\$86,410
BRV-0829	West Melbourne	City Hall/Admin	UL	Portable generator 2 - wastewater lift station	4, 5, 7, 8	6/15/2015	6/15/2020	U	32	\$86,410

**1.13 APPENDIX II****1.13.1 Brevard Prepares Bylaws****ARTICLE I. PURPOSE OF *Brevard Prepares***

The purpose of *Brevard Prepares* is to decrease the vulnerability of the citizens, governments, businesses and institutions of Brevard County, Florida, to the future human, economic and environmental costs of natural, technological, and societal disasters. *Brevard Prepares* will develop, monitor, and maintain a local strategy for hazard mitigation and post-disaster redevelopment, which will be intended to accomplish this purpose.

**ARTICLE II. MEMBERSHIP**

Participation in *Brevard Prepares* is voluntary by all participating entities. Membership is established in accord with the following provisions:

- Participation in *Brevard Prepares* is open to all jurisdictions, organizations and individuals supporting its purposes, and
- The membership and participation of local governments in *Brevard Prepares* is controlled by contractual agreements between the Florida Department of Community Affairs, Brevard County and the participating municipalities. These contractual agreements are incorporated hereto by reference, and their provisions are controlling.

**ARTICLE III. ORGANIZATIONAL STRUCTURE**

The organizational structure of *Brevard Prepares* shall consist of a Steering Committee and ad hoc committees.

**A. The Steering Committee**

*Brevard Prepares* shall be guided by a Steering Committee of not more than twenty-two (22) members, consisting of designated representatives of the following:

- One representative from the government of Brevard County and each participating municipality,
- One representative from organizations and associations representing key business, industry, and community interest groups of Brevard County, and
- Other interested individuals from the general public appointed by a majority vote of the Steering Committee.

Members of the Steering Committee will be designated by formal resolution, appointment or other action to serve as the official representative and spokesperson for

the jurisdiction or organization regarding the activities and decisions of *Brevard Prepares*.

To maintain good standing, members of the Steering Committee or their alternate must not have more than one unexcused absence from annual meetings.

#### **B. Ad hoc committees**

*Brevard Prepares* may designate ad hoc committees, as needed. Membership of the permanent subcommittees is unlimited and is open to all interested jurisdictions, organizations and individuals. Temporary committees may be established at any time for special purposes by the chair of the Steering Committee, and their membership designated at that time. Membership in such subcommittees is not restricted. There are no requirements for individuals to maintain good standing as members of temporary committees.

#### **C. Program Staff**

Brevard County Emergency Management will provide and/or coordinate individuals and organizations serving as the program staff for *Brevard Prepares*.

### **ARTICLE IV. OFFICERS**

Any member in good standing of the Steering Committee is eligible for election as an officer. The Steering Committee will have a chair elected by a majority vote of a quorum of the members. The Steering Committee will also elect by majority vote a vice chair. One of these positions will be elected from the representatives of local government and the other from the representatives of local government or the private sector. Each will serve a term of one year, and be eligible for re-election for an unlimited number of terms. The chair and vice chair of the Steering Committee are also considered to be chair and vice chair of *Brevard Prepares*.

The chair of the Steering Committee will preside at each meeting of the Steering Committee, establish temporary committees, and assign personnel to them. The vice chair will fulfill the duties and responsibilities of the chair in his or her absence.

The chair of each temporary committee will be designated from the members in good standing of the Steering Committee, and will serve at the pleasure of the chair of the Steering Committee.

### **ARTICLE V. RESPONSIBILITIES**

#### **A. Steering Committee**



The Steering Committee will be responsible for oversight and coordination of all actions and decisions by *Brevard Prepares*, and is solely responsible for formal actions in the name of *Brevard Prepares*, including the release of reports, development of resolutions, issuance of position papers, and similar activities. The Steering Committee makes assignments to ad hoc committees, coordinates their work, and takes action on their recommendations.

### **B. Subcommittees**

The responsibilities of ad hoc committees will be defined at the time they are established by the chair of the Steering Committee. As an example, there may be a need to assemble a committee for public information efforts to secure public input and comment on the efforts of *Brevard Prepares*; to inform the public about the activities of *Brevard Prepares*; to conduct public information and education programs regarding hazard mitigation; to assist with the conduct of public hearings; and, to promote public acceptance of the strategy developed by Brevard Prepares.

### **C. Program Staff**

Technical, clerical and other types of support activities to the Steering Committee and subcommittees will be provided through Brevard County Emergency Management and other county agencies as assigned. Emergency Management will also serve as the legal governmental representative of the Working Group, and is empowered under County Code to accept and disburse funds, enter into contracts, hire staff, and take such other actions as necessary in support of, or in the name of, *Brevard Prepares*. Other jurisdictions and organizations may also provide such services on a voluntary basis upon request of Emergency Management and/or the chair of the Steering Committee.

## **ARTICLE VI. ACTIONS BY *BREVARD PREPARES***

### **A. Authority for Actions**

Only the Steering Committee has the authority to take final actions in the name of *Brevard Prepares*. Actions by committees or program staff are not considered as final until affirmed by action of the Steering Committee.

### **B. Meetings, Voting and Quorum**

Meetings of the Steering Committee and ad hoc committees will be conducted in accord with Robert's Rules of Order, when deemed necessary by chair of the meeting. Regular meetings of the Steering Committee will be scheduled annually with a minimum of 10 working days' notice. This meeting may be designated a *Brevard Prepares* meeting, with appropriate official notice given so that the general public may attend. The scheduling of meetings of a temporary committee is at the discretion of its chair.

All final actions and decisions made in the same of *Brevard Prepares* will be by affirmative vote of a quorum of the Steering Committee. A quorum shall be one-third plus one of the members of the Steering Committee in good standing at the time of the vote. Each member of the Steering Committee will have one vote. Voting by proxy, written or otherwise, is permitted.

### **C. Special Votes**

Special votes may be taken under emergency situations or when there are other extenuating circumstances that are judged by both the chair and vice chair of the Steering Committee to prohibit scheduling of a regular meeting of the Steering Committee. Special votes may be by telephone, email and/or first class mail, and shall be in accord with all applicable statutes for such actions.

### **D. Public Hearings**

When required by statute or the policies of Brevard County, or when deemed necessary by the Steering Committee, a public hearing regarding actions under consideration for implementation by *Brevard Prepares* will be held.

### **E. Documentation of Actions**

All meetings and other forms of action by the Steering Committee and ad hoc committees will be documented and made available for inspection by the public.

## **VII. ADOPTION OF AND AMENDMENTS TO THE BYLAWS**

The Bylaws of *Brevard Prepares* may be adopted and/or amended by a two-thirds majority vote of the members in good standing of the Steering Committee. All proposed changes to the bylaws will be provided to each member of the Steering Committee not less than 10 working days prior to such a vote.

## **VIII. DISSOLUTION OF *BREVARD PREPARES***

*Brevard Prepares* may be dissolved by affirmative vote of 100% of the members in good standing of the Steering Committee at the time of the vote, by order of a court of competent jurisdiction, and/or by instruction of the Brevard County Board of Commissioners. At the time of dissolution, all remaining documents, records, equipment and supplies belonging to *Brevard Prepares* will be transferred to Brevard County Emergency Management for disposition.

Adopted December 19, 2013

## **Operating Procedures for Brevard Prepares**

### **1.0 Background and Purpose**

Brevard Prepares was established to identify and recommend projects and programs that, when implemented, would eliminate, minimize, or otherwise mitigate the vulnerability of the people, property, environmental resources and economic vitality of the community to the impacts of future disasters. These identified projects and programs are termed “mitigation initiatives” and constitute the principal component of the Brevard County Local Hazard Mitigation Strategy. The fundamental purpose of this plan is to guide, coordinate and facilitate the efforts of the agencies, organizations, and individuals participating in the Task Force as they seek funding, authorities or other resources necessary for implementation of the identified mitigation initiatives.

Brevard Prepares has established an organizational structure to support its operations, and has adopted bylaws that govern the membership and functioning of the group. To complement these bylaws, these procedures have been prepared to define how this organizational structure identifies, evaluates and processes the mitigation initiatives needed to reduce the community’s vulnerability to future disasters. The procedures identify the steps through which newly proposed mitigation initiatives are evaluated and coordinated among the participants in Brevard Prepares, and then incorporated into the local mitigation strategy. The procedures also define how the local mitigation strategy will be routinely updated, enhanced and maintained in the future.

### **2.0 Overview of the Procedure**

This procedure defines the fundamental operations by Brevard Prepares to develop, expand and maintain the local mitigation strategy, including the following:

- Support of the organization and its operations,
- Identification of the natural, technological and societal hazards threatening the community,
- Evaluation of the human, economic and environmental vulnerabilities to those hazards,
- Assessment of the existing framework of policies, plans and requirements of the community as related to the capability to eliminate, reduce or mitigate the community’s vulnerabilities to the identified hazards,
- Identification, characterization, justification and prioritization of new initiatives to eliminate, reduce or mitigate the community’s vulnerabilities,
- Evaluation and coordination of new mitigation initiatives by Brevard Prepares,
- Resolution of conflicts between participants in the planning regarding proposed mitigation initiatives and their implementation,

- Incorporation of mitigation initiatives into the plan for future implementation,
- Coordination of the implementation of mitigation initiatives in the plan, and
- Periodic review of the status of implementation of the initiatives incorporated into the local mitigation strategy, and assessment of their priority for the ensuing planning period, and
- Preparation and distribution of updated editions of the local mitigation strategy to the community for review and adoption by the jurisdictions and organizations represented on Brevard Prepares.

### **3.0 Development and Maintenance of Brevard Prepares' Organization**

The categories and types of participants that are eligible for membership in Brevard Prepares are specified in the bylaws. Participants in Brevard Prepares include many different types of agencies, organizations and individuals, such as government agencies, regional authorities, community and neighborhood groups, business associations, private businesses and industries, local institutions, and even interested individuals. Organizational participants in Brevard Prepares have the following duties:

- To assign individuals to serve as agency or organizational representatives on Brevard Prepares,
- To have these representatives attend meetings and contribute to the discussions and decision making conducted by Brevard Prepares,
- To provide expertise, information or perspective on the identification and definition of hazards threatening the community,
- To conduct technical evaluations of the vulnerabilities of the facilities, systems, neighborhoods, operations and/or valuable resources for which they are responsible or otherwise depend upon,
- To identify, characterize, and propose for incorporation into the plan various structural and non-structural mitigation initiatives that would eliminate, reduce or mitigate the vulnerabilities of their facilities, systems, operations or resources to the impacts of future disasters,
- To periodically prioritize or reprioritize initiatives as funding becomes available.
- To adopt, endorse or otherwise approve their portion of the local mitigation strategy,
- To strive to implement the mitigation initiatives identified by the organization and incorporated into the plan by Brevard Prepares as the resources and/or authorities to do so become available,
- To continue to appraise Brevard Prepares Steering Committee of the implementation status of the organization's proposed mitigation initiatives incorporated into the plan, and
- To support or otherwise participate in Brevard Prepares' activities in the community to further develop its overall mitigation capability.

The bylaws of Brevard Prepares also establish the organizational structure and responsibilities of a permanent Steering Committee overseeing development, maintenance and implementation of the local mitigation strategy. The Steering Committee may also establish temporary ad hoc subcommittees if needed for special assignments. The general duties and responsibilities of these committees are identified in the bylaws, and this procedure defines how these committees carry out those duties.

A program staff functioning under the direction of the Steering Committee also supports Brevard Prepares. The program staff will establish a schedule of meetings of the committees, notify individuals of the meeting time and locations, and otherwise support the committees in their activities. The program staff will also routinely issue reports to the Steering Committee regarding the status of participation of the agencies and organizations with membership in Brevard Prepares, as well as on the progress of these agencies and organizations in developing and maintaining their role in the strategy. To do this, the program staff will maintain a list of the public and private organizations and agencies making up Brevard Prepares.

The program staff will also support the organization through the following operations:

- Scheduling meetings of the committees under the direction of the committees' chairpersons,
- Supporting meetings as needed by preparing agendas and facilitating discussion, as well as preparing and distributing summaries of meetings,
- Training and informing participants in the technical and administrative operations needed for development and maintenance of the strategy,
- Assisting with the technical analyses, when necessary,
- Processing information and data provided by the participants for its use in the local mitigation strategy,
- Supporting agency and organizational efforts for the implementation of the mitigation initiatives incorporated into the plan,
- Maintaining the computer database of the mitigation initiatives proposed by the participants and incorporated into the plan, and
- Providing other such information and support as feasible to accomplish the mission of Brevard Prepares.

#### **4.0 Increasing Community Awareness and Understanding of Hazard Mitigation**

One of the key roles of Brevard Prepares is to increase the general public's awareness of the benefits of hazard mitigation and the available techniques for making the community more disaster resistant. An important assessment necessary for the

effective development and maintenance of the Brevard County Local Mitigation Strategy is to evaluate the current level of the public's understanding of, acceptance for and willingness to implement a range of mitigation initiatives. Periodically, Brevard Prepares will survey portions of the community or otherwise solicit information regarding the public's perspective on mitigation needs and programs, as well as the factors that make the public more vulnerable to disasters than is warranted.

The Steering Committee will be responsible for ensuring that processes undertaken for the development, implementation and maintenance of the Brevard County Local Mitigation Strategy have adequately considered public needs and viewpoints. As needed, Brevard Prepares will encourage appropriate participating agencies and organizations to propose mitigation initiatives that would, upon implementation, further public understanding and utilization of good mitigation practices.

### **5.0 Identification of the Hazards Threatening the Community**

Jurisdictional and organizational representatives are responsible for Brevard Prepares' initial and ongoing efforts to identify the natural, technological and societal hazards threatening the community. The purpose of this analysis is to define those locations, facilities or systems within Brevard County that may be vulnerable to the impacts of those hazards and warrant further assessment. For the convenience of subsequent planning, the analysis will be conducted, as much as feasible, on the basis of local government jurisdictional boundaries.

In its discretion, Brevard Prepares may conduct this analysis on behalf of all jurisdictions, or may request each local government jurisdiction to conduct the analysis independently using the common methodology. To the extent information is available; Brevard Prepares and/or the individual jurisdiction will utilize data provided in a geographic information system (GIS) format for those identified hazards that have been so characterized. When feasible, information and data resulting from Brevard Prepares' efforts will be recorded a GIS format as well. In the absence of available GIS data, the analysis will be conducted on the basis of "best judgment" by the planning participants.

The hazard identification analysis will be accomplished through the following general methodology:

- Identifying all significant natural, technological and societal hazards that threaten Brevard County.
- Defining or estimating the geographic and/or operational scope of the areas and/or community functions within Brevard County that could be impacted by the hazard.
- Determining or estimating the probability or frequency of occurrence of the hazard event.

- Defining, estimating or predicting the general consequences of the event to human health and safety, to property, to valuable environmental resources and the economic vitality of the community.
- Deriving a measure of risk to reflect the relative significance of hazard being addressed to the jurisdiction being evaluated.

The measure of relative risk may then be used by the jurisdiction and/or Brevard Prepares to guide and prioritize the subsequent mitigation planning process. The hazard identification process is intended to encompass both developed areas of Brevard County as well as those likely to be developed in the future.

Hazard identification information and other findings from this analysis will be made available for use by the public and other interested organizations and agencies. As applicable, the findings of the analysis will be included in the individual jurisdictional and/or organizational sections of the Brevard County Local Mitigation Strategy.

## **6.0 Vulnerability Assessment**

Considering the relative risk of the identified hazards for each local jurisdiction, the participants will then conduct an assessment of the vulnerability of specific facilities, systems, and/or neighborhoods within those jurisdictions, as applicable to their authorities, responsibilities and/or interests. Brevard Prepares promotes the use of a process to ensure countywide uniformity in the technical approach by all participating jurisdictions. Brevard Prepares, through its support staff, is also responsible for monitoring progress in implementation of the vulnerability assessment process.

The vulnerability assessments of specific facilities and systems will be conducted by those agencies, organizations or individuals represented on Brevard Prepares that have established operational control over the facilities or systems, or otherwise have been designated as responsible for their operation and maintenance. For neighborhoods, the assessment will be conducted by the local government agency with expertise, responsibility or interest in the location, and/or by representatives of the applicable neighborhood or community association.

Vulnerability assessments will include evaluation of the potential for physical damage or operational failure due to the occurrence of the hazards identified as threatening the community. This evaluation will also include the vulnerability of the community to physical damage or operational failure of that facility, system or neighborhood.

The vulnerability assessment process will identify, for the evaluated facilities, systems and neighborhoods, those features or functions relatively more vulnerable to damage or

failure in the event of the occurrence of a specified hazard. This finding is then available for the Brevard Prepares participants and/or the Steering Committee to use in the development of proposed initiatives needed to eliminate, reduce or otherwise mitigate those vulnerabilities.

For each update of the plan, participants will identify those facilities, systems and/or neighborhoods thought to be vulnerable to the impacts of a disaster that have not yet be subject to a vulnerability assessment. Brevard Prepares will strive to obtain assessments for all potential vulnerable facilities, systems or neighborhoods until the entire community has been evaluated.

In addition, to the extent feasible, Brevard Prepares will strive to obtain vulnerability assessments for undeveloped land that is likely to be developed in the future. This will be done to identify the mitigation actions necessary during the land's development, should it occur, to protect new facilities, systems and neighborhoods from future hazard events. These identified mitigation actions will be formulated as proposed mitigation initiatives for incorporation into the plan and that would, upon implementation, guide the development of the land in the desired manner.

The findings from the vulnerability assessment will be made available for use by the public and other interested organizations and agencies. As applicable, the findings of the analysis will be included in the individual jurisdictional and/or organizational sections of the Brevard County Local Mitigation Strategy.

## **7.0 Evaluation of Existing Policies, Plans and Regulations**

Using the results of the hazard identification and vulnerability assessment process, the jurisdictions and Brevard Prepares will maintain an ongoing effort to evaluate the existing policies, plans and regulations of the local government jurisdictions in the planning area. This analysis will be used to define the capabilities of the local jurisdictions' policies, plans and regulations to effectively control or manage the identified hazards and/or eliminate or minimize the vulnerability to those hazards. The Steering Committee will implement a common analysis methodology to define the following characteristics of the policy, planning and regulatory framework of Brevard County and its local jurisdictions:

- The existing array of policies, plans and regulations established by local jurisdictions in Brevard County that are relevant to the control and management of hazards and vulnerabilities to those hazards,
- Shortfalls or gaps in the policies, plans and regulations of the local jurisdictions to adequately eliminate or reduce vulnerabilities to identified hazards,



- Inconsistencies or conflicts between the policies, plans and regulations of local jurisdictions resulting in reduced capabilities to eliminate or reduce vulnerabilities to identified hazards, and
- Inadequacies of local jurisdiction's policy, planning or regulatory framework to fully comply with state or federal hazard mitigation requirements.

This analysis may be conducted by the Steering Committee, the program staff and/or individual local jurisdictions using the methodology established. The findings of the analysis will be available for the applicable participating local jurisdictions to identify mitigation initiatives to modify or enhance the existing policy, planning and regulatory framework and to incorporate these initiatives into the corresponding section of the Brevard County Local Mitigation Strategy.

### **8.0 Identification and Characterization of Proposed Mitigation Initiatives**

All agencies and organizations participating in Brevard Prepares are encouraged to propose mitigation initiatives for processing and incorporation into the local mitigation strategy, based on the findings of the hazard identification, vulnerability assessment, and evaluation of policies, plans and regulations. Formulation of mitigation initiatives will be done only by those individual agencies, organizations or jurisdictions participating in Brevard Prepares that have the responsibility or authority to implement the identified mitigation initiative should the resources and/or authorities become available to do so. When needed, the Steering Committee may request an agency, organization or jurisdiction that has such responsibility or authority for its cooperation and support to formulate proposed mitigation initiatives determined to be needed based on the results of the hazard identification, vulnerability assessment or evaluation of policies, plans and regulations.

The identification and characterization of proposed mitigation initiatives for incorporation into the Brevard County Local Mitigation Strategy will be in accord with a common methodology. Proposed mitigation initiatives may be structural, non-structural or combined structural and non-structural, and will be identified and characterized by representatives of the agency or organization intending to propose that initiative for incorporation into the strategy. The program staff may offer assistance and guidance to the participating agency or organization regarding the process to identify and characterize mitigation initiatives, but the participant is responsible for the validity of the information utilized to characterize the proposed initiative. A participating agency or organization may identify and characterize as many mitigation initiatives as desired to propose for incorporation into the Brevard County Local Mitigation Strategy.

### **9.0 Prioritization and Submission of Proposed Mitigation Initiatives**

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In order to most effectively allocate limited resources available for implementation of mitigation actions in the community, all initiatives will be prioritized in accord with a common methodology as funds become available. The participating agency or organization proposing each initiative is responsible for use of this methodology.

Upon completion of the identification, and characterization of a mitigation initiative proposed for incorporation into the strategy, the participating agency or organization will submit the proposal to the Steering Committee for review and coordination with other proposed mitigation initiatives. The submittal will be on a schedule and in a format established by the Committee for this purpose.

#### **10.0 Review and Coordination of Proposed Mitigation Initiatives**

The Steering Committee is responsible for ensuring the inter-jurisdictional and inter-organizational review and coordination of proposed mitigation initiatives. To accomplish this responsibility, the Committee will do the following:

- Establish a schedule for the participants to submit proposed mitigation initiatives to be considered for incorporation into the next edition of the Brevard County Local Mitigation Strategy,
- Distribute guidance as needed to facilitate complete and accurate submittals by the participants,
- Review each proposed mitigation initiative received for completeness, adherence to the prescribed methodology, the validity of the characterization information and data used by the participant, and the likelihood that the proposal will actually mitigate the hazard(s) or vulnerability(ies) of concern,
- Compare proposed mitigation initiatives with others already incorporated into the plan or being submitted during the current planning period to ensure an absence of conflict or redundancy in purpose,
- If needed, return the proposed mitigation initiatives to the submitting agency or organization for additional information or analysis and re-submittal, and
- Upon receipt of an acceptable mitigation initiative, it is then ready to be incorporated into the mitigation plan.

#### **11.0 Incorporation of Proposed Mitigation Initiatives into the Strategy**

The Steering Committee, at its next meeting, will approve all available and acceptable mitigation initiatives for incorporation into the Brevard County Local Mitigation Strategy. The Steering Committee may concur with the recommendation or disagree.

In the event that the Steering Committee refuses to incorporate the proposed mitigation initiative into the Local Mitigation Strategy, a full explanation for the action will be provided to the participant and suggestions made regarding corrective actions that could be taken to enable the proposal to be so incorporated. The proposing agency or organization would then be responsible for taking such actions and resubmitting the proposal for incorporation into the strategy.

No proposed mitigation initiative will be considered as incorporated into the plan until it is given an affirmative majority vote by the Steering Committee for incorporation into the plan.

### **12.0 Resolving Conflicts**

In the event that a mitigation initiative proposed by a participating agency or organization is determined by the Steering Committee to be in conflict with one or more other initiatives in the plan or being submitted by others, the Committee will take action to resolve the conflict. This will be done in the following manner:

- The participants proposing the conflicting mitigation initiatives will be notified of the findings of the Committee and requested to make any such modifications to the proposals needed to resolve the conflicts,
- Should the participants be initially unwilling or unable to make such modifications to their proposed mitigation initiatives, the Committee will schedule and hold a detailed discussion of the matter and involve both participants and any other interested parties,
- In the event that such detailed discussions do not result in voluntary action on the part of the participants making the proposals, the Committee will formulate a recommendation to resolve the conflict. In making this recommendation, in its discretion, the Committee may give preference to the proposal already incorporated into the plan, to that first submitted to the Committee for review, and/or to the proposal achieving the highest priority score, and
- The Steering Committee will then take any such action as deemed appropriate to reconcile the conflict prior to approval actions for incorporation of the proposal(s) into the plan.

### **13.0 Incomplete Processing of Proposed Mitigation Initiatives**

If proposed mitigation initiatives are submitted to the Steering Committee after the deadline established for that purpose, in its discretion, the Committee may decline the process such proposed initiatives for the next edition of the plan. However, the Committee will retain the submissions, and review and process the initiatives in accord with this procedure for purposes of incorporating them into the subsequent edition of the

plan. These unprocessed mitigation initiatives will be termed “pending” mitigation initiatives, and may be listed in the next published edition of the plan under that term. Pending mitigation initiatives will not be eligible for funding or resources made available through the steering committee and/or the Brevard County Mitigation Plan in the same manner as would proposed initiatives that are fully processed and incorporated into the strategy. The participating agencies and organizations may separately, in their discretion, pursue implementation of pending mitigation initiatives at any time.

#### **14.0 Implementation of Proposed Mitigation Initiatives**

Following its incorporation into the Brevard County Local Mitigation Strategy, each participating agency or organization is responsible to attempting to secure the funding, resources or other approvals and permits necessary to implement the proposed mitigation initiative. Brevard Prepares and the support staff will provide such support to the agency or organization as is feasible at the time, but the agency or organization itself maintains full legal, financial and administrative responsibility for implementation of the proposed action.

On request of the agency or organization attempting to implement an approved mitigation initiative, the Steering Committee will certify to any identified party that the proposed mitigation initiative was subjected to the above noted review and coordination process, and that it has been approved for incorporation into the strategy. If desired, this certification and documentation of an initiative’s incorporation into the plan may be delegated by the Steering Committee to the program staff.

#### **15.0 Monitoring of Implementation of Mitigation Initiatives**

The Steering Committee will be responsible for monitoring the status of implementation of proposed mitigation initiatives incorporated into the Local Mitigation Strategy. On an annual basis, the participating agencies and organizations will make information available to identify if one or more of the following actions have been accomplished by the agency or organization proposing the initiative:

- Initial actions to obtain funding, permits, approvals or other resources needed to begin implementation of the initiative,
- Any necessary design or development actions have been initiated or completed, or if funding has been obtained,
- Complete implementation of the mitigation initiative,
- If the agency or organization proposing the initiative no longer intends to implement the initiative, and/or
- Additional information or analysis has been developed that would modify the priority originally assigned to the initiative upon its incorporation into the strategy.

In monitoring the implementation status of the mitigation initiatives incorporated into the Brevard County Local Mitigation Strategy, the jurisdiction's representative will evaluate the relevance of their corresponding initiatives incorporated into the strategy. This determination will be made with consideration of the following factors:

- The proposed initiative's relationship to current or more recent hazard identification and risk assessment evaluations conducted by the jurisdiction and/or Brevard Prepares,
- Recent experience with hazard events in Brevard County and the relevance to the proposed initiative to mitigating the vulnerabilities to those hazards,
- The initiative's predicted current and/or continuing acceptance to the community for implementation, and
- The current probability of receiving funding for implementation from local, state or federal sources and its consistency with current local, state and federal program priorities.

The Steering Committee should be informed by the jurisdiction's representative when an initiative is being or has been implemented and can be removed from the plan: or, the proposing agency or organization has terminated action on the initiative and has requested its removal from the plan. Brevard County Emergency Management staff will update the plan accordingly.

The Steering Committee will act to finalize the list of approved proposed mitigation initiatives to be incorporated into the next updated edition of the Brevard County Local Mitigation Strategy.

### **16.0 Approval and Issuance of the Brevard County Local Mitigation Strategy**

On a five-year cycle, or in accord with state and federal requirements, Brevard Prepares will approve and issue an update of the Local Mitigation Strategy. To do this, the Steering Committee will, by affirmative majority vote, allow release of the updated version of the plan, which will contain at least the following information:

- The currently approved listing of the mitigation initiatives proposed by participating agencies and organizations,
- A statement of Brevard Prepares' goals and objectives for initiative implementation for the coming planning period,
- Updated information regarding the findings of the hazard identification, vulnerability assessment and evaluation of policies, plans and regulations,
- Progress on implementation of the mitigation initiatives previously incorporated into the strategy,

- A listing of the currently participating agencies and organizations and the status of their participation, and
- The current edition of the Brevard Prepares' bylaws and operating procedures.

The updated plan will contain any proposed and approved or pending mitigation initiatives processed by Brevard Prepares during the preceding planning period. It will also include the approved proposed mitigation initiatives listed in any previous editions of the plan unless they have been removed or terminated from the plan.

Each major jurisdiction and/or organization participating in the mitigation planning process will have a separate section of the plan document specifically intended to list the findings of any analyses done for that jurisdiction. This separate section will also contain the complete list of mitigation initiatives proposed by that jurisdiction or organization.

Brevard Prepares will announce, by public notice, the completion, approval and release of the plan. Prior to or concurrent with formal action to release the plan, the Steering Committee may determine that a public hearing or public forum is necessary or required to allow the community an opportunity to review and comment on the plan both while it is being updated and prior to its formal approval. Upon such a determination, Brevard Prepares and/or the support staff will take the necessary actions to plan, conduct and document the public comment and/or hearing process.

Brevard Prepares will also take such actions as feasible to make the Brevard County Local Mitigation Strategy readily available to members of the public and other interested organizations and agencies. At a minimum, a full copy of the plan will be available to each participating jurisdiction or organization. A publicly accessible copy will also be made available through Brevard County Emergency Management website.

Upon approval and release of the Brevard County Local Mitigation Strategy, the Steering Committee will request the governing body of each participating jurisdiction or organization to take action to adopt, approve, and/or endorse their designated section of the plan. It is not necessary for individual jurisdictions or organizations to take any action concerning the portions of the plan pertaining to another jurisdiction or organization. Upon approval of their portion of the Brevard County Local Mitigation Strategy, the participating jurisdiction or organization will notify the Steering Committee. In the event that their portion of the plan is rejected, disapproved or significantly modified in whole or in part, the Steering Committee will be notified of the reasons. The representatives of that jurisdiction or organization will then be requested to work with

the Steering Committee to address and resolve the impediments interfering with receipt of approval or endorsement by the participating jurisdiction or organization.

### **17.0 Approval of Supplements to the Plan**

When indicated, the Steering Committee may, in its sole discretion, elect to approve issuance of a supplement to the currently approved mitigation plan. This supplement may contain one or more proposed mitigation initiatives that have been fully processed in accord with this procedure. Upon its issuance, the supplement and the mitigation initiatives contained therein are considered to be an integral part of the Brevard County Local Mitigation Strategy pending the approval of the supplement by the governing body of the jurisdiction or organization that proposed the initiatives.

### **18.0 Evaluation of the Plan**

The plan is to be evaluated on an annual basis by Brevard County Emergency Management or its designee. Brevard County Emergency Management was selected as the organization to evaluate the mitigation plan for the Office serves as support staff for Brevard Prepares, a committee with representatives from all of the participating jurisdictions and organizations. In this role, Emergency Management has responsibility for maintaining the master copy of the plan, for scheduling and facilitating meetings of Brevard Prepares, and maintaining liaison with adjacent counties, and the State of Florida. In addition, frequently, Emergency Management is the contact point and coordinator for post-disaster funding opportunities for implementation of the proposed mitigation initiatives incorporated into the plan.

The evaluation process can include the following steps, as indicated at the time:

- Assessing recent emergency events and their impact, as well as the resultant influence and/or adjustments that are needed in the mitigation planning process
- Evaluating the progress in addressing the established mitigation goals and objectives, primarily through the development and implementation of initiatives for each goal and objective to ensure progress is being made.
- Assessing the extent to which the mitigation plan is effectively interacting with other jurisdictional plans and programs related to mitigation issues, such as being incorporated into a jurisdiction's comprehensive plan, emergency management plan, capital improvement plan, stormwater management plan, etc.
- Evaluating the extent to which the vulnerabilities of assessed critical facilities, other facilities and systems, neighborhoods and repetitive loss properties are being addressed through the planning process, including the development and implementation of initiatives.

- Assessing whether Brevard Prepares continues to have or needs to expand its membership to promote community participation in the mitigation planning process.
- Evaluating continuing progress in the expansion and/or updating of the hazard identification and vulnerability assessment process, the development and implementation of mitigation initiatives, as well as assessing the effectiveness of implemented initiatives.
- Assessing specific aspects of the mitigation policies and programs, based on policy data entered into the program, to evaluate specific mitigation issues of interest, especially on a multi-jurisdictional basis, such as variations in local mitigation-related codes.

### **19.0 Assistance with Initiative Funding and Implementation**

Each participating agency and organization is responsible for implementation of the mitigation initiatives contained within their portion of the Brevard County Local Mitigation Strategy when the necessary resources, funding, authorities and/or authorizations to do so become available. Brevard Prepares will, nevertheless, offer assistance and support to the participating agencies and organizations in implementing their proposed mitigation initiatives as appropriate opportunities arise.

The Steering Committee, with the support of the support staff will, during each planning cycle, attempt to obtain information regarding upcoming state and federal programs which may offer opportunities for participating agencies and organizations to receive funding for initiative implementation. The Committee will assess the proposed mitigation initiatives listed in the current approved edition of the Brevard County Local Mitigation Strategy for all jurisdictions and organizations, and identify the proposed mitigation initiatives matching the funding requirements and/or limitations of the applicable state and federal program. The Committee will then select the proposed initiatives in descending order of priority ranking and, in turn, notify the participating agency or organization of the potential availability of funding for initiative implementation. If it wished to apply for the funding available, the applicable agency or organization would be responsible for then agreeing to complete the necessary application forms, provide any matching funds, etc. If the agency or organization was unable or unwilling to undertake the application process, the Steering Committee and/or program staff would notify the agency or organization with the next highest ranked proposed mitigation initiative listed in the current strategy. In the event that two or more proposed mitigation initiatives listed in the plan were eligible for the funding opportunity and had the same priority ranking, the Committee and/or support staff would simultaneously notify the proposing agencies or organizations.



This action by the Committee and support staff is only intended to facilitate implementation of the various initiatives listed in the Brevard County Local Mitigation Strategy. Nothing in this procedure or the Bylaws of Brevard Prepares is intended to prohibit, interfere with or discourage any participating agency or organization from seeking the funding, resources or authorities at any time to implement proposed mitigation initiatives listed in the Brevard County Local Mitigation Strategy.

## **20.0 Assessment of Recent Disaster Events**

Within 60 days following a significant disaster or emergency event impacting Brevard County or any of its municipal jurisdictions, the Steering Committee and/or jurisdiction representatives will conduct an analysis of the event to capture any “lessons learned” for the purpose of continuing development of the Local Mitigation Strategy. The Committee, with the support staff, will classify the event based on the hazard category and assess the magnitude of the event and the community’s reaction to it. The direct and indirect damage, response and recovery costs will also be gathered or estimated. Any mitigation techniques in place in the impacted areas would be assessed for their apparent effectiveness in decreasing damages. The type and extent of the damages that were experienced would also be evaluated to determine the types of mitigation initiatives that should be incorporated into the plan to avoid similar losses during future hazard events of the same type. Based on this assessment, the Committee would recommend to one or more of the participating agencies or organizations that they propose appropriate mitigation initiatives for incorporation into the next edition of the plan. In its discretion, the agency or organization could then propose such an initiative and transmit it to the Committee for processing in accord with this procedure.

**Voting Members of Brevard Prepares, 2020**

<b>Name of Organization</b>	<b>Voting Representative</b>	<b>Title</b>
Cape Canaveral	Jeff Ratliff	Public Works Director
Cocoa	Jonathan Lamm Samuel Byrd	Fire Chief Assistant Fire Chief
Cocoa Beach	<b>Ryan Duckworth (Vice Chair)</b> Jim McKnight	Fire Chief City Manager
Grant-Valkaria	Jason Mahaney	Town Administrator
Indialantic	Michael Casey	Town Manager
Indian Harbour Beach	Mark Ryan Todd Scaldo	City Manager Fire Chief
Malabar	Matt Stinnett Michael Foley	Town Manager Fire Chief
Melbourne	Rebecca Thibert Jennifer Spagnoli	Assistant to the City Manager Asst. Public Works & Utilities Director
Melbourne Beach	Elizabeth Mascaro	Town Manager
Melbourne Village	Gail Griswold	Town Administrator
Palm Bay	Sandra Urban Jim Williams	Special Projects Manager Floodplain Administrator
Palm Shores	Carol McCormack Ed Washburn	Town Administrator Town Planning Consultant
Rockledge	<b>Alix Bernard (Chair)</b>	Planning Director
Satellite Beach	David Abernathy Liz Alward	Fire Chief Assistant County Manager
Titusville	Lisa Kubeika Michael Woodward	Special Projects Coordinator Fire Chief
West Melbourne	Keith Mills	Public Works Director
BC Bd. of County Commissioners	John Scott	Brevard County EM Manager
Brevard Public Schools	Sue Hann Karen Black	Planning and Project Management Planning & Intergovernmental Coordination Manager
Health First	Wayne Struble	Emergency Preparedness Specialist
L3 Harris Technologies	Carlotta Taylor	Corporate Security Manager
Port Canaveral	Barry Compagnoni Cory Dibble	Public Safety & Security Director Emergency Manager
St. Johns River WMD	Abby Johnson	Intergovernmental Coordinator
Waste Management	Dina Reider Hicks	Government Affairs Manager

**Brevard Prepares****Adoption and Modification of the Bylaws**

**Date of First Bylaw:**  
**February 5, 1999**

Date of Modification of Bylaws:	12/13/2013	Reason for Bylaws Change:	Changed name of group, number of members, and organization of Steering Committee, streamlines to one large committee and ad hoc committees, etc.
Date of Modification of Bylaws:	10/01/2011	Reason for Bylaws Change:	Change of Steering Committee meeting frequency from bi-annually to annually.

**1.14 APPENDIX III****1.14.1 Meeting Documentation**

This section of the Local Mitigation Strategy documents meeting agendas and minutes

**1.14.1.1 *LMS Meeting – January 6, 2020 Agenda*****BREVARD PREPARES  
LOCAL MITIGATION STRATEGY  
STEERING COMMITTEE MEETING**

**January 6, 2020  
2:00 PM**

**AGENDA**

1. Welcome and Introductions
2. Updates to Members List
3. Initiative Project Status
4. Critical Facilities Updates
5. Jurisdictional Code Reviews
6. Top Hazards and Risks by Jurisdiction
7. Development Trends
8. New LMS projects
  - City of Cocoa
  - City of Satellite Beach
  - Brevard County Sheriff's Office
  - City of Rockledge
  - Canaveral Port Authority
9. Hurricane Michael HMGP Ranking Discussion
10. New Business
  - Jurisdiction Changes
11. Next Meeting Date
12. Adjourn



**1.14.1.1 LMS Meeting – January 6, 2020 Meeting Minutes**Committee Members in Attendance:

Chair Alix Bernard, City of Rockledge  
Kimberly Prosser, Brevard County  
Jonathan Lamm, City of Cocoa  
Mark Ryan, City of Indian Harbour Beach  
Carlotta Taylor, L3 Harris Corporation  
Sandra Urban, City of Palm Bay  
David Abernathy, City of Satellite Beach  
Lisa Kubeika, City of Titusville  
Keith Mills, City of West Melbourne  
Wayne Struble, Health First

Other Attendees:

Debbie Coles, Brevard County Emergency Management (LMS Program Staff)  
Agnes Bradt, Brevard County Public Safety Group  
Anne Everly, Brevard Public Schools  
Bill Spinelli, BC Sheriff's Office  
Sam Byrd, City of Cocoa  
Cory Dibble, Canaveral Port Authority  
Joe Binde, Canaveral Port Authority  
Sam Smith, Florida Division of Emergency Management  
Jim Williams, City of Palm Bay  
Alexis Miller, City of Satellite Beach  
Liz Alward, City of Satellite Beach

The Brevard Prepares Steering Committee meeting was called to order at 2:00 p.m. by Alix Bernard, committee chair. Ms. Bernard welcomed the committee members and partners and introductions were made around the room.

Ms. Bernard indicated the November committee meeting was canceled due to lack of a quorum. However, this meeting had a quorum, so the committee could proceed with business.

Ms. Bernard asked that all get the members list from the back of the room and update any member information and give that to Brevard Prepares support, Ms. Debbie Coles with Brevard County Emergency Management.

Ms. Bernard then yielded the floor to Ms. Coles who opened a copy of the LMS project list (Appendix 1) and asked committee members to collect updates on all the projects listed in their section of the in preparation for the LMS update in 2020. Ms. Coles also asked for the same kind of review and update for the Critical Facilities list, Appendix 6 of the LMS.

Ms. Coles also went over Appendix 5 of the LMS, Mitigation-Related Strategies & Mechanisms by Jurisdiction, asking for that to be reviewed and updated prior to the meeting date.

Ms. Coles told the committee the LMS was due to expire in August of 2020 and it would take some time to update all the necessary sections of the plan. It would be in the committee members best interest to start working on those items soon. They should work with their land development and planning staff to update the appendices as requested. She also indicated that the first review on the plan was due to the Florida Division of Emergency Management at the end of February. February 25, 2020 was set by the committee as the deadline to have the updates to Ms. Coles.

The committee heard new project applications next:

The City of Cocoa proposed a project to reinforce the Indian River Drive bank with a geogrid secured by steel screw-in earth anchors along a 150 ft. area exhibiting the most severe distress. Revegetation and irrigation to encourage natural stabilization is also included. This project will increase the Factor of Safety of the bank stability from “marginally stable” 1.1 to 1.5 which is considered “stable”. The project mitigates coastal erosion, loss of comm systems, and transportation incidents. The cost was estimated at 99,979. The committee unanimously approved the project adopting it into the LMS. The priority score was 24. It was assigned number BRV-0878.

The City of Rockledge proposed to harden two fire stations (Stations 1 (35) and 3 (37)). This proposal includes installing two permanent generators at Stations 35 and 37 (\$116,000). In addition, the City will replace the bay doors and doors at both stations, install hurricane impact windows at both stations, and replace the roofs at both stations including necessary reinforcement to bring protection level up to appropriate wind rating and bringing them up to current code requirements. Finally, the demolition costs for both stations brings the total cost of this project up to an estimated of \$1,638,400.80. The project mitigates storm effects and prolonged utility failures. The priority score was 56. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0879.

The City of Satellite Beach presented 4 projects. The first was a generator for their fire station. Currently, the City of Satellite Beach Fire Station meets building code and is not

hardened past mandatory code. It is considered a critical facility, as it currently is used to ride out up to Category 3 level storms for firefighters and essential support staff and houses/hosts city first-responders.

The City of Satellite Beach proposes a project to harden building envelope components such as windows and doors, as well as invest in a new 80 kW generator with accompanying support infrastructure. This is a wind and utility failure project. The cost estimate was \$1,011,250. The priority score was 44. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0880.

Currently, the City of Satellite Beach Police Station meets building code and is not hardened past mandatory code. It is considered a critical facility, with essential communication hardware and spaces for critical administration, essential staff offices, and confidential information and materials related to public health and safety.

The City of Satellite Beach proposes a project to harden building envelope components such as windows and doors, as well as invest in a new 80 kW generator with accompanying support infrastructure. This is a wind and utility failure project. The cost estimate was \$794,385. The priority score was 44. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0881.

The City of Satellite Beach City Hall and Civic Center meets building code but is not hardened past mandatory code. It is considered a critical facility, as it currently is used to ride out low-level storms for essential staff, as well as hosts critical infrastructure and a space for mass assembly of city staff for hurricane preparations.

The City of Satellite Beach proposes a project to harden building envelope components such as windows and doors, as well as invest in a new 150 kW generator with accompanying support infrastructure. This is a wind and utility failure project. The cost estimate was \$990,730. The priority score was 44. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0882.

The final City of Satellite Beach project is the DRS Community Center. Currently, the City of Satellite Beach DRS Community Center meets building code and is not hardened past mandatory code. It is considered a critical facility, with essential communication hardware and spaces for essential staff to congregate for pre- and post-disaster operations as well as host community events, both scheduled and emergency-operations based.

The City of Satellite Beach proposes a project to harden building envelope components such as windows and doors, as well as invest in a new 240 kW generator with accompanying support infrastructure. This is a wind and utility failure project. Mitigates

The cost estimate was \$853,450. The priority score was 32. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0883.

The Sheriff's Office presented next and requires an emergency generator for the 911 communications center. The Communications Center is the central dispatch facility serving all of the Sheriff's Office field personnel, investigators, and specialty units. Additionally, the Sheriff's public safety tele communicators provide 9-1-1 call and dispatch services to the cities of Cape Canaveral, Melbourne Beach, Melbourne Village and West Melbourne. This mitigates a communications system failure. The cost estimate was \$100,000. The priority score was 44. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0884.

The Canaveral Port Authority presented three projects. The first was the North Jetty Sediment Trap. A Sediment Trap would intercept sand influx from the north, particularly in the years preceding a "sand bypass" project that periodically dredges sand buildup from the beach north of the inlet along CCAFS. The trap would be located just seaward of the north jetty – where sand bypass dredging does not reach – and along the north edge of the navigation channel, at approximately the channel depth. Initial construction would deepen this area to that of the channel, placing the dredge material into existing, permitted nearshore and offshore disposal areas. The cost estimate was stated as \$7,660,000. The priority score was 44. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0885.

The next project proposed by Canaveral Port Authority as the Infrastructure Hardening/Burying of Utility Poles. Port Canaveral has approximately 280 wooden utility poles spread throughout the jurisdiction. These poles are critical links for both power and communications and vital to ensuring quick response and recovery from a disaster. After both Hurricane Matthew and Irma, Port Canaveral lost power, and it was intermittent and unreliable for several days. The increased winds of Hurricane Irma snapped a critical power link to the northside fire department in half, resulting in a small fire and loss of power to the fire station. Port Canaveral's Maritime Center, fire stations 52 and 54, the Interagency Maritime Operations Center, Customs and Border Protection, and Port Authority tenants such as Seaport Canaveral all share the same power infrastructure and are vital components to emergency response and recovery for the state of Florida. Without a reliable power system, emergency response will be delayed as well as the ability to reopen and accept fuel vessels and their cargo offload. The need to harden Florida's seaports with sustainable power infrastructure is apparent and further warranted after the devastation of Hurricane Michael in the panhandle and Port Panama City. A recent study conducted by the Florida Port's Council in 2019 identified the need to further build out the resiliency of the current and gaining utility



infrastructure at Florida's seaports. Port Canaveral plans to harden the power infrastructure through burying existing power lines and replacing wooden poles with concrete. The cost estimate was stated as \$3,000,000. The priority score was 36. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0886.

The final port project was a Non-Structural Retrofitting of Existing Building/IT Room. The existing Port data center housing communications and server systems is vulnerable to water, wind, and man-made disruptions. A disruption due to an event could impact the following services:

- network outage to of IP cameras and access control monitoring
- SCADA system outages
- email and internet outages
- phone service for operations
- application and revenue generating system outages
- Communications Center monitoring outages for BCSO and CFRBRV-0879.

The cost estimate was stated as \$1,200,000. The priority score was 20. The committee unanimously approved the project adopting it into the LMS. It was assigned number BRV-0886.

All applicant's plan on funding the projects using Hurricane Michael HMGP funds.

Alix Bernard moved on the next order of business, to consider new Steering Committee positions. The committee unanimously approved the Canaveral Port Authority and Brevard Public Schools as new committee members. They will be recognized as separate jurisdictions in the update of the LMS.

The committee also set guidelines for ranking the projects that will be submitted as Hurricane Michael HMGP applicants. Hurricane Michael HMGP grant funding deadline is March 10, 2020. The committee approved ranking all applicant's by priority score and directed Ms. Coles to draft a support letter for these applicants to be signed by the committee chair, Alix Bernard.

The chair called for the meeting to adjourn at 3:05PM.

**1.14.1.2 LMS Meeting – July 19, 2019 Agenda**

**BREVARD PREPARES  
LOCAL MITIGATION STRATEGY  
STEERING COMMITTEE MEETING**

**July 19, 2019  
2:00 PM**

**AGENDA**

1. Welcome and Introductions
2. June 25, 2018 Meeting Minutes
3. Updates to Members List
4. LMS Project Status from Members
5. Member Updates on Critical Facilities
6. Jurisdictional Code Reviews
7. LMS Update Schedule
8. New LMS projects
  - Application and Assessment Review
  - Hurricane Michael HMGP Application Process
9. Election of Steering Committee Officers
10. Next Meeting Date
11. Adjourn



### **1.14.1.3 LMS Meeting – July 19, 2019 Meeting Minutes**

#### Committee Members in Attendance:

Chair Alix Bernard, City of Rockledge  
Vice-Chair Ryan Duckworth, City of Cocoa Beach  
Kimberly Prosser, Brevard County  
Jonathan Lamm, City of Cocoa  
Michael Casey, Town of Indialantic  
Rebecca Thibert, City of Melbourne  
Sandra Urban, City of Palm Bay  
Jim Williams, City of Palm Bay  
Jeff Dangler, City of Satellite Beach  
Lisa Kubeika, City of Titusville  
Keith Mills, City of West Melbourne

#### Other Attendees:

Debbie Coles, Brevard County Emergency Management (LMS Program Staff)  
LaVetha Fullmer, Brevard County Emergency Management Intern  
Jeff Ratliff, Brevard County Natural Resources Management Stormwater Division  
Anne Everly, Brevard Public Schools  
Frank Skarvelis, Brevard County Floodplain Coordinator  
Edward Bragg, Cocoa Fire Department  
Lynn Cowart, Crosswind Youth Services

The Brevard Prepares Steering Committee meeting was called to order at 2:00 p.m. by Alix Bernard, committee chair. Ms. Bernard welcomed the committee members and partners and introductions were made around the room.

Ms. Bernard indicated the April committee meeting was canceled due to lack of a quorum. However, this meeting had a quorum, so the committee could proceed with business.

Meeting minutes from July 25, 2018 were accepted.

Ms. Bernard asked that all get the members list from the back of the room and update any member information and give that to Brevard Prepares support Ms. Debbie Coles with Brevard County Emergency Management.

Ms. Bernard then yielded the floor to Ms. Coles who opened a copy of the LMS project list (Appendix 1) and asked committee members to collect updates on all the projects

listed in their section of the in preparation for the LMS update in 2020. Ms. Coles also asked for the same kind of review and update for the Critical Facilities list, Appendix 6 of the LMS.

Ms. Coles also went over Appendix 5 of the LMS, Mitigation-Related Strategies & Mechanisms by Jurisdiction, asking for that to be reviewed and updated prior to the meeting date.

Ms. Coles told the committee the LMS was due to expire in August of 2020 and it would take some time to update all the necessary sections of the plan. It would be in the committee members best interest to start working on those items soon. They should work with their land development and planning staff to update the appendices as requested. She also indicated that the first review on the plan was due to the Florida Division of Emergency Management at the end of February.

The committee heard new project applications next. Lynn Cowart with Crosswinds Youth Services requested the committee approve a generator project for the Robert E. Lehton Children's Shelter. The committee unanimously approved the project adopting it into the LMS and assigned it number BRV-0876.

Rebecca Thibert also presented a project for generators at the Melbourne Fire Stations & Fleet Services buildings. Again, the committee unanimously approved the project and adopted it into the LMS and assigned it number BRV-0877.

Both applicant's plan on funding the projects using Hurricane Michael HMGP funds.

Alix Bernard opened the floor to elect new Steering Committee Chair and Vice-Chair positions. The committee unanimously approved another term for the existing Chair, Alix Bernard of Rockledge, and Vice-Chair, Ryan Duckworth of Cocoa Beach.

The committee also set a meeting date later that year for November 8, 2020 to hear additional LMS projects and discuss hurricane Michael HMGP grant funding anticipated to be available in early 2020. The committee approved the additional meeting.

The chair called for the meeting to adjourn at 3:20PM.

**1.14.1.4 LMS Meeting – June 25, 2018 Agenda**

**BREVARD PREPARES  
LOCAL MITIGATION STRATEGY  
STEERING COMMITTEE MEETING**

**June 25, 2018  
2:00 PM**

**AGENDA**

1. Welcome and Introductions
2. Updates to Members List
3. Updates to Project Status
4. Mitigation Initiatives
  - New
    - Brevard County Storm Water Utility
    - City of Melbourne
    - City of Titusville
  - Updates
    - Brevard County Fire Rescue
    - Brevard County Public Works Flood Plain
5. Initiative Ranking for HMGP
6. HMGP Application Questions
7. Next Meeting Date
8. April 13, 2018 Meeting Minutes
9. Adjourn



**1.14.1.5 LMS Meeting – June 25, 2018 Meeting Minutes**Committee Members in Attendance:

Chair Alix Bernard, City of Rockledge  
Chris Chinault, Town of Indian River  
Kimberly Prosser, Brevard County  
Gene Prince, City of Cocoa  
Todd Scaldo, City of Indian Harbour Beach  
Sandra Urban, City of Palm Bay  
Richard Hood, Town of Grant-Valkaria  
Elsa Nylander, Harris Corporation  
Keith Mills, City of West Melbourne  
Bob Daniels, Town of Melbourne Beach  
Dina Reider Hicks, Waste Management

Other Attendees:

Debbie Coles, Brevard County Emergency Management (LMS Program Staff)  
Bill Quinn, BC Fire Rescue  
Jeff Rapolti, BC Natural Resources Management  
Robert Boyd, Harris Corporation  
Anne Everly, Brevard Public Schools  
Cory Dibble, Canaveral Port Authority  
Chad Shoultz, F.I.T.  
Jim Williams, City of Palm Bay  
Leslie Rothering, Brevard County Purchasing Services  
Euripides Rodriguez, Brevard County Solid Waste  
John Denninghoff, Assistant County Manager  
Ian Golden, Brevard County Housing and Human Services  
Matt Wallace, Brevard County Public Safety  
Larry Wojciechowski, Brevard County Parks and Recreation  
Jason Mahaney Town of Grant-Valkaria  
Alex Juan, Town of Grant-Valkaria

Meeting was called to order at 2:00 p.m. by Alix Bernard, Local Mitigation Strategy (LMS) Steering Committee Chair. Ms. Bernard opened the meeting with welcome and introductions. This meeting had eleven voting members present, therefore the quorum was met.

Debbie Coles asked the Steering Committee to review the members list and make any corrections. Ms. Coles had been tasked to reach out members that have not attended in

a while to determine if they want to continue as members. This resulted in the Home Builders and Contractor group being eliminated from the Steering Committee and the renewed attendance of Waste Management.

Ms. Coles asked that the members come prepared to report back on project status at the next meeting.

Chair Alix Bernard asked for the committee to hear mitigation initiatives to be considered for adoption into the LMS. The first was project was Brevard County Natural Resources Stormwater Utility project.

Jeff Rapolti with Natural Resources Stormwater presented on a repetitive loss acquisition project in West Cocoa that includes 27 of 116 properties that will continue to experience structure flooding during 100y/24hr storm events due to low finished floor elevations. They intend to fund this using Hazard Mitigation Grant Program (HMGP) and matched with Stormwater Utility monies. The project also includes a mitigation coordinator. The expected cost to implement the project is \$4.7M. The project was approved unanimously by the Committee to be incorporated into the LMS.

The City of Melbourne proposed hardening of Melbourne Fire Department fire stations. The City proposed to harden five fire stations (Stations 72, 75, 76, 77 and 78) and bring them up to current code requirements. The proposal included upgrading the existing bay doors, installing impact windows, shuttering doors, and upgrading the intake/exhaust louvers. The total project cost is estimated at \$176,000, with an estimated \$35,200 per fire station.

The City of Titusville proposed a lift station generator project. The three priority lift stations include: Baker No. 28, La Cita No. 46, and Hickory Hills No. 54. The Steering Committee approved this project unanimously. The estimated cost for three permanent generators was \$486,189 then went to \$758,109 before submittal as an HMGP project.

Updated information was available as a hand-out on the recently approved Brevard County Fire Rescue project to do updates to the T.J. Mills Building. The wind mitigation project included provisions for a generator and enclosure and moving one of the electrical transformers and replacing exposed doors & windows. The project was divided into three phases which cost \$400K each.

Ms. Coles lead the committee through the HMGP ranking for the projects that were known to be submitted for funding. The discussion on ranking the projects lead to the Committee voting to extend LMS project deadline to July 9, 2018 to accommodate those who wanted to submit new LMS projects and apply for HMGP funding. The following guidance and deadlines were set by the Committee:

- New initiative projects must be submitted to [debbie.coles@brevardfl.gov](mailto:debbie.coles@brevardfl.gov) by July 9, 2018
- Applicants must provide a priority score for each initiative project submitted using SOP
- Projects will be ranked based on the priority score
- Have up-to-date project costs to [debbie.coles@brevardfl.gov](mailto:debbie.coles@brevardfl.gov) by July 9, 2018
- The project cost in the “support/ranking letter” must be the same as the cost submitted with the HMGP application
- The Steering Committee votes on whether to adopt the new LMS initiative projects by emergency vote on July 16, 2018
- The “support/ranking letter” will be shared with adopted project applicants by close of business on July 20, 2018

Projects submitted by July 9, 2018 included:

BRV-0867 Palm Bay Police Department building hardening -\$650,000

BRV-0868 Brevard County Natural Resources Mud Lake Acquisition for West Cocoa drainage improvements -\$817,464

BRV-0869 Brevard County Natural Resources NMI (Church, Horseshoe, Crisafulli) - SFHA Acquisitions - \$2,582,000

BRV-0870 Brevard County Natural Resources Legay - SFHA Acquisitions -\$600,000

BRV-0871 Brevard County Natural Resources Silver Pines - SFHA Acquisitions - \$1,100,000

BRV-0872 Cocoa Public Works Fiske Blvd. Drainage Improvements \$600,000

BRV-0873 Cocoa Utilities Lift Station 1 Reconstruction/Generator - \$844,000

BRV-0874 Cocoa Public Works Broadmoor Drainage Improvements - \$400,000

BRV-0875 Cocoa Beach Public Works Emergency Generators to Power Key Traffic Signals - \$12,000

All projects were approved by a majority vote of the Steering Committee on July 16, 2018.

A letter supporting was sent to HMGP applicants and the Steering Committee on July 20, 2018 and then a revision to the letter was sent on August 3, 2018.

The next meeting date was tentatively set for April of 2019.

The meeting adjourned at 2:55 p.m.



**1.14.1.6 LMS Meeting – April 13, 2018 Agenda**

**BREVARD PREPARES  
LOCAL MITIGATION STRATEGY  
STEERING COMMITTEE MEETING**

**April 13, 2018  
2:00 PM**

**AGENDA**

1. Welcome and Introductions
2. Bylaws Review
3. Irma Hazard Mitigation Grant Funding Overview
4. Mitigation Initiatives
  - Brevard County Utilities
  - FIT
  - Cocoa Beach
  - Palm Bay
  - Updates
5. New Business
  - Officers
  - Bylaws
6. Next Meeting Date TBD
7. Adjourn



**1.14.1.7 LMS Meeting – April 13, 2018 Meeting Minutes**Committee Members in Attendance:

Chair Chris Chinault, Town of Indian River  
Vice-Chair Alix Bernard, City of Rockledge  
Kimberly Prosser, Brevard County  
Gene Prince, City of Cocoa  
Mark Ryan, City of Indian Harbour Beach  
Nicole Patterson, City of Melbourne  
Sandra Urban, City of Palm Bay  
Michael Foley, Town of Malabar  
Lisa Kubeika, City of Titusville  
Keith Mills, City of West Melbourne

Other Attendees:

Debbie Coles, Brevard County Emergency Management  
Bill Quinn, BC Fire Rescue  
Jeff Rapolti, BC Natural Resources Management  
Elizabeth Swanke, BC Utility Services  
Shelley Locklear, BC Utility Services  
Elizabeth Everly, Brevard Public Schools  
Cory Dibble, Canaveral Port Authority  
Frank Kinney, F.I.T.  
Chad Shultz, F.I.T.  
Jim Williams, City of Palm Bay

Meeting was called to order at 2:00 p.m. by Chris Chinault, Local Mitigation Strategy (LMS) Steering Committee Chair. Mr. Chinault opened the meeting with welcome and introductions. This meeting had ten voting members present, therefore the quorum was met.

Debbie Coles reviewed the bylaws with the committee highlighting key areas of interest like voting and quorums and annual project status. Ms. Coles asked that the members come prepared to report back on project status at the next meeting. The Chair asked Ms. Coles to reach out to members that have not attended in a while to determine if they want to continue as members.

Ms. Coles presented on the Hazard Mitigation Grant Program (HMGP) and the process and dates for submittal to the state. The next Steering Committee meeting will be for ranking projects that will be submitted to the HMGP for funding.

Chair Chinault asked for the committee to hear mitigation initiatives to be considered for adoption into the LMS. The first was project was Brevard County Utilities slip lining sewer lines in Barefoot Bay. The project was approved unanimously. Utilities also reported that slip lining projects were determined by the State to be maintenance projects and therefore ineligible for HMGP funding, so they would not be applying for that funding.

F.I.T. presented their projects to harden and attach generators for three campus building areas. Panther Dining Hall, Harris Village (5 building dorm complex), and Shaw Hall (houses campus EM) all need wind hardening and backup power supplies. The Panther Dining Hall was estimated to cost \$275K, Harris Village cost is anticipated to be \$850K and Shaw Hall estimate was \$200K. They will be applying for HMGP funding for these projects.

Cocoa Beach presented their project to purchase 8 generators for of lift stations to mitigate electrical power loss during tropical cyclones or other occurrences at an approximate cost of 50K each. The steering committee approved it unanimously.

Palm Bay presented on constructing a new Hardened Fire Station #5 (\$1.5M) and getting a generator for Fire Station #2 (\$25K). They also presented a project to replace a culvert at Ferguson Road where it crosses the C-9R Melbourne-Tillman canal with a large box culvert /bridge to alleviate flooding and allow for an emergency ingress/egress route. The final project presented by Palm Bay was to acquire a number of repetitive loss properties in the Cimarron Circle neighborhood for an estimated \$1.68 million. Palm Bay proposes to fund these projects using HMGP and general fund dollars. All Palm Bay projects were approved by the Steering Committee.

Jeff Rapolti with Natural Resources Stormwater indicated they would present at the next meeting a repetitive loss acquisition project in West Cocoa that includes 20 of 113 properties that will continue to experience structure flooding during the 100y/24hr storm event due to low finished floor elevations. They also intend to fund this using HMGP and stormwater utility monies.

Election of new officers followed the project presentations. Alix Bernard with the City of Rockledge was elected Chair of the Steering Committee and Chief Ryan Duckworth with the City of Cocoa Beach became Vice-Chair.

The next meeting date was set for June 25, 2018, and an initiative project submittal deadline was set by the committee for May 31, 2018. The June meeting will also include ranking of the Hurricane Irma HLMP projects.

The meeting adjourned at 3:15 p.m.

**1.14.1.8 LMS Meeting – April 18, 2017 Agenda**

**BREVARD PREPARES  
LOCAL MITIGATION STRATEGY  
STEERING COMMITTEE MEETING**

**April 18, 2017  
2:00 PM**

**AGENDA**

1. Welcome and Introductions
2. Updates to Members List
3. Mitigation Initiatives
  - New
    - City of Melbourne
    - City of Rockledge
  - Updates
    - Indian Harbour Beach
    - Melbourne
    - Brevard County Emergency Management
    - Brevard County Natural Resources
4. Initiative Ranking Discussion
5. HMGP Application Questions
6. Next Meeting Date
7. Adjourn



#### **1.14.1.9 LMS Meeting – April 18, 2017 Meeting Minutes**

##### Committee Members in Attendance:

Chair Chris Chinault, Town of Indian River  
Vice-Chair Alix Bernard, City of Rockledge  
Michele Jones, Brevard County  
Gene Prince, City of Cocoa  
Ryan Duckworth, City of Cocoa Beach  
Mark Ryan, Indian Harbour Beach  
Tom Baker, City of Melbourne  
Tim Day, City of Melbourne Beach  
Lisa Kubeika, City of Titusville

##### Other Attendees:

Debbie Coles, Brevard County Emergency Management  
Jeff Rapolti, Brevard County Natural Resources  
Nicole Patterson, City of Melbourne

Meeting was called to order at 1:00 p.m. by Chris Chinault, Local Mitigation Strategy (LMS) Steering Committee Chair. Mr. Chinault opened the meeting with welcome and introductions. This meeting was rescheduled due to lack of quorum from April 13, 2017 to April 18, 2017.

The Steering Committee reviewed and updated the members contact list.

Mitigation projects to be adopted were heard next. These included new items from the city of Melbourne and the city of Rockledge and a series of updates on existing projects from Indian Harbour Beach, Melbourne, and Brevard County.

The city of Melbourne had two new drainage items including North South Terminal Canal, and Paradise Blvd. Ditch. Tom Baker with the City briefed the committee on each project. The project priority score was 15 for the Paradise Boulevard Ditch project and 6 for the North South Terminal Canal project. Both projects were adopted unanimously. The projects were assigned id# BRV-0849 and BRV-0850 respectively.

Alix Bernard with the city of Rockledge briefed the group on their new initiative to purchase generators for lift stations. City currently does not have enough portable generators to back up lift stations during storm events, such as hurricanes. Purchasing additional generators will allow for the lift stations in the city to remain active in the event that electricity is lost for a few hours. The project priority score was 28 out of a possible 64 points. The project was adopted unanimously. The project was assigned id# BRV-0851.

The Chair then asked to hear the updates for projects. All projects included a cost adjustment:

- BRV-0193 Community Services Center Generator - Indian Harbour Beach (City Hall/ Admin)
- BRV-0407 Oak Park Elementary Generator - Brevard County (Emergency Management)
- BRV-0752 Flood Hazard Mitigation - West Cocoa - Brevard County (Natural Resources)
- BRV-0787 Emergency Operations and 911 Communications Center - Brevard County (Emergency Management)
- BRV-0824 Parkway Drive Ditch Restabilization - City of Melbourne (Public Works)

Initiative ranking for those who wanted to submit for an HMGP application following Hurricane Matthew was done. Chair Chinault outlined that in the past each jurisdiction ranked their projects and the top projects were listed in order of priority until the funding was expended. Some projects were later withdrawn. The final list of applications is below:

Hazard: W = Winds FR = Fire UL = Utility Loss L = Lightning SS = Storm Surge C = Civil Disorder FL = Flooding E = Erosion HZ = Hazmat WS = Winter Storm D = Drought I = Infestation/Disease All = All Hazards Funding Source: 1-PDM (Pre-Disaster Mitigation) 2-SHSP (State Homeland Security Program) 3-CDBG (Community Development Block Grant) 4-FMA (Flood Mitigation Assistance) 5-HMGP (Hazard Mitigation Grant Program) 6-PA Status: C-Completed D-Deferred Funding Unavailable N-New U-Updated IP-In Progress (and % complete)											
Number	Jurisdiction	Responsible Organization	Hazard	Project Description	Funding Source	Date	Estimated Completion	Status	Federal Share	Comments	Priority
BRV-0787	Brevard County	BCBM	All	Emergency Operations and 911 Communications Center	5	12/19/2013	12/19/2022	U	\$633,000	The overall project is to replace the Brevard County EOC with a new building to accommodate the fire rescue public safety answering point and emergency management department. The project total is \$14.7 million. The funding requested is for the above code costs associated with construction \$633,000.	1
BRV-0407	Brevard County	BCBM	UL	Oak Park Elementary Generator	5	7/20/1999	7/20/2019	U	\$84,295	Oak Park is a critical facility as a Special Needs Shelter. This project includes a generator and building hardening to accommodate the generator connection to reduce loss of life during its use as a shelter. The generator will be designed to run lights, computers, HVAC equipment, medical equipment, and other electrical equipment as necessary.	2
BRV-0851	Rockledge	Public Works	UL	Generator for Lift Stations	5	4/13/2017	4/13/2019	N	\$43,000	The city of Rockledge currently does not have enough portable generators to back up lift stations during storm events, such as hurricanes. This project includes purchasing an additional generator for lift station 10 in the city to remain active in the event that electricity is lost.	3
BRV-0193	Indian Harbour Beach	City Hall/ Admin.	UL	Community Services Center Generator	5	4/5/1999	4/5/2020	U	\$70,753	Gas Generator for City's Community Services Center a Critical Facility for a major storm or tsunami event.	4
BRV-0752	Brevard County	Natural Resources	FL	Flood Hazard Mitigation - West Cocoa	1,4,5,6,8, 8WU	11/16/2004	11/16/2022	U	\$2,287,500	This project includes the Cox Road Portion (install culvers & ditch regrading from Right St. to SR520)	5

A letter was drafted and sent to each applicant to be included in the HMGP grant application as required.

The next meeting date was to be determined at a later date.

Meeting adjourned at approximately 2:15 p.m.

*1.14.1.10 LMS Meeting – December 14, 2016 Agenda*

**BREVARD PREPARES  
LOCAL MITIGATION STRATEGY  
STEERING COMMITTEE MEETING**

**December 14, 2016  
9:00 AM**

**AGENDA**

1. Welcome and Introductions
2. Approve Minutes
3. Mitigation Initiatives
  - Brevard County Fire Rescue
  - Brevard County Natural Resources
4. Hazard Mitigation Grant Funding Overview – Carly Swartz, FDEM
5. Initiative Ranking Discussion
6. New Business
7. Next Meeting Date
8. Adjourn





#### ***1.14.1.11 LMS Meeting – December 14, 2016 Meeting Minutes***

##### Committee Members in Attendance:

Chair Chris Chinault, Town of Indian River  
Vice-Chair Alix Bernard, City of Rockledge  
Michele Jones, Brevard County  
Jeff Ratliff, Cape Canaveral  
Gene Prince, City of Cocoa  
Mark Austin, City of Cocoa Beach  
Tom Baker, City of Melbourne  
Ed Washburn, Town of Palm Shores  
Don Hughes, City of Satellite Beach  
Keith Mills, City of West Melbourne

##### Other Attendees:

Debbie Coles, Brevard County Emergency Management  
Bill Quinn, Brevard County Fire Rescue  
Jeff Rapolti, Brevard County Natural Resources  
Carly Swartz, Florida Division of Emergency Management  
David Ugrekhelidze, Florida Division of Emergency Management  
Chuck Bogle, City of Melbourne  
Nicole Patterson, City of Melbourne  
Shannon Lewis, City of Melbourne

Meeting was called to order at 9:05 a.m. by Chris Chinault, Local Mitigation Strategy (LMS) Steering Committee Chair. Mr. Chinault opened the meeting with welcome and introductions. The Steering Committee was targeting July of 2017 for the next meeting, however, Hurricane Matthew made it necessary to hold a meeting to discuss projects for Hazard Mitigation Grant Program funding and to set a subsequent meeting for ranking those projects.

The minutes of the August 31, 2016 meeting were approved unanimously.

Brevard County Fire Rescue, Bill Quinn presented the first initiative to be considered during this meeting, Weather Bug Stations. The stations would be installed at county fire stations to provide much needed tactical information during hurricanes and wildfire events. Real-time weather information would enhance both fire fighter safety and emergency service delivery. The project priority score was 40 out of 64. It was adopted unanimously by the Steering Committee. The project was assigned id# BRV-0848

Jeff Rapolti with Brevard County Natural Resources presented on Lake Washington Road Ditch Bank Restoration. This ditch is located between Bahia Lane and



Washingtonia Drive. The restoration is necessary due to severe erosion along 2000 feet for the road caused by Hurricane Matthew. This project received a priority score of 15 out of 64. The Steering Committee voted unanimously to adopt the project into the LMS. It was assigned id# BRV-0847.

Carly Swartz and David Ugrekhelidze with the Florida Division of Emergency Management were in attendance to answer any specific questions on the HMGP process. Ms. Swartz provided an overview. The Florida Division of Emergency Management Post-disaster funding provided after a Presidential Disaster Declaration. This program funds mitigation projects throughout Brevard County including municipalities, elected bodies, not-for-profits, and non-governmental organizations. The requirements for application are that the project must implement long-term hazard mitigation measures to reduce the risk and impact of future disasters. It must have a FEMA approved and locally adopted Local Mitigation Strategy (LMS). Brevard's LMS was approved in 2015. The initiative project must also be on the LMS Project List. The Preliminary allocation to Brevard is currently at \$2.5 million although the final amount could increase. There is also a cost share. 75% will be provided by HMGP funding and 25% must be matched by the applicant. This is a reimbursement grant. She indicated a Notice of Funding with the application deadline was expected to come out this January. There were no specific questions for the Division.

The Chair thanked the Division for attending and then moved on to ask if there was any new business. None heard. It was decided to wait until the HMGP Notice of Funding came out to determine the next meeting date. The next meeting date was set later for April 13, 2017 at 2pm.

Meeting adjourned at approximately 10:10 a.m.

*1.14.1.12 LMS Meeting – August 31, 2016 Agenda*

**BREVARD PREPARES  
LOCAL MITIGATION STRATEGY  
STEERING COMMITTEE MEETING**

**August 31, 2016  
9:30 AM**

**AGENDA**

1. Welcome and Introductions
2. Mitigation Initiative – Brevard County Fire Rescue
3. Initiative Status Updates from Steering Committee Members
4. Review of Bylaws and Operating Procedures
5. Review of Standard Operating Guide for Mitigation Initiatives
6. Review of 2016 Revisions to the LMS
7. New Business
8. Election of Officers
9. Next Meeting Date
10. Adjourn



#### 1.14.1.13 LMS Meeting – August 31, 2016 Meeting Minutes

##### Committee Members in Attendance:

Chair Chris Chinault, Town of Indian River  
Mark Ryan, City of Indian Harbour Beach  
Chuck Bogle, City of Melbourne  
Ed Washburn, Town of Palm Shores  
Alix Bernard, City of Rockledge  
Ann Benedetti, St. Johns River Water Management District  
Don Hughes, City of Satellite Beach  
Lisa Kubeika, City of Titusville  
Keith Mills, City of West Melbourne  
Virginia Barker, Brevard County

##### Other Attendees:

Chief Neterer, Brevard County Fire Rescue  
Bill Quinn, Brevard County Fire Rescue  
Debbie Coles, BCEM  
Kimberly Prosser, BCEM

Meeting was called to order at 9:35 a.m. by Chris Chinault, Local Mitigation Strategy (LMS) Steering Committee Chair. Mr. Chinault opened the meeting with welcome and introductions then invited Brevard County Fire Rescue, Deputy Chief Neterer to present on the only initiative to be considered during this meeting, *Wind Mitigation of the T. J. Mills Fire Rescue Headquarters Building*.

Chief Neterer showed the committee a PowerPoint presentation highlighting Brevard County Fire Rescue's need to harden the headquarters building against hurricane force winds. The building is Fire Rescue's Emergency Operations Center and is activated for natural disasters. It is also a back-up communications center for E-911 County Fire Rescue Communications during natural disasters. The goal is to complete projects including: a protective wall around the back-up generator, hardening rooftop air handlers, and providing upgrades to doors and windows to make the building able to resist sustained hurricane force winds of 160 MPH. The project total cost as estimated by construction engineering group was 1.2 million dollars. This project was ranked high with a priority score of 68. The Steering Committee voted unanimously to adopt the project into the LMS. It was assigned id# BREV-831.

The Chair then moved on asking for updates from the Steering Committee Members on initiative projects. None heard he moved on to ask Ms. Coles to present on the recent

minor changes to the By-Laws and Operating Procedures, Standard Operating Guide for Mitigation Initiatives, and 2016 revisions to the LMS as prompted by the Emergency Management Accreditation Program (EMAP) accreditation process.

No new business for the committee.

Election of officers then took place. Chairman Chinault was nominated for Chair by Keith Mills and seconded by Alix Bernard. Steering Committee members in attendance voted unanimously in favor of the Chair remaining. Keith Mills nominated Alix Bernard as Vice-Chair seconded by Virginia Barker. The Committee unanimously voted to make Ms. Bernard Vice-Chair.

Next Regular Steering Committee Meeting Date targeted for – July 20, 2017.

Meeting adjourned at approximately 11:30 a.m.

## **1.15 Appendix IV**

### **1.15.1 Vulnerability Maps and Data by Jurisdiction**

This section of the Local Mitigation Strategy assesses the risk faced by each jurisdiction within Brevard County utilizing the same methodology used for the countywide summary portion of this report.

The following hazards will be analyzed for each jurisdiction beginning on the next page of this appendix:

- Flooding
- Fire
- Wind

# BREVARD UNINCORPORATED

## Hazard Profile

The table series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser data to generate risk information for flooding, wildfire, and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction and countywide data.



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Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	13,021	10.48%	8,604	6.92%	\$649,750,890.00	\$1,597,906,120.00	\$1,865,900,290.00	\$1,368,237,230.00	4,645	3,709	1,856	501						
Flood Zone AE	12,076	9.72%	7,758	6.24%	\$1,837,262,420.00	\$1,607,782,310.00	\$2,911,293,640.00	\$2,016,035,252.00	5,642	2,009	1,246	277						
Flood Zone AO	105	0.08%	76	0.06%	\$127,066,640.00	\$30,369,980.00	\$152,116,980.00	\$30,709,792.00	70	8	6	6						
Flood Zone AH	1,072	0.86%	896	0.72%	\$45,814,410.00	\$192,180,150.00	\$199,993,580.00	\$155,809,021.00	109	738	337	3						
Flood Zone VE	3,346	2.69%	2,295	1.85%	\$620,351,460.00	\$821,291,950.00	\$1,310,346,580.00	\$941,002,973.00	1,933	1,086	447	171						
Flood Zone X	87,197	70.16%	71,420	57.47%	\$4,973,303,966.00	\$11,490,070,974.00	\$13,539,640,760.00	\$10,231,222,883.00	42,757	26,634	14,104	3,980						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	11,702	9.42%	218	0.18%	7	0.01%	99	0.08%	18	0.01%	649	0.52%	158	0.13%	0	0.00%	3	0.00%
Flood Zone AE	10,001	8.05%	182	0.15%	15	0.01%	51	0.04%	23	0.02%	1,022	0.82%	286	0.23%	1	0.00%	22	0.02%
Flood Zone AO	79	0.06%	3	0.00%	0	0.00%	0	0.00%	0	0.00%	22	0.02%	1	0.00%	0	0.00%	0	0.00%
Flood Zone AH	1,016	0.82%	41	0.03%	0	0.00%	0	0.00%	3	0.00%	9	0.01%	0	0.00%	0	0.00%	2	0.00%
Flood Zone VE	3,153	2.54%	14	0.01%	2	0.00%	0	0.00%	0	0.00%	150	0.12%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	80,246	64.57%	2,397	1.93%	118	0.09%	597	0.48%	198	0.16%	1,627	1.31%	444	0.36%	1	0.00%	99	0.08%

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	5,250	4.22%	3,153	2.54%	\$1,850,040,280.00	\$853,125,640.00	\$2,421,011,310.00	\$1,007,706,457.00	2,690	1,024	630	89						
Low Risk	40,817	32.84%	29,356	23.62%	\$3,140,484,990.00	\$5,814,764,550.00	\$7,532,537,780.00	\$5,955,641,440.00	18,750	10,212	7,621	2,516						
High Risk	31,352	25.23%	22,989	18.50%	\$1,826,322,430.00	\$4,983,444,810.00	\$5,652,790,530.00	\$4,458,580,036.00	8,231	13,821	6,020	1,818						
Very High Risk	46,859	37.70%	40,776	32.81%	\$2,314,445,466.00	\$5,072,486,404.00	\$5,928,828,660.00	\$4,464,132,036.00	29,330	10,497	4,478	692						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	4,331	3.48%	35	0.03%	5	0.00%	10	0.01%	3	0.00%	625	0.50%	80	0.06%	1	0.00%	106	0.09%
Low Risk	35,986	28.96%	1,301	1.05%	61	0.05%	282	0.23%	81	0.07%	1,897	1.53%	544	0.44%	0	0.00%	11	0.01%
High Risk	28,779	23.16%	591	0.48%	16	0.01%	111	0.09%	63	0.05%	768	0.62%	191	0.15%	1	0.00%	7	0.01%
Very High Risk	43,812	35.25%	1,096	0.88%	69	0.06%	376	0.30%	118	0.09%	464	0.37%	199	0.16%	0	0.00%	9	0.01%

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	39,568	31.84%	24,634	19.82%	\$1,785,549,590.00	\$2,979,460,900.00	\$3,830,023,240.00	\$2,305,134,565.00	16,725	7,507	3,837	723						
106-110 mph	67,353	54.20%	57,049	45.90%	\$5,680,022,166.00	\$11,362,095,834.00	\$14,250,289,050.00	\$10,848,455,519.00	31,722	23,568	12,855	3,946						
111-115 mph	17,357	13.97%	14,591	11.74%	\$1,665,721,410.00	\$2,382,264,670.00	\$3,454,855,990.00	\$2,732,469,885.00	10,554	4,479	2,057	446						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	35,648	28.68%	628	0.51%	35	0.03%	137	0.11%	72	0.06%	2,221	1.79%	458	0.37%	1	0.00%	110	0.09%
106-110 mph	61,025	49.10%	2,207	1.78%	97	0.08%	623	0.50%	172	0.14%	1,139	0.92%	530	0.43%	1	0.00%	10	0.01%
111-115 mph	16,235	13.06%	188	0.15%	19	0.02%	19	0.02%	21	0.02%	394	0.32%	26	0.02%	0	0.00%	13	0.01%



Storm Surge Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Category 1	20,199	6.09%	16,852	5.08%	\$4,236,256,736.00	\$4,473,342,314.00	\$7,665,870,850.00	\$5,193,340,617.00	11,844	5,418	3,252	406						
Category 2 (Cumulative)	27,410	8.26%	23,304	7.02%	\$4,900,518,746.00	\$5,764,595,244.00	\$9,267,643,530.00	\$6,433,155,189.00	16,736	6,916	4,111	23,334						
Category 3 (Cumulative)	47,392	14.28%	41,781	12.59%	\$6,298,351,866.00	\$9,328,203,844.00	\$13,420,817,680.00	\$9,650,154,437.00	31,448	10,648	6,121	41,630						
Category 4 (Cumulative)	74,303	22.39%	66,211	19.95%	\$8,396,809,616.00	\$13,900,001,794.00	\$18,983,581,890.00	\$14,218,080,422.00	50,543	15,809	8,758	65,372						
Category 5 (Cumulative)	92,022	27.73%	81,263	24.49%	\$9,538,741,533.00	\$16,459,249,847.00	\$22,261,092,470.00	\$16,603,970,951.00	62,623	18,560	10,268	79,959						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Category 1	18,412	5.55%	393	0.12%	34	0.01%	65	0.02%	47	0.01%	763	0.23%	102	0.03%	1	0.00%	22	0.01%
Category 2 (Cumulative)	24,808	7.47%	652	0.20%	49	0.01%	95	0.03%	74	0.02%	869	0.26%	138	0.04%	1	0.00%	24	0.01%
Category 3 (Cumulative)	43,311	13.05%	1,261	0.38%	69	0.02%	203	0.06%	114	0.03%	1,053	0.32%	230	0.07%	1	0.00%	26	0.01%
Category 4 (Cumulative)	67,316	20.28%	2,817	0.85%	167	0.05%	203	0.06%	210	0.06%	1,397	0.42%	332	0.10%	1	0.00%	27	0.01%
Category 5 (Cumulative)	82,195	24.77%	4,313	1.30%	259	0.08%	203	0.06%	340	0.10%	1,813	0.55%	364	0.11%	3	0.00%	32	0.01%
Sea Level Rise Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Protection Almost Certain	76,990	23.20%	70,470	21.23%	\$6,859,906,556.00	\$13,468,527,314.00	\$17,103,190,090.00	\$13,840,409,213.00	56,765	14,007	7,479	1,286						
Protection Reasonably Likely	6,040	1.82%	4,116	1.24%	\$818,370,130.00	\$1,124,253,080.00	\$1,820,257,170.00	\$1,146,766,490.00	1,808	2,069	1,017	338						
Protection Unlikely	251	0.08%	134	0.04%	\$89,275,810.00	\$22,111,120.00	\$110,208,360.00	\$32,382,910.00	109	28	12	4						
Submerged/Open Water	3,915	1.18%	3,345	1.01%	\$626,943,780.00	\$845,628,560.00	\$1,211,531,480.00	\$963,740,262.00	2,181	1,128	743	99						
Wetlands	2,329	0.70%	1,308	0.39%	\$544,729,710.00	\$528,303,000.00	\$988,591,110.00	\$376,488,968.00	481	796	605	111						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Protection Almost Certain	69,793	21.03%	3,629	1.09%	235	0.07%	505	0.15%	255	0.08%	827	0.25%	65	0.02%	0	0.00%	11	0.00%
Protection Reasonably Likely	4,871	1.47%	357	0.11%	27	0.01%	97	0.03%	24	0.01%	299	0.09%	205	0.06%	1	0.00%	5	0.00%
Protection Unlikely	178	0.05%	2	0.00%	1	0.00%	3	0.00%	1	0.00%	45	0.01%	5	0.00%	0	0.00%	0	0.00%
Submerged/Open Water	3,597	1.08%	55	0.02%	2	0.00%	16	0.00%	5	0.00%	162	0.05%	11	0.00%	0	0.00%	13	0.00%
Wetlands	1,735	0.52%	127	0.04%	2	0.00%	50	0.02%	9	0.00%	294	0.09%	51	0.02%	0	0.00%	1	0.00%



# CAPE CANAVERAL

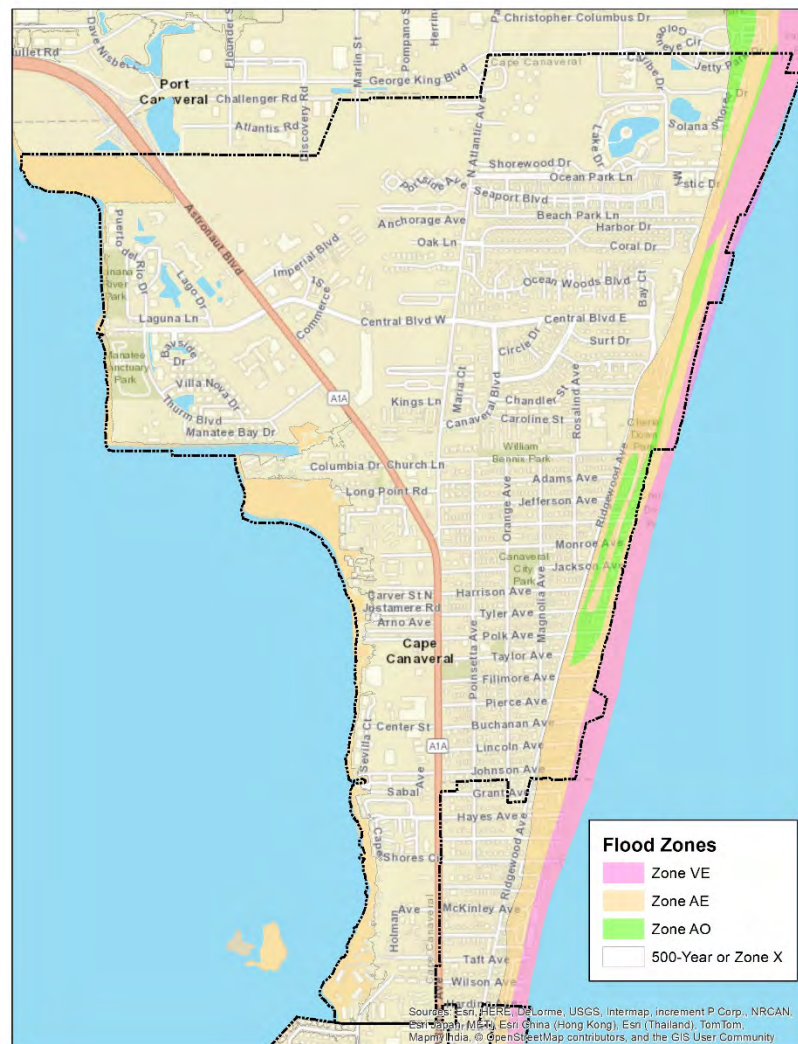
## Hazard Profile

The City of Cape Canaveral is in the east-central coastal section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Cape Canaveral, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

# FLOODPLAIN PROFILE | CAPE CANAVERAL

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	569	7.36%	531	6.87%	\$22,719,330.00	\$161,002,820.00	\$155,237,330.00	\$134,523,576.00	254	294	179	1						
Flood Zone AO	762	9.86%	733	9.48%	\$22,434,250.00	\$258,275,510.00	\$237,227,630.00	\$224,135,400.00	554	153	42	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	366	4.74%	359	4.64%	\$4,427,000.00	\$131,286,230.00	\$124,661,760.00	\$114,592,816.00	24	341	161	1						
Flood Zone X	5,568	72.04%	5,248	67.90%	\$256,715,890.00	\$724,956,460.00	\$832,690,190.00	\$737,123,096.00	3,845	1,465	939	30						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	544	7.04%	3	0.04%	0	0.00%	0	0.00%	1	0.01%	10	0.13%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	727	9.41%	2	0.03%	0	0.00%	0	0.00%	0	0.00%	3	0.04%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	364	4.71%	1	0.01%	0	0.00%	0	0.00%	0	0.00%	1	0.01%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	4,949	64.03%	156	2.02%	8	0.10%	182	2.35%	7	0.09%	25	0.32%	0	0.00%	0	0.00%	0	0.00%



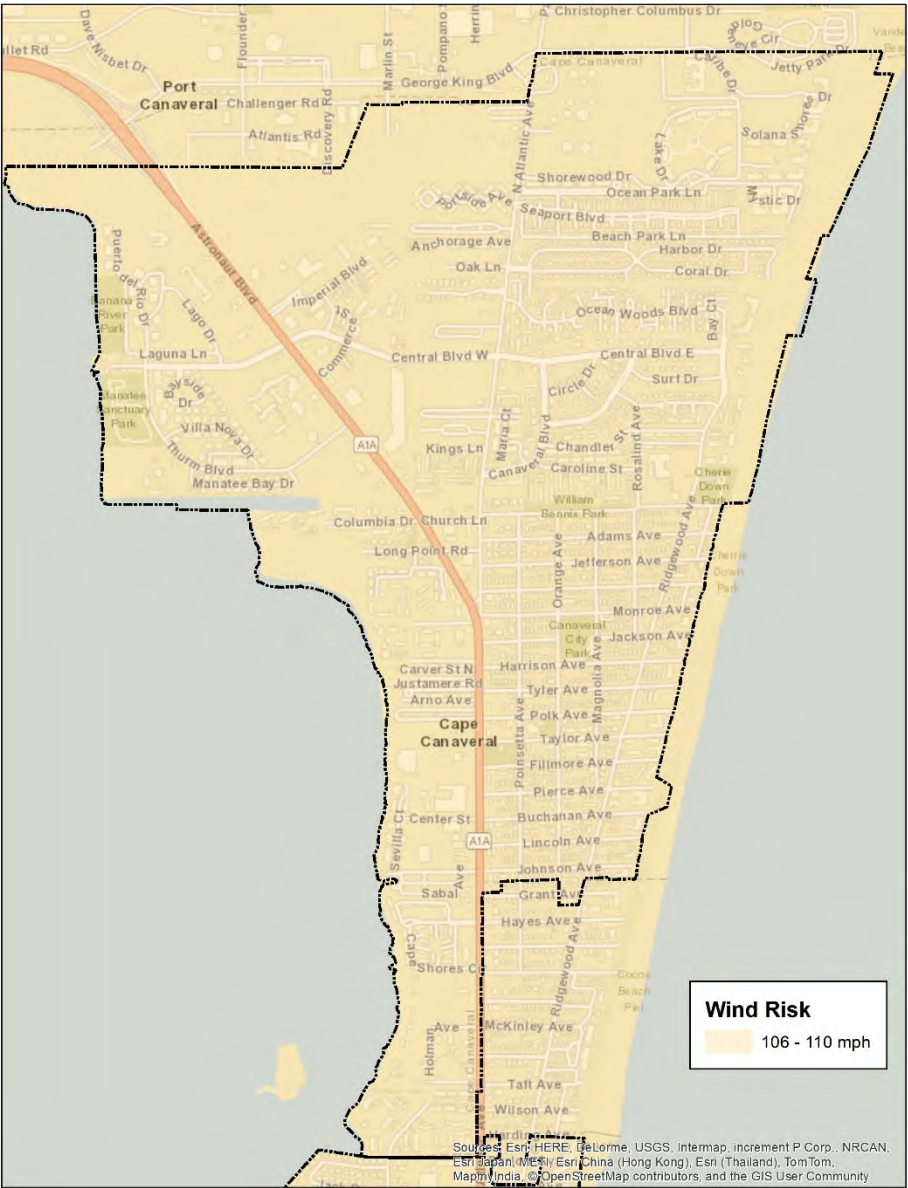
# FIRE RISK PROFILE | CAPE CANAVERAL

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	420	5.43%	407	5.27%	\$8,673,080.00	\$131,188,790.00	\$127,574,950.00	\$116,099,050.00	100	314	165	3						
Low Risk	7,309	94.57%	6,902	89.30%	\$306,428,070.00	\$1,224,817,580.00	\$1,297,735,030.00	\$1,160,014,594.00	4,995	1,979	1,192	30						
High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Very High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	415	5.37%	1	0.01%	0	0.00%	0	0.00%	0	0.00%	4	0.05%	0	0.00%	0	0.00%	0	0.00%
Low Risk	6,627	85.74%	164	2.12%	9	0.12%	182	2.35%	8	0.10%	37	0.48%	0	0.00%	0	0.00%	0	0.00%
High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



WIND RISK PROFILE | CAPE CANAVERAL

Wind Risk																	
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present					
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0					
106-110 mph	7,729	100.00%	7,309	94.57%	\$315,101,150.00	\$1,356,006,370.00	\$1,425,309,980.00	\$1,276,113,644.00	5,095	2,293	1,357	33					
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0					
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
106-110 mph	7,042	91.11%	165	2.13%	9	0.12%	182	2.35%	8	0.10%	41	0.53%	0	0.00%	0	0.00%	0
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0



# COCOA

## Hazard Profile

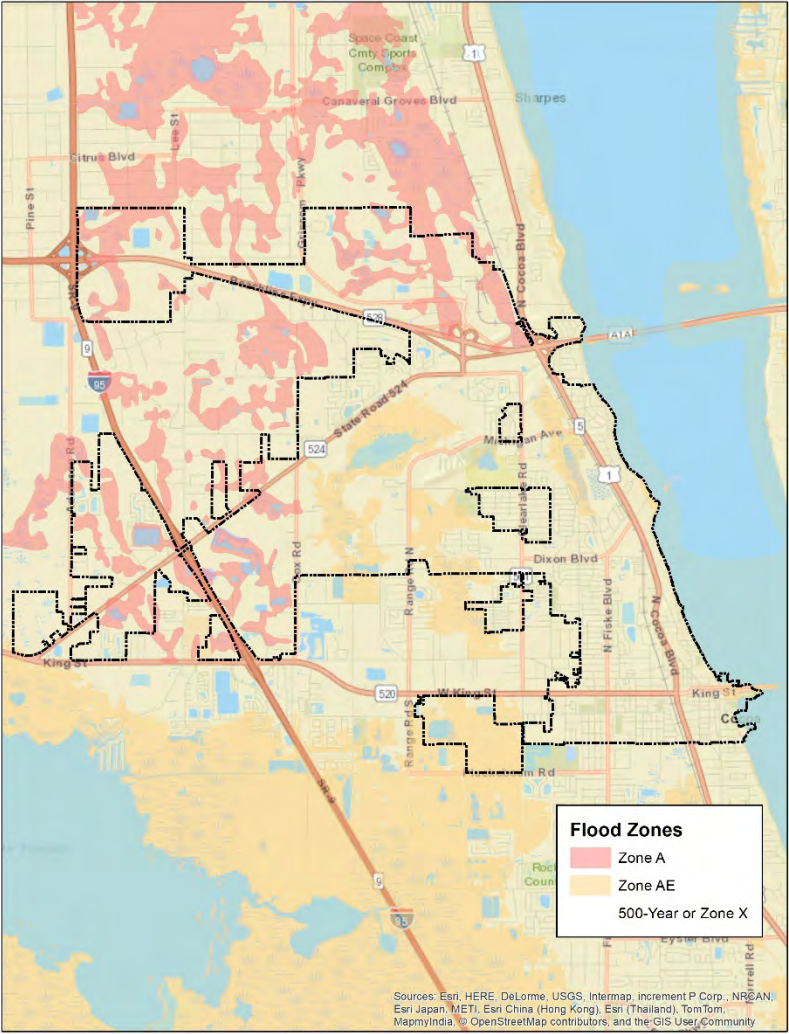
The City of Cocoa is located in the central mainland portion of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Cocoa, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.



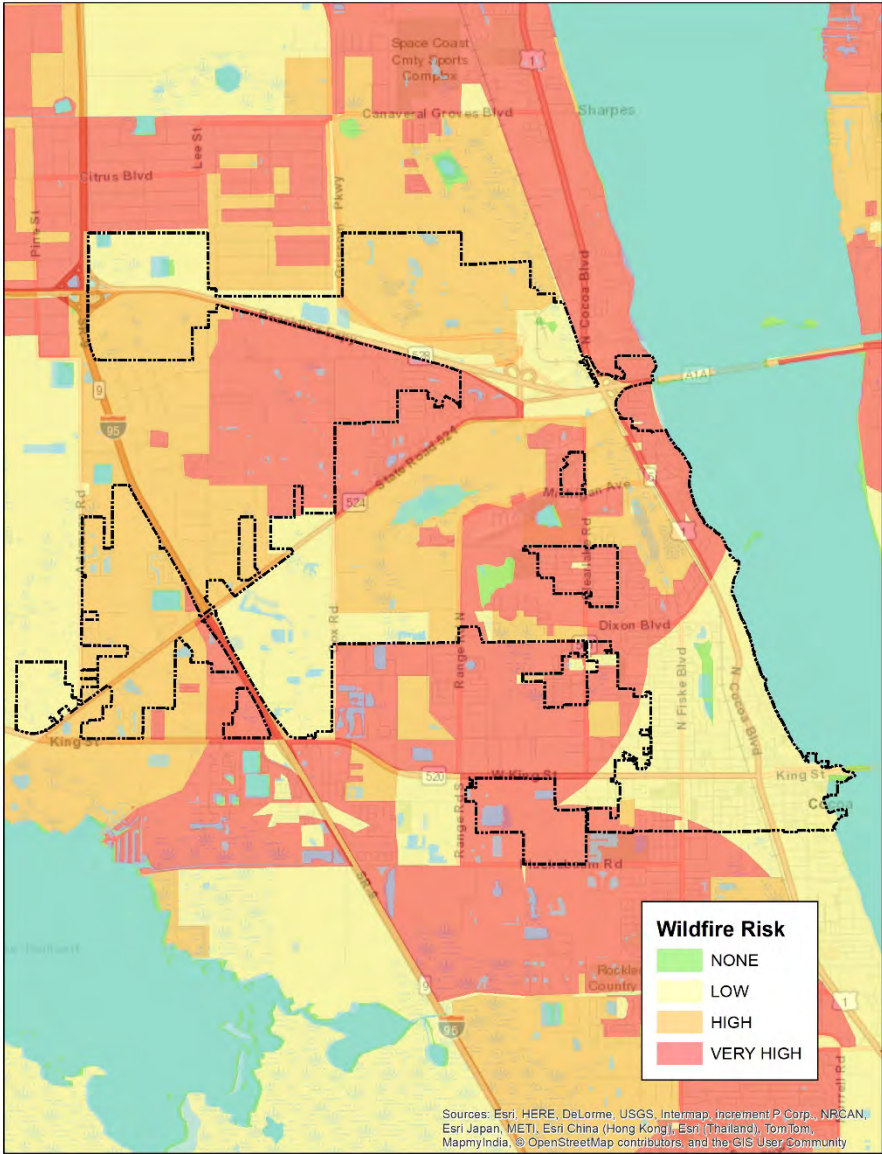
FLOODPLAIN PROFILE | COCOA

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	561	6.36%	368	4.17%	\$66,564,670.00	\$134,850,720.00	\$201,912,180.00	\$188,962,746.00	93	265	168	48						
Flood Zone AE	771	8.74%	649	7.36%	\$59,490,220.00	\$220,393,070.00	\$237,522,860.00	\$147,080,026.00	331	314	98	7						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	7,021	79.61%	6,066	68.78%	\$225,176,730.00	\$605,265,900.00	\$756,304,920.00	\$546,233,033.00	5,102	874	728	228						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	419	4.75%	26	0.29%	2	0.02%	83	0.94%	0	0.00%	19	0.22%	4	0.05%	0	0.00%	0	0.00%
Flood Zone AE	712	8.07%	16	0.18%	1	0.01%	0	0.00%	5	0.06%	22	0.25%	2	0.02%	0	0.00%	3	0.03%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	5,880	66.67%	587	6.66%	39	0.44%	192	2.18%	56	0.63%	225	2.55%	2	0.02%	0	0.00%	0	0.00%



FIRE RISK PROFILE | COCOA

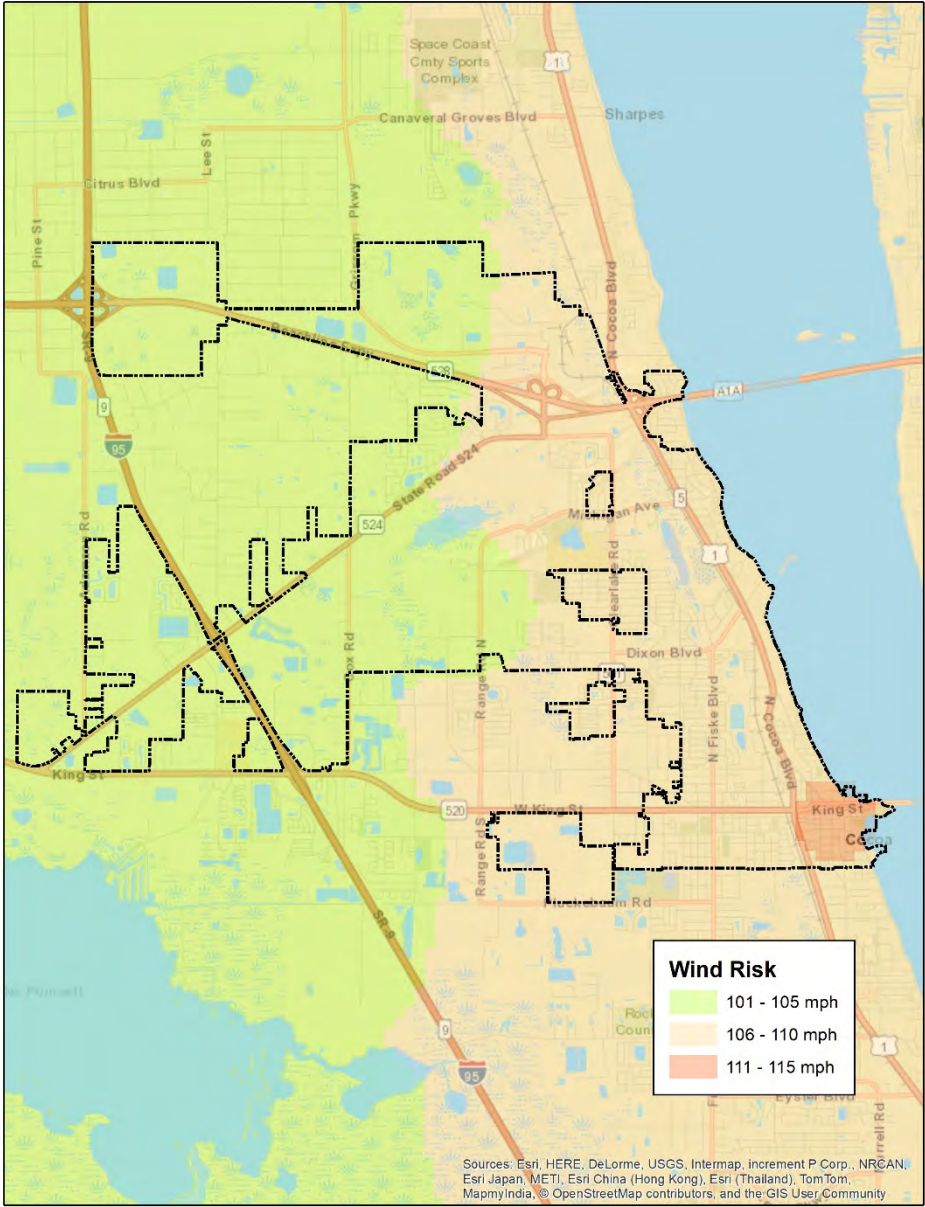
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	465	5.27%	436	4.94%	\$7,177,550.00	\$55,910,880.00	\$56,442,350.00	\$41,227,724.00	158	285	36	0						
Low Risk	2,904	32.93%	2,255	25.57%	\$128,796,980.00	\$382,853,240.00	\$494,182,500.00	\$398,785,132.00	1,857	313	247	42						
High Risk	1,549	17.56%	1,165	13.21%	\$77,590,650.00	\$166,706,010.00	\$222,758,040.00	\$178,352,166.00	448	714	667	226						
Very High Risk	3,901	44.23%	3,586	40.66%	\$148,691,790.00	\$384,915,450.00	\$455,006,490.00	\$289,741,663.00	3,387	145	47	18						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	426	4.83%	20	0.23%	0	0.00%	2	0.02%	0	0.00%	14	0.16%	0	0.00%	0	0.00%	2	0.02%
Low Risk	1,987	22.53%	488	5.53%	36	0.41%	134	1.52%	42	0.48%	185	2.10%	0	0.00%	0	0.00%	0	0.00%
High Risk	1,334	15.13%	36	0.41%	3	0.03%	134	1.52%	3	0.03%	28	0.32%	7	0.08%	0	0.00%	0	0.00%
Very High Risk	3,685	41.78%	114	1.29%	6	0.07%	5	0.06%	17	0.19%	45	0.51%	2	0.02%	0	0.00%	1	0.01%





# WIND RISK PROFILE | COCOA

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	2,230	25.29%	1,778	20.16%	\$138,350,500.00	\$301,619,180.00	\$400,449,220.00	\$328,443,354.00	877	878	713	230						
106-110 mph	6,013	68.18%	5,235	59.36%	\$204,596,250.00	\$571,348,520.00	\$704,689,960.00	\$478,981,327.00	4,721	406	136	49						
111-115 mph	576	6.53%	429	4.86%	\$19,310,220.00	\$117,417,880.00	\$123,250,200.00	\$100,682,004.00	252	173	148	7						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	1,957	22.19%	57	0.65%	3	0.03%	144	1.63%	5	0.06%	32	0.36%	9	0.10%	0	0.00%	1	0.01%
106-110 mph	5,133	58.20%	431	4.89%	28	0.32%	126	1.43%	45	0.51%	215	2.44%	0	0.00%	0	0.00%	2	0.02%
111-115 mph	342	3.88%	170	1.93%	14	0.16%	5	0.06%	12	0.14%	25	0.28%	0	0.00%	0	0.00%	0	0.00%





# COCOA BEACH

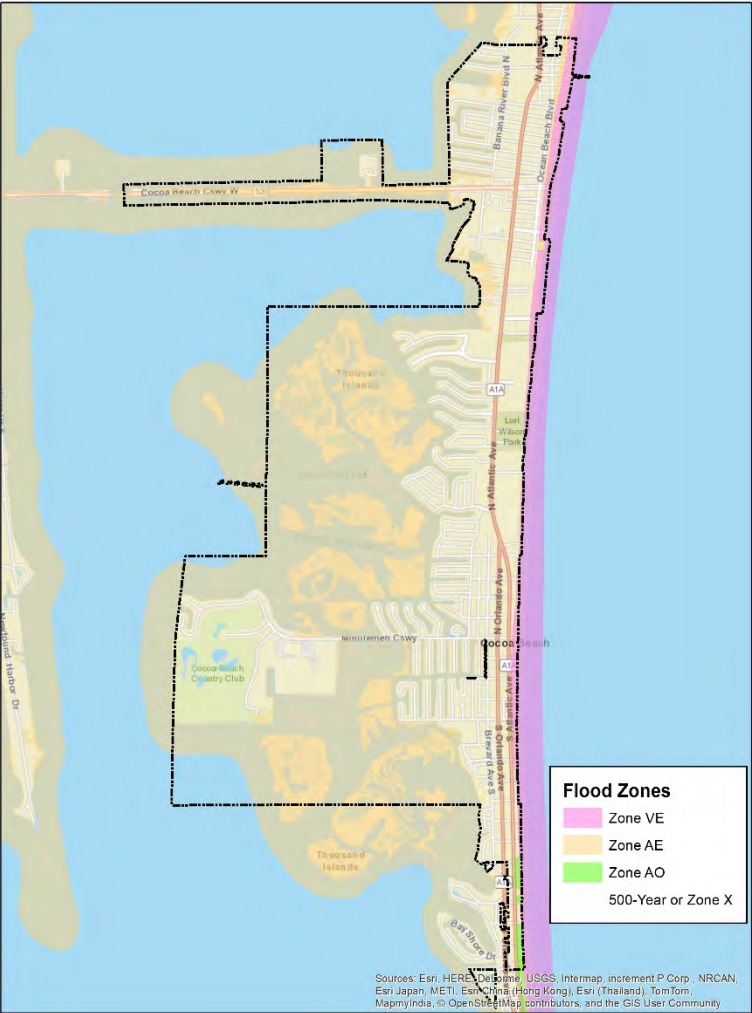
## Hazard Profile

The City of Cocoa Beach is located in the east-central coastal section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Cocoa Beach, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

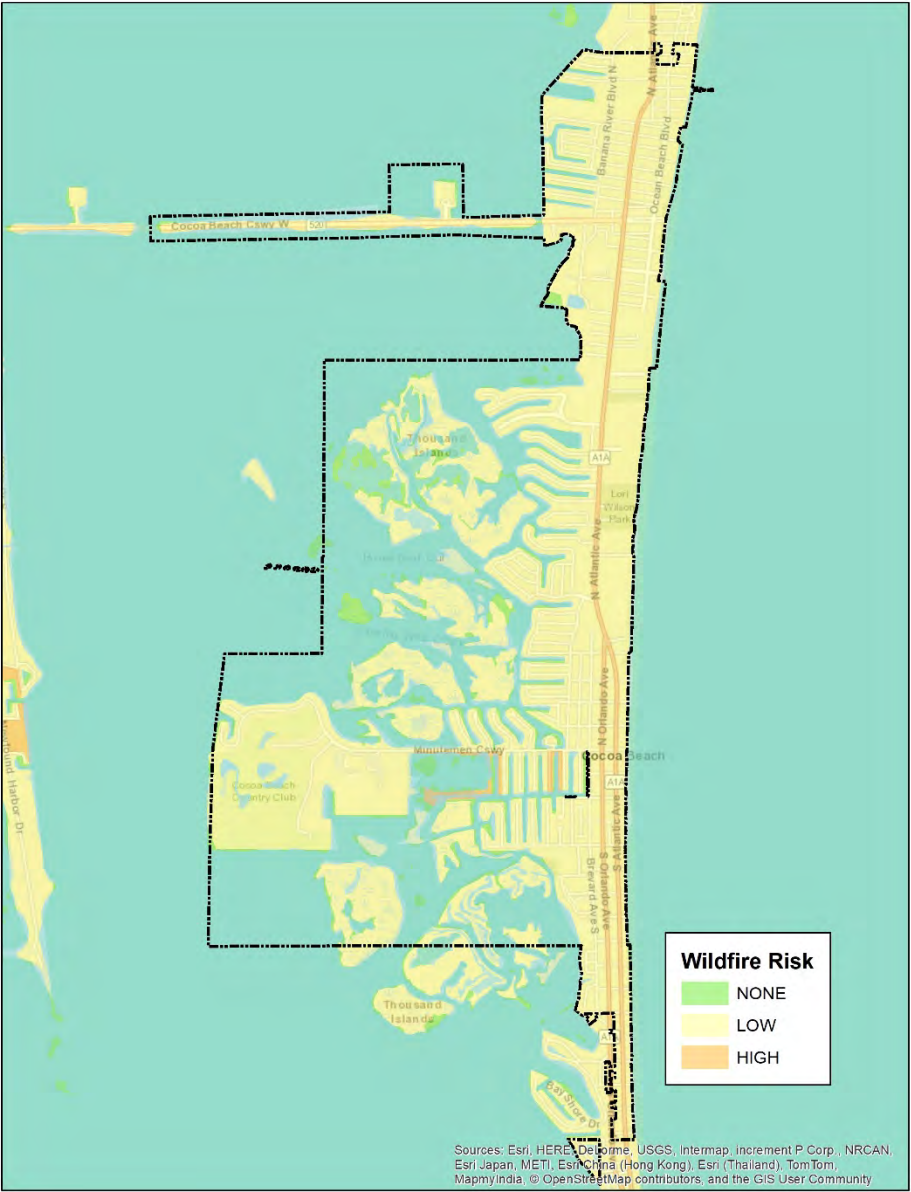
FLOODPLAIN PROFILE | COCOA BEACH

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	1,441	14.98%	1,372	14.26%	\$163,796,770.00	\$314,231,410.00	\$398,570,700.00	\$356,244,920.00	1,227	169	78	11						
Flood Zone AO	221	2.30%	204	2.12%	\$17,312,500.00	\$60,175,900.00	\$71,500,470.00	\$63,924,010.00	164	49	38	1						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	2,306	23.97%	2,239	23.27%	\$95,037,320.00	\$660,527,950.00	\$668,736,710.00	\$619,882,966.00	2,165	115	69	7						
Flood Zone X	4,420	45.94%	4,181	43.45%	\$418,116,640.00	\$706,135,530.00	\$929,851,930.00	\$804,008,302.00	3,872	373	263	46						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	1,379	14.33%	30	0.31%	2	0.02%	2	0.02%	1	0.01%	20	0.21%	0	0.00%	0	0.00%	1	0.01%
Flood Zone AO	214	2.22%	2	0.02%	0	0.00%	0	0.00%	0	0.00%	4	0.04%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	2,277	23.66%	16	0.17%	3	0.03%	0	0.00%	0	0.00%	6	0.06%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	3,846	39.97%	492	5.11%	10	0.10%	4	0.04%	10	0.10%	34	0.35%	0	0.00%	0	0.00%	1	0.01%



FIRE RISK PROFILE | COCOA BEACH

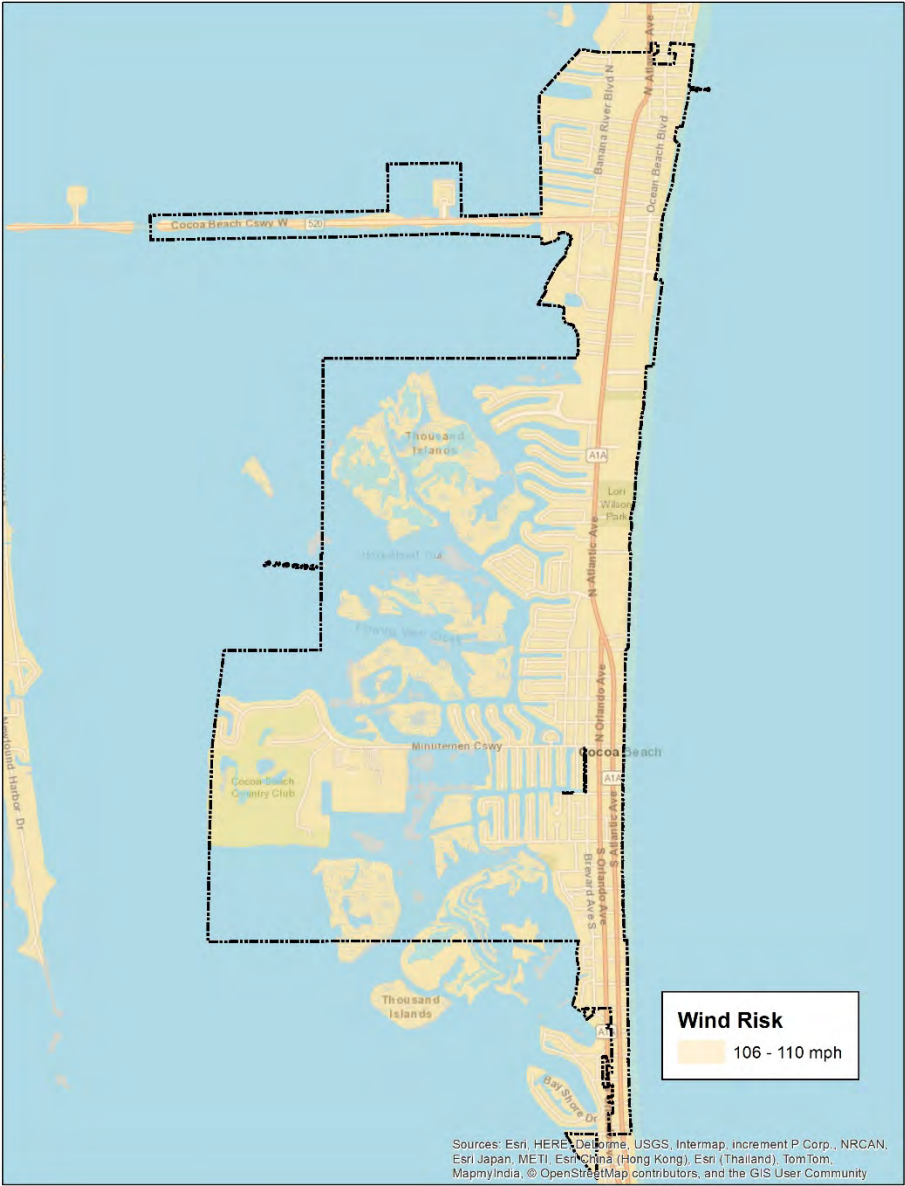
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	1,765	18.34%	1,689	17.55%	\$176,344,200.00	\$438,759,760.00	\$542,031,100.00	\$427,117,013.00	1,584	137	64	10						
Low Risk	7,815	81.22%	7,408	76.99%	\$586,525,270.00	\$1,542,254,880.00	\$1,818,542,690.00	\$1,604,666,288.00	6,865	653	399	65						
High Risk	42	0.44%	41	0.43%	\$11,180,000.00	\$5,452,380.00	\$12,149,460.00	\$10,489,460.00	39	2	2	1						
Very High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	1,720	17.88%	7	0.07%	1	0.01%	0	0.00%	3	0.03%	27	0.28%	0	0.00%	0	0.00%	1	0.01%
Low Risk	7,102	73.81%	573	5.96%	17	0.18%	24	0.25%	14	0.15%	51	0.53%	0	0.00%	0	0.00%	1	0.01%
High Risk	41	0.43%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%





# WIND RISK PROFILE | COCOA BEACH

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	9,622	100.00%	9,138	94.97%	\$774,049,470.00	\$1,986,467,020.00	\$2,372,723,250.00	\$2,042,272,761.00	8,488	792	465	76						
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	8,863	92.11%	580	6.03%	18	0.19%	24	0.25%	17	0.18%	78	0.81%	0	0.00%	0	0.00%	2	0.02%
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



# GRANT-VALKARIA

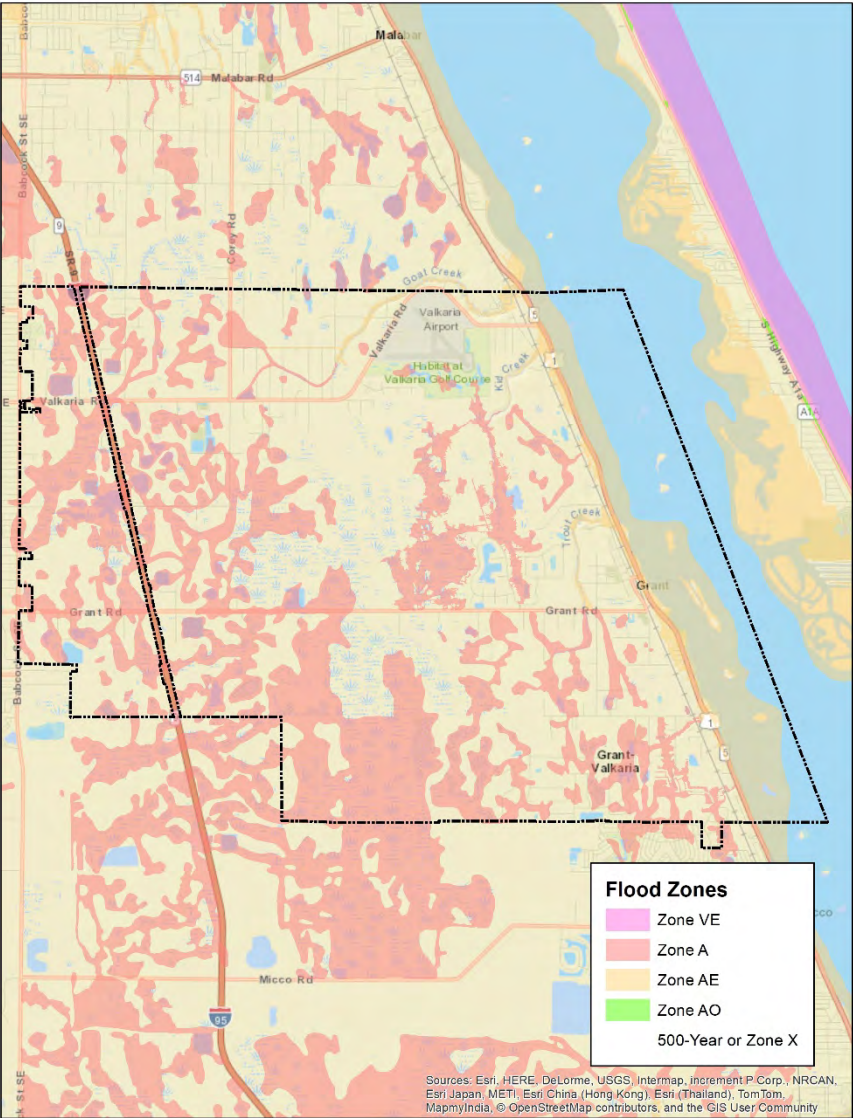
## Hazard Profile

The Town of Grant-Valkaria is located in the south mainland section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the Town of Grant-Valkaria, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

# FLOODPLAIN PROFILE | GRANT-VALKARIA

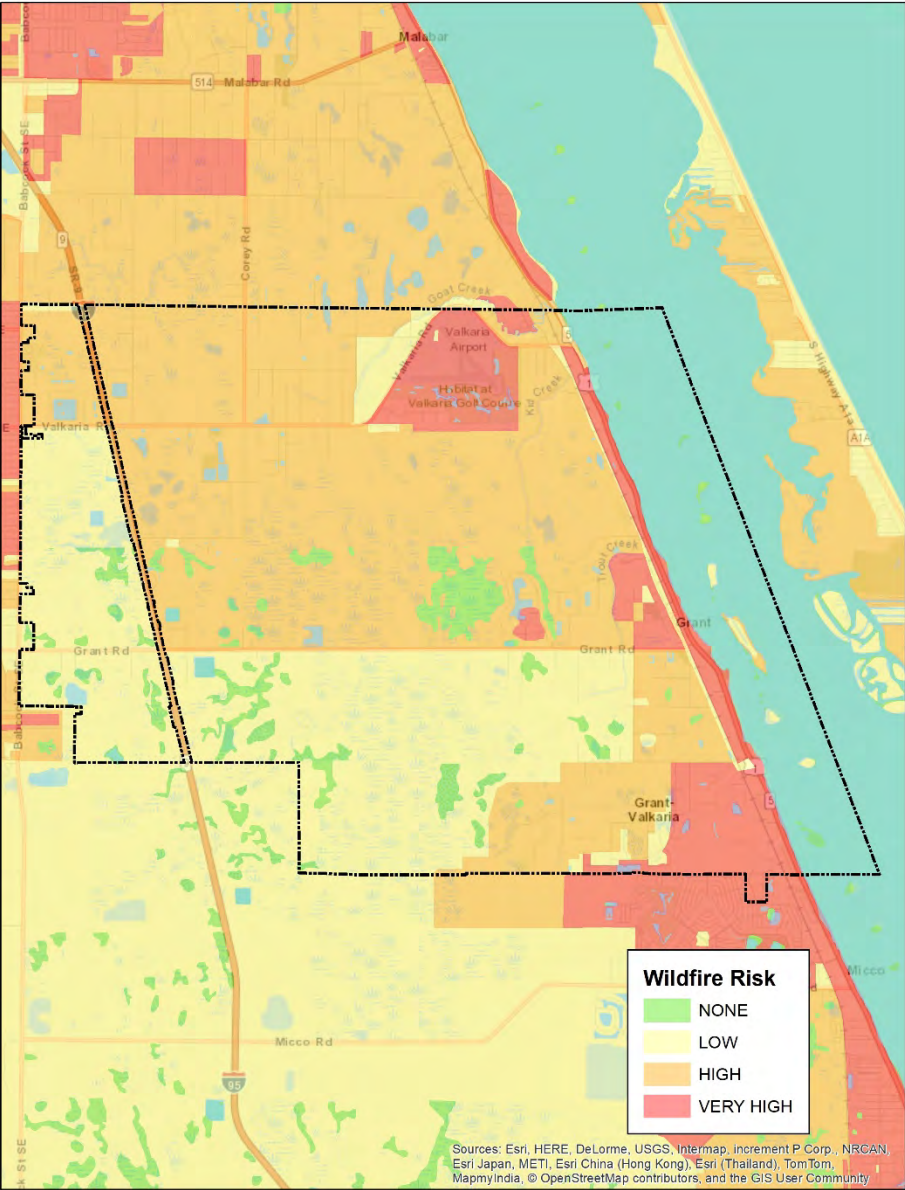
Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	3,488	44.60%	563	7.20%	\$70,630,980.00	\$130,160,210.00	\$169,875,400.00	\$125,285,358.00	213	322	196	65						
Flood Zone AE	245	3.13%	136	1.74%	\$31,791,560.00	\$18,887,280.00	\$45,859,240.00	\$39,899,230.00	87	42	23	14						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	3,823	48.89%	1,076	13.76%	\$94,015,130.00	\$218,212,970.00	\$251,728,710.00	\$193,271,416.00	488	538	307	92						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	2,203	28.17%	3	0.04%	0	0.00%	9	0.12%	5	0.06%	1,181	15.10%	57	0.73%	0	0.00%	3	0.04%
Flood Zone AE	162	2.07%	41	0.52%	5	0.06%	7	0.09%	0	0.00%	12	0.15%	4	0.05%	0	0.00%	3	0.04%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	2,667	34.10%	7	0.09%	2	0.03%	17	0.22%	15	0.19%	1,044	13.35%	35	0.45%	1	0.01%	6	0.08%





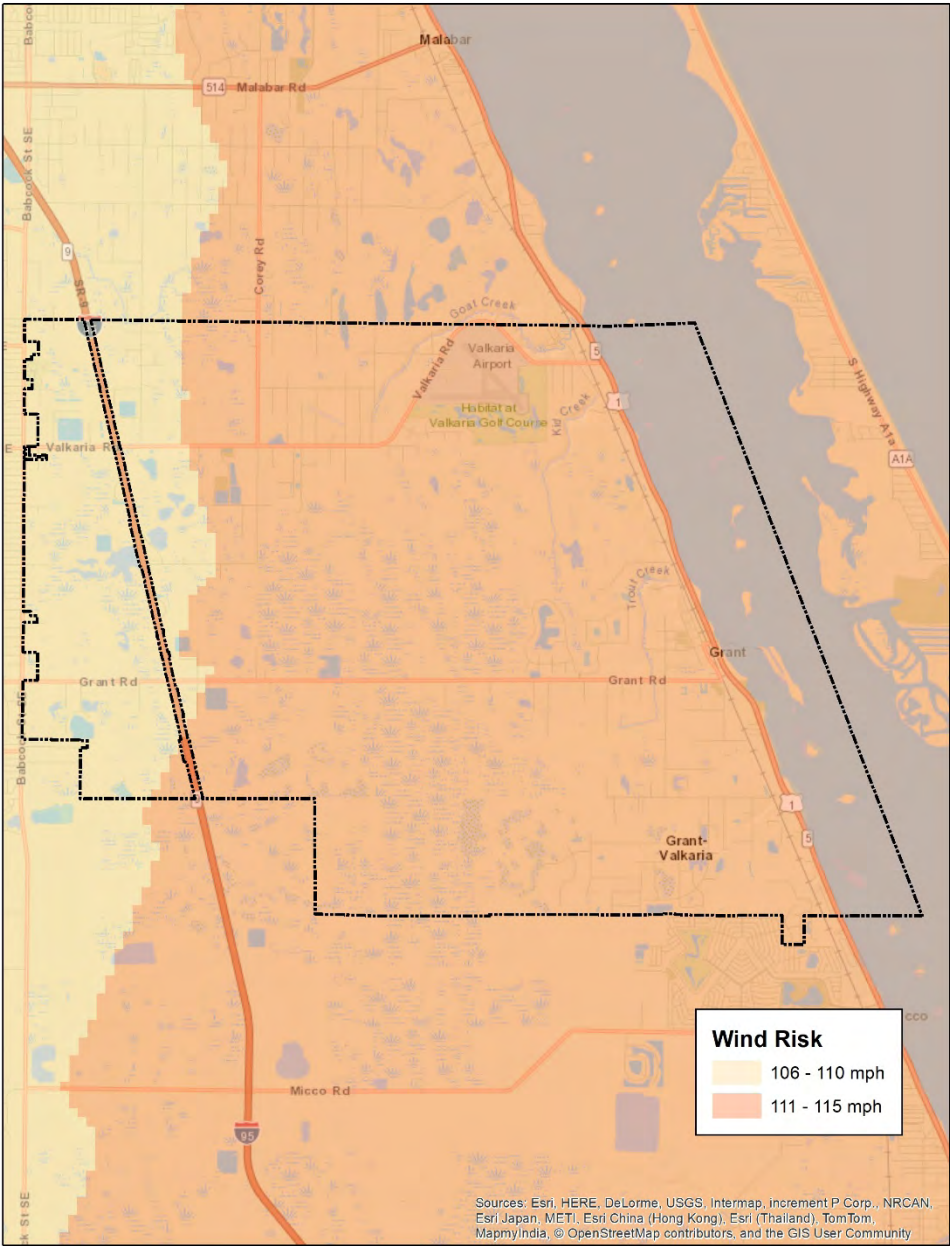
FIRE RISK PROFILE | GRANT-VALKARIA

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	865	11.06%	82	1.05%	\$15,890,950.00	\$18,612,650.00	\$30,664,500.00	\$20,489,980.00	16	64	24	4						
Low Risk	2,247	28.73%	237	3.03%	\$28,619,860.00	\$50,273,780.00	\$64,125,290.00	\$47,084,198.00	85	139	79	17						
High Risk	3,856	49.31%	1,106	14.14%	\$106,792,220.00	\$234,071,370.00	\$275,744,410.00	\$219,440,460.00	487	574	347	125						
Very High Risk	852	10.90%	501	6.41%	\$84,586,730.00	\$90,051,900.00	\$155,347,610.00	\$122,578,776.00	283	184	111	35						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	516	6.60%	1	0.01%	0	0.00%	0	0.00%	0	0.00%	340	4.35%	4	0.05%	0	0.00%	2	0.03%
Low Risk	1,411	18.04%	4	0.05%	1	0.01%	5	0.06%	8	0.10%	781	9.99%	14	0.18%	0	0.00%	0	0.00%
High Risk	2,606	33.32%	4	0.05%	1	0.01%	24	0.31%	8	0.10%	1,093	13.98%	80	1.02%	0	0.00%	2	0.03%
Very High Risk	686	8.77%	85	1.09%	9	0.12%	9	0.12%	4	0.05%	26	0.33%	5	0.06%	1	0.01%	8	0.10%



WIND RISK PROFILE | GRANT-VALKARIA

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	1,609	20.58%	246	3.15%	\$31,059,080.00	\$56,266,090.00	\$73,351,900.00	\$53,308,492.00	97	135	68	17						
111-115 mph	6,211	79.42%	1,680	21.48%	\$204,830,680.00	\$336,743,610.00	\$452,529,910.00	\$356,284,922.00	774	826	493	164						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	933	11.93%	5	0.06%	0	0.00%	1	0.01%	16	0.20%	597	7.63%	40	0.51%	0	0.00%	0	0.00%
111-115 mph	4,286	54.81%	89	1.14%	11	0.14%	37	0.47%	4	0.05%	1,643	21.01%	63	0.81%	1	0.01%	12	0.15%





# INDIALANTIC

## Hazard Profile

The Town of Indialantic is located in the southeastern coastal section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the Town of Indialantic, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

FLOODPLAIN PROFILE | INDIALANTIC

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	79	4.65%	76	4.47%	\$40,146,530.00	\$30,762,220.00	\$54,478,050.00	\$49,539,270.00	53	22	15	13						
Flood Zone AO	181	10.65%	165	9.71%	\$8,139,860.00	\$49,190,340.00	\$50,032,170.00	\$46,207,410.00	117	53	36	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	164	9.65%	141	8.29%	\$18,783,320.00	\$38,083,360.00	\$52,208,500.00	\$44,885,140.00	107	41	41	2						
Flood Zone X	1,240	72.94%	1,162	68.35%	\$201,396,650.00	\$197,791,080.00	\$315,529,550.00	\$265,625,067.00	1,024	129	68	42						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	76	4.47%	0	0.00%	0	0.00%	0	0.00%	1	0.06%	2	0.12%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	170	10.00%	11	0.65%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	150	8.82%	3	0.18%	0	0.00%	0	0.00%	0	0.00%	11	0.65%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	1,069	62.88%	113	6.65%	7	0.41%	0	0.00%	1	0.06%	13	0.76%	0	0.00%	0	0.00%	0	0.00%



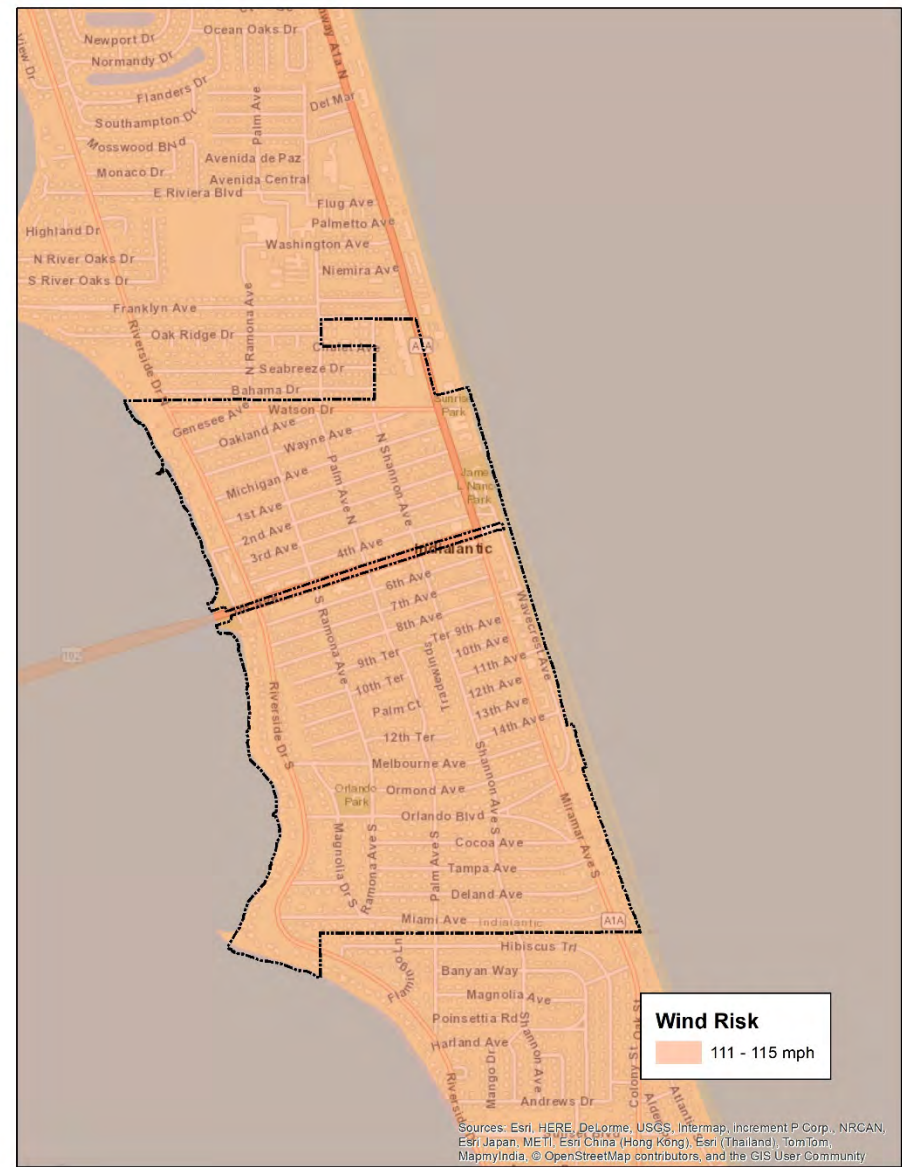
FIRE RISK PROFILE | INDIALANTIC

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	18	1.06%	16	0.94%	\$11,782,360.00	\$7,938,200.00	\$16,703,720.00	\$14,768,610.00	11	5	4	4						
Low Risk	1,682	98.94%	1,562	91.88%	\$268,569,130.00	\$317,070,320.00	\$471,966,310.00	\$406,393,827.00	1,321	243	156	53						
High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Very High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	16	0.94%	0	0.00%	0	0.00%	0	0.00%	1	0.06%	1	0.06%	0	0.00%	0	0.00%	0	0.00%
Low Risk	1,483	87.24%	127	7.47%	7	0.41%	0	0.00%	1	0.06%	26	1.53%	0	0.00%	0	0.00%	0	0.00%
High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



WIND RISK PROFILE | INDIALANTIC

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
111-115 mph	1,700	100.00%	1,578	92.82%	\$280,351,490.00	\$325,008,520.00	\$488,670,030.00	\$421,162,437.00	1,332	248	160	57						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
111-115 mph	1,499	88.18%	127	7.47%	7	0.41%	0	0.00%	2	0.12%	27	1.59%	0	0.00%	0	0.00%	0	0.00%



# INDIAN HARBOUR BEACH

## Hazard Profile

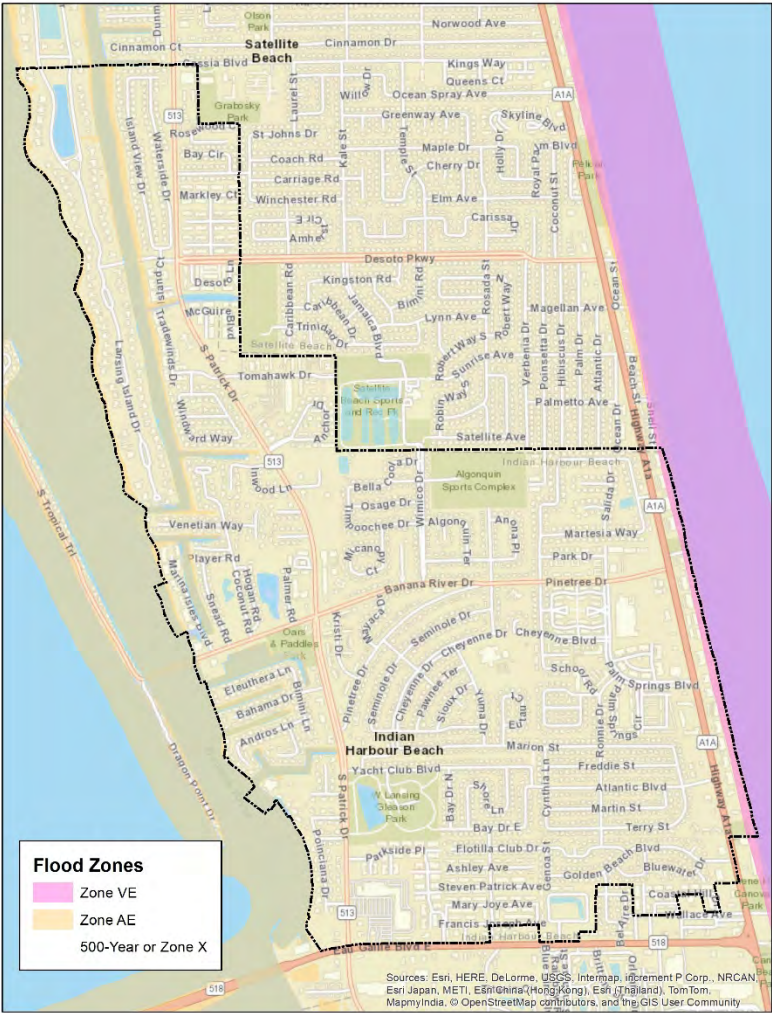
The City of Indian Harbour Beach is located in the southeastern coastal section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Indian Harbour Beach, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.



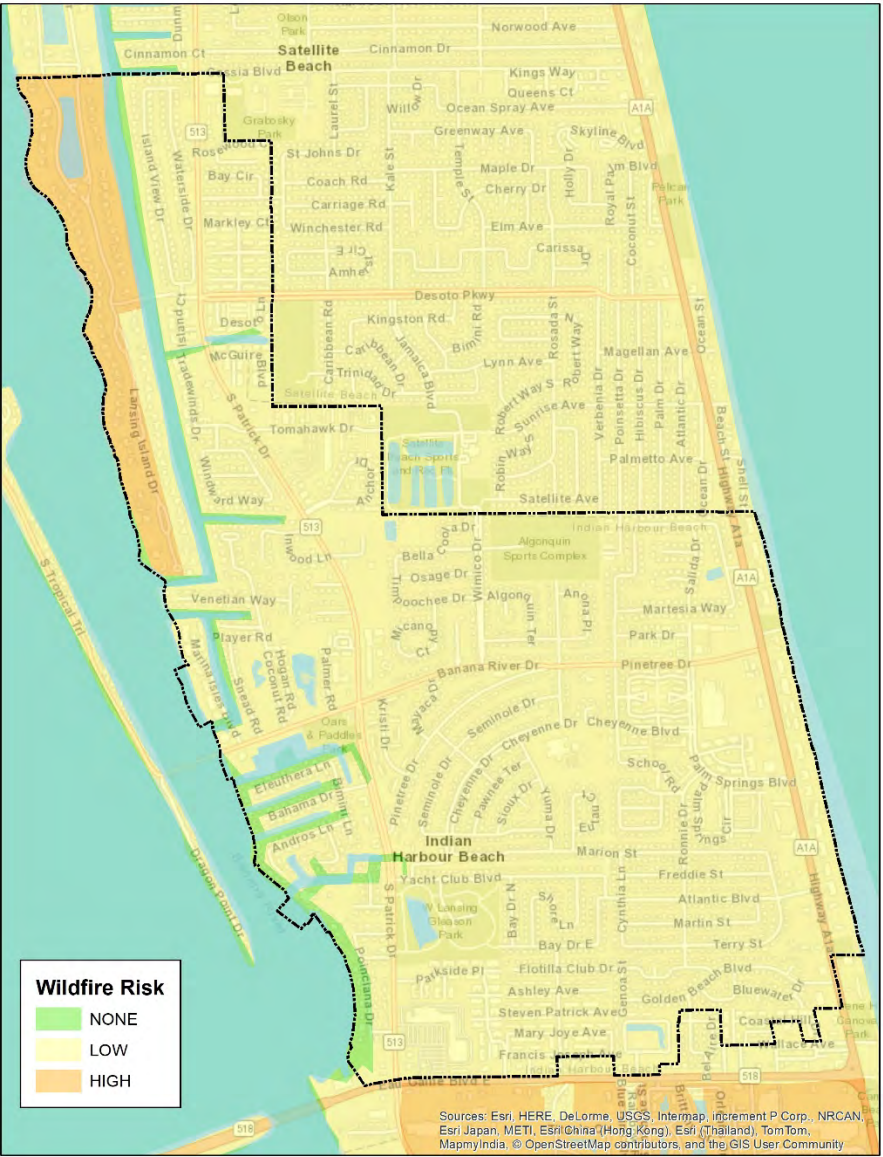
FLOODPLAIN PROFILE | INDIAN HARBOUR BEACH

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	138	3.06%	128	2.84%	\$28,478,270.00	\$48,551,760.00	\$62,434,890.00	\$55,376,920.00	68	62	8	3						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	414	9.19%	394	8.75%	\$4,916,300.00	\$163,826,340.00	\$152,178,270.00	\$139,073,354.00	91	316	152	0						
Flood Zone X	3,771	83.74%	3,583	79.57%	\$311,141,960.00	\$620,527,890.00	\$754,070,060.00	\$621,636,479.00	3,052	500	248	85						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	134	2.98%	1	0.02%	0	0.00%	0	0.00%	0	0.00%	2	0.04%	0	0.00%	0	0.00%	1	0.02%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	401	8.91%	6	0.13%	0	0.00%	0	0.00%	0	0.00%	6	0.13%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	3,517	78.10%	135	3.00%	1	0.02%	55	1.22%	8	0.18%	30	0.67%	0	0.00%	0	0.00%	1	0.02%



FIRE RISK PROFILE | INDIAN HARBOUR BEACH

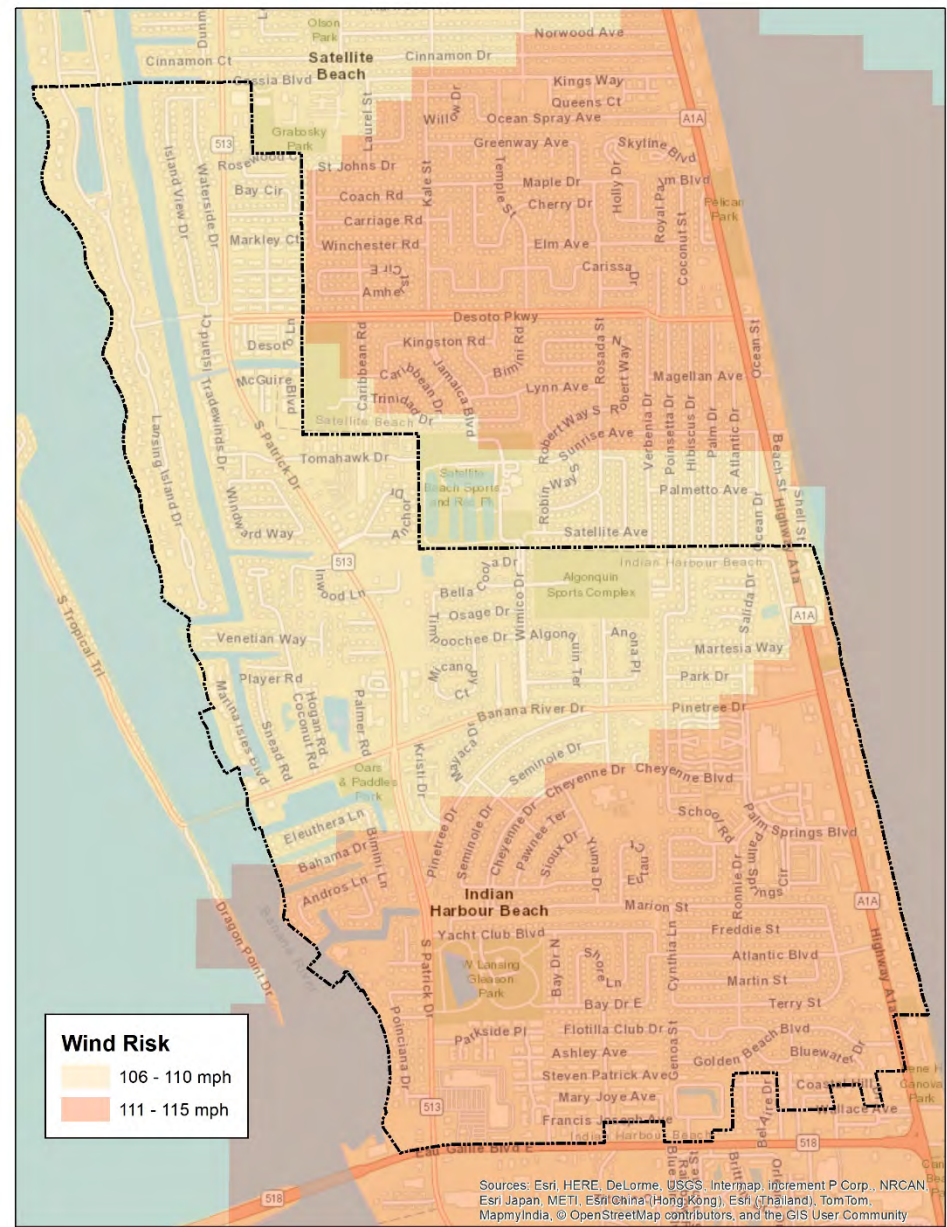
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	208	4.62%	190	4.22%	\$58,048,700.00	\$76,233,710.00	\$112,463,500.00	\$98,130,020.00	127	60	18	4						
Low Risk	4,199	93.25%	3,995	88.72%	\$303,308,770.00	\$777,790,880.00	\$887,743,350.00	\$743,400,133.00	3,165	816	394	84						
High Risk	96	2.13%	83	1.84%	\$42,212,820.00	\$66,170,620.00	\$103,898,620.00	\$100,433,600.00	12	66	15	6						
Very High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	188	4.17%	5	0.11%	0	0.00%	0	0.00%	1	0.02%	8	0.18%	0	0.00%	0	0.00%	3	0.07%
Low Risk	3,929	87.25%	146	3.24%	1	0.02%	55	1.22%	7	0.16%	35	0.78%	0	0.00%	0	0.00%	0	0.00%
High Risk	94	2.09%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.04%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%





# WIND RISK PROFILE | INDIAN HARBOUR BEACH

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	1,898	42.15%	1,767	39.24%	\$229,632,760.00	\$439,072,390.00	\$557,032,810.00	\$476,950,395.00	1,269	458	112	23						
111-115 mph	2,605	57.85%	2,501	55.54%	\$173,937,530.00	\$481,122,820.00	\$547,072,660.00	\$465,013,358.00	2,035	484	315	71						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	1,748	38.82%	39	0.87%	1	0.02%	55	1.22%	7	0.16%	20	0.44%	0	0.00%	0	0.00%	3	0.07%
111-115 mph	2,463	54.70%	112	2.49%	0	0.00%	0	0.00%	1	0.02%	25	0.56%	0	0.00%	0	0.00%	0	0.00%





# MALABAR

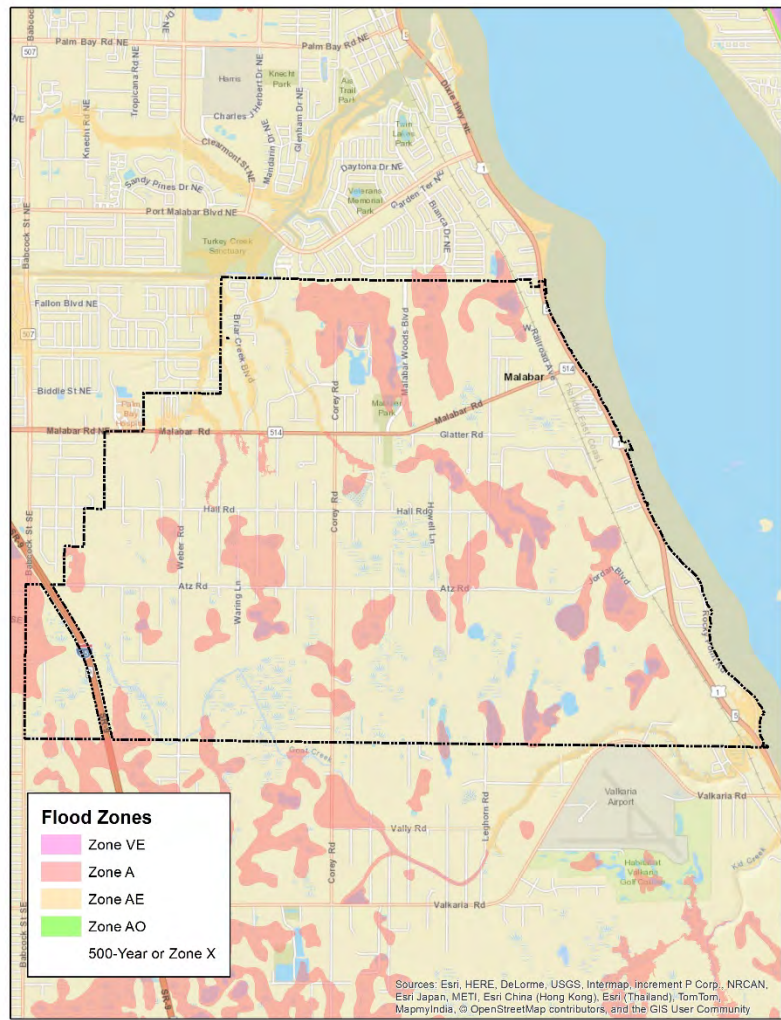
## Hazard Profile

The Town of Malabar is located in south mainland Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the Town of Malabar, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

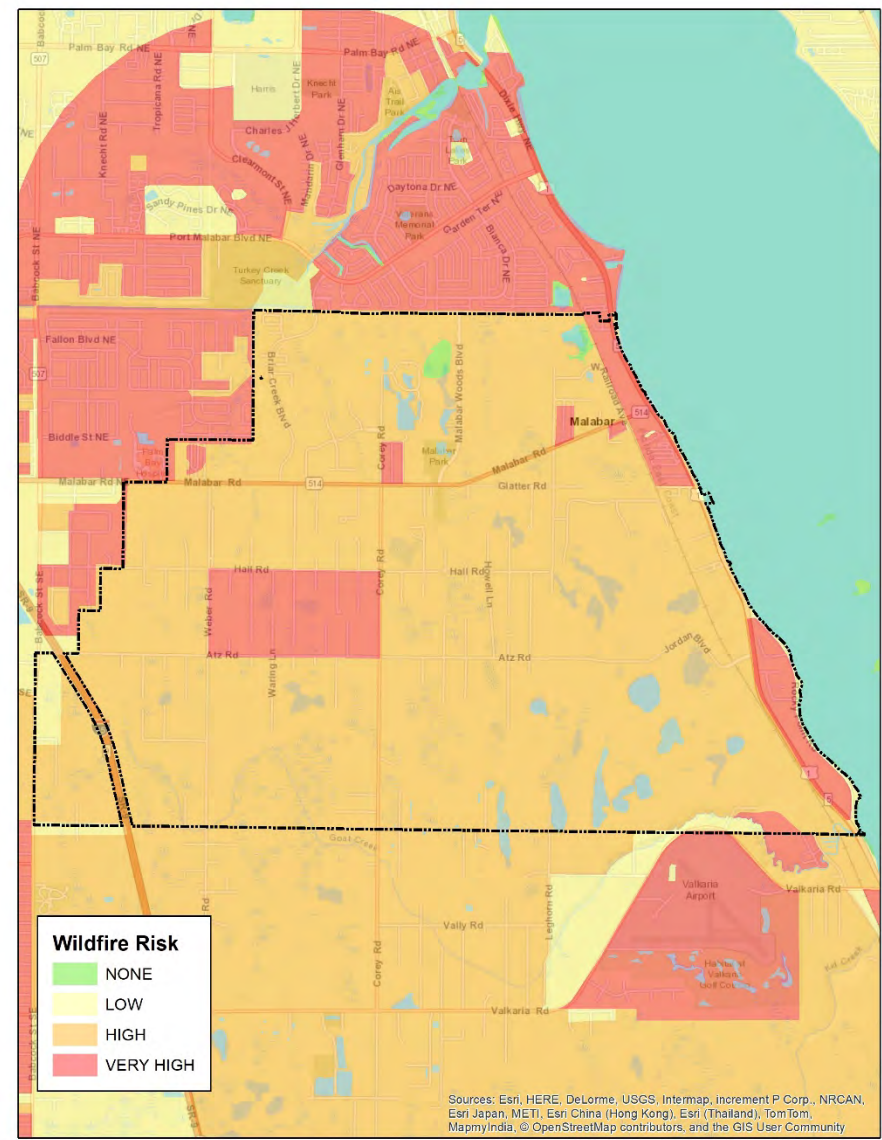
FLOODPLAIN PROFILE | MALABAR

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	528	23.45%	251	11.15%	\$35,849,460.00	\$65,828,540.00	\$82,532,260.00	\$62,754,520.00	131	104	59	20						
Flood Zone AE	103	4.57%	60	2.66%	\$17,619,500.00	\$17,637,550.00	\$31,957,180.00	\$29,603,862.00	33	23	19	12						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	1,564	69.45%	810	35.97%	\$75,319,180.00	\$154,011,680.00	\$177,179,470.00	\$139,564,989.00	550	234	145	58						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	429	19.05%	33	1.47%	0	0.00%	2	0.09%	4	0.18%	30	1.33%	20	0.89%	0	0.00%	0	0.00%
Flood Zone AE	77	3.42%	16	0.71%	2	0.09%	0	0.00%	0	0.00%	4	0.18%	0	0.00%	0	0.00%	1	0.04%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	1,410	62.61%	75	3.33%	3	0.13%	7	0.31%	4	0.18%	34	1.51%	21	0.93%	0	0.00%	0	0.00%



FIRE RISK PROFILE | MALABAR

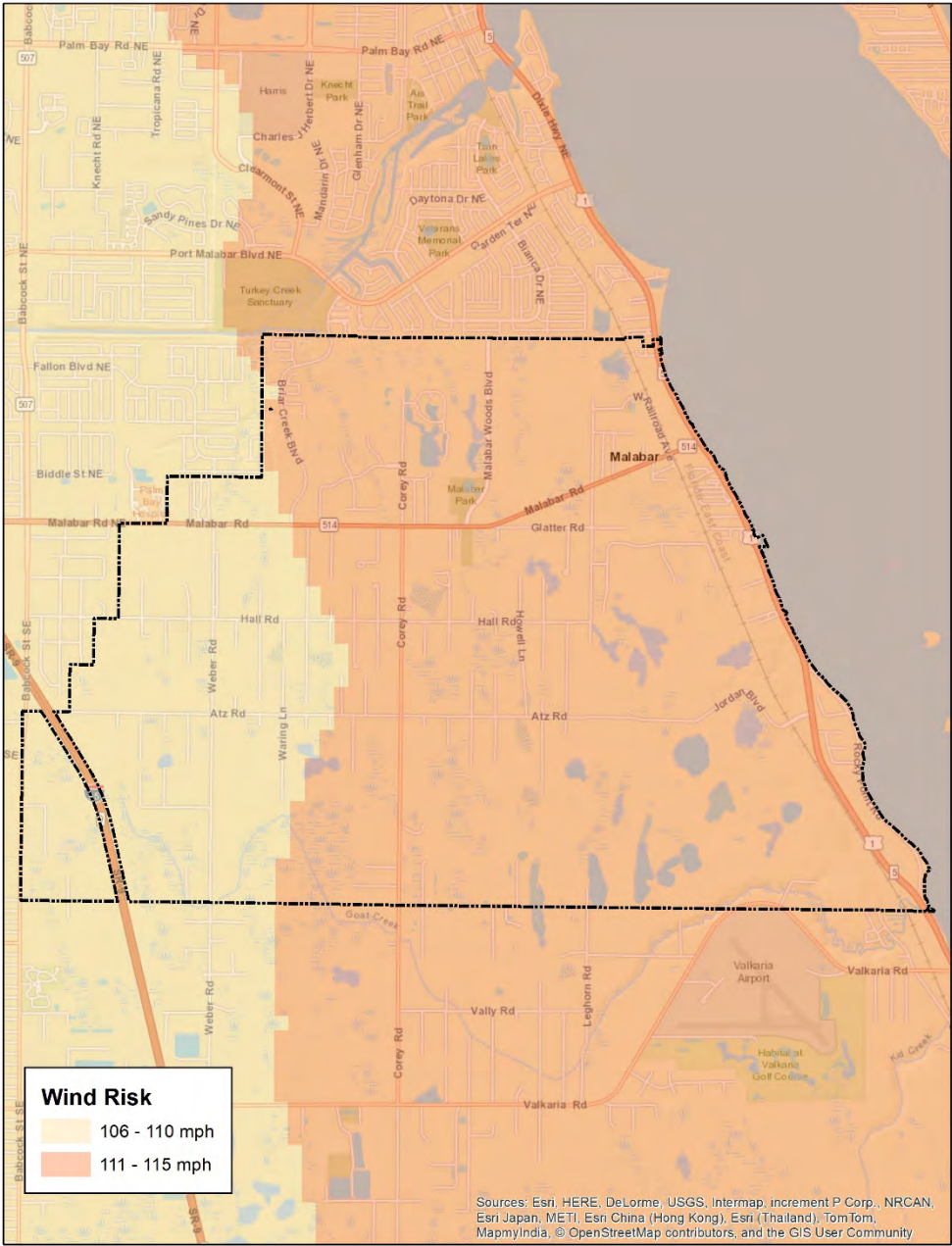
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	29	1.29%	12	0.53%	\$4,248,300.00	\$1,969,380.00	\$5,896,510.00	\$4,938,800.00	7	4	2	1						
Low Risk	30	1.33%	8	0.36%	\$2,196,490.00	\$2,901,480.00	\$5,262,610.00	\$3,769,370.00	7	1	1	0						
High Risk	1,713	76.07%	787	34.95%	\$84,894,430.00	\$179,752,530.00	\$210,819,060.00	\$164,647,202.00	463	289	176	78						
Very High Risk	480	21.31%	347	15.41%	\$44,514,410.00	\$65,693,550.00	\$87,307,740.00	\$73,302,869.00	260	76	51	14						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	17	0.75%	6	0.27%	0	0.00%	0	0.00%	0	0.00%	3	0.13%	1	0.04%	0	0.00%	1	0.04%
Low Risk	3	0.13%	23	1.02%	0	0.00%	1	0.04%	2	0.09%	1	0.04%	0	0.00%	0	0.00%	0	0.00%
High Risk	1,520	67.50%	71	3.15%	1	0.04%	6	0.27%	5	0.22%	61	2.71%	35	1.55%	0	0.00%	0	0.00%
Very High Risk	420	18.65%	27	1.20%	4	0.18%	2	0.09%	1	0.04%	10	0.44%	7	0.31%	0	0.00%	0	0.00%





WIND RISK PROFILE | MALABAR

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	669	29.71%	333	14.79%	\$39,016,420.00	\$74,578,080.00	\$86,742,660.00	\$67,408,618.00	206	113	71	29						
111-115 mph	1,583	70.29%	821	36.46%	\$96,837,210.00	\$175,738,860.00	\$222,543,260.00	\$179,249,623.00	531	257	159	64						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	586	26.02%	42	1.87%	0	0.00%	2	0.09%	4	0.18%	12	0.53%	18	0.80%	0	0.00%	0	0.00%
111-115 mph	1,374	61.01%	85	3.77%	5	0.22%	7	0.31%	4	0.18%	63	2.80%	25	1.11%	0	0.00%	1	0.04%



# MELBOURNE

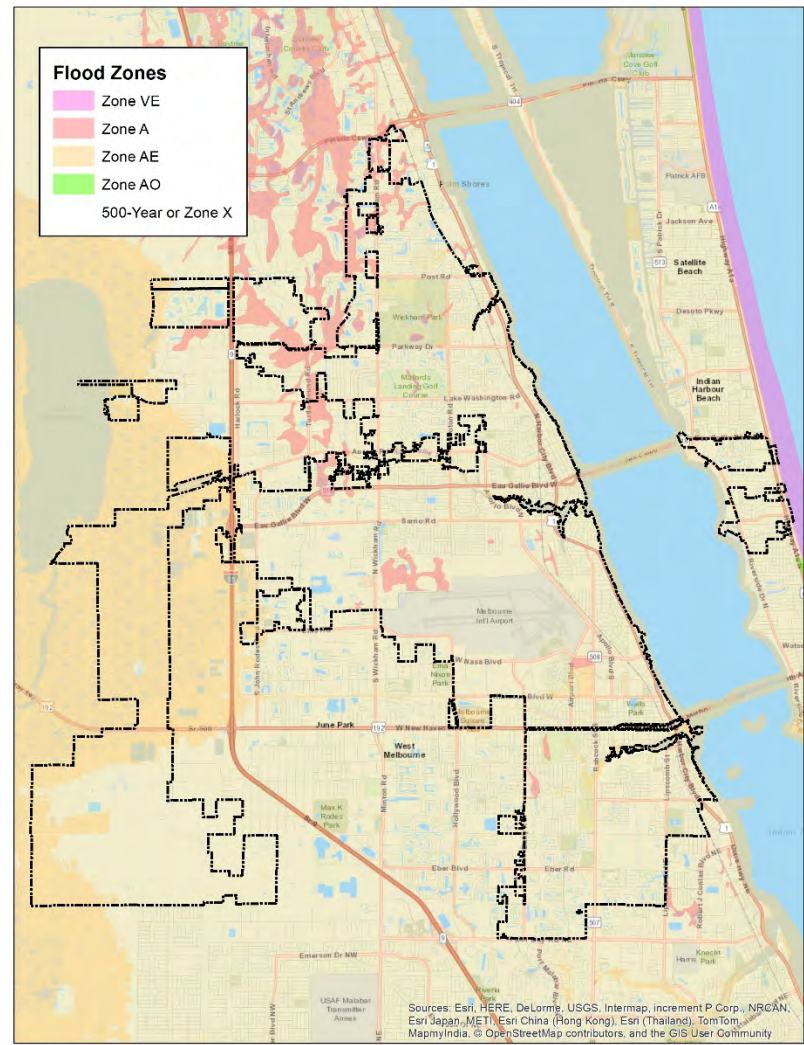
## Hazard Profile

The City of Melbourne is located in the south mainland section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Melbourne, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

FLOODPLAIN PROFILE | MELBOURNE

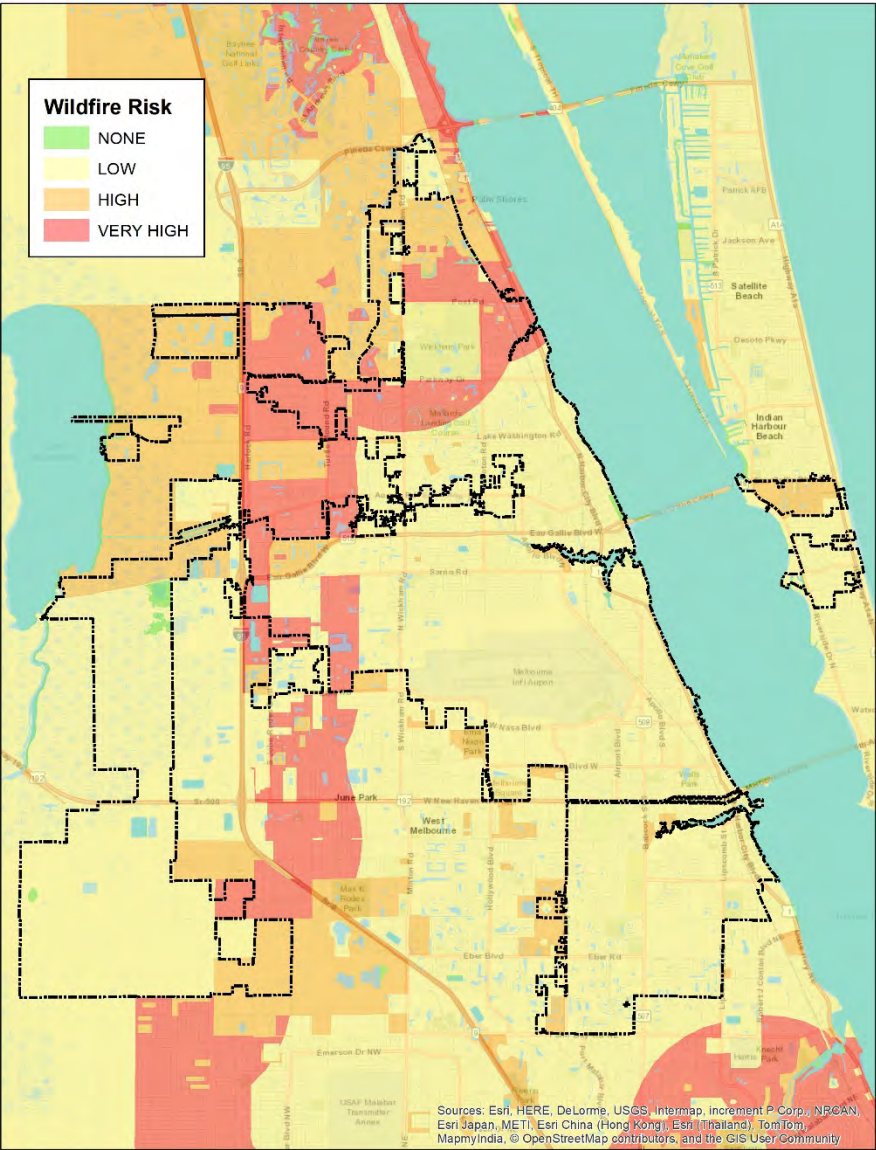
Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	1,296	3.81%	1,108	3.26%	\$118,942,560.00	\$349,869,750.00	\$429,305,370.00	\$332,697,909.00	417	596	259	140						
Flood Zone AE	592	1.74%	469	1.38%	\$81,275,700.00	\$230,684,870.00	\$280,573,440.00	\$151,387,250.00	374	94	64	18						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	9	0.03%	3	0.01%	\$16,102,490.00	\$48,960,700.00	\$60,552,470.00	\$54,742,910.00	3	0	0	0						
Flood Zone X	30,552	89.79%	27,899	82.00%	\$1,752,828,097.00	\$4,545,495,413.00	\$5,409,231,950.00	\$3,929,577,682.00	19,980	7,216	4,274	1,306						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	1,211	3.56%	30	0.09%	0	0.00%	3	0.01%	5	0.01%	30	0.09%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	465	1.37%	37	0.11%	2	0.01%	6	0.02%	7	0.02%	52	0.15%	4	0.01%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	6	0.02%	0	0.00%	0	0.00%	0	0.00%	3	0.01%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	27,218	79.99%	1,754	5.16%	81	0.24%	478	1.40%	148	0.43%	430	1.26%	20	0.06%	3	0.01%	13	0.04%





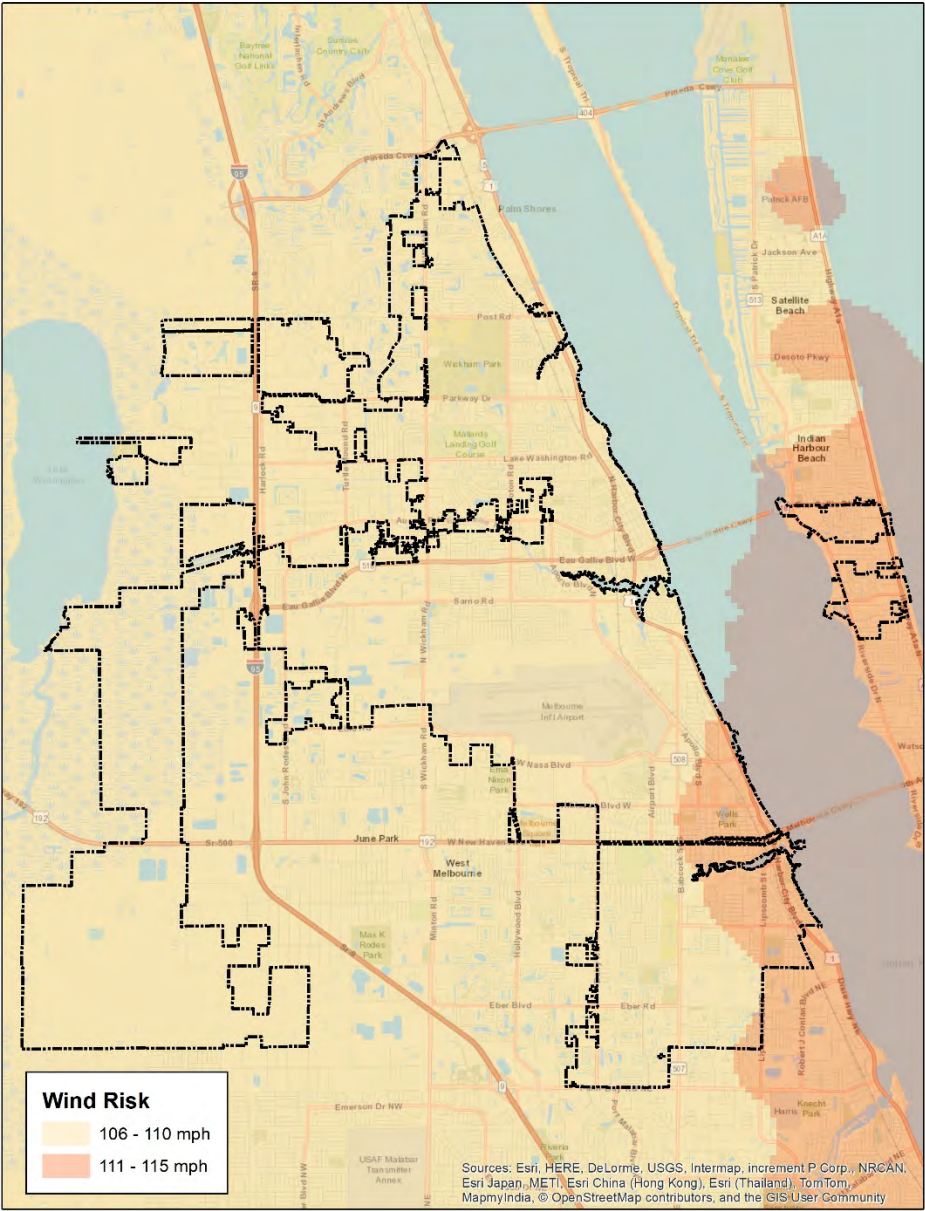
FIRE RISK PROFILE | MELBOURNE

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	362	1.06%	275	0.81%	\$80,095,630.00	\$107,898,420.00	\$199,837,260.00	\$135,501,640.00	213	48	28	9						
Low Risk	24,348	71.56%	22,030	64.75%	\$1,478,512,627.00	\$3,728,874,673.00	\$4,564,556,780.00	\$3,288,404,023.00	16,841	4,803	3,236	852						
High Risk	4,430	13.02%	3,929	11.55%	\$287,152,720.00	\$917,068,140.00	\$1,052,646,130.00	\$778,095,188.00	1,024	2,621	1,222	569						
Very High Risk	4,885	14.36%	4,592	13.50%	\$324,136,130.00	\$804,027,070.00	\$919,591,730.00	\$721,708,199.00	3,596	856	487	146						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	277	0.81%	31	0.09%	1	0.00%	1	0.00%	4	0.01%	37	0.11%	3	0.01%	0	0.00%	0	0.00%
Low Risk	21,296	62.59%	1,711	5.03%	86	0.25%	398	1.17%	154	0.45%	448	1.32%	22	0.06%	3	0.01%	7	0.02%
High Risk	4,140	12.17%	119	0.35%	1	0.00%	21	0.06%	8	0.02%	36	0.11%	7	0.02%	0	0.00%	1	0.00%
Very High Risk	4,494	13.21%	84	0.25%	2	0.01%	99	0.29%	4	0.01%	49	0.14%	4	0.01%	0	0.00%	6	0.02%



WIND RISK PROFILE | MELBOURNE

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	28,771	84.56%	26,395	77.58%	\$1,779,976,460.00	\$4,474,596,220.00	\$5,379,419,380.00	\$3,980,801,845.00	18,551	7,106	4,213	1,405						
111-115 mph	5,254	15.44%	4,431	13.02%	\$389,920,647.00	\$1,083,272,083.00	\$1,357,212,520.00	\$942,907,205.00	3,123	1,222	760	171						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	26,005	76.43%	1,315	3.86%	49	0.14%	466	1.37%	108	0.32%	430	1.26%	36	0.11%	3	0.01%	14	0.04%
111-115 mph	4,202	12.35%	630	1.85%	41	0.12%	53	0.16%	62	0.18%	140	0.41%	0	0.00%	0	0.00%	0	0.00%





# MELBOURNE BEACH

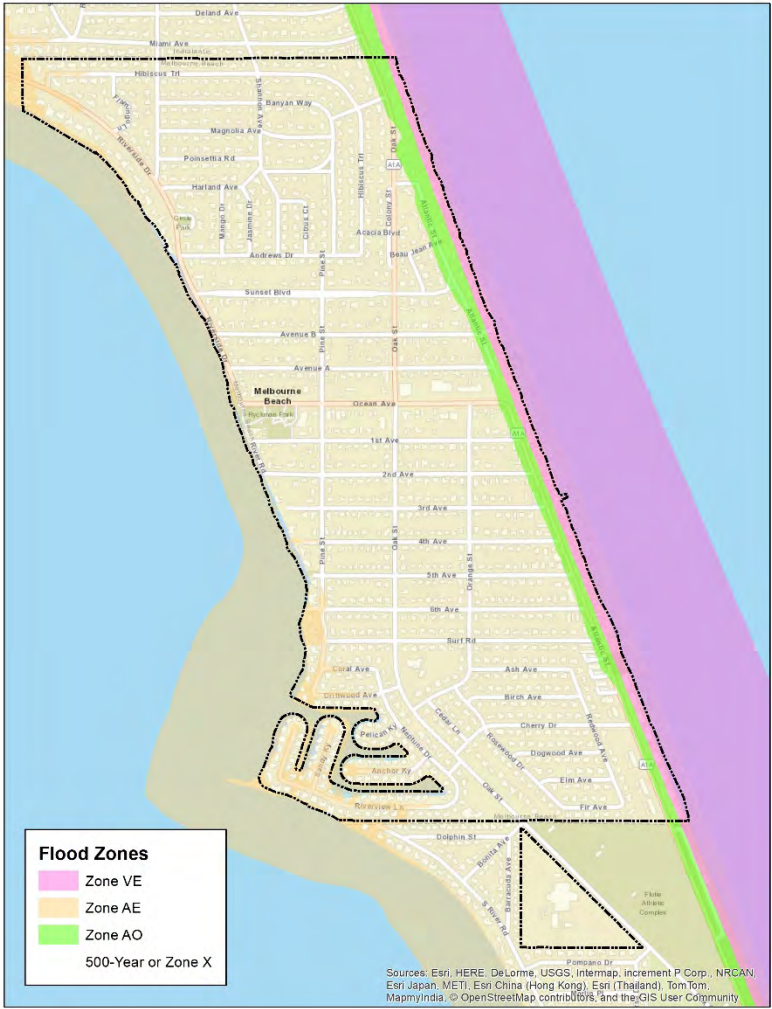
## Hazard Profile

The Town of Melbourne Beach is located in the southeastern coastal section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the Town of Melbourne Beach, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

FLOODPLAIN PROFILE | MELBOURNE BEACH

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	128	7.84%	122	7.48%	\$43,901,220.00	\$37,198,980.00	\$62,868,870.00	\$53,367,600.00	104	13	3	1						
Flood Zone AO	122	7.48%	111	6.80%	\$8,094,600.00	\$18,761,850.00	\$21,384,220.00	\$18,713,910.00	102	13	2	2						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	169	10.36%	157	9.62%	\$39,297,750.00	\$63,426,860.00	\$88,389,800.00	\$78,816,880.00	145	12	9	4						
Flood Zone X	1,090	66.79%	1,053	64.52%	\$190,727,950.00	\$181,500,370.00	\$281,062,180.00	\$234,212,981.00	950	79	38	24						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	125	7.66%	1	0.06%	0	0.00%	0	0.00%	0	0.00%	2	0.12%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	116	7.11%	5	0.31%	1	0.06%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	165	10.11%	0	0.00%	1	0.06%	0	0.00%	0	0.00%	3	0.18%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	1,058	64.83%	21	1.29%	1	0.06%	0	0.00%	4	0.25%	5	0.31%	0	0.00%	0	0.00%	0	0.00%



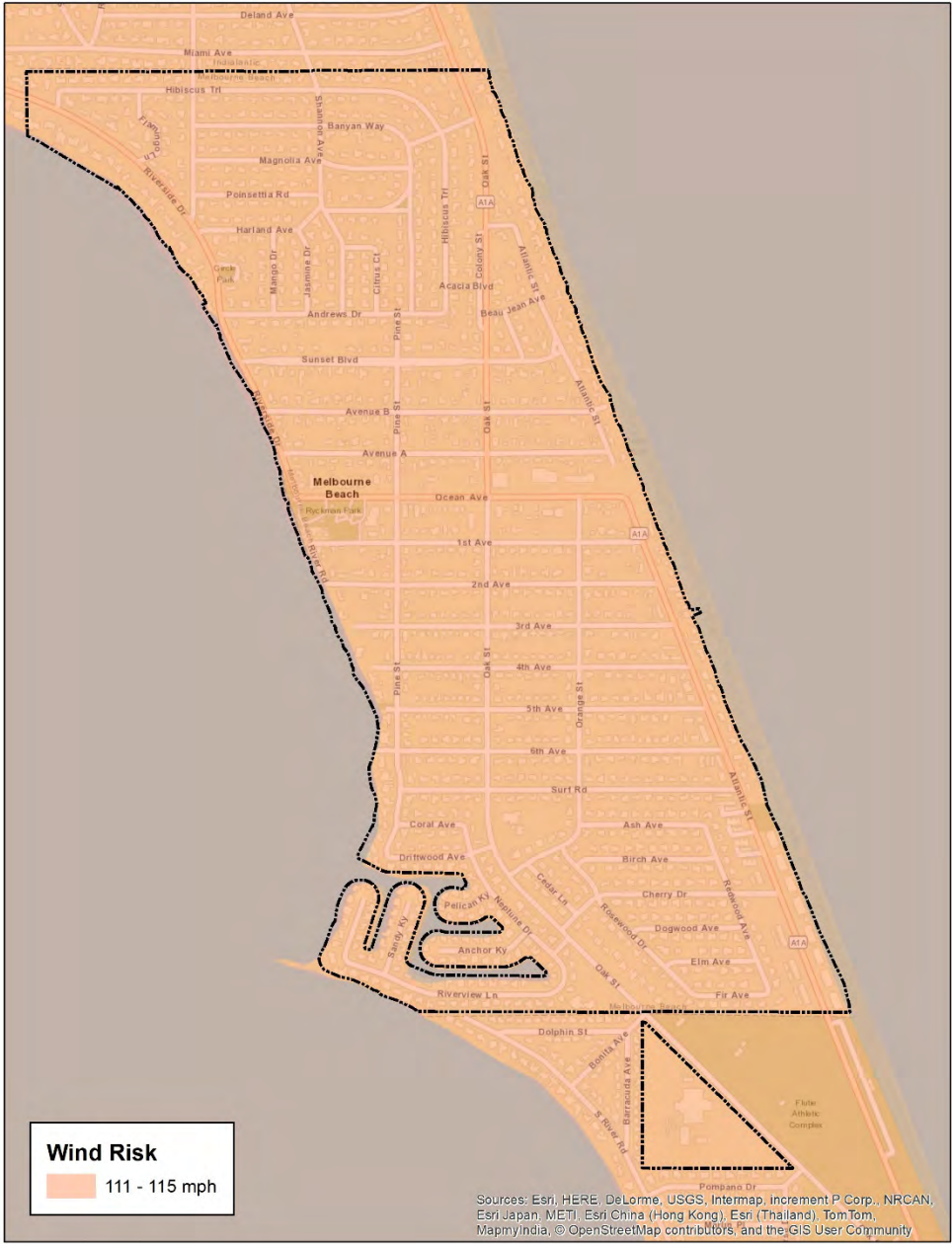
FIRE RISK PROFILE | MELBOURNE BEACH

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	61	3.74%	59	3.62%	\$21,740,750.00	\$19,604,750.00	\$32,096,130.00	\$29,153,560.00	44	13	6	3						
Low Risk	1,571	96.26%	1,505	92.22%	\$290,808,360.00	\$311,925,410.00	\$467,865,960.00	\$397,076,991.00	1,351	130	59	36						
High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Very High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	61	3.74%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Low Risk	1,526	93.50%	27	1.65%	3	0.18%	0	0.00%	4	0.25%	10	0.61%	0	0.00%	0	0.00%	0	0.00%
High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



WIND RISK PROFILE | MELBOURNE BEACH

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
111-115 mph	1,632	100.00%	1,564	95.83%	\$312,549,110.00	\$331,530,160.00	\$499,962,090.00	\$426,230,551.00	1,395	143	65	39						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
111-115 mph	1,587	97.24%	27	1.65%	3	0.18%	0	0.00%	4	0.25%	10	0.61%	0	0.00%	0	0.00%	0	0.00%





# MELBOURNE VILLAGE

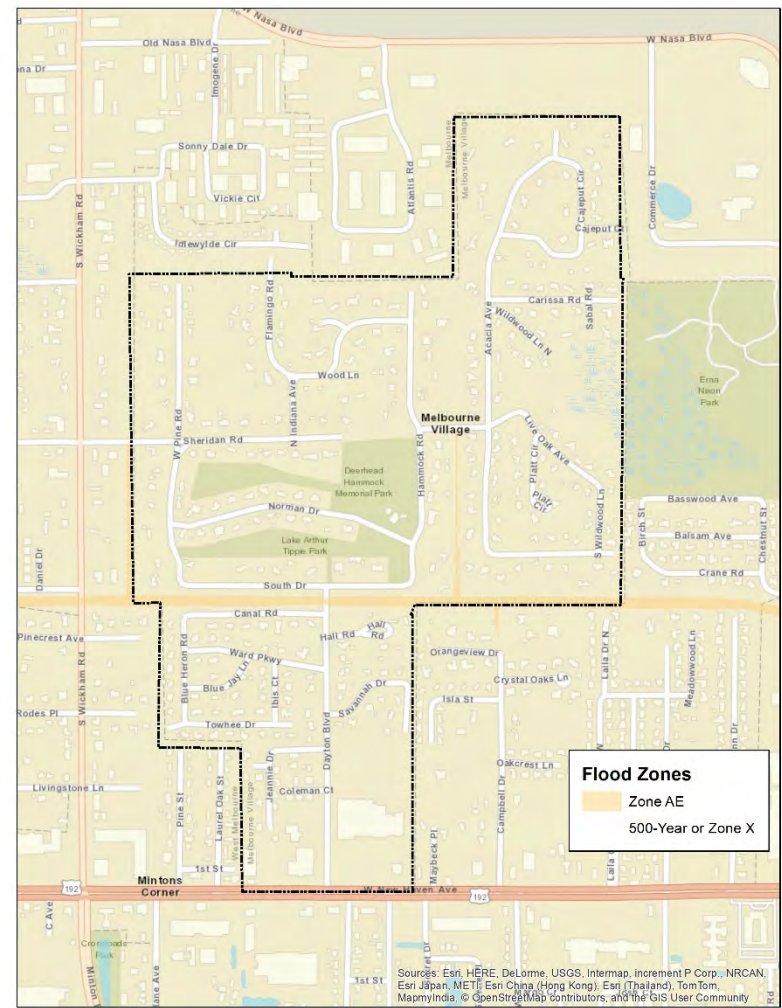
## Hazard Profile

The Town of Melbourne Village is located in the south mainland portion of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the Town of Melbourne Village, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

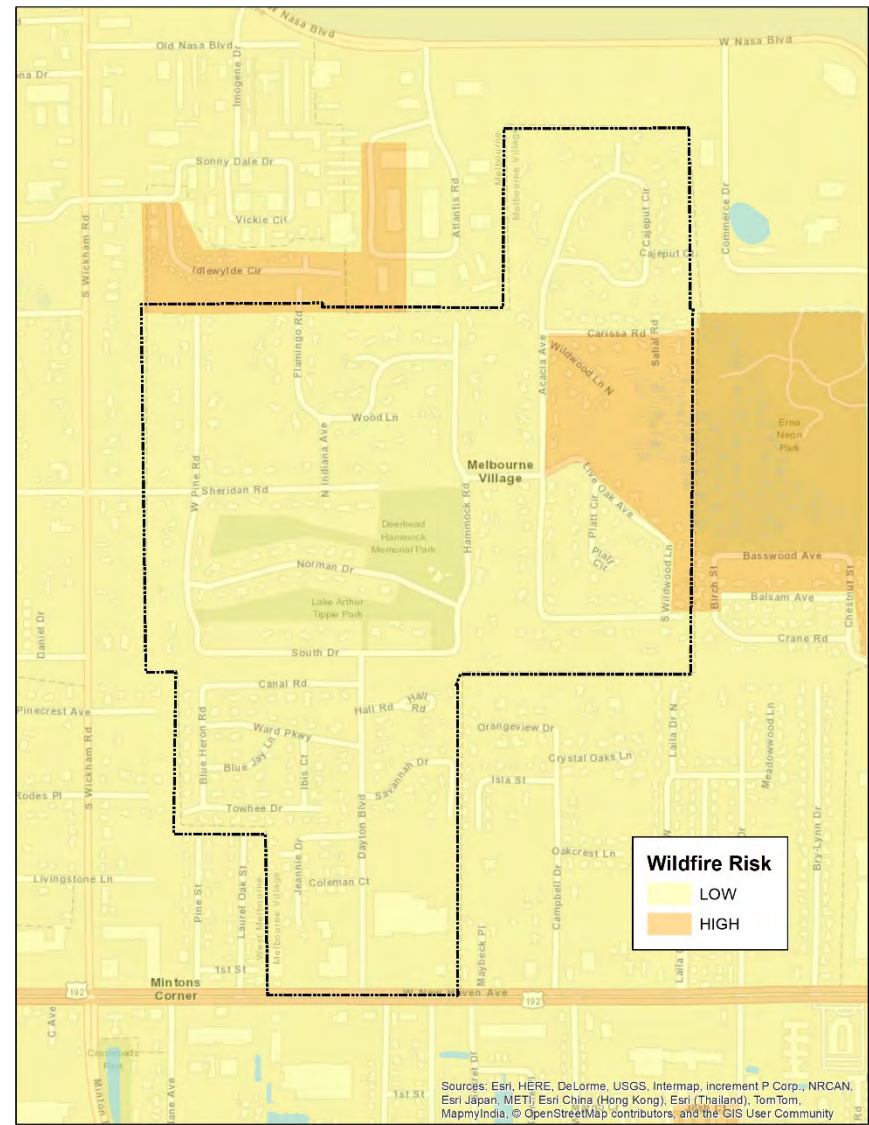
FLOODPLAIN PROFILE | MELBOURNE VILLAGE

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	332	98.81%	317	94.35%	\$29,613,270.00	\$43,702,670.00	\$61,115,970.00	\$46,989,438.00	269	36	20	7						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	315	93.75%	8	2.38%	0	0.00%	0	0.00%	1	0.30%	3	0.89%	0	0.00%	4	1.19%	0	0.00%



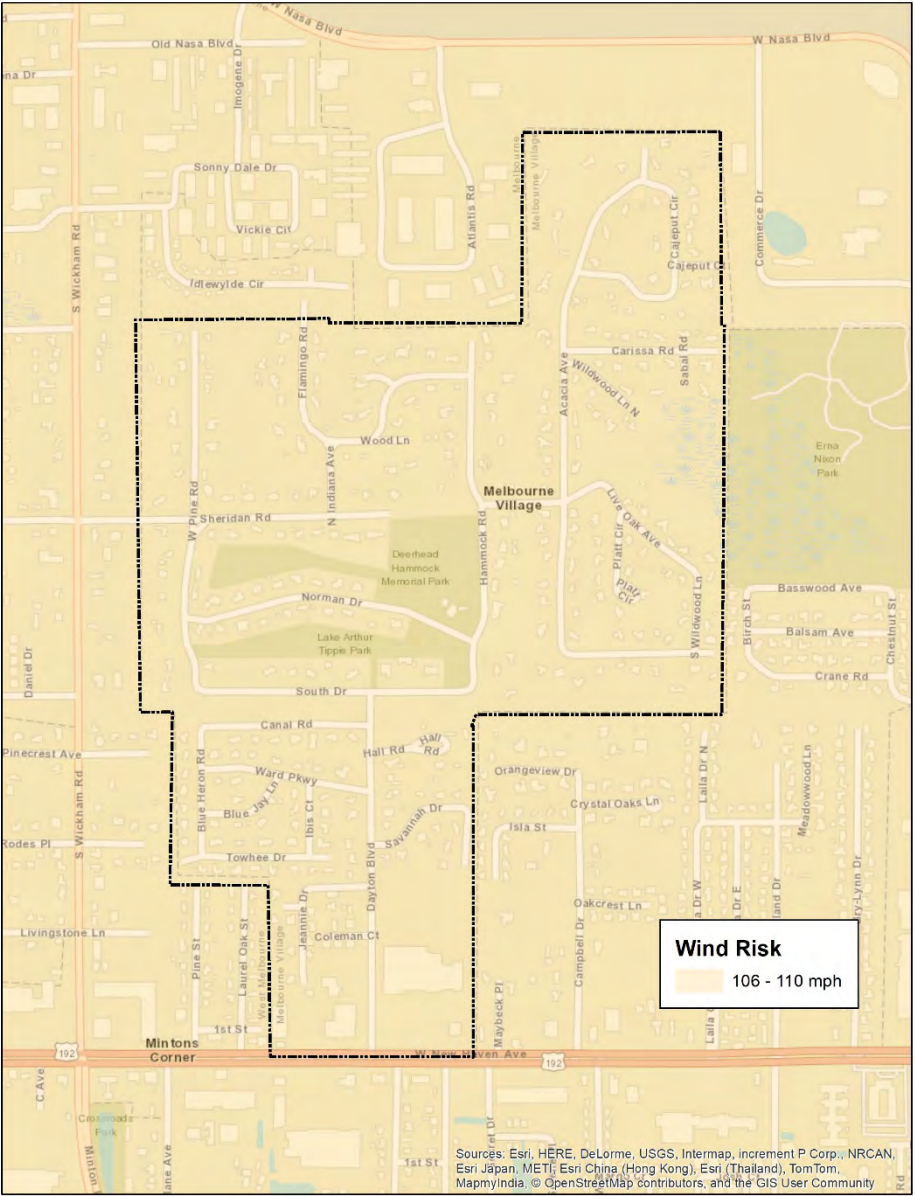
FIRE RISK PROFILE | MELBOURNE VILLAGE

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Low Risk	298	88.69%	285	84.82%	\$27,220,750.00	\$39,812,570.00	\$56,311,620.00	\$43,611,768.00	243	31	16	6						
High Risk	38	11.31%	36	10.71%	\$2,745,020.00	\$4,451,100.00	\$5,467,190.00	\$3,890,010.00	30	5	4	1						
Very High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Low Risk	283	84.23%	8	2.38%	0	0.00%	0	0.00%	1	0.30%	3	0.89%	0	0.00%	2	0.60%	0	0.00%
High Risk	36	10.71%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.60%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



WIND RISK PROFILE | MELBOURNE VILLAGE

Wind Risk																			
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present							
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0							
106-110 mph	336	100.00%	321	95.54%	\$29,965,770.00	\$44,263,670.00	\$61,778,810.00	\$47,501,778.00	273	36	20	7							
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0							
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation	
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	
106-110 mph	319	94.94%	8	2.38%	0	0.00%	0	0.00%	1	0.30%	3	0.89%	0	0.00%	4	1.19%	0	0.00%	
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	





# PALM BAY

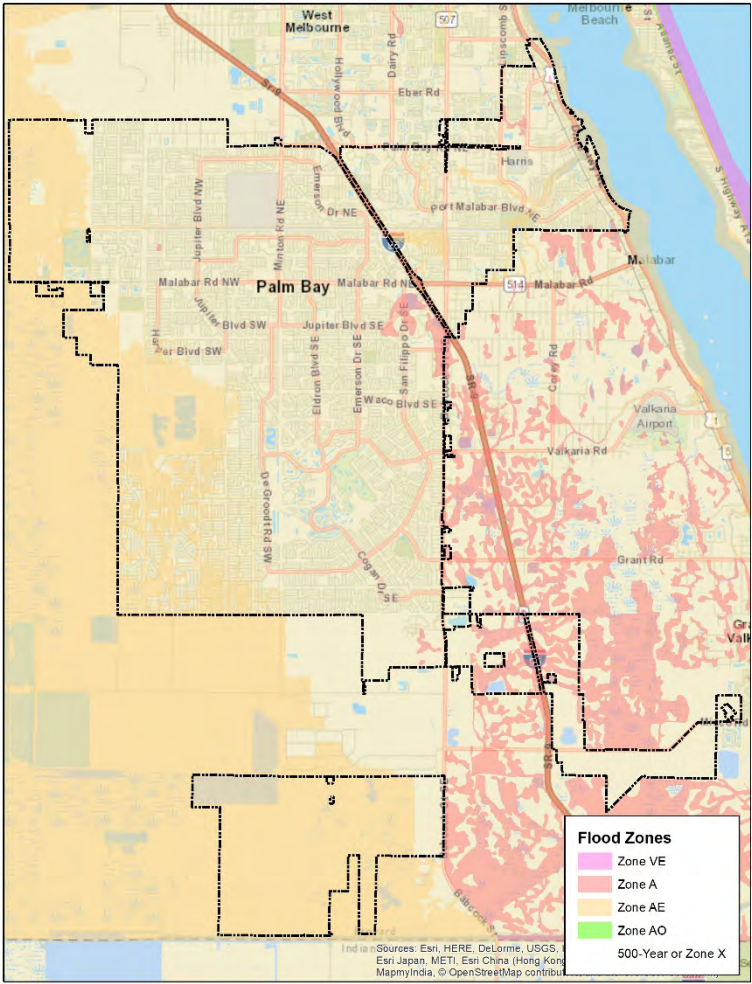
## Hazard Profile

The City of Palm Bay is located in the southern section of mainland Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Palm Bay, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

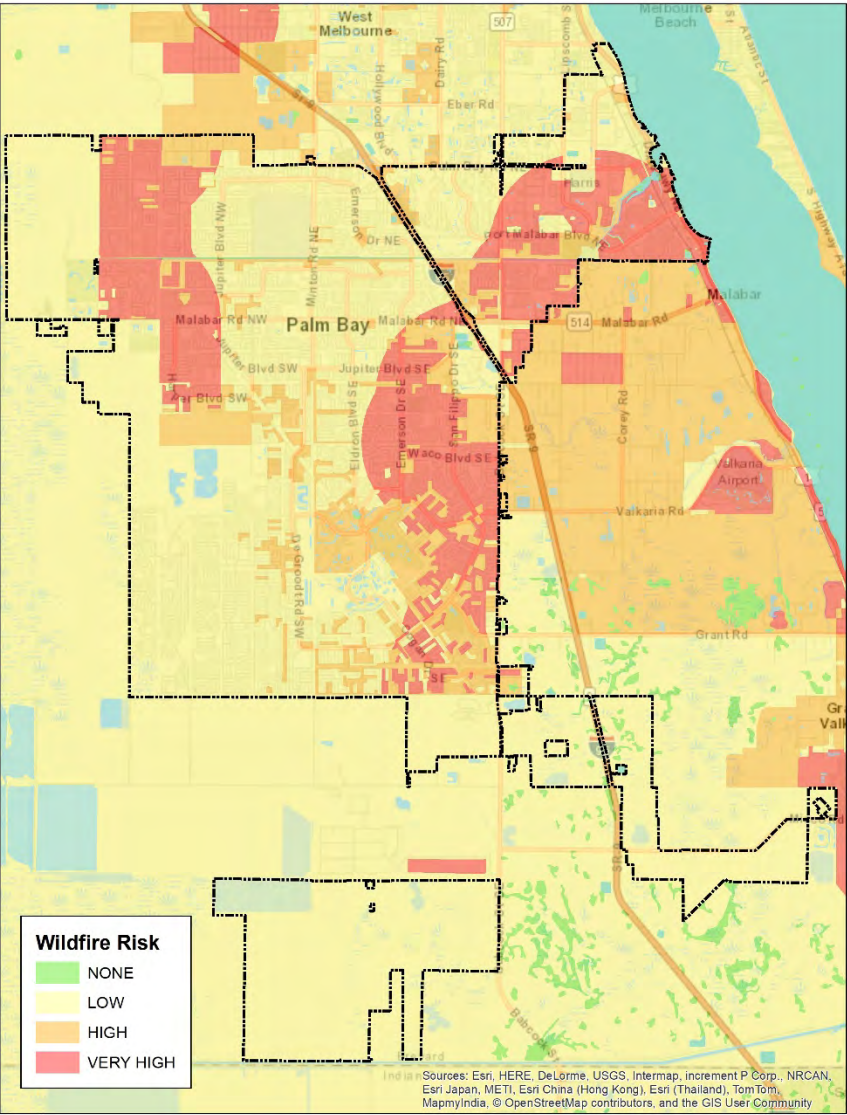
FLOODPLAIN PROFILE | PALM BAY

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	387	0.50%	213	0.27%	\$40,487,220.00	\$90,559,120.00	\$112,635,590.00	\$73,553,330.00	106	91	62	6						
Flood Zone AE	3,575	4.59%	689	0.88%	\$56,724,490.00	\$118,839,850.00	\$129,494,350.00	\$99,902,745.00	551	138	115	11						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	59,875	76.86%	39,595	50.83%	\$1,127,416,340.00	\$5,280,248,340.00	\$4,947,487,050.00	\$3,503,851,428.00	23,440	15,134	10,940	1,897						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	289	0.37%	28	0.04%	2	0.00%	31	0.04%	3	0.00%	15	0.02%	13	0.02%	0	0.00%	1	0.00%
Flood Zone AE	3,367	4.32%	19	0.02%	0	0.00%	0	0.00%	3	0.00%	155	0.20%	27	0.03%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	57,916	74.35%	917	1.18%	15	0.02%	211	0.27%	109	0.14%	428	0.55%	49	0.06%	0	0.00%	7	0.01%



FIRE RISK PROFILE | PALM BAY

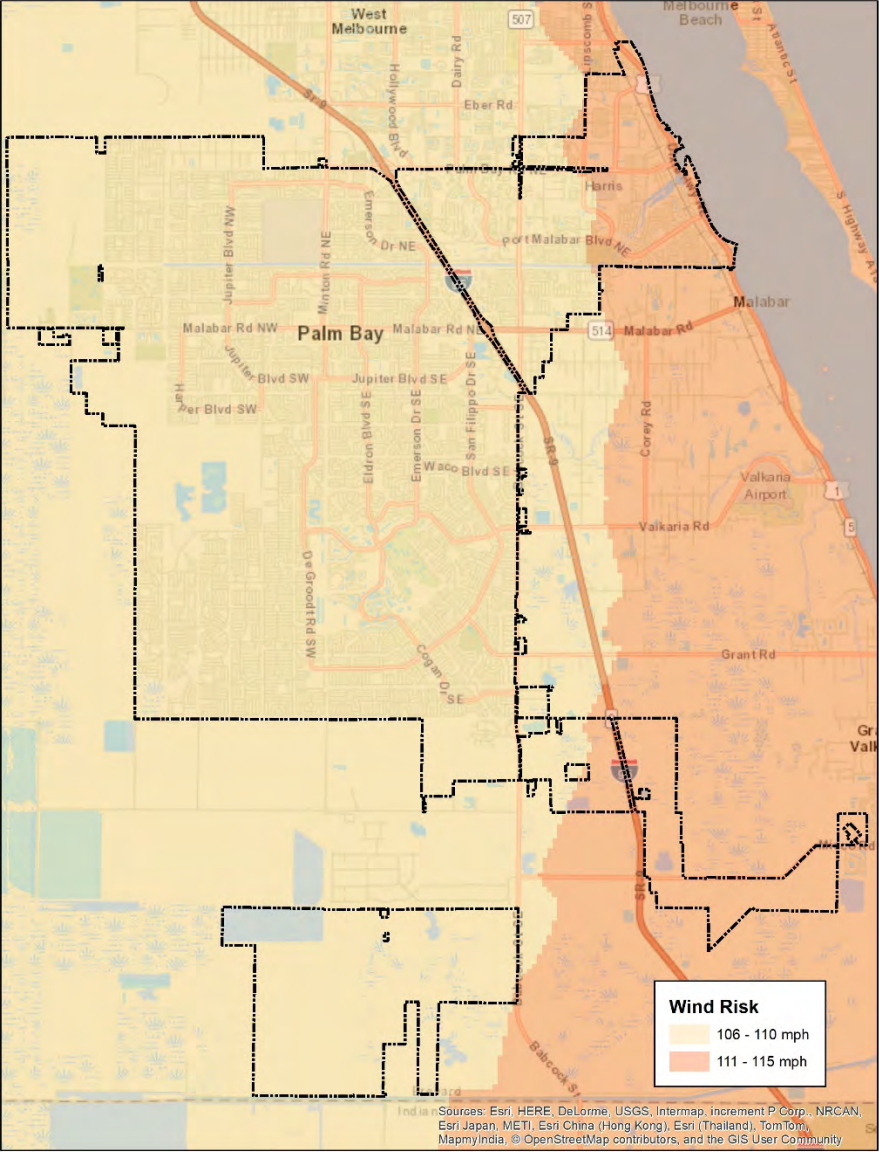
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	117	0.15%	83	0.11%	\$16,970,830.00	\$25,156,820.00	\$39,657,380.00	\$33,997,840.00	77	8	6	2						
Low Risk	39,706	50.97%	20,912	26.84%	\$710,898,700.00	\$2,804,771,380.00	\$2,688,095,900.00	\$1,925,554,887.00	11,939	8,427	6,526	1,591						
High Risk	10,581	13.58%	5,471	7.02%	\$224,252,740.00	\$914,434,000.00	\$890,366,330.00	\$651,804,376.00	1,920	3,388	2,449	202						
Very High Risk	27,497	35.30%	18,388	23.60%	\$443,905,660.00	\$2,431,761,100.00	\$2,244,026,630.00	\$1,557,911,036.00	12,012	5,895	3,850	506						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	91	0.12%	4	0.01%	1	0.00%	1	0.00%	1	0.00%	12	0.02%	7	0.01%	0	0.00%	0	0.00%
Low Risk	38,224	49.07%	552	0.71%	7	0.01%	129	0.17%	49	0.06%	515	0.66%	79	0.10%	0	0.00%	2	0.00%
High Risk	10,155	13.04%	194	0.25%	3	0.00%	49	0.06%	25	0.03%	85	0.11%	11	0.01%	0	0.00%	4	0.01%
Very High Risk	26,859	34.48%	276	0.35%	9	0.01%	68	0.09%	57	0.07%	188	0.24%	1	0.00%	0	0.00%	3	0.00%





WIND RISK PROFILE | PALM BAY

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	72,638	93.24%	40,199	51.60%	\$1,204,806,820.00	\$5,663,639,410.00	\$5,263,072,710.00	\$3,708,562,025.00	21,795	17,245	12,538	2,251						
111-115 mph	5,263	6.76%	4,655	5.98%	\$191,221,110.00	\$512,483,890.00	\$599,073,530.00	\$460,706,114.00	4,153	473	293	50						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	70,552	90.57%	831	1.07%	8	0.01%	165	0.21%	100	0.13%	674	0.87%	75	0.10%	0	0.00%	7	0.01%
111-115 mph	4,777	6.13%	195	0.25%	12	0.02%	82	0.11%	32	0.04%	126	0.16%	23	0.03%	0	0.00%	2	0.00%



# PALM SHORES

## Hazard Profile

The Town of Palm Shores is located in the central mainland section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the Town of Palm Shores, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

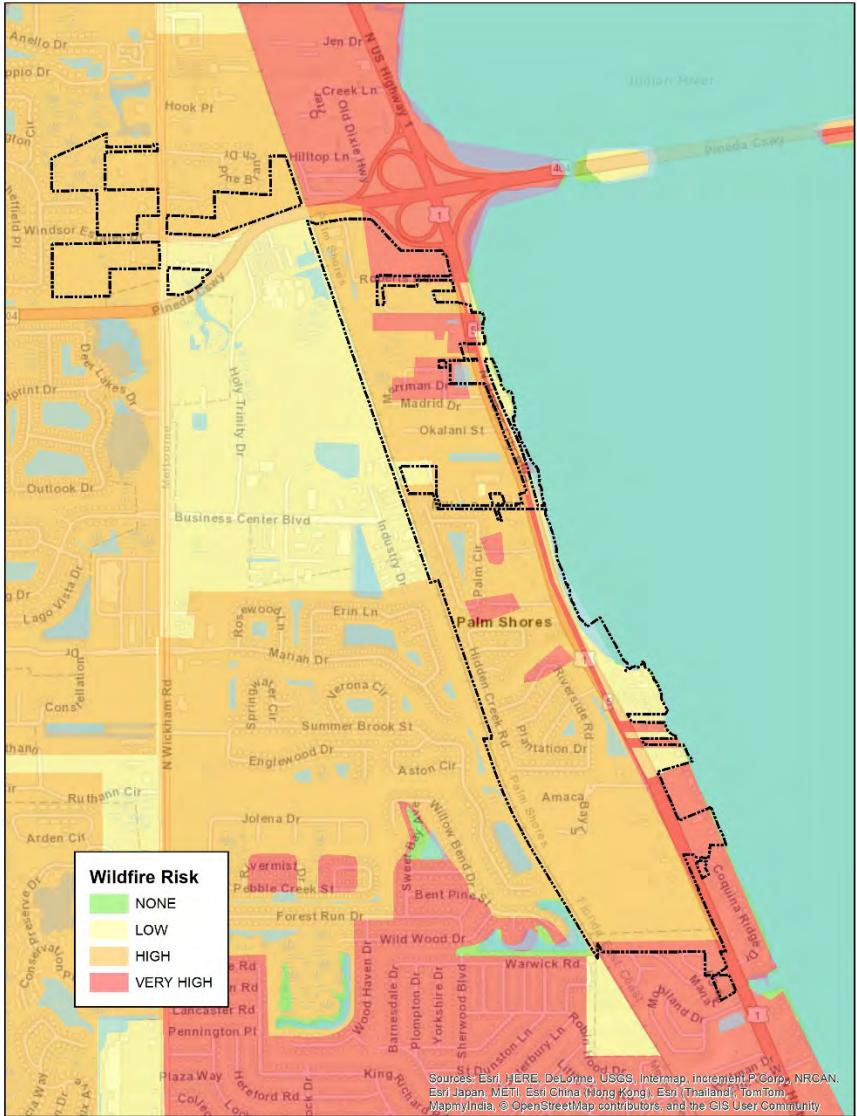
FLOODPLAIN PROFILE | PALM SHORES

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	16	3.27%	5	1.02%	\$4,713,300.00	\$6,247,340.00	\$10,550,520.00	\$10,283,830.00	1	3	3	2						
Flood Zone AE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	437	89.18%	370	75.51%	\$29,102,610.00	\$63,856,390.00	\$77,150,200.00	\$56,186,156.00	184	169	107	83						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	5	1.02%	6	1.22%	0	0.00%	2	0.41%	0	0.00%	1	0.20%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	376	76.73%	35	7.14%	6	1.22%	2	0.41%	2	0.41%	14	2.86%	0	0.00%	0	0.00%	0	0.00%



# FIRE RISK PROFILE | PALM SHORES

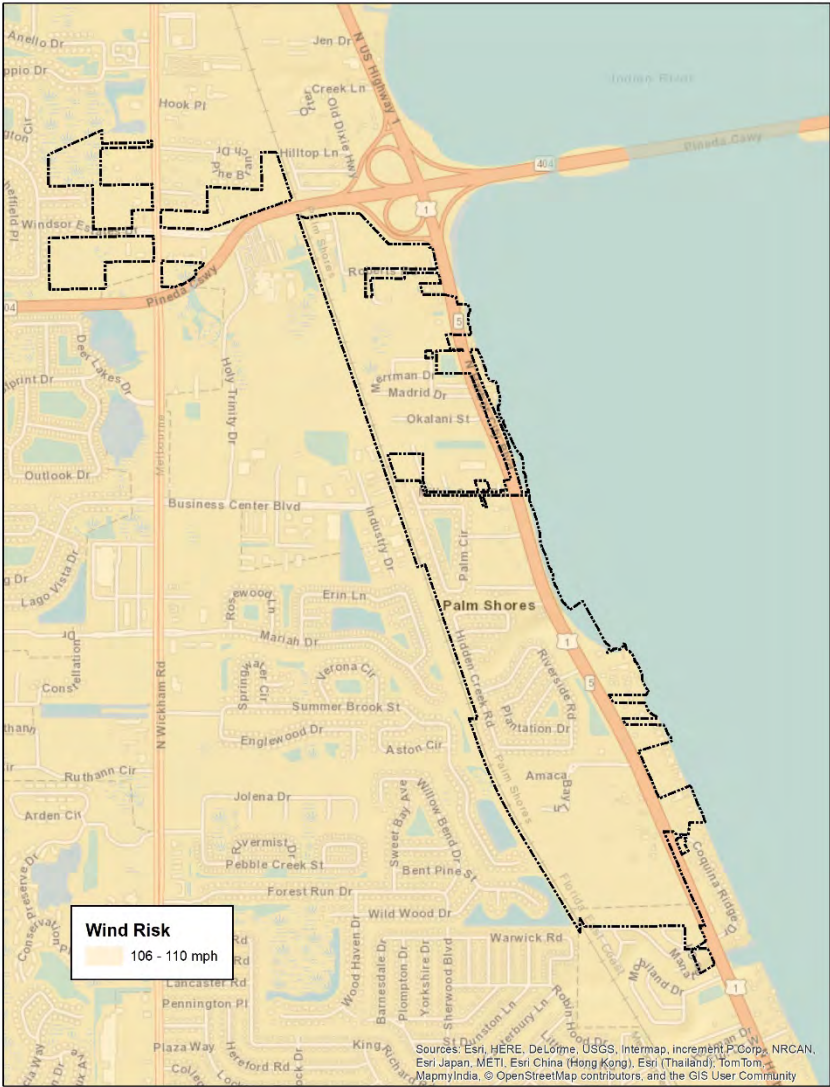
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	22	4.49%	11	2.24%	\$6,552,180.00	\$5,561,840.00	\$11,230,080.00	\$10,829,580.00	2	9	7	5						
Low Risk	9	1.84%	5	1.02%	\$2,593,610.00	\$895,570.00	\$4,109,670.00	\$3,617,700.00	2	2	2	2						
High Risk	378	77.14%	330	67.35%	\$24,809,710.00	\$58,672,450.00	\$68,545,190.00	\$49,024,816.00	157	157	105	84						
Very High Risk	81	16.53%	53	10.82%	\$11,261,150.00	\$14,213,590.00	\$23,157,750.00	\$20,575,330.00	33	18	6	2						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	18	3.67%	4	0.82%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Low Risk	3	0.61%	2	0.41%	0	0.00%	0	0.00%	0	0.00%	4	0.82%	0	0.00%	0	0.00%	0	0.00%
High Risk	340	69.39%	21	4.29%	3	0.61%	3	0.61%	2	0.41%	7	1.43%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	50	10.20%	18	3.67%	4	0.82%	1	0.20%	0	0.00%	6	1.22%	0	0.00%	0	0.00%	0	0.00%





# WIND RISK PROFILE | PALM SHORES

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	490	100.00%	399	81.43%	\$45,216,650.00	\$79,343,450.00	\$107,042,690.00	\$84,047,426.00	194	186	120	93						
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	411	83.88%	45	9.18%	7	1.43%	4	0.82%	2	0.41%	17	3.47%	0	0.00%	0	0.00%	0	0.00%
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%





# ROCKLEDGE

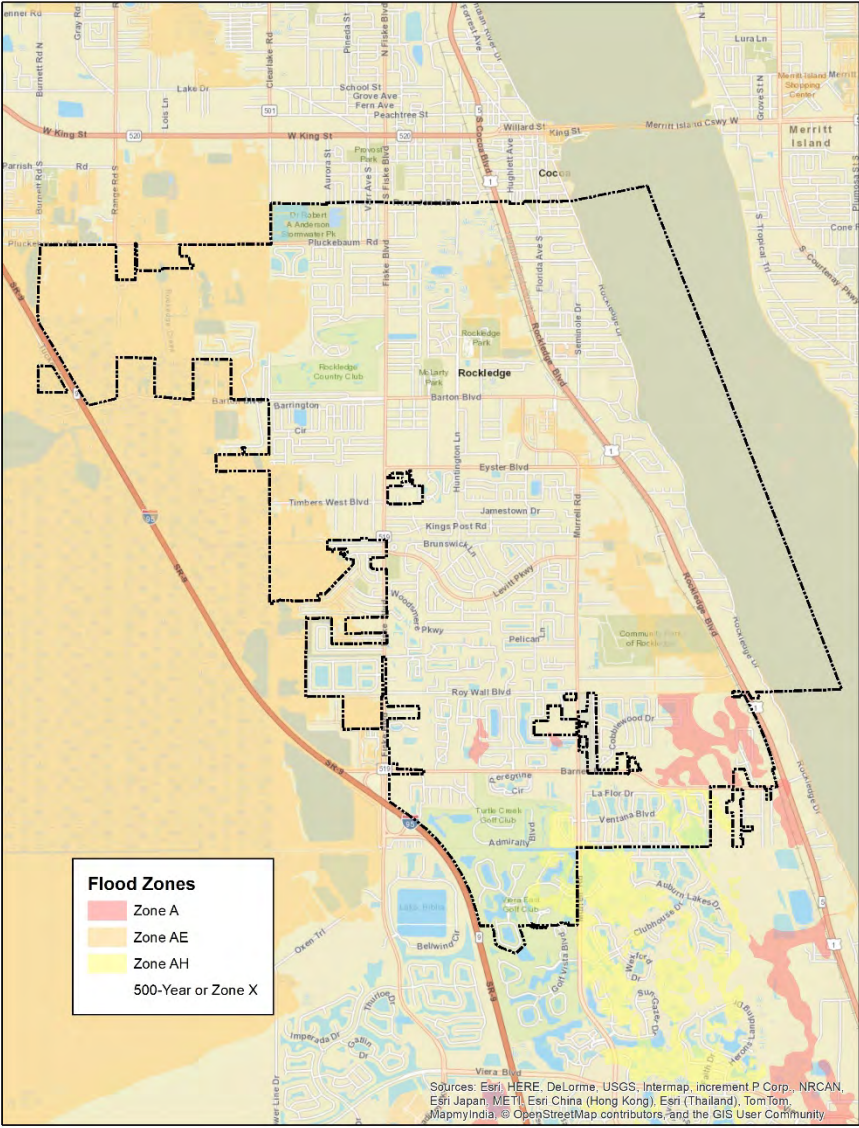
## Hazard Profile

The City of Rockledge is located in the central mainland section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Rockledge, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

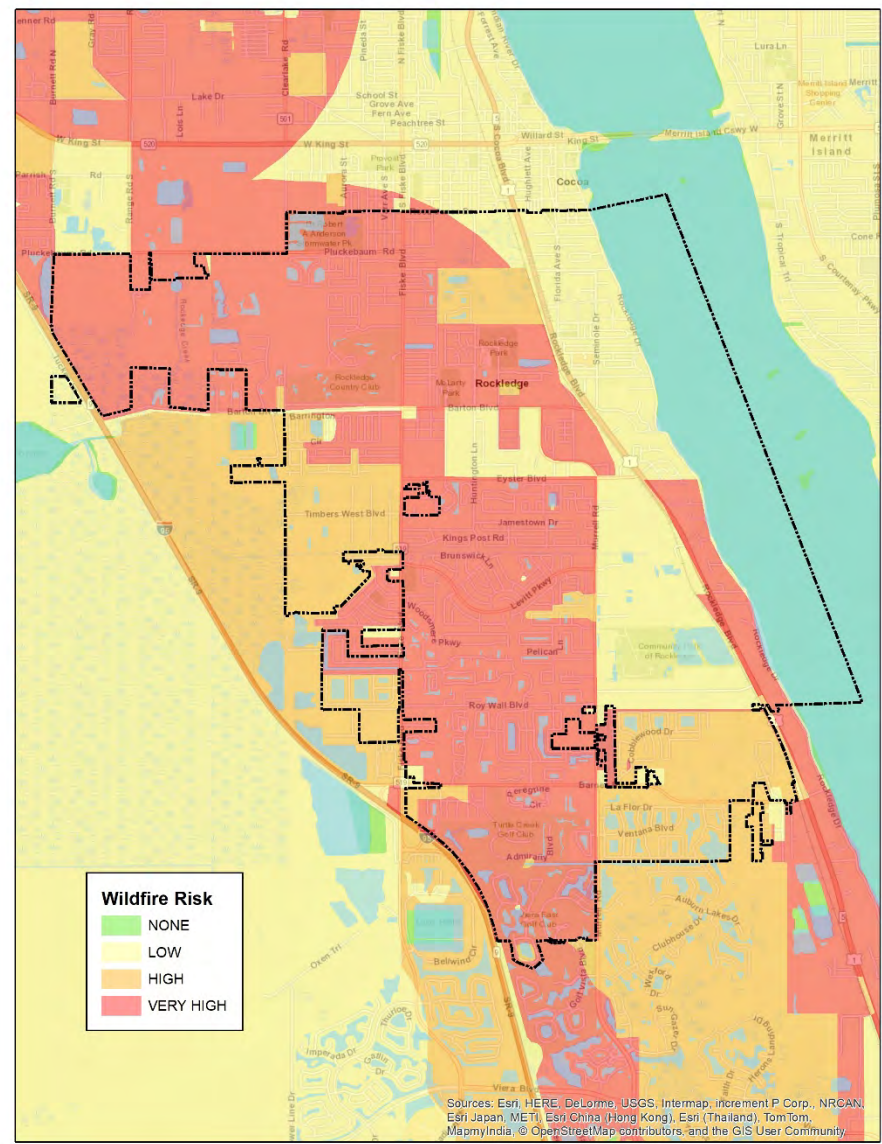
FLOODPLAIN PROFILE | ROCKLEDGE

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	320	2.61%	293	2.39%	\$16,648,320.00	\$56,469,650.00	\$62,950,770.00	\$49,715,287.00	50	226	217	48						
Flood Zone AE	364	2.97%	229	1.87%	\$36,708,040.00	\$43,698,050.00	\$68,477,430.00	\$57,358,522.00	191	19	13	8						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	443	3.61%	403	3.29%	\$9,432,160.00	\$77,314,870.00	\$73,377,670.00	\$59,684,758.00	18	400	327	24						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	10,059	82.05%	9,282	75.72%	\$451,050,040.00	\$1,447,117,790.00	\$1,583,557,540.00	\$1,181,327,014.00	5,678	3,388	1,773	453						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	308	2.51%	4	0.03%	0	0.00%	2	0.02%	0	0.00%	6	0.05%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	313	2.55%	6	0.05%	1	0.01%	18	0.15%	2	0.02%	14	0.11%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	426	3.47%	3	0.02%	0	0.00%	0	0.00%	0	0.00%	2	0.02%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	8,894	72.55%	426	3.47%	11	0.09%	121	0.99%	37	0.30%	127	1.04%	8	0.07%	0	0.00%	9	0.07%



FIRE RISK PROFILE | ROCKLEDGE

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	123	1.00%	116	0.95%	\$5,769,270.00	\$16,512,410.00	\$17,816,060.00	\$13,760,690.00	113	1	1	0						
Low Risk	1,333	10.87%	1,105	9.01%	\$108,852,440.00	\$252,219,630.00	\$345,730,000.00	\$285,680,617.00	915	137	82	13						
High Risk	2,037	16.62%	1,779	14.51%	\$90,758,600.00	\$334,263,830.00	\$350,675,920.00	\$266,366,151.00	256	1,510	890	218						
Very High Risk	8,766	71.51%	8,152	66.50%	\$358,311,800.00	\$1,153,820,460.00	\$1,233,570,690.00	\$904,448,154.00	5,346	2,622	1,488	346						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	120	0.98%	0	0.00%	0	0.00%	0	0.00%	1	0.01%	2	0.02%	0	0.00%	0	0.00%	0	0.00%
Low Risk	859	7.01%	225	1.84%	6	0.05%	158	1.29%	12	0.10%	60	0.49%	2	0.02%	0	0.00%	0	0.00%
High Risk	1,972	16.09%	27	0.22%	0	0.00%	7	0.06%	2	0.02%	23	0.19%	1	0.01%	0	0.00%	2	0.02%
Very High Risk	7,921	64.61%	223	1.82%	7	0.06%	39	0.32%	27	0.22%	90	0.73%	5	0.04%	0	0.00%	7	0.06%

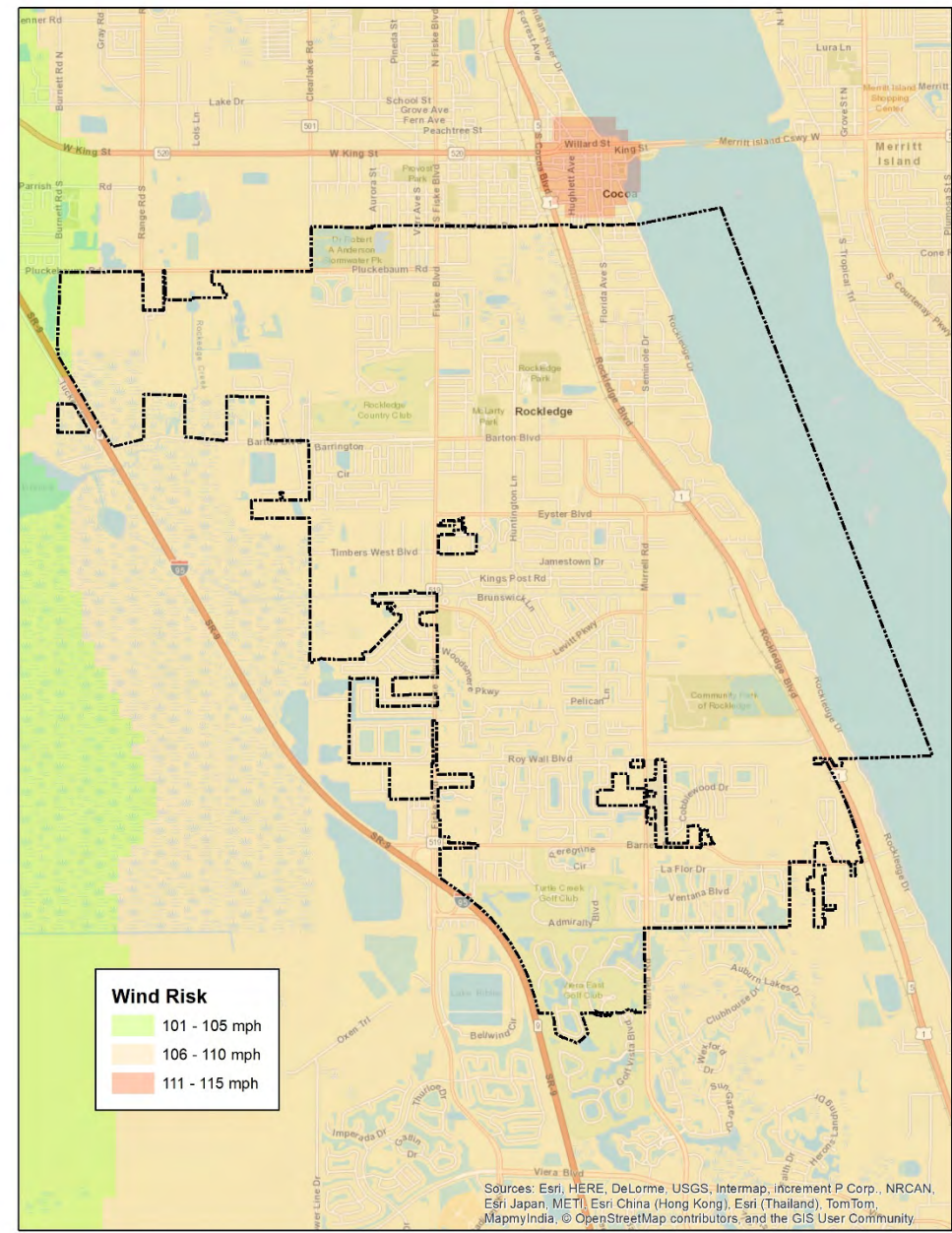




WIND RISK PROFILE | ROCKLEDGE

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	4	0.03%	0	0.00%	\$341,340.00	\$0.00	\$341,340.00	\$341,340.00	0	0	0	0						
106-110 mph	12,255	99.97%	11,152	90.97%	\$563,350,770.00	\$1,756,816,330.00	\$1,947,451,330.00	\$1,469,914,272.00	6,630	4,270	2,461	577						
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						

Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	4	0.03%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	10,868	88.65%	475	3.87%	13	0.11%	204	1.66%	42	0.34%	175	1.43%	8	0.07%	0	0.00%	9	0.07%
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



# SATELLITE BEACH

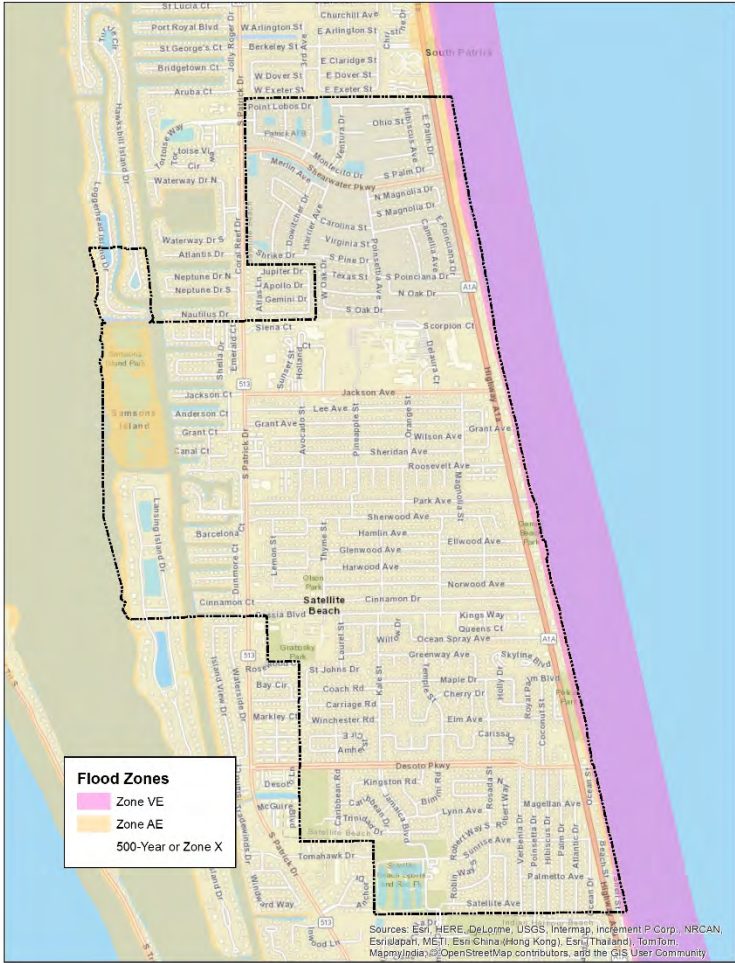
## Hazard Profile

The City of Satellite Beach is located in the southeastern coastal section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Satellite Beach, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

FLOODPLAIN PROFILE | SATELLITE BEACH

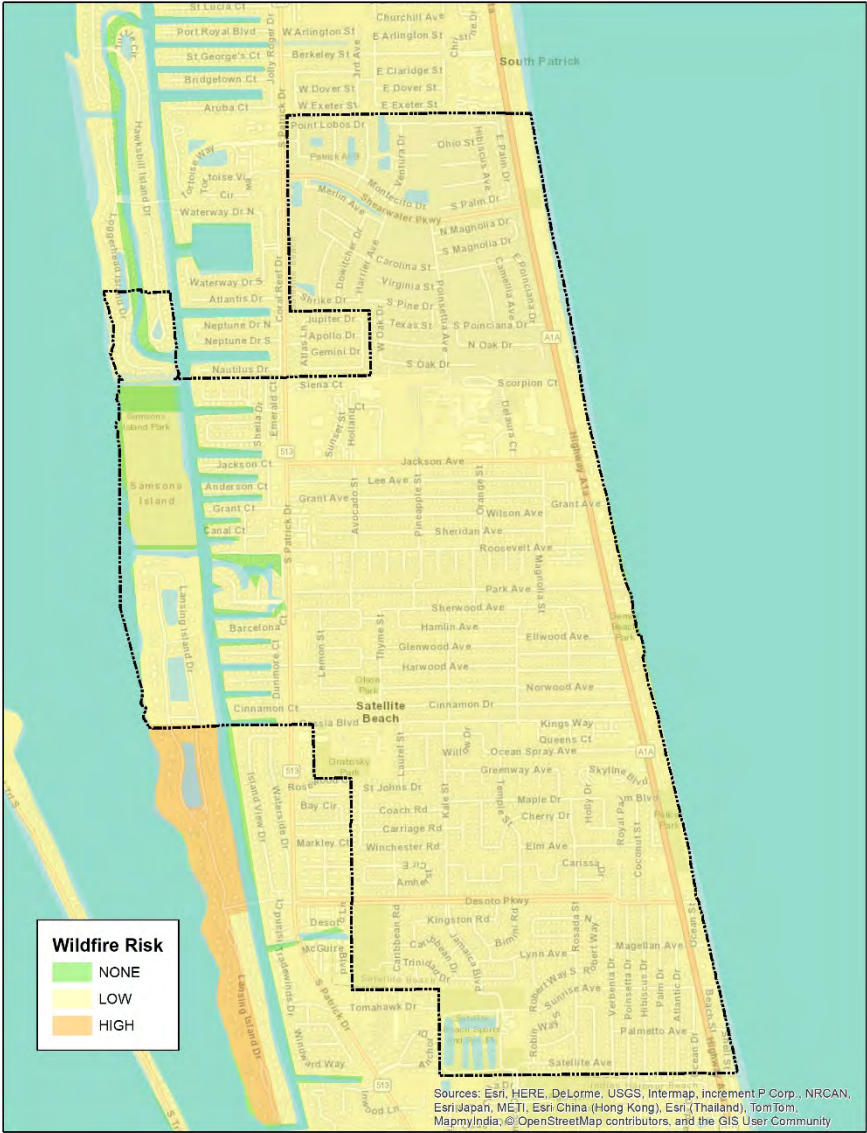
Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	163	3.13%	154	2.96%	\$37,047,260.00	\$39,631,610.00	\$58,270,970.00	\$48,966,370.00	146	9	4	3						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	587	11.29%	542	10.42%	\$34,486,960.00	\$176,892,080.00	\$195,236,570.00	\$162,444,164.00	453	109	50	2						
Flood Zone X	4,405	84.70%	4,146	79.72%	\$515,445,670.00	\$710,207,170.00	\$963,577,520.00	\$726,193,195.00	3,319	792	588	155						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	160	3.08%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	2	0.04%	0	0.00%	0	0.00%	1	0.02%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	561	10.79%	2	0.04%	0	0.00%	0	0.00%	0	0.00%	20	0.38%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	4,160	79.98%	119	2.29%	7	0.13%	5	0.10%	6	0.12%	29	0.56%	0	0.00%	0	0.00%	0	0.00%





FIRE RISK PROFILE | SATELLITE BEACH

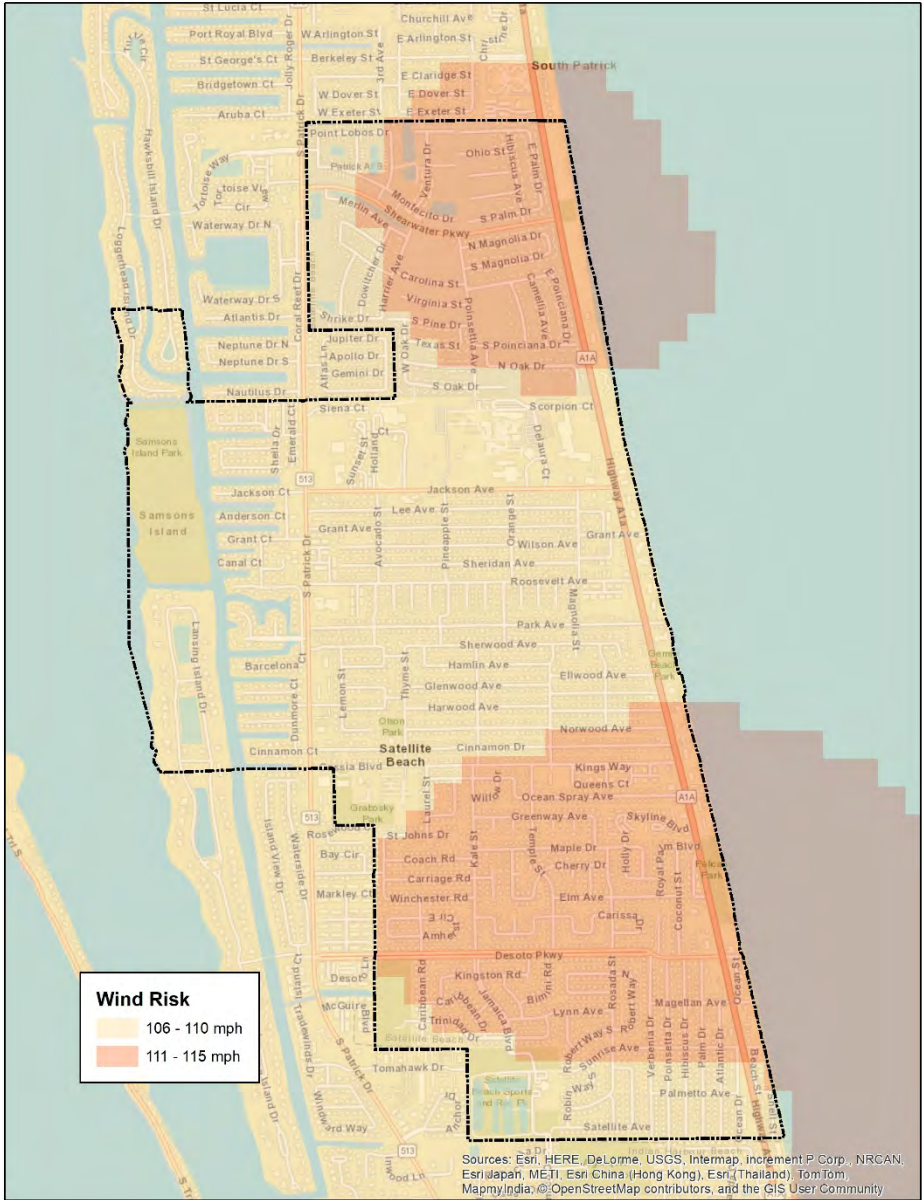
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	261	5.02%	243	4.67%	\$49,079,540.00	\$78,732,160.00	\$101,677,650.00	\$87,960,874.00	204	40	32	7						
Low Risk	4,936	94.90%	4,638	89.18%	\$546,494,550.00	\$858,473,750.00	\$1,128,927,650.00	\$860,594,785.00	3,747	873	608	153						
High Risk	4	0.08%	2	0.04%	\$891,900.00	\$1,741,610.00	\$2,215,000.00	\$2,115,000.00	0	2	2	0						
Very High Risk	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	255	4.90%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	5	0.10%	0	0.00%	0	0.00%	1	0.02%
Low Risk	4,663	89.66%	122	2.35%	7	0.13%	5	0.10%	6	0.12%	48	0.92%	0	0.00%	0	0.00%	0	0.00%
High Risk	4	0.08%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



WIND RISK PROFILE | SATELLITE BEACH

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	3,003	57.74%	2,860	54.99%	\$360,711,090.00	\$597,416,090.00	\$769,206,630.00	\$594,119,288.00	2,270	588	394	53						
111-115 mph	2,198	42.26%	2,023	38.90%	\$235,754,900.00	\$341,531,430.00	\$463,613,670.00	\$356,551,371.00	1,681	327	248	107						

Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	2,813	54.09%	92	1.77%	6	0.12%	5	0.10%	5	0.10%	33	0.63%	0	0.00%	0	0.00%	1	0.02%
111-115 mph	2,109	40.55%	30	0.58%	1	0.02%	0	0.00%	1	0.02%	20	0.38%	0	0.00%	0	0.00%	0	0.00%





# TITUSVILLE

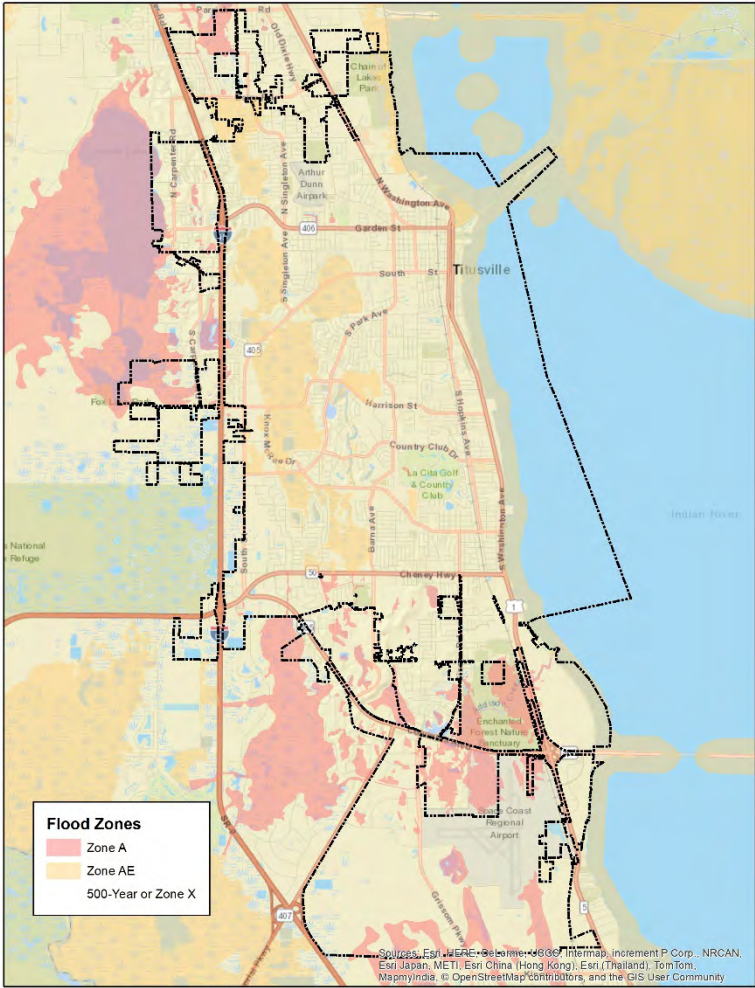
## Hazard Profile

The City of Titusville is located in the northern mainland section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of Titusville, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

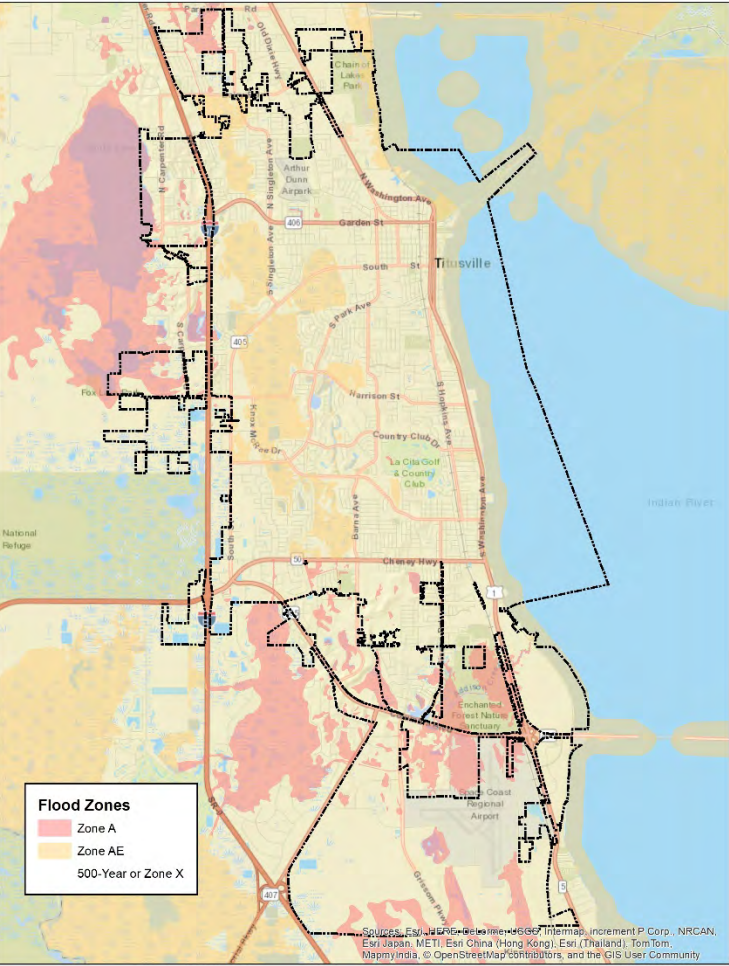
FLOODPLAIN PROFILE | TITUSVILLE

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	504	2.25%	348	1.55%	\$57,578,010.00	\$120,621,300.00	\$179,852,800.00	\$128,645,319.00	241	96	68	11						
Flood Zone AE	1,791	7.99%	1,518	6.77%	\$57,153,310.00	\$296,100,420.00	\$318,698,660.00	\$183,608,169.00	1,019	478	426	26						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	19,138	85.34%	16,960	75.63%	\$595,217,060.00	\$1,892,125,380.00	\$2,109,035,920.00	\$1,482,034,643.00	13,783	2,994	2,339	556						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	383	1.71%	38	0.17%	0	0.00%	25	0.11%	4	0.02%	43	0.19%	5	0.02%	0	0.00%	0	0.00%
Flood Zone AE	1,667	7.43%	38	0.17%	2	0.01%	11	0.05%	8	0.04%	37	0.16%	0	0.00%	0	0.00%	4	0.02%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	17,371	77.46%	931	4.15%	55	0.25%	141	0.63%	83	0.37%	390	1.74%	5	0.02%	1	0.00%	9	0.04%



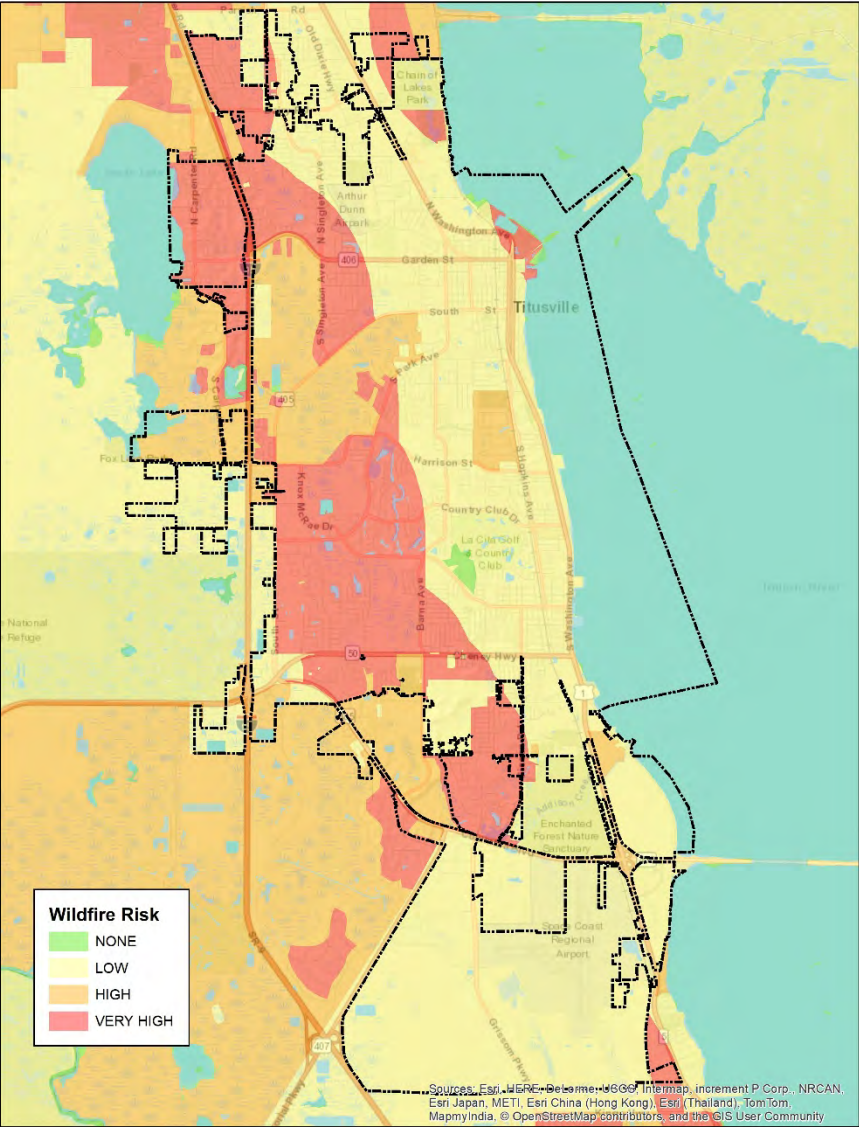
FIRE PROFILE | TITUSVILLE

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	504	2.25%	348	1.55%	\$57,578,010.00	\$120,621,300.00	\$179,852,800.00	\$128,645,319.00	241	96	68	11						
Flood Zone AE	1,791	7.99%	1,518	6.77%	\$57,153,310.00	\$296,100,420.00	\$318,698,660.00	\$183,608,169.00	1,019	478	426	26						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	19,138	85.34%	16,960	75.63%	\$595,217,060.00	\$1,892,125,380.00	\$2,109,035,920.00	\$1,482,034,643.00	13,783	2,994	2,339	556						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	383	1.71%	38	0.17%	0	0.00%	25	0.11%	4	0.02%	43	0.19%	5	0.02%	0	0.00%	0	0.00%
Flood Zone AE	1,667	7.43%	38	0.17%	2	0.01%	11	0.05%	8	0.04%	37	0.16%	0	0.00%	0	0.00%	4	0.02%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	17,371	77.46%	931	4.15%	55	0.25%	141	0.63%	83	0.37%	390	1.74%	5	0.02%	1	0.00%	9	0.04%



WIND RISK PROFILE | TITUSVILLE

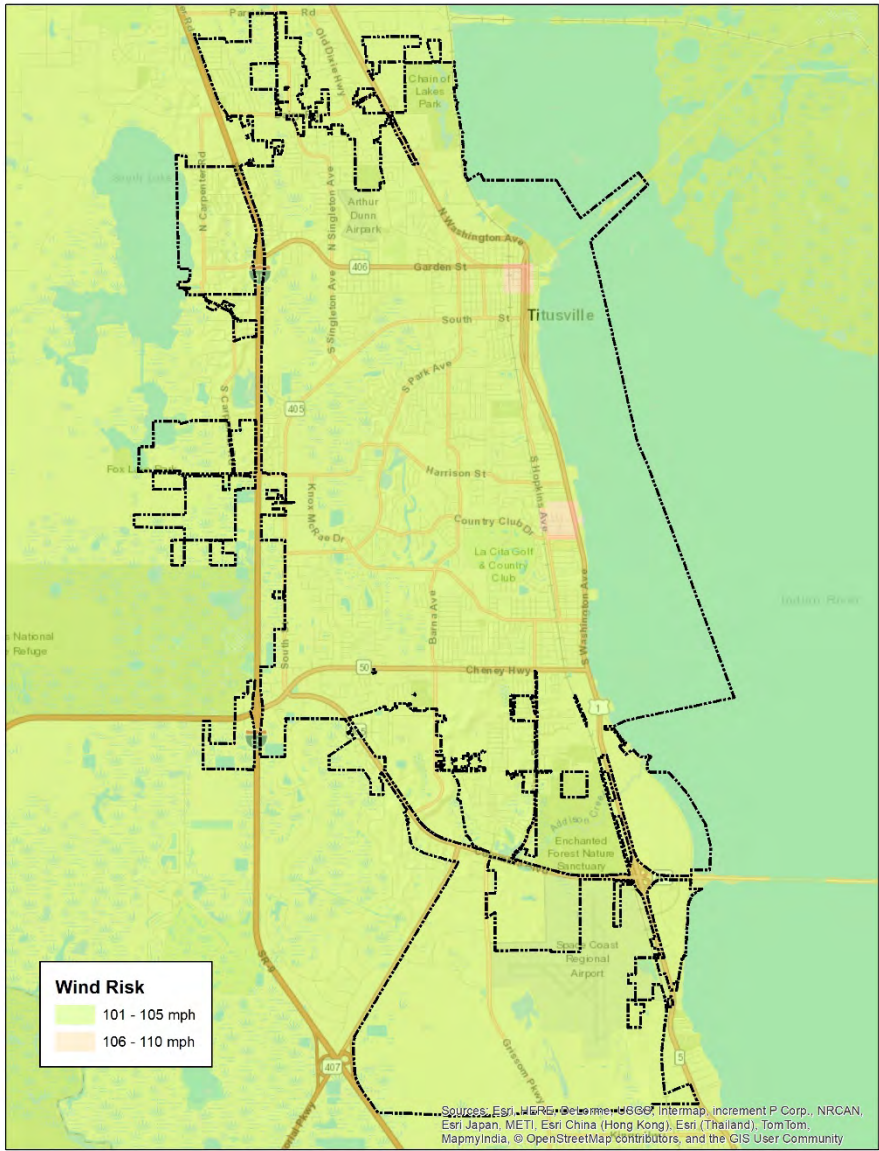
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	309	1.38%	248	1.11%	\$22,424,650.00	\$139,282,190.00	\$163,570,010.00	\$66,890,910.00	150	104	71	2						
Low Risk	10,966	48.90%	9,493	42.33%	\$355,983,380.00	\$1,084,559,280.00	\$1,285,061,700.00	\$948,460,720.00	8,261	1,094	852	283						
High Risk	1,520	6.78%	1,134	5.06%	\$54,077,060.00	\$214,484,890.00	\$237,549,380.00	\$179,575,724.00	577	543	509	103						
Very High Risk	9,630	42.94%	8,848	39.46%	\$316,176,330.00	\$1,011,538,960.00	\$1,082,283,580.00	\$723,929,516.00	6,646	2,126	1,667	208						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	256	1.14%	15	0.07%	1	0.00%	4	0.02%	2	0.01%	12	0.05%	3	0.01%	0	0.00%	1	0.00%
Low Risk	9,539	42.54%	830	3.70%	57	0.25%	159	0.71%	67	0.30%	233	1.04%	3	0.01%	1	0.00%	1	0.00%
High Risk	1,342	5.98%	50	0.22%	1	0.00%	5	0.02%	6	0.03%	68	0.30%	0	0.00%	0	0.00%	4	0.02%
Very High Risk	9,171	40.90%	159	0.71%	6	0.03%	23	0.10%	24	0.11%	184	0.82%	5	0.02%	0	0.00%	8	0.04%





# WIND RISK PROFILE | TITUSVILLE

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	22,185	98.93%	19,510	87.00%	\$740,110,890.00	\$2,427,514,410.00	\$2,739,769,950.00	\$1,895,435,814.00	15,434	3,861	3,098	596						
106-110 mph	240	1.07%	213	0.95%	\$8,550,530.00	\$22,350,910.00	\$28,694,720.00	\$23,421,056.00	200	6	1	0						
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	20,166	89.93%	979	4.37%	53	0.24%	188	0.84%	96	0.43%	494	2.20%	11	0.05%	1	0.00%	14	0.06%
106-110 mph	142	0.63%	75	0.33%	12	0.05%	3	0.01%	3	0.01%	3	0.01%	0	0.00%	0	0.00%	0	0.00%
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



# WEST MELBOURNE

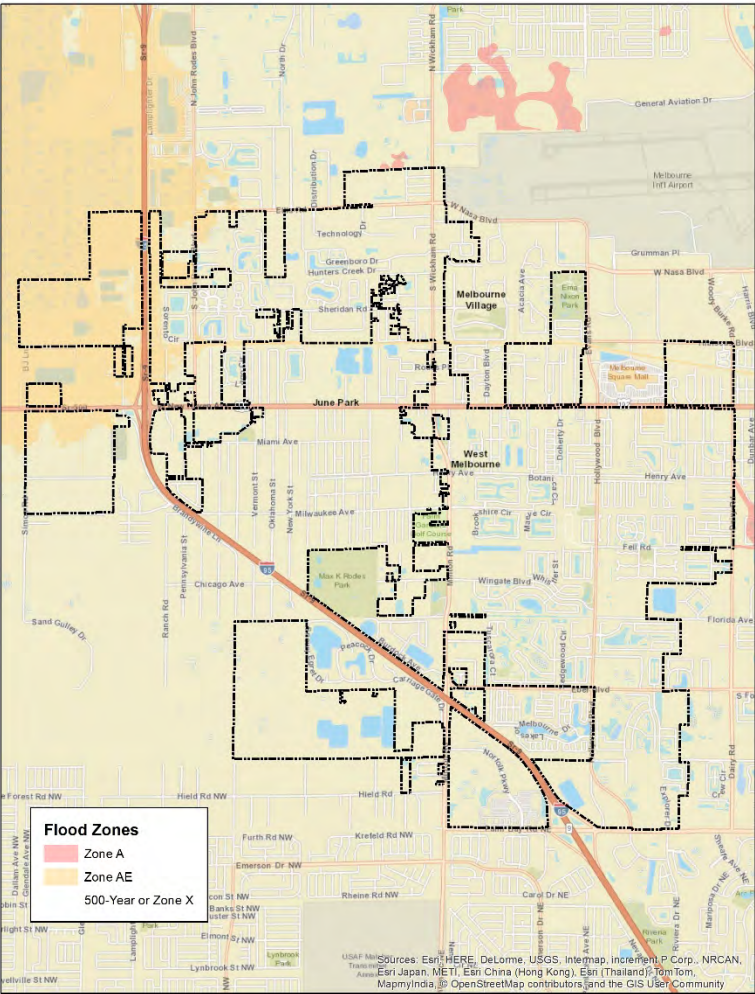
## Hazard Profile

The City of West Melbourne is located in the southern section of Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the City of West Melbourne, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The map series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser generated climatic risk information for flooding, wildfire and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

FLOODPLAIN PROFILE | WEST MELBOURNE

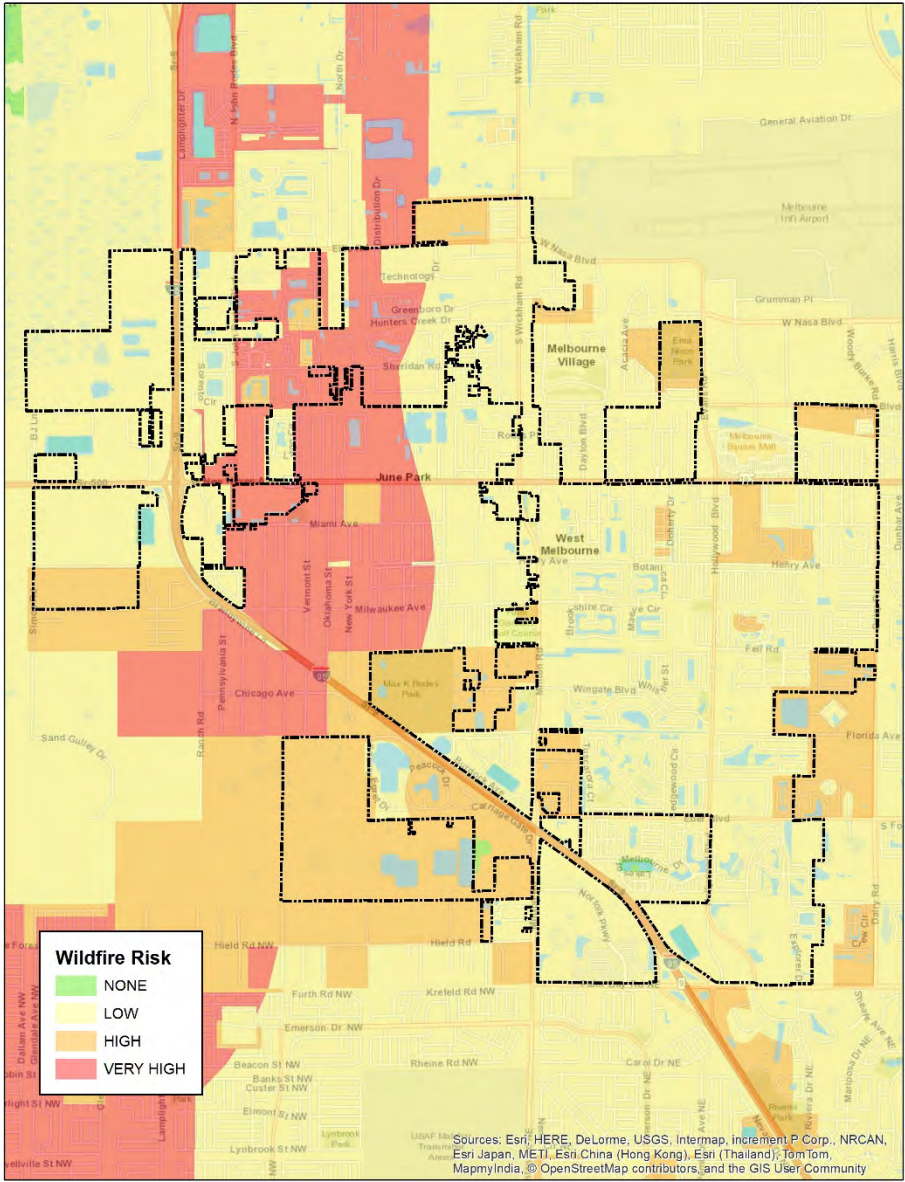
Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	34	0.32%	21	0.20%	\$2,823,350.00	\$3,514,430.00	\$4,635,720.00	\$3,692,640.00	14	7	0	0						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	10,363	97.28%	8,968	84.18%	\$650,300,610.00	\$1,659,055,880.00	\$2,029,751,720.00	\$1,607,209,032.00	3,145	5,562	4,287	1,685						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	21	0.20%	1	0.01%	0	0.00%	9	0.08%	0	0.00%	2	0.02%	1	0.01%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	9,567	89.81%	382	3.59%	10	0.09%	198	1.86%	36	0.34%	145	1.36%	9	0.08%	0	0.00%	2	0.02%





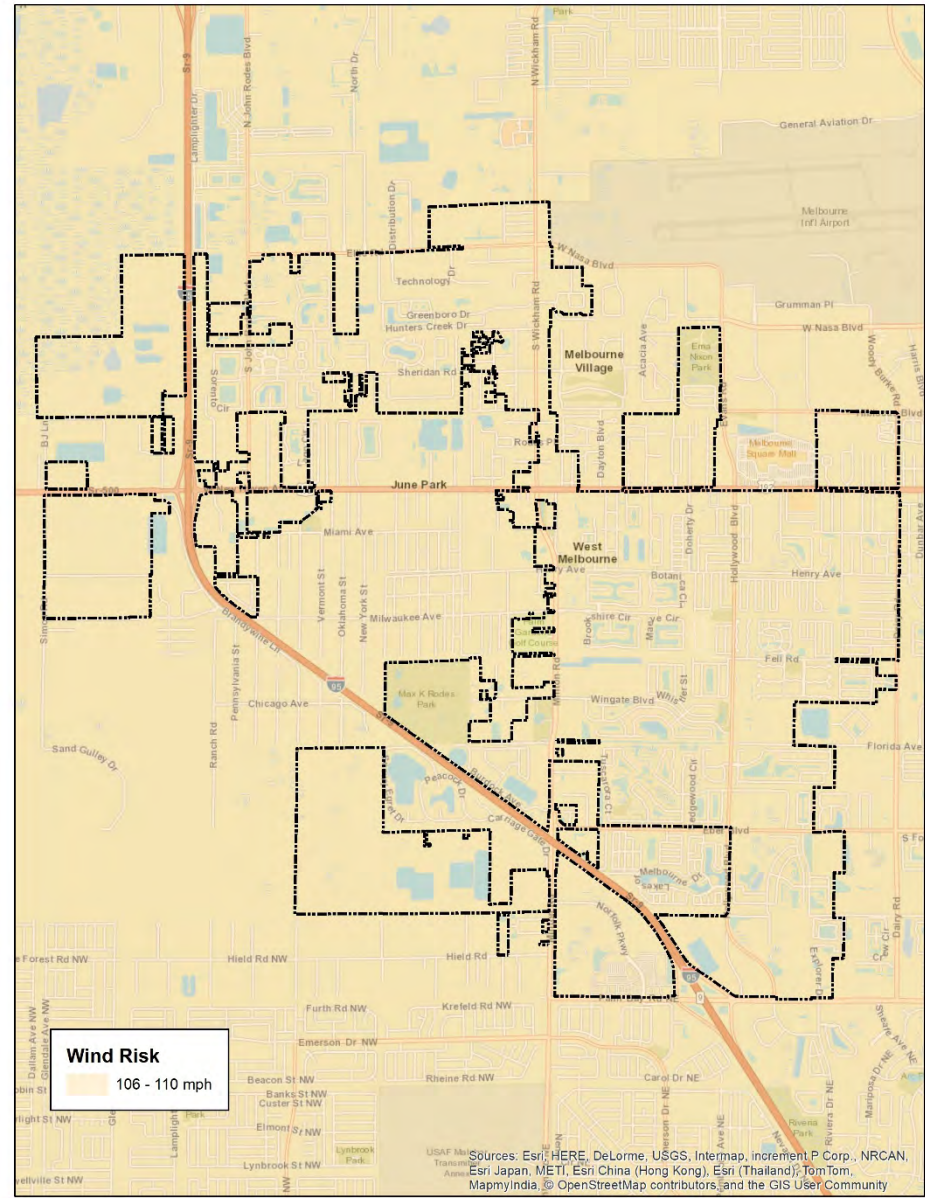
# FIRE RISK PROFILE | WEST MELBOURNE

Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	9	0.08%	5	0.05%	\$8,470,200.00	\$770,390.00	\$6,100,960.00	\$5,950,960.00	0	5	5	2						
Low Risk	7,516	70.55%	6,602	61.97%	\$499,157,640.00	\$1,143,059,890.00	\$1,439,458,750.00	\$1,157,802,176.00	2,234	4,214	3,302	934						
High Risk	2,009	18.86%	1,550	14.55%	\$105,236,330.00	\$356,853,000.00	\$413,832,140.00	\$301,363,326.00	317	1,163	971	744						
Very High Risk	1,119	10.50%	1,051	9.87%	\$58,823,980.00	\$218,591,950.00	\$237,575,340.00	\$200,738,552.00	722	272	20	5						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	7	0.07%	1	0.01%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1	0.01%	0	0.00%	0	0.00%
Low Risk	6,864	64.43%	324	3.04%	10	0.09%	155	1.45%	26	0.24%	117	1.10%	6	0.06%	0	0.00%	1	0.01%
High Risk	1,883	17.68%	37	0.35%	0	0.00%	43	0.40%	9	0.08%	31	0.29%	6	0.06%	0	0.00%	0	0.00%
Very High Risk	1,062	9.97%	26	0.24%	0	0.00%	20	0.19%	1	0.01%	8	0.08%	0	0.00%	0	0.00%	1	0.01%



WIND RISK PROFILE | WEST MELBOURNE

Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
106-110 mph	10,653	100.00%	9,208	86.44%	\$671,688,150.00	\$1,719,275,230.00	\$2,096,967,190.00	\$1,665,855,014.00	3,273	5,654	4,298	1,685						
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	9,816	92.14%	388	3.64%	10	0.09%	218	2.05%	36	0.34%	156	1.46%	13	0.12%	0	0.00%	2	0.02%
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



# BREVARD PUBLIC SCHOOLS

## Hazard Profile

Brevard Public Schools are located countywide and are susceptible to a wide variety of climatic, technological and societal hazards. The top hazards for the Schools, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The table series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser data to generate risk information for flooding, wildfire, and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction and countywide data.

BREVARD PUBLIC SCHOOLS | COUNTYWIDE

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	5	5.21%	5	5.21%	\$1,940,880.00	\$44,430,860.00	\$33,795,800.00	\$0.00	0	1	0	0						
Flood Zone AE	7	7.29%	7	7.29%	\$1,653,520.00	\$44,262,890.00	\$36,126,620.00	\$0.00	2	1	1	0						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	1	1.04%	1	1.04%	\$101,440.00	\$8,777,130.00	\$6,185,390.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	74	77.08%	70	72.92%	\$41,992,690.00	\$535,491,840.00	\$445,376,180.00	\$0.00	20	7	6	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	3	3.13%	3	3.13%	\$7,923,980.00	\$40,463,050.00	\$42,756,030.00	\$0.00	0	0	0	0						
Low Risk	51	53.13%	48	50.00%	\$29,886,870.00	\$409,764,770.00	\$342,795,000.00	\$0.00	12	2	2	0						
High Risk	8	8.33%	8	8.33%	\$4,201,210.00	\$84,744,990.00	\$66,306,910.00	\$0.00	2	2	1	0						
Very High Risk	34	35.42%	33	34.38%	\$10,706,190.00	\$206,991,120.00	\$162,308,510.00	\$0.00	9	5	4	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Low Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	21	21.88%	21	21.88%	\$5,810,770.00	\$150,144,580.00	\$118,123,340.00	\$0.00	8	3	3	0						
106-110 mph	69	71.88%	65	67.71%	\$44,764,600.00	\$564,968,480.00	\$472,048,540.00	\$0.00	14	6	4	0						
111-115 mph	6	6.25%	6	6.25%	\$2,142,880.00	\$26,850,870.00	\$23,994,570.00	\$0.00	1	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%



# CANAVERAL PORT AUTHORITY

## Hazard Profile

Port Canaveral is located in central coastal Brevard County and is susceptible to a wide variety of climatic, technological and societal hazards. The top hazards in the Port, as determined by an occurrence-based methodology that is run uniformly across all jurisdictions in Brevard County, are listed within the hazard analysis and vulnerability assessment within the body of this report.

The table series on the following three pages overlay this jurisdiction with HAZUS and Property Appraiser data to generate risk information for flooding, wildfire, and wind using Geographic Information Systems (ArcGIS). The tables alongside each map provide a summary of the financial values, building features, and future land use designations of all parcels within each zone. This information is based on best available jurisdiction data.

CANAVERAL PORT AUTHORITY | PORT CANAVERAL

Flood Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
Flood Zone A	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AE	22	15.28%	6	4.17%	\$35,233,730.00	\$23,052,410.00	\$101,355,000.00	\$1,348,830.00	2	2	1	0						
Flood Zone AO	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone AH	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone VE	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Flood Zone X	62	43.06%	31	21.53%	\$18,030,540.00	\$47,363,950.00	\$101,603,750.00	\$43,340,220.00	17	8	6	5						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
Flood Zone A	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AO	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone AH	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone VE	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Flood Zone X	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Fire Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
No Risk	36	25.00%	17	11.81%	\$51,480,770.00	\$36,001,900.00	\$138,624,070.00	\$13,088,140.00	6	5	1	0						
Low Risk	101	70.14%	48	33.33%	\$35,342,300.00	\$49,892,940.00	\$120,936,620.00	\$61,442,870.00	25	11	8	4						
High Risk	2	1.39%	0	0.00%	\$19,010.00	\$0.00	\$19,010.00	\$0.00	0	0	0	0						
Very High Risk	5	3.47%	3	2.08%	\$2,230,040.00	\$11,386,030.00	\$14,317,240.00	\$2,768,870.00	1	1	1	1						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
No Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Low Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Very High Risk	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Wind Risk																		
Hazard Zone	Parcels in Zone	% in Zone	Parcels Built	% Built	Land Value	Building Value	Assessed Value	Taxable Value	Built Pre-1994	Built 1994-2001	Built 2002-2009	Built 2010-Present						
101-105 mph	1	0.69%	1	0.69%	\$556,260.00	\$10,321,090.00	\$11,602,050.00	\$1,035,300.00	0	1	1	1						
106-110 mph	143	99.31%	67	46.53%	\$88,515,860.00	\$86,959,780.00	\$262,294,890.00	\$76,264,580.00	32	16	9	4						
111-115 mph	0	0.00%	0	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	0	0	0	0						
Hazard Zone	Residential	% Res	Comm/Office	% Comm/Office	Mixed Use	% Mixed Use	Industrial	% Industrial	Institutional	% Institutional	Public Domain	% Public Domain	Agriculture	% Agriculture	Recreation	% Recreation	Conservation	% Conservation
101-105 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
106-110 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
111-115 mph	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%

**1.16 APPENDIX V**

Many county and municipal departments, non-governmental agencies, and private sector organizations have programs, resources, and capabilities that will be invaluable in the implementation of the efforts to improve the disaster resilience of Florida's communities. Some programs may not have been designed for specific hazard mitigation purposes, but do result in the reduction of potential human or economic losses from disasters. For example, the protection of coastal areas and wetlands was originally mandated to preserve environmental resources and habitat, but it also has the effect of reducing vulnerable populations and property in the hurricane evacuation zones and flood prone areas.

The Brevard County Emergency Management on behalf of the Steering Committee is responsible for coordinating the review of all local jurisdictions, identifying all relevant programs and policies that have some impact on mitigation. To complete this task, Brevard County Emergency Management has conducted departmental interviews to identify mitigation programs and policies by jurisdiction. Typically, activities fall into the following general categories:

- Emergency Management – Planning, Training, Exercise, Response and Recovery
- Floodplain Management Programs – Preventive, Property Protection, Structural Projects
- Comprehensive Planning – Preventive Activities
- Emergency Services – Prevention and Outreach
- Law Enforcement and Security Issues
- Fire Prevention, Response and Safety
- Hazardous Material Prevention, Response, and Safety
- EMS, Health Care Risk Assessment, Security, Response
- Critical Facilities and Infrastructure Vulnerability Assessment and Protection
- Communications – Outreach, Warning, Education

County and municipal departments and agencies mechanisms/strategies and mitigation related policies and procedures are listed in this Appendix. The ability of each jurisdiction to take advantage of grant monies pre and post disaster gives them the ability to expand and improve upon their resources. Each dollar spent improves resiliency.



### 1.16.1 Mitigation-Related Strategies & Mechanisms by Jurisdiction

#### Unincorporated Brevard County

##### *Board of County Commissioners*

The Board of County Commissioners, as established by the County Charter, is elected by the citizens to serve as the policy making legislative body for Brevard County, Florida. The Commissioners hear and adopt the budget supporting capital improvements, hear comprehensive plan amendments as well as land development regulation changes. Each Commissioner provides responsive service to constituents through their five District Offices. The chairman of the Board is part of the Policy Group that makes up the governing body of the County when disasters are declared.

##### *The Policy Group*

The Policy Group is responsible for major, county-wide policy and planning decisions before, during and after disasters. This group consists of the following members or their designee: the County Commission Chairperson, County Manager, County Sheriff, County Attorney, Representative of Space Coast Public Management Association, the Superintendent of Brevard Public Schools, the County Director of Fire Rescue, and the Director of Emergency Management. The Policy Group will have available to it those persons who possess the knowledge, expertise and experience required to help formulate protective action, response, and recovery policy decisions and to review and approve strategic response plans for the specific disaster situation. They will also receive recommendations from the LMS Steering Committee on prioritized county-wide mitigation initiatives.

##### *County Managers Office*

The County Manager is the head of the executive branch of County Government, and is answerable to the Board of County Commissioners for the proper administration of all affairs of County Government not otherwise entrusted to an elected County officer. The Manager attends all regular and special meetings of the Board of County Commissioners and has the right to participate in its discussions. The County Manager is a member of the Policy Group.

##### *Brevard County Sheriff's Office (BCSO)*

The Brevard County Sheriff's Office mission is: **B**uilding community and professional partnerships, **C**ommitted to excellence and integrity, **S**triving to reduce crime, and **O**bjective, fair and equal treatment for all. BCSO duties include Administration Command, Dispatch, Criminal Investigation, Community Outreach, Animal, Agricultural and Marine, Jail Complex, Court and Staff Services. The Sheriff's Office is lead agency for the Emergency Support Function (ESF) 16 at the Brevard County Emergency Operations Center as required.

The BCSO Public Information Officer is responsible for composing and distributing news releases; handling media inquiries; coordinating and conducting press conferences; releasing public records in compliance with Florida Public Records Laws; coordinating community relations opportunities for the Sheriff's Office; and serves as part of ESF 14 when the EOC activates.

### *Emergency Management*

This department has three divisions: Emergency Management Operations, Public Safety Radio Systems, and Enhanced 9-1-1 Administration/Address Assignment. Brevard County Emergency Management provides communication and coordination of emergency services before, during, and after a disaster.

Emergency Management (EM) Operations is responsible for a number of contingency and preparedness plans including the Local Mitigation Strategy, and provides education on how to prepare for and reduce the effects of disasters. In addition to working with the Florida Division of Emergency Management and other local emergency management agencies, EM coordinates emergency operations, shelter locations and staffing, annual compliance review on health care facilities' emergency plans, gathers information for fire and law enforcement use on hazardous chemicals, requests for post-disaster State and Federal help; and provides training and discussion-based and operations-based exercises.

Enhanced 9-1-1 Administration/Address Assignment's responsibilities include the technical and fiscal administration of the County E 9-1-1 system. They have oversight of training for 9-1-1 centers on use of various equipment, they evaluation new equipment, compile statistical reports, plan for future uses, and maintain an accurate E 9-1-1 database by working with address assignment and GIS.

Public Safety Radio Systems coordinates activities involving network vendors and contractors, maintenance of all aspects of the 800 MHz radio infrastructure, FCC licensing, radio equipment inventory, and performs most database functions of the Communications System Director. This radio system supports 67 county and local agencies, and provides communication interoperability with the State of Florida Law Enforcement Radio System (SLERS) and Florida Region 5.

### *Central Services*

The services provided by the Central Services Office involving the procurement of goods and services and the accountability of assets are mandated by various federal, state, and local laws and rules to provide assurances to the public that County Government is upholding its fiduciary responsibilities in the use of public funds and tangible assets. The programs in this department include: Asset Management, Fleet, Facilities Construction/Maintenance, and Purchasing Services.

Purchasing Services staffs the ESF 7 (Purchasing) desk at the EOC when activated ensuring resources are procured and tracked to meet county needs. This department is also tasked with post-disaster clean-up and reconstruction of public facilities.

#### *Fire Rescue*

Fire Rescue's mission is to meet and exceed the needs of our community through the highest level of emergency response and prevention services. Fire Rescue includes: Operations, Fire Prevention, Emergency Medical Services, Dispatch, and Ocean Rescue. Brevard County Fire Rescue (BCFR) also strives to minimize loss of life and damage to property, providing a safe environment for the citizens and visitors of Brevard County. BCFR provides a professional workforce in a constant state of readiness for the mitigation of fire related incidents and for medical first responder needs. BCFR also informs and educates the public on fire prevention, emergency medical services, safety, and special event services. BCFR's Office of Fire Prevention mitigates disaster by performing fire and life safety inspections to businesses and homeowners, commercial lighting and fire systems plan review, and providing homeowner insurance information. BCFR accomplishments include improvements to communication systems, acquiring equipment for emergency response, and conducting staff training exercises.

#### *Housing and Human Services*

This department assists citizens in meeting their health, social and housing requirements via affordable housing programs, coordinating the commission on aging and community action boards, and administering community development block grants. They administer community corrections that assist transitions from jail back to the community. They also administer the Guardian ad Litem, Equal Accessibility, School Crossing Guard Training and Housing programs. The medical examiner's office and Veteran Services are also part of this department. If disaster is imminent, Housing and Human Services also takes the lead as ESF 6N "Special Needs" at the Emergency Operations Center.

#### *Information Technology Department*

The Brevard County Information Technology Department provides telecommunications support, computer system management and security, and software development support and services to County agencies in order to increase the efficiency of County personnel in meeting their obligations to the citizens of Brevard County.

Telecommunication Services provides a voice, data, and integrated communications network; and system administration. Client Services provides the computer help desk and technical services (customer support). Software Development provides for systems analysis and design as well as website development and maintenance.

Before, during, and after disasters, Information Technology staff provides support as Emergency Support Function (ESF) 2 – Communications, ensuring that web and communications systems are operational at the Emergency Operations Center.

*Merritt Island Redevelopment Agency (MIRA)*

MIRA implements the Merritt Island Redevelopment Plan as adopted and amended by the County Commission. The Plan sets forth the objectives of the redevelopment program and describes the Agency's purpose, authority, financial mechanisms and public improvement projects. The Merritt Island Redevelopment Area is bounded on the east by the Banana River, on the west by the Indian River, on the north by Lucas Road and on the south by Fortenberry Avenue. The Merritt Island Redevelopment Area is located in District 2 of Brevard County. This agency would also play a role in post-disaster redevelopment activities of Merritt Island.

*Natural Resources Management Department*

The Natural Resources Management Department is composed of four specialized sections: Environmental Resources Management, Environmental Remediation and Compliance, Watershed Management and Boating and Waterways.

Environmental Resources Management provides responsible guidance and professional administration of county environmental ordinances; and efficient management of Brevard County's government-owned lands. Environmental Resources Management performs the responsibilities of the former Environmental Management and Environmental Permitting sections.

Environmental Remediation and Compliance protects and restores Brevard County's groundwater and drinking water sources through proper management and disposal of hazardous materials, hazardous waste and petroleum products.

The Watershed Management Section is comprised of a Stormwater Utility Program that designs, constructs, monitors, operates, and maintains stormwater infrastructure to reduce flooding and improve water quality and a Beach Management Program that administers several beach restoration projects that place beach quality sand and native dune vegetation along the Atlantic shoreline to protect upland property and maintain healthy beaches for residents, tourists and wildlife.

Brevard County's Boating and Waterways Program works to align the needs and resources of the County's extensive waterways. The Program ensures the safety and enjoyment of the general public and is working to maintain a balance between the environmental, recreational, and commercial needs of the region, now and into the future.

They support emergency operations as part of ESF 3 (Public Works), 12 (Utilities), and 19 (Damage Assessment).

#### *Parks & Recreation Department*

Located on Florida's Space Coast, the mission of the Brevard County Parks and Recreation Department is to enhance the quality of life by providing many types and levels of service that reflect the interest and values of citizens and visitors.

Of the many parks and facilities available throughout the county, those that the Department manages include 108 parks, 3 campgrounds, 3 golf courses, 6 nature centers, 42 beach access sites, 13 school athletic sites, and more than 17,000 acres of Environmentally Endangered Lands sanctuaries and conservation areas. The Parks and Recreation Department's website offers residents and visitors a place to discover the unique features and recreational opportunities available throughout our parks.

Land management activities on these areas serve to mitigate fire and flooding. Parks and recreation community centers also serve as shelters and multi-agency coordination centers during disasters.

#### *Planning and Development*

The Planning & Development Department is responsible for administering & ensuring compliance with Brevard County's Comprehensive Plan and Land Development Regulations. The department is made up of Building Code, Code Enforcement, Contractor Licensing Regulation & Enforcement, Impact Fees, Land Development (Subdivision & Site Plan), Planning and Zoning, all of which have key roles in shaping & defining our neighborhoods & community. Brevard County's Comprehensive Plan describes the County's vision of itself in the future and translates that vision into policies, programs, and public investments. The Comprehensive Plan is comprised of 15 elements, or chapters, that address the full range of topics affecting physical development of the County. Together, these elements shape the County's growth in a socially, economically and environmentally sustainable way.

This department also is lead for the ESF 5 (Planning) and ESF 19 (Damage Assessment) when there is a full activation of the Emergency Operations Center.

#### *Public Works Department*

The Public Works Department is made up of the following programs:

- Public Works Administration/Finance – Administers the design and construction of transportation improvement projects funded through gas tax and locally collected impact fees. The Municipal Service Benefit Unit (MSBU) and Special Assessments area provides residents with a funding mechanism for specific

infrastructure improvements including road resurfacing, water, and sanitary sewer line installation. The Customer Service area provides citizen support and referrals as well as, staff support for all programs within Public Works.

- Road and Bridge Maintenance – Administers the maintenance of all County roadways, drainage structures, ditches and canals, and the design, installation, and maintenance of landscaping projects on County roads and facilities.
- Engineering – Permits and inspects improvements in the County right-of-way and provides inspection on County transportation projects.
- Traffic Operations – Oversees all signage, signalization, and striping.
- Survey and Mapping – Consists of surveying services, vacating, rights-of-way use agreements, and map reproduction.

Public works also administers the CRS program helping to mitigate flooding and repetitive losses throughout the county. Before, during, and after disaster, Public Works also serves as the ESF 3 function in the Emergency Operations Center (EOC) and provides field operations staff to address infrastructure issues.

#### *Solid Waste Management Department*

The Solid Waste Management Department is charged with protecting the public health by providing an efficient and environmentally sound Solid Waste Management System for Brevard County's residents. Solid Waste Facilities consist of two landfills (Central Disposal Facility in Cocoa and Sarno Landfill in Melbourne). Two transfer stations (Sarno and Titusville). The Mockingbird Mulching Facility and Household Hazardous Waste Collection Centers located at the Central Disposal Facility, Sarno Landfill and Mockingbird Mulching Facility.

Solid Waste is also part of the ESF 12 Utilities group when disaster strikes, and serves to monitor post-disaster debris pick-up, storage, and disposal.

#### *Space Coast Government Television/Communications Office*

The SCGTV/Communications Office is committed to providing Brevard County residents with better access to local county government information through a variety of communication tools. This Office operates Space Coast Government Television, a 24-hour, 7 days/week government-access cable television channel; writes and sends press releases to media and citizens; coordinates media interviews for County departments; oversees website design and content; and maintain the County's social media presence on Facebook and Twitter. The Office's goal is to keep residents informed about government actions, programs and services.

The Office Director also serves as lead Public Information Officer when the EOC activates and coordinates the agencies who serve as part of the Emergency Support Function 14.

*Transit Services Department*

Space Coast Area Transit is one of Brevard's main economic engines. Whether it is getting employees to work, helping transport tourists on AIA, getting students to college, reducing medical costs through Paratransit service, or operating one of the largest commuter vanpool programs in the nation.

Space Coast Area Transit operates specialized services to meet the needs of individuals who are unable to use fixed route service. These specialized services include Volunteers in Motion, Paratransit and ADA Paratransit services, as well as contracted routes.

Space Coast Area Transit oversees the ESF 1, Transportation, for Brevard County Emergency Management. Space Coast Area Transit coordinates with other emergency support functions such as public works, law enforcement, the Red Cross, School Board, and Health Department, providing support such as transportation for crews and supplies like tarps, food and emergency equipment. When required, Space Coast Area Transit also functions as an emergency responder. After the "all clear" is given by the Emergency Operations Center, Space Coast Area Transit returns special needs citizens to their homes. An immediate effort to restore public transportation services begins. An inventory of facilities, equipment and employees is taken to determine the initial capacity of service to be implemented. Each route is driven to monitor the status of debris, traffic light outages and other restrictions. The number one priority is providing paratransit services to dialysis centers and other life sustaining transportation needs, followed by resuming bus, trolley and contracted services to insure mobility is restored to all Brevard County residents.

*Transportation Planning Office*

The Space Coast Transportation Planning Organization (SCTPO) develops comprehensive Transportation Plans for Brevard County. State and federal funding allocations for Transportation Projects are determined through the SCTPO's continuous planning process. A core function of the SCTPO is providing Community Information to encourage public participation in transportation planning. During the planning process the SCTPO includes items in projects that mitigate disaster impacts and encourage safety.

*University of Florida/Brevard County Extension Service*

The University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension in Brevard County is a partnership between UF/IFAS, the United States Department of Agriculture (USDA), and Brevard County government. The UF Brevard County Extension Service provides educational programs based on the latest research and technology. Outreach efforts by Extension Service staff educate the public on water quality and quantity, crop and livestock health, financial management, injury prevention and marine sciences.



The UF Brevard County Extension Service is part of the Emergency Support Function 17, Animal Issues, and is a liaison to the State Animal Response Team.

#### *Utility Services Department*

Brevard County Utility Services Department operates six wastewater treatment plants and three drinking water plants, providing quality drinking water, reclaimed irrigation water, and wastewater services throughout Brevard County. As an enterprise operation, the Utility is funded entirely from customer user fees.

In addition to water and sewer service, Brevard County Utility Services is continually expanding a separate reclaimed water system which provides water for irrigating lawns and landscaping. This water, reclaimed by wastewater treatment plants rather than drawn from the ground, is distributed to homes, parks, fields, farms and golf courses around the County. This aids in a more sustainable water supply for the county.

Utilities is an Emergency Support Function (12) when the EOC activates before, during and after disaster strikes ensuring the systems they are responsible for are repaired and improved where possible.

### **Cape Canaveral**

#### *Public Works Services Department*

The Public Works Services Department is responsible for maintaining infrastructure throughout the City including operation of the wastewater treatment plant, maintaining the sanitary sewer system (lines and lift stations), maintaining roadways, sidewalks and pedways, and maintaining the stormwater system. This Department is also responsible for hurricane preparedness and post-storm disaster operations, and selected staff members are a part of the City's Disaster Response Teams. The main building at the wastewater treatment plant was recently "hardened" and will serve as one of the City's two Emergency Operations Centers for post-storm disaster operations.

#### *Community Development Department*

The Community Development Department includes the Building, Code Enforcement and Planning and Zoning Divisions. The primary responsibility of this Department is to ensure that development and redevelopment projects are consistent with the City's Code of Ordinances, the Comprehensive Plan and Land Development Regulations. In addition, the City has adopted the latest Flood Zone Maps and updates to the Florida Building Code. This Department also oversees the activities of the Community Redevelopment Agency and Brownfields Redevelopment Program.

#### *Leisure Services Department*

This Department promotes the establishment and good stewardship of public parks and recreational areas. Selected public parks have been identified and approved by Florida Department of Environmental Protection as debris storage areas during post-storm disaster operations. This Department is responsible for post-storm disaster operations at the City's public parks.

#### *Fire Department*

Cape Canaveral contracts annually with the Cape Canaveral Volunteer Fire Department for fire-fighting, rescue, advanced life support and fire inspection services. This Department provides the same services to the Canaveral Port Authority and the unincorporated area of Avon-by-the-Sea. As of 2015, the City completed the construction of a new \$2 million Fire Station which will also serve as one of the City's two Emergency Operations Centers for post-storm disaster operations. The Fire Department works closely with County, State and Federal disaster relief organizations to meet the needs of residents during post-storm recovery operations.

#### *Police Department*

Cape Canaveral contracts annually with the Brevard County Sheriff's Office (BCSO) to provide police protection services. BCSO also provides the same services to the Canaveral Port Authority and the unincorporated area of Avon-by-the-Sea. The Cape Canaveral Precinct is supervised by a Precinct Major and utilizes community policing techniques to remain in close contact with businesses and residents. BCSO also provides supervision and equipment during post-storm disaster operations to ensure the safety and well-being of City residents.

### **Cocoa**

#### *Building Department*

The City of Cocoa's Building Official acts as the Floodplain Administrator and ensures all development and redevelopment projects meet the new floodplain standards. All proposed development projects are reviewed for consistency with the City's adopted Comprehensive Plan, Land Development Regulations, the Florida Building Code and the Fire Prevention Code.

#### *Fire Department*

The Department is committed to responding to community needs by providing for the protection of life and property through innovative Emergency Medical Care, Fire Suppression, and Hazard Mitigation Services. All three fire stations are licensed in advanced life support and are staffed by paramedics. Fire Department personnel also aid in community disaster relief. This Department is charged with evaluating and updating the City's Emergency Management Plan. The Fire Department also works

closely with the Brevard County Emergency Management personnel regarding hurricane preparation and other potential emergency conditions.

#### *Police Department*

All law enforcement professionals are dedicated to providing modern, efficient police services. The Department is committed to provide a safe and secure environment for every person in the City by controlling crime, reducing the fear of victimization, and maintaining a visible presence. The Department is also responsible for coordinating evacuation procedures during times of emergencies or natural disasters. In addition, the Police Department provides supervision and direction during post-recovery periods (including re-entry into the City after a storm).

#### *Utilities Department*

The Utilities Department is responsible for providing potable drinking water, wastewater treatment, and reclaimed water for properties within the City's service areas. The water service area includes approximately 88,000 customers both within the City of Cocoa and outside of the municipal limits.

#### *Public Works*

The Public Works Department maintains all City owned roadways and drainage facilities. Such infrastructure includes storm water conveyance and flood control structures as well as all City owned roadways. This Department also plays an important role regarding hurricane preparedness and post-storm recovery.

### **Cocoa Beach**

#### *Development Services Department*

The Planning Department and Development Services Director are responsible for reviewing site plans, subdivisions and business tax receipts. The City reviews development requests for consistency with the Comprehensive Plan and Land Development Codes.

#### *Building Department*

The Building Department and Building Official are responsible for reviewing building permits and floodplain compliance. The City has adopted the Florida Building Code.

#### *Fire Department*

The Fire Marshall conducts annual fire compliance inspections of non-residential establishments. Fire Department provides fire and medical emergency response services for the City.

#### *Police Department*

The City's Police Department consists of 36 sworn officers. The department is responsible for public safety, and plays a primary role in hurricane evacuation and post disaster operations through implementation of a comprehensive emergency management system designed to preserve life, minimize damage, and ensure an efficient law enforcement response.

#### *Utilities Department*

The Utilities Department is responsible for operating and maintaining the integrity of the wastewater treatment plant, sanitary sewer collection system and effluent disposal system. The Department is also responsible for hurricane preparedness and post-storm operations related to the wastewater plant, collection system lines and lift stations. The Department Director or his designee would be part of the City's Disaster Response Team.

#### *Public Works*

Public Works Administration accomplishes its mission by providing strategic planning, financial and budget management, resource coordination, guidance and leadership to seven divisions including: Streets, Stormwater, Grounds, Facility Maintenance, Capital Projects, Leisure Services, and Solid Waste Collection. While each division has its own unique support functions, all divisions work together as a team and share resources to accomplish the overall mission of the department. The Public Works Administration also has the responsibility for hurricane preparedness, pre-storm preparations, and post event clean-up. These responsibilities include clearing the public drainage easements, collecting trash that could become airborne, and preparing city facilities. In the event of a disaster each item under this department's purview would be repaired and/or improved, as funding allows, mitigating future events.

#### **Grant-Valkaria**

The town has completed a five-year Capital Improvement Plan, a Stormwater Master Plan, and is now in the review stage of the Land Development Codes and will be addressing issues relating to drainage and flood prevention, construction in flood prone areas and designing for fire prevention. Once town specific Land Development Regulations are adopted more reduction in overall vulnerability is expected.

#### **Indialantic**

In 2013, the Town's Land Development Code was updated by ordinance to meet current floodplain regulations which are constituted in a new Chapter of the Code (i.e. Chapter 6.5 Floodplain Management). The Capital Improvement Element of the Town's Comprehensive Plan includes an annual allocation of \$50,000 for storm drainage improvements through FY-18. The Town purchased, in FY-15, a replacement

emergency generator for the Town Hall for \$62,000. The Town is developing plans to construct stormwater retention areas in locations both north and south of US-192.

### **Indian Harbour Beach**

#### *Building Department*

The Building Department and Building Official are supported by a City Planning Consultant. The department is responsible for reviewing site plans, subdivisions and building permits. The City has adopted and continues to adopt updates to support the various codes including the Florida Building Code. It, also, reviews development requests as they relate to consistency with the Zoning Ordinance and the Comprehensive Plan. The Building Official enforces the Floodplain Management regulations and works with the Fire Marshall with respect to Fire Prevention and plan review.

#### *Public Works Department*

The Public Works Department maintains the City's infrastructure which includes local streets as well as drainage. This department has the prime responsibility in the National Pollutant Discharge Elimination System (NPDES) program. This department assists the Police Department during emergency operations. It has a major responsibility in hurricane preparedness and post-storm recovery operations.

#### *Fire Department*

The City has a Volunteer Fire Department which consists of 30 volunteers. The department operates out the City's one fire station. The City's Insurance Service Office (ISO) rating is three and the Fire Department's rating is four. The department has two engines and a 75 foot ladder truck. The Fire Department answers, on average, 110 calls per year. It is on standby during emergency situations and assists with hurricane evacuation and post-disaster operations.

#### *Police Department*

The City's Police department consists of 19 sworn officers. The department is responsible for public safety, and it plays a primary role in hurricane evacuation and post disaster operations. This includes re-entry to the City after a disaster. One of the purposes of the Department is to reduce the vulnerability of residents and the City to loss of life and injury including damage to or loss of property.

### **Malabar**

#### *Building Department*

The Building Department is responsible for reviewing site plans, subdivisions and building permits. The Town has adopted and continues to adopt updates to support the various codes including the Florida Building Code. It, also, reviews development

requests as they relate to consistency with the Zoning and the Comprehensive Plan. The Building Official also enforces the Floodplain Management regulations.

#### *Fire Department*

Malabar Fire Rescue provides emergency services to the resident of Malabar Florida. This Department is on standby during emergency situations and assists with hurricane evacuation and post-disaster operations.

#### *Public Works Department*

The Public Works Department provides a variety of services to the residents of Malabar including: vehicle and equipment maintenance, building maintenance, road and sign maintenance, and parks and grounds maintenance. The Department repairs and performs preventative maintenance and modifications to all Town structures, cleans and repairs all storm drain inlets, cleans storm drain swales, maintains Town streets, replaces damaged signs, and installs new signs as required.

### **Melbourne**

#### *Community Development Department*

The Community Development Department processes all applications for annexations, comprehensive plan amendments, rezonings, subdivision plats, conditional uses, and formal site plans. The Community Development Department is responsible for ensuring that the Comprehensive Plan meets all statutory requirements including coastal management components such as the designation of coastal high hazard areas principles for hazard mitigation and addressing coastal flooding events. This Department is also charged with ensuring that all development and redevelopment is consistent with the City's Comprehensive Plan and Land Development Regulations.

#### *Public Works and Utilities Department*

The Public Works and Utilities Department is responsible for providing potable drinking water, wastewater treatment, and reclaimed water for properties within the City's service areas. The water service area includes approximately 170,000 customers both within the City of Melbourne and outside of the municipal limits. The City's wastewater system serves approximately 80,000 customers. The City also maintains 25 miles of reclaimed water lines. This Department maintains all City owned roadways and drainage facilities. Such infrastructure includes storm water conveyance and flood control structures as well as all City owned roadways. This Department also plays an important role regarding hurricane preparedness and post-storm recovery.

#### *Engineering Department*

The Engineering Department coordinates the City's NPDES permits with the Florida Department of Environmental Protection. This Department also administers the City's Stormwater Utility. The City of Melbourne's Stormwater Utility was established in 1999

to address localized flooding as well as environmental issues related to stormwater runoff. The City of Melbourne uses these funds to construct flood prevention projects, as well as stormwater treatment systems that clean polluted stormwater before it can enter Melbourne's waterways.

#### *Police Department*

The Melbourne Police Department has over 265 law enforcement professionals who are dedicated to providing modern, efficient police services. The Department is committed to provide a safe and secure environment for every person in the City by controlling crime, reducing the fear of victimization, and maintaining a visible presence. The Marine Patrol provides emergency services to residents and visitors on public waterways. The Department is also responsible for coordinating evacuation procedures during times of emergencies or natural disasters. In addition, the Police Department provides supervision and direction during post-recovery periods (including re-entry into the City after a storm).

#### *Fire Department*

The Department is committed to responding to community needs by providing for the protection of life and property through innovative Emergency Medical Care, Fire Suppression, and Hazard Mitigation Services. All eight fire stations are licensed in advanced life support and are staffed by paramedics. Fire Department personnel also aid in community disaster relief. This Department is charged with the evaluating and updating of the City's Emergency Management Plan. The Fire Department also works closely with the Brevard County Emergency Management personnel regarding hurricane preparation and other potential emergency conditions. The Code Compliance Division is responsible for public education, building inspections, and fire investigations.

#### *Code Compliance Division*

The Code Compliance Division reviews building permit applications for new structures, demolition of existing structures, as well as renovations and additions to existing buildings. All development permit applications are reviewed by the Code Compliance Division for compliance with National Flood Insurance Program requirements as well as all local Code regulations. The Code Compliance Division serves as the storehouse for Flood Maps, Elevation Certificates, and other related documents. The Community Rating System Coordinator position is also located within this department.

### **Melbourne Beach**

#### *Public Works*

The Public Works Department provides a variety of service to the residents of Melbourne Beach. The Department provides four specific types of services: vehicle and equipment maintenance, building maintenance, road and sign maintenance, and parks



and grounds maintenance. The Department repairs and performs preventative maintenance and modifications to all Town structures, cleans and repairs all storm drain inlets, cleans storm drain swales, maintains 16 miles of Town streets, replaces damaged signs, and installs new signs as required. The Public Works Department also maintains all of the Town parks and implements beautification and mitigation projects. Recent stormwater mitigation projects have reduced the potential for future repetitive loss to only two areas. Current stormwater projects have alleviated flooding problem areas. Public Works employees are now required to complete NPDES training to help recognize areas that can be improved upon.

#### *Building Department*

The Building Official is designated by the Town Manager and charged with the administration, interpretation and enforcement of the building code, flood control, coastal construction, coastal setback regulation, landscaping and trees, environmentally sensitive lands and concurrency, as set forth in the Land Development Code. New construction project guidelines regarding swales, stormwater run-off, and storm drain protection have been updated and appropriate permitting staff trained and certified.

#### *Zoning Department*

The Zoning Official is designated by the Town Manager and charged with the administration, interpretation, and enforcement of general code administration, comprehensive planning, subdivision regulation, zoning regulation, takings, vested rights, and due process, all as set forth in the Land Development Code. Future land use plans do not include any increase in density, or lot coverage. A local floodplain ordinance has been established along with webpage updates to include floodplain topics. The Town of Melbourne Beach has also joined the CRS as of 2015 and hired a permanent Floodplain Administrator. The Town's emergency management plans are also being updated.

#### *Volunteer Fire Department*

The City has a Volunteer Fire Department which consists of 30 volunteers. The department operates out the City's one fire station. The Fire Department's ISO rating is 4. The department has 2 engines, a 4WD mini-pumper equipped with a 10,000 pound winch, a 12-foot RHIB rescue boat, a 19' Carolina skiff rescue boat with full radio and light packages, and a 4X4 ATV. Above and beyond regular firefighting, the Fire Department aggressively trains to U.S. Coast Guard standards for Search and Rescue in marine environments (ocean and inter-coastal waterway). The Fire Department answers, on average, 110 calls per year. It is on standby during emergency situations, is part of the Beach Strike Team for urban interface fires, and assists with hurricane evacuation and post-disaster operations. Fire prevention efforts include education of local students via annual visits to area schools. The Fire Department mitigates disaster

by performing fire and life safety inspections to businesses and homeowners and fire systems plan review, and providing homeowner insurance information. The Fire Department accomplishments include improvements to communication systems, acquiring equipment for emergency response, and conducting staff training and exercises.

#### *Police Department*

The prime function of the Melbourne Beach Police Department is the preservation of peace and order, the prevention and detection of crime, the apprehension of offenders, the protection of persons and property under the laws of the State of Florida, the ordinances of the Town of Melbourne Beach, and the performance of a multitude of tasks relating to public welfare and safety. The department also plays a role in hurricane evacuation and post-disaster operations. This includes re-entry to the City after a disaster. The Department is also updating radio systems to improve mutual aid and other emergency communications.

#### **Melbourne Village**

Three departments serve the town with paid employees: Administration, Public Works, and Police. Even though the municipality is small, having its own police force enables the town to provide 24/7 coverage with fast response times, as well as community policing activities. All other activities are handled by various volunteer committees.

#### *Permits and Inspections Committee*

This committee is responsible for reviewing applications for permits, issue permits, works with the building official.

#### *Town Review Board (TRB)*

The Committee is designed to maintain those features of residential neighborhoods specifically identified by Town residents and the Town Commission as core community values.

#### *Beautification Committee*

The committee report on methods, concepts, and specific plans to improve the general appearance of the planting and landscaping of public property in Melbourne Village.

#### *Neighboring Relations Committee – Reference Resolution 2011-03*

This committee reports on issues, development, regulations, and problems arising from neighboring municipalities, the County, and other agencies abutting or of near impact on the Town of Melbourne Village.

#### *Finance Committee*

This committee is also responsible for submitting a proposed annual budget to the commission for consideration.

*Planning and Zoning/LPA (P&Z)*

This committee conducts the comprehensive planning program and prepares the comprehensive plan or elements or portions thereof for the Town of Melbourne Village.

*Historical Preservation Commission (HPC)*

The HPC conducts an ongoing educational program on historic sites and important events and personalities related to Melbourne Village.

*Board of Adjustments (BOA)*

The board of adjustment Hear and decide applications for such special exceptions hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination.

*Code Enforcement*

This committee is designed to enforce town codes, including, but not limited to, occupational license, fire, building, zoning, litter, environmental, animal control, abandoned property, land use and sign codes and ordinances.

**Palm Bay**

*Land Development Division*

The Land Development Division processes all applications for annexations, comprehensive plan amendments, rezonings, subdivision plats, conditional uses, and formal site plans. The Division is responsible for ensuring that the Comprehensive Plan meets all statutory requirements including coastal management components such as the designation of coastal high hazard areas and principles for hazard mitigation. The Division ensures that all development and redevelopment is consistent with the City's Comprehensive Plan and Land Development Regulations. The Division's Floodplain Administrator works with the Building Official to ensure consistency between the Floodplain Management Ordinance and the Florida Building Code. The Division maintains all flood zone mapping, Elevation Certificates and Letters of Map Amendment or Map Revision.

*Building Division*

The Building Division reviews building permit applications for new structures, demolition of existing structures, as well as renovations and additions to existing buildings. The Building Division reviews all permit applications for compliance with NFIP in consultation with the City's Floodplain Administrator as well as all local Code regulations. The Division also ensures that all new structures meet wind hazard standards in accordance with the Florida Building Code.

*Public Works Department*

The Public Works Department maintains all City owned roadways and drainage facilities. Such infrastructure includes stormwater conveyance and flood control structures as well as all City owned roadways. This Department also plays an important role regarding hurricane preparedness and post-storm recovery. The Department administers the Stormwater Utility and ensures compliance with the City's National Pollutant Discharge Elimination System permits. Annually, the City adopts a Capital Improvements Budget that includes specific stormwater projects designed to prevent flooding and other drainage problems that is consistent with the adopted Comprehensive Plan Capital Improvement Schedule.

*Police Department*

The Police Department is responsible for coordinating evacuation procedures during times of emergencies or natural disasters in addition to their primary law enforcement duties. The Police Department also provides supervision and direction during post-storm recovery periods (including re-entry into the City after a storm). They are the lead agency regarding emergency operations for the City. The Code Compliance Division within the Police Department ensures continued compliance with city codes by all property owners within the City. The Police Department, along with the Fire Department, sponsors an annual Hurricane Expo to educate citizens on proper planning and preparation for hurricane season and other disasters.

*Fire Department*

The Fire Department is heavily involved in hurricane preparation and other potential emergency conditions, in conjunction with the Police Department. The Department provides full fire and rescue services throughout the City. The Fire Department, along with the Police Department, sponsors an annual Hurricane Expo to educate our citizens on proper planning and preparation for hurricane season and other disasters.

*Utilities Department*

The Utilities Department is responsible for providing potable drinking water, wastewater treatment, and reclaimed water for properties within the City's service areas. The city operates two utilities' campuses with a total of four water treatment plants (including one Aquifer Storage and Recovery well) capable of providing up to 15.5 million gallons per day (MGD) of potable water. Palm Bay receives its water supply from groundwater drawn from 41 wells located throughout the city. These wells pull from the Floridan and surficial aquifers. The raw water is treated through reverse osmosis and lime-softening processes, then disinfected and distributed across 595 miles of water lines to customers.

The Department also operates a wastewater and a water reclamation plant; the combined treatment capacity for these two facilities is 5.2 MGD. The utility provides sanitary sewer service to approximately 40,000 residents (over 15,000 accounts) through 105 lift stations, 202 miles of sanitary sewer gravity mains, 2,500 manholes, and 58 miles of force main. Additionally, there are nine miles of reclaimed water distribution lines, providing service to several businesses, residents, and a local park for irrigation and beneficial reuse purposes.

## **Palm Shores**

### *Police and Fire*

Brevard County provides police and fire protection to the Town through the Municipal Service Taxation Unit (MSTU) process. This entity provides public safety to the Town, and during emergency situations they are responsible for assisting with evacuation and post-disaster operations. The Town's COOP will help to ensure the continuous function of essential operations and help to reduce the vulnerability of residents and the Town to loss of life and injury including damage to or loss of property.

### *Building Official*

The Building Official is assisted by a Town Planning Consultant to review plans, subdivision plats, and building permits. The Town has adopted the latest Flood Insurance Maps and updates to the Florida Building Code. Development requests are reviewed for consistency with the Town's adopted Comprehensive Plan, Zoning Ordinance, Building Code, and Subdivision Regulations.

### *Mayor*

The Town has a Strong Mayoral form of government. The Mayor is the head of the government and the chief administrator of the Town. The Mayor coordinates with other governmental officials and ensures that any disaster recovery efforts are expedited, essential functions are continuous during an emergency, and that damage assessments and debris removal are carried out.

## **Rockledge**

### *Community Development*

The Planning Director is responsible for the Building Division, the Planning Division and the Community Redevelopment Agency. The Building Division is responsible for building permits and inspections, code compliance and contractor registrations. The Planning Division is responsible for site plan review, the comprehensive plan, and land development regulations. The Community Redevelopment Agency is responsible for economic development and façade grants.

### *Public Safety Department*

Police Division\_-- The Rockledge Police Department is comprised of 58 sworn full-time law enforcement officers, 3 part-time sworn law enforcement officers, 9 part-time School Crossing Guards and 4 alternate part-time Crossing Guards, 11 Public Safety Tele-communicators (PST) along with 3 sworn officers and 1 civilian employee who are dual certified to also work in the Communications Division as PST's. The City of Rockledge Code Enforcement Officer also works under the auspices of the Police Department. The Rockledge Police Arson Investigator is also dual certified as a law enforcement officer and firefighter and also acts as the City's Fire Marshall and Fire Inspector. The police division also has 6 civilian employees and 6 volunteers to complete their mission. The Rockledge Police Division provides full service law enforcement protection, which also incorporates an Emergency Response Team, Crisis Negotiation Team, 5 School Resource Officers along with 2 Canine officers. We are a CFA Accredited police agency made up of a progressive and diverse group of highly trained men and women, both sworn and non-sworn, who are committed to keeping the 27,000 citizens and visitors in Rockledge a safe, family-friendly city. We are ready to react, respond and recover from any unusual occurrence or disaster that occurs in the City and will work together with other city departments to bring normalcy to our citizenry as soon as practical after such occurrences.

Fire Division -- As an all services response agency Rockledge Fire and EMS provides fire suppression, fire prevention and emergency medical services. In preparing for a storm event additional supplies are procured including standard station supplies and medical supplies. In addition, fuel is obtained for generators, apparatus and fuel powered machinery. All apparatus and machinery is thoroughly checked assuring absolute reliability throughout the event. Fire Stations are made as secure as possible against the winds via the use of shutters and all loose items are brought inside. Finally, an Incident/Accident Plan is created, and all personnel are familiarized with both the plan and their role in carrying it out. The plan entails all aspects of pre-storm, storm and post-storm activities with an emphasis placed on safety and both short and long term recovery.

#### *Public Works Department*

The Public Works department maintains city property in a safe and acceptable manner and supports other departments in the performance of their daily functions and in emergency situations. This includes the sanitation division which is responsible for all garbage, recycling and yard debris collection for the entire community. This is in addition to the Storm water division which is responsible for maintaining over 77 miles of storm water.

#### *Waste Water Department*

The Waste Water department maintains 57 lift stations, 94 miles of sanitary sewer gravity mains and 25 miles of force main. Additionally, there are 26 miles of reclaimed water distribution lines, providing service to many businesses and residents for irrigation and beneficial reuse purposes.

**Satellite Beach***Community Development*

The Department is tasked with several responsibilities which include building and zoning issues. This includes reviewing and approving building permits to ensure compliance with the Florida Building Code and all relevant City requirements. Also included in the process is performing the required inspection(s) for each permit issued.

Responsibilities also include the Community Redevelopment Agency, the comprehensive plan, economic development, grants and land development review. Programs developed to promote and ensure the City's sustainability initiatives are implemented and monitored by the Department.

Additionally, the Department is charged with directing both the Board of Adjustments (BOA) and the Planning Advisory Board (PAB). The BOA provides the resources to applicants and provide rulings on requests for variances from City Code. The PAB provides recommendations to City Council on matters related to zoning, land planning and code modifications.

Another facet of the Department is code enforcement which ensures compliance by both residents and business with the City Code. Codes include property maintenance issues, storage of recreational vehicles, outside storage and a host of other items.

The issuance and renewing of Business Tax Receipts also is incorporated into the Departments duties. This includes processing applications and requesting inspection by the Fire Department as required.

*Fire Department*

The Fire Department provides fire suppression, paramedic level advanced life support, technical rescue, hazardous materials technical response, water rescue, public education programs, community health programs, injury prevention programs and fire life safety (fire code inspections) programs. All of these programs make the City resilient to disaster and able to respond as necessary. In anticipation of the arrival of a hurricane or tropical storm, the department also communicates appropriate preparation measures and post-disaster information to citizens.

*Police Department*

The Satellite Beach Police Department is comprised of 23 sworn law enforcement officers and 12 full or permanent part time civilian support personnel including dispatchers. The department is committed to providing professional services to those who live in and visit Satellite Beach, including but not limited to public safety, disaster communications, hurricane evacuation operations, and enforcement, all of which contribute to a community more resilient to loss of life, injury, and damage to property.



In anticipation of the arrival of a hurricane or tropical storm, the department also communicates appropriate preparation measures and post-disaster information to citizens.

#### *Public Works*

The Public Works Department maintains City property, including roadways and stormwater drainage, in a safe and acceptable manner and supports other departments in the performance of their daily functions and in emergency situations. Public Works is heavily involved in hurricane preparation and post-hurricane clean-up operations. The department administers the Stormwater Improvement Plan for the City and undertakes projects for improvements to drainage and flood prone areas.

#### *Support Services*

Support Services coordinates with all City departments, other municipalities, and government officials, including county emergency management. Additionally, the department is heavily involved in ensuring proper communication between departments, other governmental entities, citizens, and the elected officials of the City.

### **Titusville**

The City of Titusville has participated in the NFIP program since 1975. Participation in the NFIP is based on an agreement between local communities and the federal government which states that if a community will adopt and enforce a floodplain management ordinance to reduce future flood risks to new construction in Special Flood Hazard Areas (SFHA), the federal government will make flood insurance available within the community as financial protection against flood losses.

When the 2001 Florida Insurance Rate Maps Building Code (FBC) was developed, the Florida Building Commission made an administrative decision to remove the flood provisions from international codes that the FBC was based on. Instead the code referred to local floodplain management ordinances.

That changed with the 2010 FBC (adopted in March of 2012) which now includes flood provisions that FEMA states are consistent with the NFIP requirements for buildings and structures. By law, only the FBC governs the design of buildings therefore upon adoption of the 2010 FBC there became potential conflicts with existing local floodplain ordinances. This, and numerous inconsistencies identified by the Florida Division of Emergency Management (DEM) and FEMA, prompted DEM to develop a new model ordinance and to work to get FEMA approval.

In January 2014, the City adopted an ordinance prepared by the Florida Division of Emergency Management and coordinated with the Florida Building Code in 2012. The ordinance contains language for local administrative code amendments, is specifically

designed to repeal and replace existing regulations (Chapter 35, Article V Flood Damage Prevention), to satisfy the NFIP requirements, to coordinate with the FBC, and to meet the requirements of section 53.73(5) of the Florida Statute. Some improvements in the model ordinance include provisions that are clearer and more detailed, definitions that match the FBC, administrative provisions and requirements for development other than buildings.

While the NFIP has successfully required new buildings to be protected from damage by a 100 yr. flood, the program had few incentives for communities to do more than enforce the minimum regulatory standards. In an effort to encourage communities participating in the NFIP to reduce flood damages to existing buildings, manage development in area not mapped by the NFIP, and protect new buildings beyond the minimum NFIP protection level, FEMA created a Community Rating System (CRS). Currently the citizens of Titusville receive a 15% premium discount of flood insurance policies due to the City's CRS rating of 7.

In 2012, the Federal Emergency Management Agency (FEMA) presented proposed changes to their Flood Insurance Rate Maps (FIRM) in Brevard County. The last change to this map was in 1989 and subsequently adopted by the City of Titusville.

## **West Melbourne**

### *Planning Department*

The Planning Department and Planning Director are responsible for reviewing site plans, subdivisions and business tax receipts. The City reviews development requests for consistency with the Comprehensive Plan and Land Development Regulations.

### *Building Department*

The Building Department and Building Official are responsible for reviewing building permits and floodplain compliance. The City has adopted the Florida Building Code and the Building Official/Fire Marshall works with the County Fire Department with respect to Fire Prevention and Plan Review.

### *Fire Department*

The Building Official is the Fire Marshall and the City conducts annual fire compliance inspections of non-residential establishments. Brevard County Fire Rescue provides fire and medical emergency response services for the City.

### *Police Department*

The City's Police Department consists of 35 sworn officers. The department is responsible for public safety and plays a primary role in hurricane evacuation and post disaster operations. This includes re-entry to the City after a disaster.

## **Canaveral Port Authority**

### *Public Safety Sector*

The Port partners with numerous agencies, including the Department of Homeland Security, U.S. Customs and Border Protection, the U.S. Coast Guard and private security firms to deter crime, terrorism, and to mitigate hazards. Three departments cover daily operations at the Port: The Port's Public Safety Department, the Brevard County Sheriff's Office (BCSO) and Canaveral Fire Rescue (CFR).

#### *CPA Public Safety and Security Department*

The Public Safety Department coordinates with other team members, develops security plans for restricted Port sites and monitors and maintains gates, locks, surveillance cameras and other security equipment. The Public Safety Department is responsible for the Emergency Management Program and its deployment in emergency situations as well as mitigation measures in response to potential hazards.

### *Canaveral Fire Rescue*

Canaveral Fire Rescue operates stations on Port property at 8970 Columbia Road and 680 Magellan Road. Manned by paid members and volunteers, CFR provides fire and non-transport advanced life support emergency medical services. Members handle medical issues of Port users and respond to fires, small spills and rescues, and practice firefighting techniques at the department's Columbia Road training facility. Firefighters from CFR and nearby departments also are training to handle any emergencies that might occur when ships powered by liquefied natural gas (LNG) arrive at the Port. CFR is an active member of Port Canaveral's Emergency Management Program and a partner in incident preparedness, response, recovery, and mitigation.

### *Brevard County Sheriff's Office*

The Brevard County Sheriff's Office operates a Canaveral Precinct that includes Port Canaveral. Since 2014, BCSO has contracted with the Port Authority to provide law enforcement and security services at the Port. Marine units conduct landside and waterside patrols, K-9 teams regularly sweep terminals and cargo areas and deputies respond to a wide-range of incidents. BCSO is an active member of Port Canaveral's Emergency Management Program and a partner in incident preparedness, response, recovery, and mitigation.

### *CPA Engineering, Construction and Facilities Department*

The Canaveral Port Authority's Engineering and Construction department's primary responsibility is to oversee and manage the construction and infrastructure improvements throughout the Port's jurisdictional area. These improvements range from large scale cruise terminal construction projects to small mitigation and repair projects. The Engineering and Construction department will survey conditions and identify potential hazards pre-storm and conduct damage assessment and debris collection post-storm.

### *CPA Building Department*

The Canaveral Port Authority Building Department is comprised of licensed and certified persons charged with the responsibility of direct regulatory administration and supervision of plans review, code enforcement, inspection of building construction, erection, repair, addition, remodeling, demolition, and alteration projects that require permitting and compliance with the adopted building, plumbing, mechanical, electrical, gas, fire prevention, energy, accessibility, and other construction codes as required by state law and Port Authority regulation. Additionally, the Building Department, under the direction of the Port's Flood Plain Manager, is responsible for Special Flood Hazard Areas and Flood Plain Management in accordance with the Federal Emergency Management Agency and the National Flood Insurance Program.

#### *CPA Information Technology*

The Canaveral Port Authority Information Technology Services provides telecommunications and network services, computer system management and security, and application development services in support of maritime operations. ITS Operations provides computer help desk and technical services (customer support) and system administration. Network and Info Security Operations provides voice, data, integrated communications network services, and information security services. Business Applications provides systems analysis and design as well as development and maintenance services. Before, during, and after disasters, Information Technology staff provides support as Emergency Support Function – Communications ensuring that applications, network and communications systems are operational at the Port Emergency Operations Center.

#### *CPA Government and Strategic Communications*

The Canaveral Port Authority Office of Communications & Public Affairs is responsible for all aspects of external and internal communications, as well as media relations, community relations and public safety information. The office oversees, manages and approves all forms of communications, across all online platforms, electronic and print media, social media, trade journals and consumer publications. Its role is to promote the Port's mission and initiatives and create broad awareness and understanding of the Port's role and contributions to the local community, Central Florida region, and State of Florida. When the local EOC is activated, the department serves as the communications point of contact for collaboration and coordination with local and State officials and is the primary source of Port information to ensure consistent communications and transparent messaging of the Port's operating status, activities and events.

### 1.16.2 Mitigation-Related Policies & Programs by Jurisdiction

Citation	Statement	Applies to
<b>Brevard County, Unincorporated and Grant-Valkaria Code of Ordinances</b>		
II.62.510	<p>West Canaveral Groves area.</p> <p>(c) Conditions for authorization and acceptance of existing permanent structures. In order for any permanent existing structure, certified as required in subsection (b)(1) above to be issued a certificate of completion and approval of electrical service connection, the existing permanent structure shall meet all applicable federal, state and county regulations and codes in effect at the time of application.</p> <p>(1) The issuance of a building permit or other development order does not guarantee or assure that telephone service, electrical service, cable television service, or other private or public utilities will be provided to the existing permanent structure.</p> <p>(2) The finished floor elevation shall be determined by the county based upon the estimated elevation for the crown of the roadway, when paved, upon which the structures fronts and upon the requirements established by the Federal Emergency Management Agency requirements.</p> <p>(3) Variances to the finished floor elevation may be granted or denied by the county, based upon certification by a state registered professional engineer that the structure will not flood or have any adverse effect on either the subject property or adjacent properties. The required engineering certification shall be based upon, and shall include a drainage plan and stormwater analysis considering the 25-year, 24-hour storm event, as a minimum design criterion. Additional analysis may be requested by the county in the event that an existing structure cannot be shown to meet the criteria above, alternative drainage improvements could be considered to address flooding of the subject property or adjacent property. Variance shall not be granted in violation of Federal Emergency Management Agency (FEMA) regulations.</p>	All areas
II.62.2891.a	House pads or lot elevations in the A or AE flood zones consistent w/ FEMA*** (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and...	All areas
II.62.3695.d.4	Structures are flood proofed and located above the 100-year flood elevation.***	All areas
II.62.3723.1	Floodplain uses include agriculture, recreation, wildlife and open space.*** (a) In all areas of special flood hazard the following provisions are required:	All areas
II.62.3723.2	Development within floodplain areas	All areas
II.62.3724.	Development density and guidelines for floodplains. Providing for compensatory flood storage, restricting commercial and industrial development and development densities.	All areas
II.62.3725.a	New dikes, levees or other structures shall not be permitted below the riverine 100-year flood elevation except for structures that have a maximum height of less than the 10-year flood elevation and which will not restrict the flow of the riverine 100-year storm floodwaters. The only potential exceptions to this provision are structures which are shown to have overriding public benefit. Replacement or repair of nonbreached dikes is permitted as long as such replacement or repair does not change the status of the floodplain or will maintain the existing ability to utilize the property.	All Permit Applications
II.62.4003.a	<p>Promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:</p> <p>(1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities; (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; and (3) Control filling, grading, dredging and other development which may increase erosion or flood damage.</p>	All areas

Citation	Statement	Applies to
II.62.4003.b	provide for adequate minimum standards and procedures for the construction of new residential and nonresidential structures, including prefabricated and manufactured homes, and for such structures that are substantially improved, so that such structures can be eligible for insurance under the federal flood insurance program and so that the construction of such structures will be in conformity with recognized construction techniques designed to offer flood protection. This article shall apply to all areas determined to be areas of special flood hazard located within the jurisdiction of the board of county commissioners.	All areas
II.62.4031.1	The building official shall participate in the review of all development permits to ensure that the permit requirements of this article have been satisfied.	All areas
II.62.4031.1	(1) The applicable base flood elevation shall be determined for each property for each permit issued in a special flood hazard area.	All areas
II.62.4031.4	Maintain altered watercourse to ensure flood-carrying capacity.*** (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.	All areas
II.62.4031.6	In unnumbered A zones, it is the responsibility of the builder or owner to determine the required base flood elevation consistent with county requirements as determined by the building official. The building official shall obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other source, including data developed pursuant to section 62-4064(b), in order to administer the provisions of section 62-4062. The building official may require such additional technical reports, surveys, plats or other data as he shall determine necessary to substantiate that the lowest floor is a minimum of 12 inches above the 100-year base flood elevation as established on the flood insurance rate map. Decisions of the building official under this article may be appealed in accordance with the provisions of section 62-4034.	All areas
II.62.4033.a	Application for a development permit for the construction of structures (building permit) shall be made to the county prior to any development activities, and may include but shall not be limited to the following: plans in duplicate, drawn to scale, showing the nature, location, dimensions and elevations of the area in question; and existing or proposed structures, fill, storage of materials and drainage facilities, and their location. Specifically, the following information is required: (1) The elevation, in relation to mean sea level or other acceptable datum, of the proposed lowest floor, including basement, of all structures. (2) The elevation, in relation to mean sea level or other acceptable datum, to which any nonresidential structure will be floodproofed. (3) Certification from a professional engineer or architect licensed to practice in the state, in the form of a FEMA floodproofing certificate, that any nonresidential floodproofed structure will meet the floodproofing criteria in section 62-4062(2). (4) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development.	All areas
II.62.4033.b	Lowest floor elevation being at or exceeding the 100-year flood elevation.*** (a) All new construction and substantial improvements of residential structures, including manufactured homes and mobile homes, shall have the lowest floor, including basement, elevated to the depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement, shall be elevated at least two (2) feet above the highest adjacent grade.	All areas
II.62.4034.e	Variances based on susceptibility of the proposed facility to flood damage.*** (b) All new construction and substantial improvements of	All areas
II.62.4034.h	Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.	All areas
II.62.4034.i	Granting of a variance will not result in increased flood heights.*** (b) All new construction and substantial improvements of nonresidential structures shall:...	All areas
II.62.4034.j	Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is requested to be built, stating that the issuance of a variance to construct a structure below the flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage, and that such construction below the base flood elevation increases risks to life and property.	All areas

Citation	Statement	Applies to
II.62.4061.1	All new construction shall be anchored to prevent flotation.***The intent of this section is to set forth the County's requirements and intent to reduce the potential harm to the environment by strict control and regulation of the emission, storage and movement of hazardous waste, toxic materials and substances. Recognizing that hazardous and toxic material management is a regional issue, intergovernmental coordination on the development and implementation of the following actions shall be utilized:	All areas
II.62.4061.2	Manufactured homes shall be anchored to prevent flotation.*** (a)The County will promote and participate in the availability and accessibility of safe and cost effective hazardous waste storage and transfer facilities, coordinated at the state, regional and/or county levels;	All areas
II.62.4061.3	All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.	All areas
II.62.4061.4	All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.	All areas
II.62.4061.5	New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.	All areas
II.62.4061.6	On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding pursuant to chapter 46, article II.	All areas
II.62.4061.9	Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and located above the 100-year flood elevation so as to prevent water from entering or accumulating within the components during conditions of flooding.	All areas
II.62.4061.10	New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.	All areas
II.62.4061.11	Significant improvements necessary to improve or correct existing flooding problems within special flood hazard areas should be considered as projects to be financed through the municipal service benefit unit (MSBU) mechanism pursuant to chapter 98, article II, division 2.	All areas
II.62.4062.1	In all areas of special flood hazard where base flood elevation data has been provided as set forth in section 62-4005 or section 62-4031(6), the following provisions are required: (1) Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to a minimum of 12 inches above the base flood elevation. No portion of the structure, excluding the foundation, shall be below the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the automatic equalization of hydrostatic flood forces on walls shall be provided in accordance with standards of subsection (3).	All areas
II.62.4062.2	Nonresidential construction. New construction and substantial improvement of any commercial, industrial or nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of 12 inches above the base flood elevation, or, together with attendant utility and sanitary facilities, be floodproofed to a minimum of one-foot above the base flood elevation, such that the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads, the effects of buoyancy and anticipated debris impact forces. A professional engineer or architect licensed to practice in the state shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in section 62-4032(5).	All areas
II.62.4062.3	Elevated buildings allow for the entry and exit of floodwaters.*** (c) Design requirements. Any use involving the production, storage, use or disposal of extremely hazardous materials shall comply with:	All areas



Citation	Statement	Applies to
II.62.4062.4.a.	All manufactured homes to be placed or substantially improved on individual lots or parcels, or in expansions to existing manufactured home parks or subdivisions, or in substantially improved manufactured home parks or subdivisions, or which have incurred "substantial damage" as a result of a flood, must meet all requirements for new construction, including elevation and anchoring requirements. Within special flood hazard areas, manufactured homes shall be elevated on a permanent foundation such that the lowest floor of the manufactured home and all appurtenant building equipment is a minimum of 12 inches above the base flood elevation, and be securely anchored to an adequately anchored foundation system in accordance with the following specific requirements:***	All areas
II.62.4062.6	Floodways. Located within areas of special flood hazard established in section 62-4005 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwater, which carries debris and potential projectiles and has erosion potential, the following provisions shall apply: a. Encroachments are prohibited, including fill, new construction, substantial improvements and other developments, unless certification, with supporting technical data, by a professional engineer licensed to practice in the state is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge. b. If subsection (5)a. is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 62-4061 and this section. c. The placement of manufactured homes (mobile homes) is prohibited, except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of section 62-4061(2) and the elevation standards of subsection (1) and the encroachment standards of subsection (5)a. are met.	All areas
II.62.4062.6	Coastal structures shall be elevated no lower than base flood elevation.***To protect the health, safety and welfare of the citizens of Titusville, hazardous and toxic materials shall be limited as follows:	All areas
II.62.4062.7	Road crowns shall be 5' 3" above sea-level or not lower than 10" lower flood***(a) Within 750 feet of any existing potable water well heads, the production, use, storage or disposal of any hazardous or toxic materials shall	All areas
II.62.4062.8	AO construction elevated at least 2' above the highest adjacent grade.***To protect the health, safety and welfare of the citizens of Titusville, hazardous and toxic materials shall be limited as follows:	All areas
II.62.4062.c	County's limited number of evacuation routes from the coastal barrier.***(d) The user of any hazardous or toxic material in quantities greater than those permitted for a small scale generator, or as set forth under Sections 35-103, 35-105 and 35-106 below, in any area of the City, shall be required to notify the city of the intended use, quantity, duration and any other information as may be deemed necessary by the Administrator, including a hazardous materials management plan, in order to protect the public health, safety and	All areas
II.62.4064.a	All subdivision proposals need to minimize flood damage.*** (b) In the area of Critical Concern (see illustrations, Section 63-105) the production or disposal of hazardous materials shall be prohibited and the storage or use of hazardous and toxic materials shall comply with the permitting requirements and prohibitions, set forth in Section 35-105, below, and Section 35-103 to the extent extremely hazardous substances are used.	All areas
II.62.4064.b	Base flood elevation data shall be provided for subdivision proposals.***To protect the health, safety and welfare of the citizens of Titusville, hazardous and toxic materials shall be limited as follows:	All areas
II.62.510.c.	Flood hazard zone information required for CO.*** (a) In all areas of special flood hazard the following provisions are required	All Permit Applications
Sec. 14-49.	(a) An animal control officer shall investigate reported incidents involving any Classification of dog that may be dangerous and shall, if possible, interview the owner and dogs as dangerous victim and require a sworn affidavit from any person, including any animal enforcement officer or other enforcement officer desiring to have a dog	All Facilities
Sec. 30-18.	Tests (c) General maintenance. The franchisee shall maintain wires, cables and all and performance other real and personal property and facilities constituting the system in good monitoring condition, order and repair at all times during the term of the franchise	All Facilities

**Comprehensive Plan**

Citation	Statement	Applies to
<b>Conservation Element</b>		
CE.P.3.2	Develop standards for development with potential to negatively impact water***	All areas
CE.P.3.6	Vertical seawalls and bulkheads shall be prohibited along the Lagoon system***	All areas
CE.P.3.7	New man-made canals connected to the Lagoon system are not permitted***	All areas
CE.P.3.8	Septic tanks and drain fields set back at least 100' from Lagoon shore***	All areas
CE.P.4.1	Develop regulations to protect riverine floodplain***	All areas
CE.P.4.5	Develop regs. to insure alterations of estuarine floodplains don't impact drainage***	All areas
CE.P.4.6	alterations of isolated one-hundred year floodplains do not adversely impact the drainage of adjacent properties or public drainage facilities	All areas
CE.P.4.7	Develop regs. to protect coastal floodplain***	All areas
CE.P.4.10	Public facilities should not be located within the 100-year riverine or estuarine floodplain unless***	All areas
CE.P.5.2	Adopt regs which promote no net loss of wetlands***	All areas
CE.P.8.5	Landscaping, Land Clearing and Tree Protection ordinance to mitigate heat island effects***	All areas
CE.P.10.1	Undertake a surficial and Floridian aquifer protection study***	All areas
<b>Surface Water Element</b>		
SWM P.1.1-5	Providing for preservation and improvement of drainage basins and master stormwater systems	All areas
<b>Potable Water Element</b>		
PWE P.1.5	By 2011, Brevard County shall adopt land development regulations to further reduce per capita consumption of potable water.	All areas
<b>Solid Waste and Hazardous Materials Element</b>		
SWHME P.7.1	Brevard County shall continue and expand the collection center or system to receive hazardous wastes from households, small businesses, and other low-volume generators.	All areas
SWHME P.8.1	The County hazardous materials emergency response team shall be maintained and provided with adequate training and equipment (including field communication network) on a permanent basis.	All areas
SWHME P.8.2	Operating costs shall be recovered from parties responsible for the cause of hazardous material incidents.	
<b>Capital Improvement Element</b>		
SW/Watershed Improvements - <b>Fay Lake - Phase 1</b>	This project includes design and construction of a diversion of the West Port St. John outfalls into Fay Lake, which will serve as a regional stormwater treatment pond. This project will provide improved water quality for the St. Johns River and reduced flooding in the Port St. John area. This project was approved by the Board of County Commissioners in September 2000. Project implementation was delayed to allow for completion of the Chain of Lakes Project. In order to resume progress for the Fay Lake project staff plans to divide it into 3 phases and seek grants to leverage stormwater assessments to fund construction of Phase I in FY 10-11, Phase II in FY 11-12 and Phase III in FY 13-14. (\$700,000)	Retrofit
SW/Watershed Improvements - <b>Breezeway</b>	Breezeway is an older development located between US1 and the Florida East Coast Railroad north of SR528. The area has an inadequate drainage system causing flooding of roadways and private property. This project consists of upgrading the existing drainage system to reduce flooding by installing an exfiltration system. Total project cost is estimated at \$150,000. Survey design and permitting will be accomplished FY 09-10. Construction will take place early FY 10-11. (\$150,000)	Retrofit

Citation	Statement	Applies to
SW/Watershed Improvements - <b>S. Lake (Carpenter Road Area) Water Quality Retrofit</b>	This project will provide innovative improvement of water quality at three existing stormwater outfalls for South Lake that ultimately drains to the St. Johns River. The first outfall, located at Navaho Lane in close vicinity to South Lake, received a baffle box, infiltration basin and pipe improvements. Baffle boxes and exfiltration systems will be installed near Deauville and Barcelona streets. One of these sites will receive a viewable baffle box for South Lake Elementary School to use for education. The total project cost is estimated to be \$513,000. The County received a FDEP/EPA grant for \$301,200 in March 2009 for 60% of construction costs. The City of Titusville will provide a portion of the 40% match through in-kind services, land donation, and construction activities. Design for the last two baffle boxes and exfiltration systems is expected to begin in FY 09-10 with most of construction occurring in FY 10-11. (\$471,200)	Retrofit
SW/Watershed Improvements - <b>NASA/KSC</b>	Staff is conducting a drainage study for unincorporated area of North Merritt Island located east of State Road 3, south of Crisafulli Road, and north of State Road 528, and including property that extends across Kennedy Space Center (KSC) property. This drainage area has incurred significant flooding events on several occasions, most recently during T.S. Fay in 2008 when multiple homes experienced finished floor flooding and streets were impassable for days. The drainage study is assessing the potential of reconnecting agricultural drainage ditches that drained to the Banana River prior to creation of the space program. Potential reconnections will be modeled to ensure that no adverse flooding or other negative impacts will result from the proposed improvements. (\$500,000)	Retrofit
SW/Watershed Improvements - <b>Merritt Island Airport Pond</b>	This project modifies an existing County ditch and enlarges an existing pond on airport property to improve the quality of water being discharged into the Indian River Lagoon. The design for the project has been completed and permitting was completed April 15, 2010. An Interlocal Agreement with the property owner TCAA [Titusville-Cocoa Airport Authority] was negotiated which allows the use of their land at no cost to the County. This Interlocal Agreement was approved by the Board of County Commissioners on February 9, 2010. A Florida Department of Environmental Protection [FDEP] grant has been executed and will reimburse the County for 50% of the project costs up to \$800,000 of the construction expenditures. Bidding of the project is anticipated in July 2010. Anticipated project completion is FY10-11. (\$1,150,000)	Retrofit
SW/Watershed Improvements - <b>Fortenberry Road/Parcel</b>	This project involves the construction of a 26-acre +/- regional stormwater treatment pond on Merritt Island in at least two phases. Originally, the project was designed to provide treatment for approximately 35 acres of untreated commercial impervious area through the construction of a 5-acre wet detention pond on Fortenberry Road and incorporating the existing alum treatment pond. However, in September 2009, Brevard County purchased a 50-acre parcel from Pulte Homes located immediately adjacent to the Fortenberry pond site to develop a larger, regional stormwater management system in an effort to provide water quality treatment for nearly 1,000 commercially developed acres along the south side of SR 520. Currently, significant redesign and permit modifications are underway. It is anticipated that the first phase of construction will begin in FY 2010-11. (\$1,260,000)	Retrofit
SW/Watershed Improvements - <b>Valkaria Lakes</b>	This project will convert 3 existing borrow pits into stormwater ponds to treat runoff from approximately 524 acres of mostly single family residential lots. The project will also reduce private property flooding in some areas. The borrow pits are located south of Valkaria Road and east of I-95 on property owned by Brevard County. In 2006, the County applied to FDEP for a grant to partially fund the design and construction of the project. Most of the 524 acre drainage area is now part of the new Town of Grant-Valkaria. Through an Interlocal Agreement with the Town, the County will manage the State grant and the project. The Town will reimburse the County for local match required for the grant. The project will be constructed in phases in order to keep annual expenses within the means of the Town. (\$184,000)	Retrofit

Citation	Statement	Applies to
SW/Watershed Improvements - Merritt Island Improvement - Pine Island Phases 1 & 2	<p>This project will improve water quality to the Indian River Lagoon and reduce the duration of flooding within the North Merritt Island drainage basin. The project is divided into two phases that include modification of two existing borrow pits on Pine Island. The land is owned by the St. Johns River Water Management District and the Brevard County Environmentally Endangered Lands program. Phase I involves the expansion and regrading of the north borrow pit, installation of the first pump, and fabrication of a diversion weir within the Pine Island Road ditch to redirect stormwater runoff into the borrow pit for water quality treatment. A \$500,000 FDEP grant was received in February 2010 to fund a portion of the Phase I construction costs anticipated to begin in FY 09-10 with completion in FY 10-11. (\$1.5 M)</p> <p>The Phase II portion of the North Merritt Island Pine Island improvements will provide additional water quality improvements to the Indian River Lagoon and reduce the duration of flooding within the North Merritt Island drainage basin. Phase II includes regrading the south borrow pit and the installation of the second of two pumps to divert additional flow to the south borrow pit from the Pine Island Road drainage ditch. The storage within the south borrow pit will provide additional attenuation and pollution abatement prior to discharging to the Indian River. The County intends to apply for a FDEP 319 grant to cover 50% or more of the estimated total construction cost, roughly \$1.6 million for Phase II construction. Without cost-sharing and/or a grant, Phase II cannot be completed prior to FY2014/2015. (\$500,000)</p>	Retrofit
SW/Watershed Improvements - NASA/KSC	13. Upper Eau Gallie-Lake Washington flood protection 2009-- \$1,864,091	Retrofit
SW/Watershed Improvements - NASA/KSC	13. Upper Eau Gallie-Lake Washington flood protection 2009-- \$1,864,091	Retrofit
SW/Watershed Improvements - NASA/KSC	13. Upper Eau Gallie-Lake Washington flood protection 2009-- \$1,864,091	Retrofit
<b>Coastal Management Element</b>		
CME.P.10.10	County shall conduct hurricane exercises at regular intervals***	All areas
CME.P.10.3	Adopt post-disaster permitting procedure to expedite permitting***	Redevelopment
CME.P.10.5	Replacement of infrastructure constructed as part of integral network***	Redevelopment
CME.P.10.6	Analyze public structures likely to be damaged or destroyed in hurricane***	All areas
CME.P.10.7	Damaged infrastructure analyzed to judge cost relocation vs. repair***	Redevelopment
CME.P.11.7	Continue to pursue funds for dune revegetation for dune crossovers***	All areas
CME.P.2.4	Brevard County shall address modification of existing development which does not meet stormwater management standards.	All areas
CME.P.2.5	Modify existing development not meeting stormwater management standards***	All areas
CME.P.4.10	Develop plan for long-term response to sea level rise***	All areas
CME.P.4.3	Adopt standards for maintenance of reestablishment of dunes***	All areas
CME.P.4.6	Establish program to locally monitor beach dynamics data collection project***	All areas
CME.P.4.7	Brevard County shall continue to protect the coastal floodplain	All areas
CME.P.4.8	Brevard County shall prohibit motorized vehicles on the dune and beach system as well as foot traffic for all but emergency response and other approved activities	All areas
CME.P.4.9	Brevard County shall continue to collect and make available to the public information related to sea level changes	All areas
CME.P.5.1	Develop and implement standards for marinas and related facilities***	All areas
CME.P.5.2	Develop and implement regs governing live-aboards in coastal zone***	All areas
CME.P.5.6	Marinas within coastal zone shall be inspected annually***	All areas
CME.P.6.2	No financial support for new local transportation corridors in CHHZ***	All areas

Citation	Statement	Applies to
CME.P.6.3	Brevard County should not locate sewer and water transmission lines within the coastal high hazard zone, except where there is no cost-feasible alternative and where practical due to engineering, safety and cost considerations, and where necessary utilizing existing rights-of-way.	All areas
CME.P.6.5	Public facilities, except for recreational facilities, shall not be located by Brevard County within the coastal high hazard zone, except where there are no other cost-feasible alternatives. Corresponding improvements may only be considered when the facilitation of such improvements is needed to support the densities programmed on the Future Land Use Map (FLUM) series of the Comprehensive Plan.	All areas
CME.P.7.1	Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.	Redevelopment
CME.P.8.6	Determine priority of road improvements by evacuation	All areas
CME.P.8.9	New mobile homes, rec vehicle development not permitted on barrier island***	New
CME.P.8.10	Require hurricane plan for rec vehicle park development in south beaches***	All areas
CME.P.10.8	The Brevard CEMP shall be coordinated with other local, regional and state entities. As additional interagency hazard mitigation reports are received, they shall be reviewed and incorporated into Brevard CEMP.	All Facilities
CME.P.10.9	Brevard County should require that when utility lines ....are relocated, they shall be placed underground.	Redevelopment/ Reconstruction Only
<b>Stormwater Improvement Plan</b>		
Sec.II.P.1.1	Adopt, implement Master Stormwater Management Plan***	All areas
Sec.II.P.1.8	County to determine feasibility of innovative stormwater treatment methods***Or 18" above highest point of road elevation	All areas
Sec.II.P.2.3	New stormwater management facilities/techniques not to hurt adjacent lands***	All areas
Sec.II.P.3.3	Stormwater management systems to employ Best Management Practices***Lowest floor must be elevated to or above BFE and fully enclosed areas below lowest floor must allow for entry and exit of floodwaters.	All areas
Sec.II.P.3.5	Stormwater treatment facilities for all B.C.-built roadways provided by BC***	All areas
Sec.II.P.4.1	New surface water interbasin diversions shall be prohibited***	All areas
Sec.II.P.4.6	Development within flood-prone areas not to negatively impact adjacent land***	All areas
Sec.VI.P.1.4	County shall enact ordinances to reduce per capita water consumption***	All areas
Sec.VI.P.2.4	Anyone proposing new public water well must control areas within 500'***	All areas
Sec.VI.P.4.1	Continue to implement wellfield expansion in north county to increase yield***	All areas
Sec.VI.P.4.2	Expand Mims water treatment plant from 1.1mgd to 2mgd***	All areas
Sec.VII.P.1.	Untreated wastewater shall not be discharged into ditches, aquifer, waters***	All areas
Sec.VII.P.2.	County shall discourage new package treatment plants, with exceptions***	All areas
Sec.VII.P.3.	Development of private treatment plant not be used to increase density***	All areas
Sec.VII.P.5.	County to expand wastewater use/recharge/sludge management programs***	All areas
Sec.VIII.2.1	County shall expand collection system to receive hazardous wastes***	All areas
Sec.VIII.3.1	Hazmat emergency response team shall be maintained on a permanent basis***	All areas
Sec.VIII.3.2	Costs to be recovered from parties responsible for hazmat incidents***	All areas
Sec.XIII.1.8	County shall not increase residential densities within CHHA***	All areas
Sec.XIII.2.2	County shall develop regulations to protect riverine/estuarine floodplain***	All areas
Sec.XIII.2.4	County shall develop regulations to protect coastal floodplain***	All areas
Sec.XIII.2.5	County shall develop regulations to ensure drainage not effected***	All areas

Citation	Statement	Applies to
Sec.XV.3.1	County shall not finance new local transportation corridors in CHHA***	All areas
Sec.XV.3.3	County should not locate sanitary sewer or transmission lines in CHHA***	All areas
Sec.XV.3.4	County shall not locate any new public facilities within CHHA***	All areas

### Canaveral Port Authority

#### The Canaveral Port Authority as a State chartered independent special district has broad powers and authority including:

The power to exercise control over Port Canaveral, and any and all parts thereof;  
 To apply to proper authorities of the United States Government for the right to establish, operate, and maintain a Foreign Trade Zone within the limits of Brevard County and to establish, operate, and maintain such Foreign Trade Zone;  
 To apply for and obtain permission from the United States Government to create, improve, regulate, and control all waters, and natural or artificial waterways within said Port Canaveral;  
 To improve all navigable and non-navigable waters situated within the Port District necessary or useful to the operation, improvement, and maintenance of Port Canaveral; to construct, improve, and maintain such inlets, slips, turning basins, and channels;  
 To make and give to the United States Government such guarantees upon such terms and conditions as may be required;  
 To enact, adopt, and establish rules and regulations for the complete exercise of jurisdiction and control over all of said lands and waters of Port Canaveral within the Port District

All Areas

#### Building Code Enforcement:

As an independent regulatory agency, the Canaveral Port Authority enforces the Florida Building and the Florida Fire Prevention Code with no amendments or exemptions.

All areas

#### Flood Plain Management:

Adopted a flood damage prevention ordinance based on the State model that is coordinated with the Florida Building Code;  
 Conducts annual inspections of development in Special Flood Hazard Areas (SFHAs) to be reported annually that addresses identified compliance issues to be resolved through enforcement and mitigation to the maximum extent possible;  
 Administers a flood zone permit application for regulating all development in SFHAs with procedures and checklists approved by State and Region IV;  
 Ensures accurate completion of all elevation certificates before vertical construction and prior to issuance of certificates of occupancy;  
 Annually disseminates letters to utility companies concerning tanks that must be elevated or anchored and new HVAC equipment that must be elevated above the Base Flood Elevation (BFE);  
 Administers substantial improvement/damage determination procedures approved by State and Region IV staff and maintenance of permanent records of determinations; and  
 Provides DFIRMs or links to DFIRMs and elevation certificates on Canaveral Port Authority's website.  
 Review applications and plans to determine whether proposed new development will be located in flood hazard areas;  
 Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this regulation;  
 Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;  
 Provide available flood elevation and flood hazard information;  
 Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;  
 Review applications to determine whether proposed development will be reasonably safe from flooding;  
 Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building

All areas

Citation	Statement	Applies to
	<p>Code, when compliance with this regulation is demonstrated, or disapprove the same in the event of noncompliance; and</p> <p>Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of flood plain regulation.</p> <p>Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made; Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure; Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and</p> <p>Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this regulation is required.</p> <p>Establish procedures for administering and documenting determinations of substantial improvement and substantial damage.</p> <p>Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);</p> <p>Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;</p> <p>Review required design certifications and documentation of elevations specified by this regulation and the Florida Building Code and this regulation to determine that such certifications and documentations are complete;</p> <p>Notify the Federal Emergency Management Agency when the corporate boundaries of Canaveral Port Authority are modified.</p> <p>Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."</p>	
<b>Require other permits as needed:</b>	<p>The St. Johns River Water Management District or Florida Department of Environmental Protection; section 373.036, F.S.</p> <p>Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.</p> <p>Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, F.S.</p> <p>Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit per Statute.</p> <p>Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act..</p>	All areas
<b>Flood Plain Development standards:</b>	<p>Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this regulation shall be drawn to scale and shall include, as applicable to the proposed development:</p> <p>Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary, for review of the proposed development.</p>	All areas



Citation	Statement	Applies to
	<p>Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with the regulation.</p> <p>Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with the regulation.</p> <p>Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.</p> <p>Location, extent, amount, and proposed final grades of any filling, grading, or excavation.</p> <p>Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.</p> <p>Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.</p> <p>Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.</p> <p>Existing and proposed alignment of any proposed alteration of a watercourse.</p> <p>Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:</p> <p>Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.</p> <p>Obtain, review, and provide to applicants' base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.</p> <p>Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:</p> <p>Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or</p> <p>Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.</p> <p>Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.</p> <p>Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:</p> <p>For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 105.4 of this regulation and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.</p> <p>For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement</p>	

Citation	Statement	Applies to
	does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.	
	For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 105.4 of this regulation.	
	For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.	
	Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.	
<b>Flood Plain Inspections:</b>		
	General. Development for which a floodplain development permit or approval is required shall be subject to inspection.	All areas
	Development other than buildings and structures. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this regulation and the conditions of issued floodplain development permits or approvals.	
	Buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this regulation and the conditions of issued floodplain development permits or approvals.	
<b>Cape Canaveral Building Code Enforcement:</b>		
	As an independent regulatory agency, the Canaveral Port Authority enforces the Florida Building and the Florida Fire Prevention Code with no amendments or exemptions.	All areas
<b>Capital Improvement Plan</b>		
P. 154	Purchase two 60 kw generators for sewer lift stations. \$120,000	Retrofit
P. 155	Purchase of additional stormwater pump for basin pump-outs. \$40,000.	Retrofit
P. 155	Stormwater outfall upgrades. \$40,000 annually through 2020.	Retrofit
P. 135	Clean and restore 4000 feet of the Central Ditch. \$400,000	Retrofit
P. 155	Harbor Heights stormwater pipe replacement. \$32,000.	Retrofit
P. 155	Construction of exfiltration systems. \$20,000 annually through 2020	Retrofit
P. 155	West Central Blvd Pipe Rehabilitation. \$250,000	Retrofit
P. 155	Construction of Canaveral City Park exfiltration system. \$1,000,000.	Retrofit
P. 151	Construction of North Atlantic Avenue stormwater improvements. \$400,000.	Retrofit
<b>Comprehensive Plan</b>		
H.1.9.1	City shall prohibit placement of mobile homes outside of mobile home parks***	All areas
D.1.2.1	City shall require use of existing drainage for new development***	All areas
D.1.1.5	City shall adopt procedures to update stormwater regs every three years***	All areas
D.1.1.2	City shall control drainage of stormwater to minimize impact on system***	All areas
D.1.1.4	City shall control development of storm sewers to facilitate maintenance***	All areas

Citation	Statement	Applies to
SS.1.1.3	City shall work toward elimination of all septic tank systems in city***	All areas
SS.1.1.4	Determine feasibility of retrofitting with updated treatment facilities***Use of septic tank systems for new development prohibited	Retrofit

### Land Development Code

C.106.Art.II	Any development in wetlands shall replace that lost at a 2:1 ratio***	All areas
Ch.34.Art.III	Trees shall be kept pruned and trimmed to prevent hazards to persons***	All areas
Ch.90.Art.II	New construction/substantial improvement made with flood resistant material***	All areas
Ch.90.Art.I.	New nonresidential construction's at least 12" above crown of street***	All areas
Ch.90.Art.II	New construction and substantial improvements shall be anchored***	All areas
Ch.90Art.II.	New construction/substantial improvement use flood-minimizing methods***	All areas

### Cocoa

#### Future Land Use Element

FLUE.CPA	The City shall ensure the protection of coastal resources such as marine wildlife, wetland areas, shoreline vegetation and water quality.
FLUE.P.1.1.8.1	Proposed land use plan amendments shall be coordinated with the Brevard local mitigation strategy and the regional hurricane evacuation study.
FLUE.P.1.1.8.2	Population densities in the Coastal High Hazard Areas (CHHA) shall be coordinated with the East Central Florida Regional Planning Council Hurricane Evacuation Study, as updated from time to time.
FLUE.P.1.1.8.3	The City shall implement the applicable recommendations of the Brevard Local Mitigation Strategy as practical and feasible.
FLUE.P.1.1.8.4	The City shall coordinate proposed land use plan amendments with the Indian River Lagoon Comprehensive Conservation & Management Plan and the Brevard County Manatee Protection Plan.
FLUE.P.1.1.8.5	Construction of new marinas or improvements to the existing marinas shall be consistent with criteria listed in the Coastal Management Element.

#### Sanitary Sewer Element

SSE.G.4.1	The City of Cocoa will provide cost effective and environmentally sound wastewater treatment services to meet existing and projected demands identified in this Plan.
SSE.P.4.1.1.8	Sanitary sewer facilities shall be replaced and existing deficiencies shall be corrected based upon the following priorities: A. Any project correcting an immediate threat to the health, safety, or welfare of the City's residents will receive priority over the expansion of a facility or the correction or replacement of a non-threatening facility. B. Any project that will correct an existing deficiency will receive priority over a project to expand the system. C. Projects that will result in the system exceeding the adopted level of service will be denied.
SSE.P.4.1.2.6	By ordinance, the City shall mandate connection to the City's central sewerage system when available.
SSE.O.4.1.3	Treatment and Disposal. The existing treatment system will operate at the tertiary level including all appropriate tests and procedures as required by FDEP and any other relevant governmental agency. System modifications and expansion shall include consideration of appropriate changes in treatment level.
SSE.P.4.1.3.4	The City shall continue the implementation of the reclaimed water system as deemed feasible.
SSE.P.4.1.3.6	Wastewater reuse for irrigation and other non-potable uses will be expanded into areas throughout the City where customer use is anticipated to be 25% or greater within five years of installation.
SSE.O.4.1.4	On-site wastewater Disposal. The permitting and installation of additional septic tanks or package plants within the incorporated city limits will be discouraged or prohibited, except where on-site disposal represents the most efficient cost effective and environmentally compatible alternative.

Citation	Statement	Applies to
SSE.P.4.1.4.4	The City will develop a plan to phase-out septic tank use wherever feasible and cost effective.	
SSE.P.4.1.4.6	Wastewater package plants will only be allowed in the event that sewer capacity is not scheduled to be available or to satisfy on-site pretreatment required by the City.	
SSE.O.4.1.5	Land Development Regulations. The land development regulations shall be evaluated periodically to ensure that future development within the incorporated limits of the City is coordinated with City wastewater plans.	

### Stormwater Management Element

SME.G.6.1	The City shall ensure the provision of a stormwater management system of appropriate capacity and functionality to protect public health and safety, fulfill requirements of the National Pollutant Discharge Elimination System (NPDES) and Total Maximum Daily Load (TMDL's).
SME.O.6.1.1	Protect Groundwater Recharge, Natural Drainage Features and Water Quality. The City shall continue to require, through the enforcement of development standards, the protection of groundwater recharge, natural drainage features and surface water quality from the impacts of development.
SME.P.6.1.1.1	The City's land development regulations shall contain standards that require post-development groundwater recharge equal to or greater than pre-development rates.
SME.P.6.1.1.2	The City shall include stormwater treatment and associated "best management practices" such as earthen berms, swales, settling basins, retention/detention facilities, filtration facilities, natural vegetation and vegetative buffers, oil/grease baffles and skimmers, porous pavement materials, street sweeping and similar devices and practices intended to improve overall water quality in any adopted design standards and land development regulations.
SME.P.6.1.1.5	The City shall inspect businesses as needed to protect against illegal dumping or drainage of hazardous, toxic or deleterious substances into the City's stormwater management system for conveyance into receiving water bodies.
SME.P.6.1.1.6	<p>The City, as required by NPDES permit and the Basin Management Action Plan (BMAP) process, shall collect, compile and evaluate water quantity and quality data for conveyance systems and water bodies that transport and receive flow from stormwater runoff originating from within City Limits. The City will use the surface water quality monitoring program for the purposes of assisting in:</p> <ul style="list-style-type: none"> <li>A. Establishing baseline or ambient water quality conditions where none presently exist, and updating existing data on present conditions;</li> <li>B. Determining the quality of discharges from particular stormwater outfalls suspected of being significant sources of pollutant discharge;</li> <li>C. Identifying further capital improvements or performance standards for development which are needed to protect aquatic grass beds, wetlands, and water bodies.</li> </ul>
SME.P.6.1.1.7	<p>The City shall maintain a comprehensive inventory of all components of the City's surface water management system as part of the City's Surface Water Management Plan, which will be updated in 2012 and every five years thereafter, to include the determination and identification of:</p> <ul style="list-style-type: none"> <li>A. Water flow patterns, hydro periods and the boundaries of all drainage basins within the City that receive stormwater from within the City, and those basins that receive stormwater from within and outside of the City;</li> <li>B. Current land uses within each of the identified drainage basins;</li> <li>C. All point source discharges;</li> <li>D. Surface water that does not meet Florida Department of Environmental Protection (FDEP) standards;</li> <li>E. 100-year flood-prone areas, including all floodplains;</li> <li>F. Extent of existing excess (uncommitted) water flow and storage capacity;</li> <li>G. Extent of existing deficiencies, including flow and storage capacities;</li> <li>H. Improvements necessary for the proper operation and management of the Surface Water Management System; and</li> <li>I. Engineering, biological, and other studies needed to develop the prioritized needs, types and locations of public capital improvement projects and additional performance standards for development.</li> </ul>

Citation	Statement	Applies to
SME.O.6.1.2	Maintenance and Operation of Public Stormwater Facilities. The City shall ensure that all stormwater management systems under the City's authority receive the proper levels of operation and maintenance necessary for the effective accomplishment of their intended water management functions.	
SME.P.6.1.2.1	Surface water management projects will be implemented in accordance with the adopted Surface Water Management Plan, as updated, and the Capital Improvements Element.	
SME.P.6.1.2.2	The City shall inspect public stormwater management system components and undertake required maintenance on at least an annual basis.	
SME.P.6.1.2.3	The City shall coordinate with various public entities such as the SJRWMD, FDEP, Brevard County, and with various civic organizations, in the preparation and dissemination of information to the public regarding litter control, fertilizers, pesticides and herbicides usage and proper application procedures, and the proper disposal of pollution-causing substances and materials.	
SME.P.6.1.2.4	<p>The City shall continue to implement and update the Surface Water Management Plan. Specifically, the plan will contain such elements as the following as they are developed by the City or other agencies acting to protect and enhance the waters outlined in the plan: (A) Determine the boundaries of all drainage basins within the City limits to which stormwater within the City drains and the boundaries of all drainage basins, within and outside of the City limits, from which the City receives drainage; (B) Identify, quantify, and prioritized flooding situations by magnitude, frequency and severity of impact, including the ability of existing wetlands and water bodies to assimilate stormwater, based on an analysis of plant communities, without degrading the vitality of the natural wetland communities; (C) Develop a plan for solving or avoiding flooding situations including a preferred alternative and at least one alternative solution for each flooding situation that will accomplish significant reduction or elimination of pollutants in both stormwater and point source discharge from reaching receiving water bodies and wetlands for each drainage basin. Solutions shall make use of non-structural methods, including performance standards for development, wherever possible; (D) Assess the general vitality and distribution of grass beds in water bodies as well as natural wetland plant communities in wetlands for those water bodies which currently receive, or can reasonably be expected to receive in the future, stormwater or point source discharges from within the City limits. Where grass beds for wetland plant communities have been or may be adversely affected by stormwater or point source discharges, develop specific strategies and an implementation schedule for eliminating these adverse impacts; (E) Design and implement a surface water monitoring protocol, including:</p> <p>(1) Identification of the entity charged with the responsibility of carrying out this work;</p> <p>(2) The type, location, and frequency of monitoring; and</p> <p>(3) Where the monitoring program indicates permit violations or degradation of the receiving waters or wetlands or their grass beds or plant communities, requires that retrofitting, replacement, or redesign of stormwater systems or point source discharges must be done.</p> <p>(F) Identify prioritized actions regarding flood control and abatement, stormwater management, environmental and resource protection and water pollution control problems, needs, issues and opportunities; (G) Identify performance standards needed to assure protection of water quality and water flow regimes and native plant communities in wetlands and water bodies; and (H) Identify the entity assigned the responsibility of undertaking or overseeing each recommended action.</p>	
SME.O.6.1.4	Stormwater Facilities Capacity. The City shall maximize the use of existing stormwater management facilities and require new development to construct facilities to achieve and maintain adopted stormwater management level of service standards that fulfill NPDES and TMDL mandates for stormwater quality and quantity.	

Citation	Statement	Applies to
SME.P.6.1.4.1	The City, as part of the Surface Water Management Plan updates, shall identify and perform a comparative analysis of all capital, operational and maintenance costs associated with the identified preferred and secondary alternatives intended to address flooding, pollution control and environmental degradation problems and needs, including the following: A. The estimated costs of undertaking individual actions involving public construction projects or major manpower commitments and an economically feasible funding source for each; B. The proposed prioritized plan of implementation; C. The recommended time schedule for undertaking the prioritized actions, based on levels of degradation suffered by or anticipated for wetlands and water bodies, financial capabilities and time requirements to undertake the individual actions; and D. The list of necessary revisions to the Capital Improvements Element, including the Five-year Schedule of Capital Improvements, to reflect the prioritized actions which involve funding commitments.	
SME.P.6.1.4.2	Every five years, the City shall publish reports describing data obtained and progress made toward accomplishing the goals of the Surface Water Management Plan.	
SME.P.6.1.4.3	The City shall utilize funds from the stormwater assessment fee for correcting deficiencies in the public stormwater management system and funds from the stormwater utility service fee to provide funding for financing proposed improvements related to new development.	
SME.P.6.1.4.4	New development shall design stormwater management systems to meet the rules and criteria established by the City of Cocoa, the SJRWMD and the Florida Department of Environmental Protection, as applicable.	
SME.P.6.1.4.5	At a minimum, the existing stormwater management systems and current levels of service shall be maintained. The City shall achieve and maintain the following adopted stormwater management level of service (LOS) standards for new development and redevelopment: STORMWATER MANAGEMENT DESIGN STORM EVENT 25-year frequency/24-hour duration event ON-SITE STORMWATER MANAGEMENT Retention of the first one inch of rainfall runoff for areas of one acre or more; or retention of first one-half inch of rainfall runoff for drainage areas of less than one acre. STORMWATER QUANTITY Post development stormwater runoff flow rates, quantities, peaks, and velocities shall be equal to or less than levels that existed prior to development. STORMWATER QUALITY	
SME.P.6.1.4.6	No significant degradation of water quality in receiving water bodies The City shall inspect individual on-site stormwater treatment facilities following their construction and periodically to ensure proper operation and maintenance.	
SME.O.6.1.5	Sustainable Stormwater Management Strategies. The City shall encourage the use of sustainable, low impact development (LID) strategies to address stormwater management for developments ranging from individual building sites, to subdivisions, to large planned developments.	
SME.P.6.1.5.1	The City shall coordinate with local, regional, state and federal agencies to provide educational materials and forums to the public and the development community on the value and benefits of sustainable stormwater management facilities design.	
SME.P.6.1.5.2	For new construction or redevelopment of City buildings and facilities, the City shall utilize LID principles to the extent practicable to address stormwater management needs and to model innovative techniques: • Manage stormwater as close to its origin as possible by using many small-scale LID techniques. • Create a site design that slows surface flows and increases the amount of time stormwater flows over the site. • Increase the reliability of the stormwater system by using multiple, redundant stormwater controls. • Integrate stormwater controls into the design of the site and use the controls as site amenities. • Reduce the reliance on traditional collection and conveyance stormwater practices.	

Citation	Statement	Applies to
SME.P.6.1.5.3	The City shall consider updating land development regulations to permit innovative LID techniques in the design of stormwater management facilities for development and redevelopment sites including, but not limited to the following: <ul style="list-style-type: none"> <li>• Bioretention cells or swales (also known as rain gardens);</li> <li>• Cisterns and rooftop rainwater harvesting;</li> <li>• Permeable concrete pavers or pavement.</li> </ul>	
<b>Conservation Element</b>		
CE.O.12.1.8	Hazardous Waste and Materials. The City shall coordinate with Brevard County to establish procedures and regulations which support State and County hazardous material management objectives, and which will reduce the number of sites at which improper use, storage or disposal of hazardous materials occurs.	
CE.P.12.1.8.1	The City shall coordinate with the FDEP and Brevard County in the establishment of Amnesty Days for the collection of hazardous domestic wastes.	
CE.P.12.1.8.2	The City shall ensure that businesses which store, generate, or transport hazardous wastes or materials do so in accordance with Federal and State guidelines and regulations.	
CE.P.12.1.8.3	Industrial parks which include tenants who use hazardous materials or generate hazardous wastes shall be required to: (a) prepare hazardous materials spill containment and clean-up plans; (b) design drainage and sewer facilities to prevent the contamination of soils, groundwater or surface waters from hazardous materials spills; and (c) provide interim storage facilities for hazardous wastes generated on-site.	
CE.P.12.1.8.4	The City shall provide the greatest support practical to Federal, State and County hazardous waste and materials management programs.	
CE.O.12.1.9	Floodplain Management. The City shall protect the flood storage and conveyance functions of the 100-year floodplain.	
CE.P.12.1.9.1	In order to reduce the adverse consequences of floodplain development and simultaneously encourage the conservation of natural habitat, the City's Flood Damage Prevention ordinance shall be updated as needed to maintain compliance with the National Flood Insurance Program and to discourage construction in the floodplain, unless the proposed construction is expressly authorized by this Comprehensive Plan. Developmental plans shall preserve the natural functions of floodplains when practical. The provision of compensatory storage for fill placed within the floodplain shall be allowed only when the applicant demonstrates the absence of adverse consequences of compensatory storage and demonstrates compliance with other applicable provisions of this Comprehensive Plan.	
CE.P.12.1.9.2	Developers shall be encouraged to incorporate those portions of sites that are within the 100-year floodplain as open space preservation	
CE.P.12.1.9.3	The City shall promote wetlands preservation and non-structural floodplain management by encouraging the use of isolated wetlands as detention areas, where such use is consistent with good engineering practice and does not significantly degrade the ecological value of wetlands. Pre-treatment of stormwater run off by diversion of the "first flush" shall be required prior to discharge to wetland detention areas.	
CE.P.12.1.9.4	The City shall encourage public and private agencies, including but not limited to the Florida Department of Environmental Protection, the Florida Game and Freshwater Fish Commission, the St. Johns River Water Management District, The Nature Conservancy, The Trust for Public Lands and Brevard County, in acquiring wetlands and floodplains.	
<b>Coastal Management Element</b>		
CME.O.9.1.4	Public Expenditures in Coastal High Hazard Area. The use of public funds for infrastructure improvements which subsidize increased development in the Coastal High-Hazard Area (CHHA) will be restricted to those projects which restore or enhance natural resources and/or part of the City's Redevelopment Plan.	
CME.P.9.1.4.1	The CHHA is delineated as the area below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.	
CME.P.9.1.4.2	Public expenditures for capital improvements that promote public access and use of coastal areas shall be reviewed through the annual budget process to minimize loss potential.	



Citation	Statement	Applies to
CME.P.9.1.4.3	The use of local funds to subsidize new development in the CHHA shall be thoroughly considered prior to public investment and limited in most cases.	
CME.O.9.2.1	Coastal High Hazard Area (CHHA). The City shall continue to direct population concentrations away from the CHHA through implementation of the future land use map, land development code and through the development review and approval process.	
CME.P.9.2.1.1	The City shall continue to evaluate non-conforming land uses within the CHHA.	
CME.P.9.2.1.2	In order to continue to direct population away from the CHHA, the increase of densities of properties within the CHHA shall be discouraged from the time of this plan's adoption.	
CME.O.9.2.2	Evacuation Times. The City shall cooperate with Brevard County to ensure evacuation times are maintained or reduced and to ensure efficient evacuation of threatened residents to areas of safety in the event of a natural disaster.	
CME.P.9.2.2.1	In the event of a hurricane emergency the City will respond to the direction of the Brevard County Office of Emergency Management in the implementation of emergency plans. Coordinated emergency activities will include, but are not limited to warning, public information, communications, evacuation, public shelters and related welfare services.	
CME.P.9.2.2.2	The City will continue to require that development and redevelopment activities minimize the risks to life and property from natural disasters by evaluating the effects on evacuation times within the hurricane vulnerability zone.	
CME.O.9.2.3	Post-Disaster Redevelopment Plan. The City shall develop a post-disaster redevelopment plan (PDRP) to establish, at minimum, long-term policies regarding redevelopment, infrastructure, densities, nonconforming uses, and future land use patterns.	
CME.P.9.2.3.1	The City shall adopt a post-disaster redevelopment plan by 2014.	
CME.P.9.2.3.2	Appropriate redevelopment activities in the Coastal Planning Area will be conducted through means which will preserve and improve residential neighborhoods, eliminate unsafe conditions; identify, preserve, and improve historic resources and significant historic structures, sites, neighborhoods, and districts; preserve and improve natural resources; encourage recreational opportunities; and encourage appropriate commercial uses.	
CME.P.9.2.3.3	Guidelines for post-disaster redevelopment and hazard mitigation will continue to be developed and included in the City's land development regulations. These guidelines will be designed to reduce or eliminate the exposure of human life and limit repeat damage to public and private property due to hurricane hazards. The guidelines will incorporate Brevard County's Local Mitigation Strategies into recommendations on hazard mitigation and other applicable interagency reports, as well as applicable chapters of the City Code or articles thereof.	
CME.P.9.2.3.4	Post-disaster redevelopment will be coordinated jointly by the Community Development, Public Works, and Code Enforcement departments and, if applicable, with the Federal Emergency Management Agency. Priority will be given to those post-disaster tasks needed to protect the health and safety of the public, restore public services and repair damaged infrastructure.	
CME.P.9.2.3.5	The City shall continue to participate in the National Flood Insurance Program.	
CME.P.9.2.3.6	Procedures for post-disaster action shall include a system for distinguishing between immediate repair and clean-up actions needed to protect the public health and safety, versus long-term repair and redevelopment activities.	
CME.P.9.2.3.7	Reconstruction shall be required to meet current standards for coastal construction, so as to reduce future exposure.	
CME.P.9.2.3.8	Recommendations provided by local agencies and in interagency hazard mitigation reports will be reviewed as available and will be implemented as feasible.	
CME.O.9.2.5	Infrastructure in the Coastal Planning Area. Level of service standards and service areas for the City as a whole, as adopted in the Capital Improvements Element, will apply to the infrastructure within the coastal planning area.	
CME.P.9.2.5.1	Phasing of infrastructure will occur according to the Capital Improvements Element and in accordance with development regulations adopted subsequent to this plan with specific consideration given to protection of coastal resources.	

Citation	Statement	Applies to
CME.P.9.2.5.2	The level of service standards adopted in other elements of this Comprehensive Plan shall apply within the coastal planning area.	
CME.P.9.2.5.3	Consideration shall be given to alternative locations of infrastructure if located in the coastal high hazard area to reduce potential public losses.	
<b>Zoning Code</b>		
Art. XI. Sec.	All mobile homes located on masonry foundation and tied down per MHMA***Pertains to structures not related to natural resource protection, public access, recreation or coastline protection.	All areas
Art. XIII. Sec.	Established drainage must not be altered to adversely affect other property***	All areas
<b>Chapter 6, Buildings, Construction and Property Regulations</b>		
Ordinance 12-2014 Floodplain Management	The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.	All areas
<b>Cocoa Beach Building Code</b>		
P.2Ch.6Art.1	New or redevelopment set to grades to preclude flooding from excessive rain***	All areas
<b>Capital Improvement Plan</b>		
CIP	New hurricane hardened Police Station	Retrofit
CIP	New hurricane hardened City Hall	Retrofit
CIP	Minor swales. \$10,000 annually	Retrofit
CIP	Slipline pipes. \$20,000 annually	Retrofit
CIP	Dune restoration	Retrofit
CIP	Rehabilitation of Sewer Systems: The purpose of this program is to repair and rehabilitate the sewer collection system lines and alleviate inflow and infiltration to the lift stations and the wastewater treatment plant.	Retrofit
CIP	Minutemen Streetscape & Stormwater Improvement: The purpose of this project is to revitalize and green up the City's main street while providing storm runoff retention and treatment to protect both surface waterway and groundwater.	Retrofit
CIP	Downtown Low Impact Design (SWLID2): The purpose of this project is to revitalize and green up the City's Downtown District while providing storm runoff retention and treatment to protect both surface waterway and groundwater.	Retrofit
CIP	Downtown Low Impact Design (SWLID3): The purpose of this project is to revitalize and green up the City's Downtown District while providing storm runoff retention and treatment to protect both surface waterway and groundwater.	Retrofit
CIP	Project Completed- Constructed new hurricane hardened Public Works Buildings (used existing wastewater treatment plant emergency generator);	Retrofit
CIP	Project Completed- Constructed new hurricane hardened Fire Station with emergency generator	Retrofit
<b>Comprehensive Plan</b>		
FLUE.P.I.1.2	Higher density and intensity development shall be directed into those locations which have proper access to the existing transportation system, minimal environmental constraints, sufficient stormwater treatment capacity, compatible land uses, and readily available sewer and water infrastructure	All areas
FLUE.P.I.5.6	Development within areas subject to 100-year flooding due to soil conditions or hydrology shall not increase expected flood levels for adjacent properties or reduce receiving surface water body quality below established levels.	All areas

Citation	Statement	Applies to
FLUE.P.I.7.1	Development orders or permits for new development or redevelopment within the 100-year floodplain or coastal high hazard area shall be issued only after a finding that the proposed development or redevelopment complies with the building elevation requirements established on the Flood Insurance Rate Maps (FIRM's).	All Facilities
FLUE.P.I.7.4	Structures receiving damage from coastal storms or flooding in excess of 50% of their replacement cost at the time of the damage may be rebuilt to their original square footage and density, provided they comply with: (a) Federal requirements for elevation above the base flood elevation; (b) Building code requirements for flood-proofing; (c) Current building and life-safety codes; and (d) FDEP's CCCL requirements	All areas
FLUE.P.II.1.10	In the Downtown Area the City must encourage low impact design, as identified in the Downtown Cocoa Beach Community Redevelopment Agency (DCBCRA) Community Redevelopment Plan to improve stormwater management.	All areas
IE.P.VI-A.4.4	New Development requesting connection to the City's effluent system shall submit plans to the City's Utilities Department. The City has the right to deny service to new development if the addition of the new service will negatively impact the provision of service to the existing users of the effluent system.	All areas
HE.P.II.2.3	If greater than 25% of the residential structures in a neighborhood (but not less than five) are determined to be "substandard/deteriorated" or "substandard/dilapidated" (based on the standards identified in Policy II. 2.1), that neighborhood shall be considered to be in danger of deterioration, and the City will develop a plan for the stabilization of the neighborhood within two years of such determination.	All areas
HE.P.II.6.1	Because structural damages resulting from the repetitive coastal storms and flooding continually lower the value of the flooded properties, the City shall explore acquisition and relocation projects (with assistance from the State and federal governments) in severely flooded areas.	All areas
CME.P.III.4.6	The removal of dune vegetation and stabilization of submerged and exposed beach by artificial means other than replenishment with compatible sand shall be prohibited.	
CME.P.III.8.7	Structures suffering repeated damage to pilings, foundations or load-bearing walls shall be relocated landward of their present location, or modified as necessary to mitigate future storm damage.	
CME.O.III.5	To limit the expenditure of public funds that subsidize development permitted in coastal high hazard areas.	
CME.O.III.5.1	Publicly funded infrastructure shall not be constructed within the CHHA unless the expenditure is for: (a) Restoration or enhancement of natural resources or public access; (b) Retrofitting of stormwater management facilities for water quality enhancement (of runoff) or the construction of storm sewer outfalls; (c) Flood-proofing public facilities; (d) Development or improvement of public roads or bridges which are included in the Metropolitan Planning Organization's (MPO's) long-range plan, or will serve a crucial need by reducing or maintaining evacuation times; (e) A public facility of overriding public concern, as determined by the City Commission; (f) Reconstruction of a seawall that is essential to the protection of existing public facilities or infrastructure; or (g) Land application of treated effluent (irrigation) of public and private open spaces.	
CME.P.III.5.3	All new and improved public facilities constructed within the City shall be flood-proofed to minimize damage from flooding and coastal storms	
CME.P.III.7.3	The City shall designate no public shelters nor make plans to shelter any segment of the City's permanent or seasonal populations (including tourists) within the City of Cocoa Beach in the event of an approaching hurricane.	
CE.O.IV.4	To protect and conserve the natural functions of soils, rivers, floodplains and wetlands.	
CE.P.IV.4.1	The City shall require that appropriate methods of controlling soil erosion and sedimentation to help minimize the destruction of soil resources be used during site development and use.	

Citation	Statement	Applies to
CE.P.IV.2.16	The City shall implement a program of shoreline improvements and restoration on publicly owned or controlled riverfront lands, including:  (a) The creation or restoration of vegetated shorelines on public lands; (b) The removal of exotic invasive plant species from natural and filled shorelines; and (c) the replacement of rip-rap and seawalls with naturally sloped and vegetated shorelines	
<b>Indianalantic</b>		
<b>Code of Ordinances</b>		
Sec. 17-106.2 Prohibited Signs	All signs which will constitute a hazard or potential menace to life or limb or which will endanger public safety in any manner.	All Facilities
SEC.17-106.1 Signs	All signs shall be able to with stand the force of 130 MPH winds.	All Facilities
<b>Comprehensive Plan</b>		
	Mitigation expenditure for replacement of emergency generator for Town Hall for fiscal '15-- \$61,500	
	Storm drainage improvements for fiscal '16-- \$50,000	All Utilities
	Storm drainage expenditure for fiscal '15--\$71,129	All Utilities
CCME.P.1.4	Review stormwater management ordinance to insure Lagoon protection***	All areas
CCME.P.1.5	Participate in beach and dune renourishment programs***	All Facilities
CCME.P.1.9	Protect and conserve water recharge areas, beaches, marshes***	All areas
CCME.P.2.1	First priority for water-dependent uses shall be recreational facilities***	All areas
CCME.P.4.1	Only maintenance funds will be expended on infrastructure in CHHA***	All areas
FLUE.1.1	Adopt regulations for areas that flood, provide drainage***	All areas
FLUE.4.1	Educate residents to effects of fertilizer runoff and dumping of debris***	All areas
FLUE.4.4	Continue to use and enforce water shortage ordinance***	All areas
FLUE.5.1	Project evacuation impact of Town on overall Beaches evacuation plan***	All areas
IE. 2.1.3	Discharge of untreated stormwater runoff from new development is prohibited	All areas
IE. 4.3	Promote water conservation devices and evaluate need to require them***	All areas
IE.1.3	Supports water/sewer line improvement to reduce cost to environment***	All areas
IE.2.1.2	After stormwater study, adopt policies to reduce untreated runoff***	All areas
IE.4.1	Ensure all areas of Town have proper size water lines for fire protection***	All areas
IE.4.2	Ensure that all water lines are flushed to provide sediment free water***	All areas
IE.5.1	Encourage return water conservation from water-to-air units in older houses***	All areas
Policy 7.1	Drainage improvements of \$50,00 annually through 2018.	All Utilities
Policy 7.1	2009/10 FEMA \$26,250 plus general fund \$8750 for fire station bay door and window hardening.	Government Facilities Only
Policy 7.1	2010/11 \$40,000 from general fund for replacement of Town Hall emergency generator	All areas
<b>Indian Harbour Beach</b>		
<b>Building Code</b>		
BHC.Sec.109	Adoption of flood hazard boundary maps and flood insurance rate maps***	All areas
BHC.Sec.20-2	No unsanitary sewage, industrial waste, etc. shall be discharged into drain***	All areas
BHC.Sec.6-109	Intent and purpose to comply with Federal Flood Insurance requirements***	All areas
BHC.Sec.6-145	All new structures must comply with Coastal Zone Protection Act of 1985***	All areas
BHC.Sec.6-112	Water supply systems shall minimize infiltration of floodwaters***	All areas

Citation	Statement	Applies to
BHC.Sec.6-112	Construction/improvement lowest floor no lower than BFE or 6 1/2' above MSL***Applies to all new or substantial improvement of residential and non-residential construction. In all A zones, may be flood proofed in lieu of being elevated provided areas are watertight. Elevated buildings with foundation below BFE shall be designed for parking, access or storage.	All areas
BHC.Sec.6-145	Encroachments in floodways prohibited unless certified by engineer***	All areas
BHC.Sec.6-145	No variance will be granted if flood heights or safety are compromised***\$2,265,000 1998-99	All areas
BHC.Sec.8.5-3	No person shall intentionally cause the release of hazardous material***	All areas
<b>Capital Improvement Plan</b>		
CIE.P.C1-4.2	Developers must provide on-site facilities for sanitary sewer, water, etc.***	All areas
CIE.P.CI-5.1	Developers must provide sewer, drainage, lessening public expenditure***	All areas
CIE.P.CM-11.1	City requires developers to finance, install water, sewer lines, streets***	All areas
CME.P.CM-2.2	Enforce ordinances minimizing excess freshwater runoff, pollution sources***	All areas
<b>Comprehensive Plan</b>		
AR.P.AR-1.1	Regulate land use to protect functions of drainage and recharge***	All areas
CE.P.C-1.2	Prohibit non-permitted open burning of trash and debris***	All areas
CE.P.C-2.1	Enforce Stormwater Management Ordinance controlling runoff***	All areas
CE.P.C-2.5	Ensure that LDR require availability of potable water prior to development***	All areas
CE.P.C-5.2	Cooperate with all appropriate agencies in planning for hazmat problems***	All areas
CME.CM-4.4	No new construction permitted that threatens dune systems or beach***	All areas
CME.P.CM-3.1	Establish priorities for shoreline uses, standards for development***	All areas
CME.P.CM-3.2	Review, enforce hazard mitigation regulations related to building practices***	All areas
CME.P.CM-4.1	Monitor beachfront development to insure dune system preservation***	All areas
CME.P.CM-5.2	Require developers to install infrastructure***	All areas
CME.P.CM-6.1	City shall discourage development in coastal high-hazard areas***	All areas
CME.O.7	The City shall work toward reducing its local hurricane evacuation times based upon the most current Brevard County Emergency Management Plan.	All areas
CME.P.CM-7.4	City shall limit development that increases hurricane evacuation times***	All areas
CME.O.8	The City shall continue to improve its post disaster redevelopment plan which will reduce the exposure of human life and public and private property to natural hazards.	All areas
CME.P.CM-8.2	Post-disaster redevelopment planning based on reduction of risk to life***	Redevelopment
D.P.D-1.3	City shall control drainage of stormwater to minimize impact on system***	All areas
D.P.D-1.4	Control development of storm sewers to insure maintenance of canals***	All areas
D.P.D-2.2	Enforce stormwater management ordinance for runoff retention***	All areas
D.P.D-2.5	Determine feasibility of updating storm treatment facilities***	Retrofit
FLUE.P.LU-5.1	Continue to monitor density of developments, especially in high-hazard area***	All areas
PW.P.PW-1.2	Developers are required to install potable water distribution facilities***	All areas
PW.P.PW-2.2	Adopts Melbourne's LOS at 120 gallons per capita per day***	All areas
SS.P.SS-1.2	Developers required to install sewage collection facilities***	All areas
SS.P.SS-1.3	Septic tanks for new development are not permitted***	All areas
<b>Land Development Code</b>		
Sec. 101-24	Proposed development must provide for construction of stormwater system***	All areas
Sec. 101-27	Hazardous waste disposal systems adequately maintained for development***	All areas
Sec. 101-28	Fire protection systems adequate to serve needs of development***	All areas
Sec. 108-4	Specific prohibitions on development in wetlands***	All areas

Citation	Statement	Applies to
Sec. 108-5	Mitigation shall occur at ratio of 2:1 for replacement of wetlands***	All areas
Sec.101-25	Potable water service to be provided prior to CO issuance for development***	All areas
Sec.101-26	Wastewater collection, treatment and disposal available prior to occupancy***	All areas
<b>Malabar</b>		
<b>Capital Improvement Plan</b>		
IE.4-4.1.1	Require retention of open space for all development to preserve aquifer***	All areas
<b>Code of Ordinances</b>		
9.3.2	Minimize expenditure of public money for costly flood control projects.***Refers to alterations of isolated 100-year floodplain	All areas
9.3.6	...providing for the sound use and development of flood-prone areas...***	All areas
9.3.7	Ensure ... home buyers are notified that property is in a flood area.***	All areas
9.5	Basis for establishing areas of special flood hazard.***	All areas
9.5	Variances shall not be issued within any designated floodway ...***	All areas
9.5.11	The costs of providing gov. services during and after flood conditions...***	All areas
9.5.3	The susceptibility of the proposed facility ... to flood damage ...***	All areas
9.5.9	The safety of access to the property in times of flood ...*** Refers to alteration of isolated 100-year floodplains	All areas
9.91	General standards for all areas of special flood hazard.***	All areas
9.91	(1) Residential construction ... no lower than the base flood elevation...***	All areas
9.91.(3)b	Electrical, plumbing ... prohibited below the base flood elevation.***	All areas
9.91.(4)a	(4) Floodways ... Prohibit encroachments ...***refers to alteration of isolated 100-year floodplains	All areas
9.91.3	New construction ... shall be constructed ... resistant to flood damage.***Refers to alteration of isolated 100-year floodplains	All areas
9.91.4	New construction ... shall be constructed [to] ... minimize flood damage.***	All areas
9.93	... areas of special flood hazard...designated as shallow flooding areas.***Refers to alteration of isolated 100-year floodplains	All areas
9.93.1.a	All subdivision proposals shall ... minimize flood damage.***	All areas
9.93.1.b	All subdivision [utilities] ... constructed to minimize flood damage.***Excepting parks and recreation	All areas
9.93.1.c	... adequate drainage to reduce exposure to flood hazards.***	All areas
9.93.1.d	Base flood elevation data shall be provided for subdivision proposals ...***	All areas
III.1.3.3.1	Individual septic tanks ... must receive development orders ...***	All areas
III.1.3.3.3	Regulating Use of Septic Tanks and Wastewater Disposal Fields***	All areas
IV.1.4.1.1	stormwater/flood protection permits required for all development***	All areas
IV.1.4.1.4	Conserve and protect the natural environment ...***	All areas
IV.1.4.1.G	Flood Prone Land and Wetland Preservation...***	All areas
VIII.1.8.11	Surface water management permit application and review procedures.***Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas.	All areas
VIII.1.8.2	...responsible stormwater management and flood protection practices...***	All areas
VIII.1.8.5	Surface water management permit application and review procedures.***Ensure that potential home buyers are notified that property is in a flood area.	All areas
VIII.1.8.8	Additional stormwater management policy for flood hazard zones...***	All areas
VIII.1.8.8.1	Additional stormwater management policy for flood hazard zones...***	All areas
VIII.1.8.8.2	The velocity of the regulatory flood must not be adversely altered...***	All areas
VIII.1.8.8.5	The flood protection elevation shall be set for each project...***	All areas

Citation	Statement	Applies to
VIII.1.8.8.6	... lowest floor elevated to the flood protection elevation ...***	All areas
VIII.1.8.8.7	... lowest floor elevated to the flood protection elevation ...***	All Permit Applications
VIII.1.8.8.9	Sewage, potable water supply systems ... flood protection elevation.***	All areas
XVII.1.17.1	Requirements for Central Water Systems***The areas of special flood hazard identified by the Federal Emergency Management Agency in its report entitled "Flood Insurance Study for the Town of Malabar," dated March 17, 2014, with accompanying flood boundary-floodway map, and the flood insurance study including wave heights...	All areas
<b>Comprehensive Plan</b>		
CE.6-1.2.2	Agricultural activities shall not be conducted adjacent to waterways***	All areas
CE.6-1.2.3	New development in service area must connect to wastewater system***	All areas
CE.6-1.2.4	Requires new development to preserve shoreline vegetation and requires coastal preservation. 99% of Town coastline is "no build area"****	All areas
CE.6-1.2.7	Where non-potable water is available for irrigation must be used***	All areas
CE.6-1.4.1	No wetland development except passive recreation, open space, etc.***	All areas
Chapter 4 p. 4.6 Drainage Analysis	Install baffle boxes along lagoon	Required Retrofit Only
Chapter 4 p. 4.6 Drainage Analysis	Retrofit ditches	Required Retrofit Only
CME.5-1.1.1	Implement policies to protect the Indian River Lagoon***	All areas
CME.1.1.3	Incorporate criteria in land regs that no native vegetation be removed***	All areas
CME.5-1.1.1	Adopt wetlands protection ordinance to prohibit development***	All areas
CME.5-1.1.5	Coastal development shall not alter tidal flushing/circulation patterns***	All areas
CME.5-1.3.1	Town-funded public facilities shall not be built in CHHA***	All areas
CME.5-1.4.1	Incorporate policies to direct population concentrations away from CHHA***	All areas
CME.5-1.7.5	Structures receiving damage of more than 50% must meet current laws***	Redevelopment
FLUE.1-1.3.3	New industry shall not endanger groundwater quality or potable water supply***	All areas
FLUE.1-3.1	Management of land will be coordinated with natural systems, infrastructure***	All areas
FLUE.1-3.1.3	Development regs revised to regulate flooded areas, drainage, recharge***	All areas
FLUE.1-3.5.2	Land development code will protect Indian River Lagoon, drainage, recharge***	All areas
FLUE.1-3.5.5	Developer/owner responsible for managing on-site runoff***	All areas
FLUE.1-3.5.6	Potable water supply conserved by enforcing standards of development	All areas
HE.3-1.3.1	Prohibit structures including mobile homes not hurricane resistant***	All areas
IE.4-1.3.1	Septic tank and package treatment plants stay in service until centralized***	All areas
IE.4-2.1	Reconcile existing service deficiencies with coordinative projects***	All areas
IE.4-3.1.3	Town shall implement adopted master stormwater drainage plan***	All areas
IE.4-4.1.3	Amend stormwater regs to require runoff retention to recharge groundwater***	All areas
<b>Land Development Code</b>		
94-4Sec.IX.P	Proposed use shall not generate hazardous waste without approved	All areas
Or.94-3.Sec.	Residential sites in aquifer recharge area without central water, 2/u/acre***	All areas
Ord.94-3.Sec	Impervious surface ratio of 50% for single family residence and 50% open***	All areas
Ord. 2014-02	Amends Chap. 9 adopting flood hazard maps; designating floodplain administrator; adoption procedures and criteria for development on flood hazard areas; providing for definitions; adoption local administrative amendment to the Florida Building Code; amending section 6-1 of the codes of ordinances***	All areas

**Melbourne**



Citation	Statement	Applies to
<b>Building Code</b>		
IE.O1.P27	Acquire property to ensure proper maintenance of facilities on private land*** (e)Hazardous materials discharge shall be prohibited. No entity and/or individual shall discharge into any stream, lake, the ground, the air, the public sewer or stormwater management system, any hazardous materials defined in this section or which would be harmful or dangerous to persons, animals or	All areas
<b>Capital Improvement Element</b>		
CIE.O.1.2	Public expenditures that subsidize development in the coastal high hazard areas will be limited to those improvements that are consistent with the Future Land Use Element, Coastal Management Element and Conservation Element.	All areas
CIE.P.1.2.1	The City shall expend funds in coastal high hazard areas for the replacement and renewal of existing public facilities, consistent with this comprehensive plan.	All areas
CIE.P.1.2.2	The City shall continue to provide or require provision of recreational facilities within coastal high hazard areas as needed, consistent with this comprehensive plan.	All areas
CIE.P.1.2.3	The City shall continue to expend funds to maintain existing facilities and services at their existing capacity and level-of-service.	All areas
CIE.P.1.4.3	The City shall continue to maintain an inventory of any existing hazards within the City by using the hazards analysis and hazards mitigation criteria established within the Brevard County Comprehensive Emergency Management Plan and shall also identify any grant sources available to mitigate the hazards listed on the hazard inventory.	All areas
<b>Stormwater Projects</b>		
SW Improvements	North Riverview Dr. treatment \$150,000	Required Retrofit
SW Improvements	Beachside-drainage treatment \$50,000	Required Retrofit
SW Improvements	Dairy Road—Kanawha drainage improvements \$150,000	Required Retrofit
SW Improvements	TMDL treatment—SW Canal \$850,000	Required Retrofit
SW Improvements	North Sarno Retrofit1 \$250,000	Required Retrofit
SW Improvements	Retrofit stormwater devices— Olde Eau Gallie/Downtown Melbourne \$500,000	Required Retrofit
SW Improvements	S. Expansion Streetscape Phase I \$225,000	Required Retrofit
SW Improvements	Headwalls at Various Locations \$500,000	Required Retrofit
SW Improvements	Water Quality Master Plan \$1,250,000	All Areas
SW Improvements	Sherwood Park Water Quality \$500,000	Required Retrofit
SW Improvements	Eau Gallie Dam Demucking \$200,000	Required Retrofit
SW Improvements	Line Street Water Quality \$575,000	Required Retrofit
SW Improvements	House of Lights Quality Control Retrofit \$550,000	Required Retrofit
SW Improvements	Lime Street SW Quality Retrofit \$300,000	Required Retrofit
SW Improvements	Garfield St. North SW Quality Retrofit \$800,000	Required Retrofit
SW Improvements	Garfield St. South SW Quality Retrofit \$900,000	Required Retrofit
SW Improvements	Autumn Woods Quality Retrofit \$27,5000	Required Retrofit
<b>Water/Wastewater Projects</b>		
W/W Improvements	Replacement of 2", 4", & 6" water lines \$3,750,000	Required Retrofit
W/W Improvements	Construct 10" waterline to the Willows Subdivision \$40,000	New Construction
W/W Improvements	Additional high service pump at SWTP \$700,000	Required Retrofit
W/W Improvements	Construct a new 36" water transmission main from WTP to McGraw \$926,160	New Construction
W/W Improvements	Construct enclosure for filtration basins \$1,200,000	New Construction
W/W Improvements	Construct a north booster discharge main \$880,000	New Construction

Citation	Statement	Applies to
W/W Improvements	Relocate 20" water main around airport \$1,750,000	New Construction
W/W Improvements	Construct a 16" water main crossing the Indian River \$8,750,000	New Construction
W/W Improvements	Additional water storage facilities \$1,600,000	New Construction
W/W Improvements	Replacement odor control system \$1,500,000	Required Retrofit
W/W Improvements	Replace deteriorated sewer force mains \$8,750,000	New Construction
W/W Improvements	Install new D.B. Lee WRF gravity interceptor \$1,600,000	New Construction
W/W Improvements	Install new western lift station and force main to D.B. Lee WRF gravity interceptor \$1,500,000	New Construction
W/W Improvements	Renovate lift stations including installing permanent standby generators \$8,750,000	Required Retrofit
W/W Improvements	Install lift station #6 force main \$2,220,000	New Construction
W/W Improvements	Rehabilitate sewer lines \$8,138,200	Required Retrofit
W/W Improvements	Install new force main from western FM to Hibiscus gravity sewer \$1,375,000	New Construction
W/W Improvements	Grant St. WRF Reuse Improvements Phase 2 \$5,650,000	New Construction
W/W Improvements	Rehabilitate sanitary sewer manholes \$2,559,133	Required Retrofit
W/W Improvements	New lift station (Dairy Road location) \$675,000	New Construction
W/W Improvements	Facility improvements at Grant Street WRF \$6,800,000	New Construction
<b>City Code</b>		
II.12.41.3	Prohibit the placement of manufactured homes (mobile homes),...*** Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Section 50.52(6)(b), and the elevation standards of subsection (A)(1) above are met.	All areas
II.13.2.a	The flood hazard areas of the city ...***The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.	All areas
II.13.2.b	... occupancy in flood hazard areas by uses vulnerable to floods ...***The safety of access to the property in times of flood for ordinary and emergency	All areas
II.13.3.1	Restrict or prohibit uses which are dangerous to health, safety ...***The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.	All areas
II.13.3.2	Require that uses vulnerable to floods ...***Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.	All areas
II.13.3.3	Control the alteration of natural floodplains, stream channels ...***General standards for all areas of special flood hazard.	All areas
II.13.3.4	Control filling, grading, dredging and other development ...***New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.	All areas
II.13.3.5	Prevent or regulate the construction of flood barriers ...***New construction or Substantial improvements shall be constructed by methods and practices that minimize flood damage.	All areas
II.13.4.1	To protect human life and health...*** (1) Residential construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated no lower than the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection (3)	All areas
II.13.4.2	To minimize expenditure of public money for costly flood control projects***b. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation.	All areas

Citation	Statement	Applies to
II.13.4.3	To minimize the need for rescue and relief efforts associated with flooding*** (4) Floodways. Located within areas of special flood hazard established in section 9-5 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris and potential projectiles and has erosion potential, the following provisions shall	All areas
II.13.4.4	To minimize prolonged business interruptions***a. Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during	All areas
II.13.4.5	To minimize damage to public facilities and utilities ...***b. If subsection (4)a. above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this chapter.	All areas
II.13.4.6	... sound use and development of floodprone areas ...***All subdivision proposals shall be consistent with the need to minimize flood damage.	All areas
II.13.4.7	... potential home buyers are notified that property is in a flood area.***All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood	All areas
II.27.17	Uncontrolled drainage ... has a significant adverse impact upon the health***1. It shall be illegal and subject to the penalties provided herein for any person to construct, or arrange for, authorize, or participate in the construction of a development project within the incorporated area of the Town of Malabar without first obtaining a valid permit to construct either a stormwater management system (hereinafter referred to as a Type A Permit) or a flood protection-stormwater management system, when applicable, (hereinafter referred to as Type B Permit) pursuant to this ordinance.	All areas
II.27.17.7	Improperly managed storm water runoff ... flooding ...***When a development project is determined to be within a flood hazard zone according to the procedure set forth in Section 1-8.7(20)(a)--(e) [1-8.7(19)(a)--(e)], a Type B Permit shall be required and the project shall be reviewed under the criteria of Section 1-8.7 and must meet the following additional criteria:	All areas
II.27.17.9	Substantial economic losses result ...***When a development project is determined to be within a flood hazard zone according to the procedure set forth in Section 1-8.7(20)(a)--(e) [1-8.7(19)(a)--(e)], a Type B Permit shall be required and the project shall be reviewed under the criteria of Section 1-8.7 and must meet the following additional criteria:	All areas
II.27.18.12	To prevent damage from flooding ...***The velocity of the regulatory flood must not be adversely altered on any watercourse.	All areas
II.27.23.a.1	... storm water management systems shall be designed to prevent flood ...***The flood protection elevation shall be set for each project at the elevation of the regulatory flood plus one (1) foot. In "coastal high hazard zones," the flood protection elevation shall be established with consideration given to wind-drive wave action.	All areas
II.27.23.b.4	Runoff computations shall be based on the most critical situation ...***Residential buildings must have the lowest floor elevated to the flood protection elevation for that site.	All areas
II.27.23.b.5	All storm water management facilities ... a minimum of twenty-year life***Industrial, commercial or other non-residential buildings must have the lowest floor elevated to the flood protection elevation or be floodproofed as	All areas
IV.2.32.137.	... apply for and obtain a septic tank permit ...***G. Flood Prone Land and Wetland Preservation. In order to promote and preserve natural hydrological conditions and to preserve water recharge areas, water supply and water quality, and natural habitats, the following regulations shall be applied to	All areas
IV.2.32.182	Sanitary nuisances***1. Flood Prone Land. Construction in flood prone areas shall comply with the Town's flood plain management policies.	All areas
IV.2.32.186	Unlawful use of temporary wastewater treatment facility***The purpose of this surface water management policy is to protect the health, safety, and welfare of the citizens of the Town of Malabar; to implement those drainage objectives and policies found in the Public Facilities element of the Town's Comprehensive Plan; to ensure protection of land and improvements together with natural resources through the use of responsible stormwater management and flood protection practices; to ensure replenishment of the Town's surficial aquifer system and to provide a continuing usable water supply; and to ensure compliance with level of service criteria and concurrency management policies established in the Comprehensive Plan.	All areas

Citation	Statement	Applies to
XII.18.A	Mobile home parks ... efficient, economical and aesthetically pleasing ...***All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.	All areas
XII.18.A.a.1	The minimum size of the site to be developed for a mobile home park ...*** (d) All areas Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) which is greater than the lesser of fifty (50) lots or five (5) acres.	All areas
XII.18.A.a.8	All mobile home parks must be connected to public water and sewer lines.***Located within the areas of special flood hazard established in section 9-5 are areas designated as shallow flooding areas. ...	All areas
XX.a	SITE PLAN APPROVAL FOR MULTIPLE-FAMILY DWELLING DISTRICTS***Conserve and protect the natural environment including wetlands, natural habitat, drainage corridor, flood prone lands, and other environmentally sensitive lands; and ...	All areas
<b>Comprehensive Plan</b>		
FLUE.O.1.1	The City shall discourage and/or reduce urban sprawl.	All areas
FLUE.P.1.1.1	The City shall encourage infill development through the following mechanisms: <ul style="list-style-type: none"> <li>• The use of higher density/intensity and mixed-use land use categories in areas desirable for infill development;</li> <li>• The use of density bonuses or targeted redevelopment programs;</li> <li>• Prioritizing capital improvements funding in a manner that generally assigns first priority to the renewal, reuse and/or rehabilitation of existing facilities or the replacement of existing obsolete or worn out facilities as a preferred alternative to new construction when feasible</li> </ul>	All areas
FLUE.P.1.9.1	It is the intent of the "Conservation" land use category to provide for the long term protection and preservation of environmentally sensitive natural resource systems. The Conservation land use category is established for the long term management protection and preservation of publicly or privately owned lands that contain valuable natural resources such as wetlands, floodplains, aquifer recharge areas, and unique ecological habitat. If it is impractical to designate the area containing conservation resources as Conservation due to size, location, or other factors, the City shall have the option of obtaining a conservation easement from the property owner(s) to protect the area. Areas covered by a conservation easement shall be treated the same as areas designated as Conservation on the FLUM.	All areas
FLUE.P.1.9.2	No development is permitted within the Conservation land use category, except to support passive use and maintenance of the land. The City shall not permit development on properties designated as Conservation on the Future Land Use Map except as follows: natural resource land management activities, clearing and/or construction of walking trails; construction of boardwalks for direct access to water bodies; construction of wildlife management shelters, footbridges, observation decks and similar structures not requiring dredging and/or filling for their placement; and clearing and/or construction of electric utility, storm water management, water, or waste water infrastructure as needed to provide a public service.	All areas
FLUE.O.1.10	The Agriculture land use category accommodates single family dwelling units on large lots, agricultural uses, and supporting infrastructure and public facility uses. The maximum intensity for supporting infrastructure and public facility uses shall be .5 FAR. This land use category is intended for lands west of 1-95 which have been historically utilized or zoned for agricultural uses and those properties which can support estate sized residential uses. Lands designated as Agriculture on the FLUM are primarily associated with a greenbelt along the City's Western boundary. This greenbelt encompasses both historically active agricultural properties and conservation lands in an area east of the St. Johns River and Lake Washington. The greenbelt provides a protective buffer for Lake Washington, the City's principal source of potable water.	All areas

Citation	Statement	Applies to
FLUE.P.1.15.1	The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required: <ul style="list-style-type: none"> <li>• Limitations on development density and intensity;</li> <li>• Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site;</li> <li>• Limitations of building coverage or impervious surface coverage;</li> <li>• Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; and</li> <li>• Evaluation of proposed land use map amendments to ensure that they do not fail to protect natural resources.</li> </ul> Determination of the degree of protection required and the imposition of requirements to accomplish protection shall be part of the application and review process and may result in conditions on development approvals.	All areas
FLUE.P.1.15.4	The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns, and shall require appropriate stormwater management systems consistent with the adopted drainage level of service, natural drainage patterns, and topography and soil conditions.	All areas
FLUE.P.1.15.5	Flood plains and floodways shall be identified during the development review process and development shall be limited consistent with FEMA requirements.	All areas
FLUE.P.1.16.1	Proposed development, redevelopment, changes in zoning, and land use plan amendments shall be coordinated with the Brevard local mitigation strategy and the regional hurricane evacuation study.	All areas
FLUE.P.1.16.2	Development shall not be permitted seaward of the CCCL except where authorized by the appropriate state and federal permits. The development review process shall recommend or require the use of natural area and environmentally sensitive areas for conservation land use, based on the degree of protection required and, where possible, for passive recreation use through dedication of easement.	All areas
FLUE.P.1.16.3	Development within the CHHA, as depicted on the FLUM shall not exceed ten dwelling units per acre.	All areas
FLUE.P.1.16.4	Population densities in the CHHA shall be coordinated with the East Central Florida Regional Planning Council Hurricane Evacuation Study, as updated from time to time.	All areas
FLUE.P.1.16.5	The City shall implement the applicable recommendations of the Brevard Local Mitigation Strategy.	All areas
PSFE.P.1.3.7	The City of Melbourne, in conjunction with the School District and the municipalities within the City of Melbourne shall identify issues relating to public school emergency preparedness, such as: The determination of evacuation zones, evacuation routes, and shelter locations; the design and use of public schools as emergency shelters; the designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events.	All areas
IE.SSE.G.1	To develop, operate and maintain an environmentally sound, economically efficient wastewater collection, treatment and disposal system for meeting the current and future needs within the City's Urban Service Area.	All areas
IE.SSE.P.1.1.3	Continue to operate and maintain existing collection lines and transmission mains at their present size and capacity in conjunction with the ongoing maintenance, upgrading and expansion program.	All areas
IE.SSE.O.1.2	To correct existing facility deficiencies as needed and to prevent future facility deficiencies.	All areas
IE.SSE.P.1.2.3	If a sanitary sewer transmission line is located within 300 feet of a proposed development or redevelopment project, said project shall be required to connect to the public sanitary sewer system at the owner/developer's expense.	All areas

Citation	Statement	Applies to
IE.SSE.O.1.3	The City shall ensure that future demands can be met, while maintaining adequate capacity by designing and building the necessary wastewater facilities.	All areas
IE.SSE.P.1.3.7	Maintain the proper operation of the wastewater biosolids handling and disposal systems at the D.B. Lee and Grant Street WRFs.	All areas
IE.SSE.P.1.3.8	Continue to investigate those areas where septic tanks are in use within the planning area to determine the feasibility of providing collection/transmission lines for the central sewer system and encourage connection.	All areas
IE.SWE.P.1.1.4	Encourage safe disposal of hazardous waste.	All areas
IE.SWE.P.1.1.5	Promote proper disposal of bio- hazardous waste.	All areas
IE.SWE.O.1.2	To continue to ensure that adequate landfill facilities are available for disposal of solid waste collected within the Melbourne Planning Area, through cooperative and supportive actions where appropriate.	All areas
IE.DE.G.1	To provide a safe, environmentally sound stormwater management and drainage system within the Melbourne Planning Area.	All areas
IE.DE.O.1.1	To continue to provide stormwater management and drainage facilities to accommodate runoff from frequently occurring and seldom occurring storm events; the City's annual work program and development regulations will be used to accomplish this objective.	All areas
IE.DE.P.1.1.1	Maintain and enhance existing and develop new minor drainage systems for handling runoff from frequently occurring (e.g., two-, five- and ten-year) storm events consistent with the Future Land Use Element	All areas
IE.DE.P.1.1.2	Similarly maintain existing and develop new major drainage systems and regulated floodways for handling seldom occurring (e.g., 25- and 100-year) storm events.	All areas
IE.DE.P.1.1.3	Ensure that all stormwater management and drainage facilities comply with existing City, State and Federal stormwater management ordinances and regulations.	All areas
IE.DE.P.1.1.4	Establish design and operational criteria for all drainage facilities, based on the Engineering Design Standards and Procedures Manual.	All areas
IE.DE.P.1.1.5	The level of service (LOS) standards for the Drainage system facilities developed within the City of Melbourne's USB shall be as follows: <ul style="list-style-type: none"> <li>• Ensure that all new detention facilities are designed to handle at least the 25-year/24-hour storm event as a minimum requirement in accordance with the City's Stormwater Ordinance.</li> <li>• Using the development approval process, ensure that all retention facilities are designed to handle at least the first inch of runoff from impervious surfaces and the runoff from the first inch of rainfall over natural surfaces, as a minimum.</li> </ul>	All areas
IE.DE.P.1.1.6	Via the land development regulations, require design of drainage systems which protect the functions of natural groundwater recharge areas and natural drainage features, and which maintain or enhance groundwater quality.	All areas
IE.DE.P.1.1.7	Acquire property or easements to ensure continued proper maintenance of systemwide drainage facilities located on privately owned lands.	All areas
IE.DE.P.1.2.1	Adopt interlocal agreements or take other multi-jurisdictional initiatives to evaluate proposals addressing drainage areas that extend across jurisdictional boundaries.	All areas
IE.PW.O.1.4	To coordinate expansion of potable water facilities to meet future needs without contributing to urban sprawl.	All areas
IE.PW.P.1.4.3	Ensure that any extension of the distribution system does not contribute to urban sprawl.	All areas

Citation	Statement	Applies to
IE.PW.P.1.4.6	The City will ensure adequate water supplies are available to serve new projects prior to the issuance of a development order.	All areas
IE.RE.P.1.1.1	Prohibit uses that would be detrimental to the recharge area. Prohibited uses include: disposal of liquefied petroleum products or hazardous substances, underground storage of liquefied petroleum products or hazardous substances, automotive and marine repair facilities, automotive impounding yards, automotive and marine paint and body shops, solid waste disposal activities, new sanitary sewage treatment plants, including privately owned package plants and septic systems.	All areas
IE.RE.P.1.1.1	Limit the amount of lot coverage in surficial aquifer recharge areas to ensure an adequate quantity of water for recharge. The maximum allowable impervious surfaces in these areas shall be 65 percent.	All areas
CME.O.1.1	The City shall continue to protect, conserve and enhance wetlands, living marine resources, coastal barriers, and wildlife habitat by limiting impacts of development or redevelopment.	All areas
CME.P.1.1.13	The City shall support and coordinate with the St. Johns River Water Management District, the Department of Environmental Protection, the Army Corps of Engineers, and/or any other regulatory agency having jurisdiction in order to conserve, enhance, and protect coastal wetlands.	All areas
CME.O.1.3	The City shall protect beaches and dunes by enforcing coastal construction standards that minimize the impacts of manmade structures on beach and dune systems; and require the restoration of altered beaches and dunes, as needed.	All areas
CME.P.1.3.1	Ensure compliance with the Florida Department of Environmental Protection (DEP) Coastal Construction Control Line (CCCL) regulations that require location of construction a sufficient distance landward of the beach to permit natural shoreline fluctuations and to preserve dune stability. Construction may occur to the extent that the natural storm buffering and protection	All areas
CME.P.1.3.2	Retention of existing dunes is required. New construction must be designed to avoid impacts to the dunes, and will be restricted to areas landward of the primary dune line.	All areas
CME.P.1.3.3	New construction in coastal areas where dunes have already been damaged or destroyed is required to restore those dune areas.	All areas
CME.P.1.3.4	The City will encourage activities that protect and rebuild coastal dunes. This action will be accomplished by supporting the activities of private and public agencies (for dune restoration purposes).	All areas
CME.P.1.3.5	The City shall continue to cooperate with Brevard County, the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection to re-nourish public beaches.	All areas
CME.P.1.3.6	New access to the beach will be confined to elevated structures, subject to Florida Department of Environmental Protection approval and compliance with ADA requirements.	All areas
CME.P.1.3.7	Motorized vehicles shall be prohibited from operating on dune systems, except in emergency situations.	All areas
CME.P.1.4.2	Industrial uses along any waterfront in the City shall be discouraged and shall only be permitted for uses that are water- dependent and conform to performance criteria established in the land development code.	All areas
CME.O.1.5	The City shall use the capital improvements program and annual budget to limit public expenditures that subsidize development in the coastal high hazard area, except for restoration or enhancement of natural resources.	All areas
CME.P.1.5.1	The use of local funds to subsidize new development in the coastal high hazard area shall be prohibited.	All areas
CME.P.1.5.3	Public funds may be expended for infrastructure improvements in cases where a threat exists to the public health, safety or welfare. Such improvements may involve infrastructure necessary to ensure adequate hurricane evacuation, clean drinking water, proper sanitary sewage collection and disposal, and proper stormwater management. The annual budget process and the development review process will be used to assess the appropriateness of the proposed public expenditures.	All areas



Citation	Statement	Applies to
CME.O.2.1	The City shall continue to direct population concentrations away from the coastal high-hazard area, through implementation of the future land use map and through the development review and approval process.	All areas
CME.P.2.1.1	The City shall restrict residential densities for development within the coastal high-hazard areas to ten units per acre, except for the 160-unit Beach Club Condominium complex that is constructed at a density of 14.95 dwelling units per acre. This property is located on the south side of Eau Gallie Boulevard, approximately 2,150 feet west of SR Al A.	All areas
CME.P.2.2.1	Residential densities and the intensity of employment centers on the barrier island shall be limited through the Future Land Use Element and development regulations, to protect the ability of evacuation routes to efficiently handle projected traffic.	All areas
CME.P.2.2.2	The City shall continue to examine the future land use pattern within the CHHA to protect the ability of evacuation routes to efficiently handle projected traffic.	All areas
CME.P.2.2.3	For dense residential developments such as apartments and condominiums outside the coastal high hazard area, the City shall encourage the construction of on-site shelters for the project residents that would meet safety standards to withstand up to a Category 4 or Category 5 hurricane.	All areas
CME.P.2.2.4	The City shall continue to work with Brevard County to ensure efficient evacuation procedures are implemented and upgraded as needed for timely evacuation.	All areas
CME.P.2.2.5	The City shall continue to work with Brevard County and the Red Cross to develop an on-going public education program to notify the public as to the necessity to evacuate as quickly as possible.	All areas
CME.P.2.2.6	The City shall participate in Brevard County's disaster related exercises.	All areas
CME.P.2.3.2	Procedures for post-disaster action shall include a system for distinguishing between immediate repair and clean-up actions needed to protect the public health and safety, versus long-term repair and redevelopment activities.	All areas
CME.P.2.3.3	Reconstruction shall be required to meet current standards for coastal construction and dune protection and restoration, so as to reduce future exposure.	All areas
CME.P.2.3.4	Recommendations provided by local agencies and in interagency hazard mitigation reports will be reviewed as available and will be implemented as feasible.	All areas
CME.O.2.6	The City shall prohibit inappropriate uses and mitigate the flood peril to existing and planned development in coastal areas that are at a high risk of flooding due to storm surge, high tide events, stormwater runoff, flash floods, and sea level rise.	All areas
CME.P.2.6.1	The City shall continue to require that construction seaward of the Coastal Control Construction Line is consistent with Chapter 163, Florida Statutes.	All areas
CME.P.2.6.2	The City will continue to participate in the National Flood Insurance Program Community Rating System to diminish flood losses and to attain flood insurance premium discounts for Melbourne residents.	All areas
CME.P.2.6.3	The City will continue to enforce the requirements of the current edition of the Florida Building Code and the federal flood plain management regulations to ensure that new development in high risk areas is designed and constructed to minimize flood damage. Such development requirements include the use of flood resistant materials, requiring higher minimum floor elevations, etc.	New Construction
CME.P.2.6.4	By 2020, the City shall undertake a study to evaluate options regarding the establishment of Adaptation Action Areas (AAAs) in municipal locales that experience coastal flooding due to high tide events, storm surge, and the related impacts of sea level rise. The study will examine the areas shown on Map VI-7 (2060 Sea Level Rise) that are vulnerable to coastal flooding and	All areas

Citation	Statement	Applies to
	identify needed adaptation measures and infrastructure improvements to improve resiliency in these areas.	
CME.P.2.6.5	The City will continue to assess risks to life and property within coastal areas and implement appropriate development and redevelopment strategies to reduce such risks.	All areas
CME.P.2.6.6	The Coastal High Hazard Area (CHHA) is defined as the area below the elevation of the Category 1 storm surge as defined by the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) model. The City will continue to restrict maximum residential densities in this area. The CHHA is depicted on Map VI-3.	All areas
CME.P.2.6.7	Sea level rise, as projected by the National Oceanic and Atmospheric Administration, will be considered in future decisions concerning the design and location of new infrastructure and public facilities in areas at risk for coastal flooding.	Public Facilities
CME.P.2.6.8	The City is actively acquiring over two miles of property adjacent to the Indian River Lagoon for use as waterfront open space and a linear park. The City will continue to investigate the feasibility of acquiring land adjacent to the Indian River Lagoon and its tributaries, where such areas could provide open space, visual access, or provide passive recreational opportunities.	All areas
CME.P.2.6.9	The City shall provide safe and adequate evacuation capabilities by cooperating and coordinating with the Florida Department of Transportation and Brevard County to facilitate movement over state and county roads during emergencies.	All areas
CME.P.2.6.10	The City shall cooperate with state, regional, and county agencies to maintain or reduce hurricane evacuation times and work with Brevard County to ensure suitable hurricane shelter space.	All areas
CE.P.1.1.1	The City will continue to utilize its development regulations in conjunction with this element to encourage preservation, protection, enhancement and conservation of those areas which have limitations or are environmentally sensitive, such as wetlands, flood hazard areas or areas with severe soil limitations.	All areas
CE.P.1.3.10	The owner/developer of all development in the City of Melbourne which requires formal site plan approval, including, but not limited to, any platting of land shall be required to perform an environmental impact assessment. If the assessment, which must be done by a qualified professional, indicates the presence of any protected species or critical habitat which supports such species, no final development order shall be issued until the regulating agency (Department of Interior, St. Johns River Water Management District, Florida Game and Fresh Water Fish Commission or other regulating agency) has reviewed the environmental assessment and indicated what requirements, limitations or restrictions must be imposed. Those stipulations and/or management plans recommended by the applicable regulatory agency or agencies will be included in the City's development order.	All areas
CE.P.1.4.4	The City will continue active participation in the Federal Flood Insurance Program.	All areas
CE.P.1.6.2	The City will make every effort to protect the primary recharge areas in the coastal ridges from adverse development or other activities which would destroy their natural function.	All areas
CE.P.1.6.3	The City will encourage preservation and maintenance of secondary recharge areas to enhance their recharge potential.	All areas
CE.P.1.6.4	The City will encourage diversion of stormwater runoff to recharge areas whenever feasible rather than discharge the runoff to surface water bodies.	All areas
CE.P.1.7.1	The City will require management of stormwater runoff to prevent diminished water quality, flooding, loss of groundwater recharge, soil erosion, sedimentation in receiving surface waters and lowering of the water table.	All areas
1.7.3	The City will encourage the use of best management practices to maintain swamps, marshes, flood plains and other wetlands for stormwater management.	All areas

Citation	Statement	Applies to
CE.P.1.7.4	The City will ensure that new developments are designed to minimize, to the greatest degree practicable, changes in the quantity, quality, rate and temporal characteristics of stormwater discharge; the amount of impervious surfaces will be kept to a minimum through open space requirements. Parking spaces, for example, will be kept to a minimum in both quantity and size.	All areas
CE.P.1.7.5	The City will ensure that retention areas are designed and located to maximize their effectiveness for flow attenuation and aquifer recharge; to minimize the need for channelization; and to provide for greater safety and reliability.	All areas
CE.P.1.7.6	In developed areas, the City will encourage the use of retention and detention areas for flow attenuation and aquifer recharge as alternatives to expansion of existing drainage facilities.	All areas
CE.P.1.7.7	The City will continue to enforce the surface water runoff control ordinance, and will provide for maintenance of stormwater management facilities as part of its stormwater management program.	All areas
CE.P.1.7.9	The City has established a Stormwater Utility Fund which serves as a revenue source for projects that prevent localized flooding and addresses environmental issues related to stormwater runoff.	All areas
CE.O.1.9	To provide effective flood plain management to prevent loss of flood storage capacity and protect property.	All areas
CE.P.1.9.1	Stormwater management plans for new developments must provide on-site storage capacity equal to conditions for a 25- year, 24-hour storm. Runoff rates and volumes resulting from the project, in excess of existing rates and volumes, shall be accommodated on-site.	All areas
CE.P.1.9.2	Central water and sewer must be available for development to occur in flood plain areas in order to avoid health problems associated with wells and septic tanks in such areas.	All areas
CE.P.1.9.3	Flood plain management efforts will be coordinated with the county to avoid contradictory standards and promote health, safety and welfare.	All areas
CE.P.1.12.1	The continuation of the comprehensive planning process which includes review by SJRWMD for any development project containing a wetland larger than 1/2 acre. The protection of wetlands shall be accomplished through the use of the Comprehensive Plan, including the Future Land Use Map, and shall take into account the type, intensity or density, extent, distribution and location of allowable land uses and the types, values, functions, sizes, conditions and locations of affected wetlands. Land uses that are incompatible with the protection of wetlands and wetland functions shall be directed away from such areas. Land uses compatible with wetland areas shall include approved passive recreation, open space, restricted access to the property (where unavoidable and kept to minimum width), nature preserve or other similar land uses. All other uses shall be directed away from wetlands. The City shall ensure that the following measures are taken when assessing activities that may result in impacts: avoidance of wetland impacts; minimization of wetland impacts; and compensation for wetland impacts through mitigation. If the City determines direct impact upon wetlands cannot be avoided, the following mitigation measures shall be applicable: All mitigation must comply with federal, state, regional, and local agencies; Impacts must be minimized by the appropriate design measures; and; The mitigation measures are consistent with other policies of the comprehensive plan and the terms of any mitigation plans approved by SJRWMD and/or other regulatory agencies.	All areas
CE.P.1.12.2	Future land uses that are incompatible with the protection of wetlands and wetland functions will be directed away from wetland areas through the site plan review process. All developments requiring a formal site plan, preliminary plat, or other development proposed on property identified as containing a wetland shall submit an environmental impact assessment at the time of application.	All areas

Citation	Statement	Applies to
CE.P.1.12.3	Where there are sufficient uplands on an existing parcel of land or lot of record (at the time of plan adoption) to locate the proposed development, such development shall be located on the uplands. The City may allow the transfer of development rights at the future land use densities established on the future land use map, from the wetlands to the upland portion of the site. The transfer of density may occur provided other plan provisions regarding upland and floodplain resource protection, compatibility of adjacent land use, stormwater management and setbacks, etc. are met. Any mitigation plan approved shall be consistent with Policy 1.12.1 of this Element.	All areas
CE.P.1.12.4	Where sufficient uplands do not exist to avoid a taking, development in the wetlands shall be restricted to a residential use with a maximum density of one unit per five acres. Any mitigation plan approved shall be consistent with Policy 1.12.1 of this Element.	All areas
CE.P.1.12.5	Prior to construction, all necessary permits must have been issued by the Florida Department of Environmental Protection, the St. Johns River Water Management District and/or the U.S. Army Corps of Engineers, as required by the agency or agencies having jurisdiction.	All areas
CE.P.1.12.6	Future development projects west of 1-95 shall be monitored through the site plan review process to ensure the protection of wetland areas.	All areas
CE.P.1.12.7	In order to prevent development from having adverse impacts to existing wetlands, a vegetated buffer strip shall be created or, where practicable, retained in its natural state along the banks of all watercourses, water bodies or wetlands. The width of the buffer shall be sufficient to protect wetlands from the impacts of development, prevent erosion, trap the sediment in overland runoff, provide access to the water body and allow for periodic flooding without damage to structures. For wetland areas east of 1-95, a buffer width of not less than 15 feet shall be required. For wetland areas west of 1-95, the buffer width shall not be less than 30 feet.	All areas
ROSE.O.1.2	To preserve, maintain and enhance on an ongoing basis the aesthetic and recreational qualities of open space within and surrounding the City of Melbourne through passive parks, passive areas in active parks and scenic corridors.	All areas
ROSE.P.1.2.1	The appropriate use of the land in flood plain and waterfront areas will be encouraged and the protection of natural areas will be promoted through development regulations.	All areas
<b>Land Development Regulations</b>		
III.13.80.c	Wind Speed Zones....Hereby Established...	All areas
III.13.80.f(1),(2)	The Following Administrative Amendments.... Elevation Requirements...Coastal A Zones....AO Zones...	All areas
IX.13.150.b	The Provisions of This Floodplain Management Code... Development Wholly or Partial In Any Flood Hazard ....	All areas
IX.13.150.c	Purpose of Floodplain Management Code....Minimum Requirements To Safeguard The Public Health, Safety, and General Welfare	All areas
IX.13.150.c (1-8)	Disruption of Commerce...Prevent or Minimize Future Flooding...Manage Alteration of Flood Hazard Areas... Minimize Damage To Private and Public Utilities... Stable Tax Base... Minimize Future Expenditure... Meet Requirements of NFIP	All areas
IX.13.151.c	FIS for Brevard County.... File at the Office of The City Building Official	All areas

Citation	Statement	Applies to
IX.13.153.c(1-8)	Floodplain Administrator....Review Application And Plans... Interpret Flood Area Boundaries....Provide Available Flood Elevation and Hazard Information... Reasonably Safe From Flooding...Issue Floodplain Development Permits....Building And Structures	All areas
IX.13.162	In Floor Hazard Area Comply With Applicable Provisions Pursuant To The Requirements of NFIP....Structures Exempt From FBC Meet Requirements of Floodplain Management Code	All areas
IX.13.168	Site Plans and Construction Documents	All areas
IX.13.174	Inspect Buildings... Exempt From FBC	All areas
IX.13.176	Final Inspection .... Submit a Final Certification of Elevation of The Lowest Floor	All areas
<b>Melbourne Village Comprehensive Plan</b>		
IE.4-4.1.1	Incorporate regulations to retain open space for all new development to preserve water	All areas
IE.4-1.1.4	Adopt LDR's re: potable water and wastewater consistent With land use	All areas
IE.4-1.3.1	Existing package plants and septic tanks OK until centralized available-	All areas
FLUE.1-1.1.2	Regulate areas of flooding, protect aquifer recharge and wellfields	All areas
CE.P5125	Require retention of open space for development to protect surficial areas	All areas
IE.4-3.1.1	Town shall develop buffer zone requirements for areas adjacent to drainage	All areas
IE.4-1.3.4	On-site wastewater treatment systems must comply with current standards-	All areas
IE.4-3.1.2	Town shall revise stormwater management and floodplain regulations based on plan	All areas
IE.1-1.1.6	Land development regs to Include protection of wetlands	All areas
CE.P5122	Agricultural activities shall not be conducted next to existing waterways	All areas
FLUE.1-1.5.6	Potable water supply shall be conserved by enforcing standards	All areas
<b>Melbourne Beach Capital Improvement Plan</b>		
SWI	Project Complete- In Basin 4, the Recipient will install bioretention swales, traditional swales, and curb inlet baskets with associated piping. In Basin 11, the Recipient will install a nutrient separating baffle box in the area upstream of the Driftwood Avenue outfall to the Indian River Lagoon. The project includes replacement of two roadway inlets and approximately 25 linear feet of pipe along Driftwood Avenue.--\$457,306.	Redevelopment
SWI	Project Complete- Improvements to Basins 6, 7, and 8, including 500 linear feet of shallow roadside swales, two nutrient separating baffle boxes, three curb inlet baskets, and 40 linear feet of exfiltration pipe. Also includes 1100 linear feet of stormwater pipe and associated structures and regrading 300 linear feet of First Avenue.--\$470,000	Redevelopment
SWI	Project Complete- Improvements to Basin 2 on Hibiscus Trail and Riverside Drive. The project includes one nutrient separating baffle box, one FDOT Type P4 Curb Inlet, 100 linear feet of new stormwater pipe, and replacement of 340 linear feet of CIPP.--\$190,000	Redevelopment
SWI	Project Complete- Previous work in Basins 1 & 9--\$525,354	Redevelopment
SWI	Project Complete- Work performed is in Basins 4, 6, 7, 8, 9, and 11. Town to improve stormwater conveyance in an effort to alleviate past flooding issues in the basins. The majority of the improvements are along the Pine Street and Riverside Drive corridors; both of which are routes to evacuate the beachside communities. This also includes grant above in total grant amounts.--\$2,381,054	Redevelopment
SWI	Project Complete- DESIGN ONLY for drainage improvements in the vicinity of Pine, First and Second Ave.--\$41,500	Redevelopment
<b>Comprehensive Plan</b>		

Citation	Statement	Applies to
2	Dune traffic is prohibited***	All areas
3	New or reconstruction must retain first 1/2' runoff***	All areas
4.1	Upon completion of stormwater study, weirs and sediment traps installed***	All areas
5	Protect natural drainage functions with controlled grading, rate, direction***	All areas
7	Low volume plumbing fixtures required for new construction***	All areas
CIE.3.3	Development requiring public facility improvements bear the costs***	All areas
CMCE.P.10.1	Infrastructure improvements only for existing developed areas***	All areas
CMCE.P.2.1	Develop ordinances to prohibit pedestrian and/or vehicular traffic on dunes***	Retrofit
CMCE.P.3.2	Complete drain and storm management study***	All areas
CMCE.P.7.1	Infrastructure to serve new construction will be available as needed***	All areas
CMCE.P.8.1	Require low volume plumbing fixtures on new construction***	All areas
FLUE.7.0	Insure construction consistent with requirements for flood-prone areas***	All areas
IE.P.95	Require retention and treatment of first 1/2" stormwater for construction***	All areas
IE.P.96	Amend codes to require use of low volume plumbing fixtures for new building***	All areas
<b>Land Development Code</b>		
ART.IX.10A-7	Detention/retention systems designed to conform with SJRWMD specifications***	All areas
ART.IX.10A-8	Best management practices shall be used to retain sediment on site***	All areas
ART.IX.11A-4	Any activity impairing function of wetlands is prohibited***	All areas
ART.IX.11A-4	Residential, commercial, industrial, etc. uses prohibited with exceptions***	All areas
ART.IX.4A-94	New construction and substantial improvements shall be anchored***	All areas
ART.IX.5A-4	No major structures constructed seaward of coastal setback line***	All areas
<b>Palm Bay</b>		
<b>Capital Improvement Plan</b>		
INF-1.1	Updated sanitary sewer master plan adopted***Applies to subdivisions of less than one acre.	New Development/ Construction Only
<b>Comprehensive Plan</b>		
CE.2.1E	Protect remaining natural retention areas in city***	All areas
CE.2.1I	Develop surface water management plan to abate surface water pollution***	All areas
CE.2.1L	Develop criteria to keep hazmat out of ground and surface water***	All areas
CE.2.1Q	Establish and overlay zone for areas prone to erosion and sedimentation***	All areas
CE.3.1E	Develop regs to limit percent of impervious surfaces in recharge areas***	All areas
CE.3.1F	Development in recharge areas must maintain level of groundwater recharge***	All areas
CE.3.1K	Require hookup of sanitary sewer when it becomes available***	All areas
CE.4.3A	Develop program to protect wetlands covering 5+ acres from development***	All areas
CIE.-1.2	City has not funded any infrastructure in high hazard coastal areas***	All areas
CIE-1.2	City shall not subsidize development beyond those identified in CZME plan***Four additional sites being acquired.	All areas
CME.1.1G	City will work toward acquiring vacant shoreline***	All areas
CME.1.3B	City will operate public facilities to avoid detrimental impact on water***	All areas
CME.1.3C	Develop regs to require vegetated buffer zones along Indian River***	All areas
CME.1.3E	Marinas required to provide sewage pumpout and treatment facilities***	All areas
CME.1.6A	Developer must provide infrastructure if not served now with public type***	All areas

Citation	Statement	Applies to
CME.1.6B	Post-disaster redevelopment plans to include public expense analysis***	All areas
CMZ-1.3	LDR's adopted to prevent degradation of water quality in coastal zone***	All areas
CON-2.1	Adopting stormwater management plan to improve water quality***	All areas
CON-2.2	Floodplain management ordinance adopted and updated***	All areas
CON-4.2	Pilot erosion More than 125 acres of sensitive land has been acquired since 1988***	All areas
CON-4.3	35 acres of wetland habitat was acquired by city and preserved***Use may not adversely impact wellfields, aquifer recharge areas or other conservation	All areas
CON-4.5	control project completed to reduce rate of soil erosion***	All areas
CZM.1-5	Fire Dept. implemented revised emergency plan re: evacuation, sheltering***	All areas
CZM-1.3E	Require marinas to provide sewage pumpout and treatment facilities***	All areas
CZM-1.4	LDR's adopted addressing flood protection and shoreline stabilization***	All areas
CZM-1.5A	City requests appropriate agencies to have emergency power in shelters***	All areas
FLU-1.1	LDR's to provide stormwater/flood protection, protect wellfields adopted***	Redevelopment/ Reconstruction Only
FLU-1.1.B	Include in LDR's that development permitting will not cause drop in LOS***	All areas
FLU-2.1C	LDR's amended to protect sensitive areas, mitigate flood hazards***	All areas
FLU-2.2	Subdivision code adopted to require water and sewer services***	All areas
FLU-2.2E	Assess impact of development on evacuation times prior to approval***	All areas
FLU-5.1H	City shall design services, facilities to mitigate environmental impacts***	All areas
FLU-5.1J	Amend ordinance to require developers maintain common facilities***	All areas
FLU-6.1	LDR's adopted addressing floodplains, wetlands, wellfields, conservation***	All areas
FLU-6.1B	Modify LDR's to protect and preserve wetlands***	All areas
FLU-6.1C	Adopt LDR's to protect aquifer recharge areas and potable water wellfields***	All areas
FLU-6.1G	Develop a conservation district to protect sensitive lands, recharge area***	All areas
FLU-6.1A	Land use decisions to be based on support capability of environment***	All areas
FLU-6.1A	Adopt LDR's to provide stormwater, aquifer, and flood protection***	All areas
ICE-1.4	Four shoreline sites acquired for preservation and conservation***	All areas
INF-1.3E	Permits shall not be issued until sewer/water facilities meet LOS standards***	All areas
INF-3.1C	City shall establish water quality characteristics for runoff and discharge***Developer to mitigate projected reductions in these times.	All areas
INF-3.1H	City shall develop urban stormwater runoff monitoring program***	All areas
INF-4.2B	City shall study feasibility of using water from canal system drinking***	All areas
INF-4.3D	Permits shall not be issued until water facilities meet adopted LOS***Includes roads and drainage	All areas
INF-4.4H	Adopt LDR's to encourage large water users to use lowest acceptable quality***	All areas
INF-4.4I	Adopt LDR's which encourage most efficient irrigation methods***	All areas
TCE-1.2F	Transportation improvements shall include environmental impact analysis***	Development/ Construction Only
<b>Land Development Code</b>		
170.116-117	Prohibits fencing or walls upon easements, drainage or street right-of-way***	All areas
174	Floodplain permit required prior to any development activities***	All areas
174.036(A)(3)	New construction and substantial improvements anchored to prevent flotation***	All areas
174.033(c)	Manufactured homes shall be anchored to prevent flotation, collapse***	All areas
174.036(A)(4)	New construction and substantial improvement use flood resistant materials***	All areas



Citation	Statement	Applies to
174.036(A)(1)	New construction/substantial improvements use methods to minimize damage***	All areas
174.036(A)(5)	Mechanical, plumbing and electrical above design flood elevation***	All areas
Chapter.180.	City may remove from its property trees or limbs unsafe to public utilities***	All areas
Chapter.181.	Watering/irrigation of plants, yards, limited to 7-9 a.m. and 7-9 p.m.***	All areas
Chapter.186.	No communication towers at height or location that toppled would block evacuation***	All areas

### Palm Shores Building Code

Section 16-1	Water supply systems designed to minimize infiltration of flood waters***	All areas
Section 16-9	Drainage swales shall be designed to carry storm runoff, be easily maintain***	All areas

### Capital Improvement Plan

5. Miller Cove Drainage Improvements	Clean out drainage ditch on the south side of Miller Cove RD and replace pipes as necessary. 2012-13 \$15,000.	Redevelopment/ Reconstruction Only
Road Paving Project	Grading and paving approx. 800 feet along with drainage improvements. 2011-12-- \$50,000	Redevelopment/ Reconstruction Only

### Comprehensive Plan

CE.1.2	Open burning of materials will be restricted***	All areas
CE.2.2	Adopt measures to protect quality and quantity of water***	All areas
CE.5.1	Activities known to adversely affect water quality/quantity restricted***Also, that residential densities are consistent with hurricane evacuation plans.	All areas
CME.7.1		All areas
CE.3.1	Development within the 100-year floodplain shall not impact properties***	All areas
CE.4.1	Site plans must assure maintenance of wetlands or mitigate destruction***	All areas
CE.5.2	Ensure that retention areas maximize aquifer recharge and flow attenuation***	All areas
CE.6.2	Town will limit percent of impervious surface covered in recharge areas***	All areas
CME.4.4	Filling of wetlands or open water for water-related uses not allowable***	All Facilities
CME.P.3.1	Require first inch of runoff to reduce pollutants entering lagoon***	All areas
CME.P.4.4	Dredging and filling to accommodate water related uses not allowed***or structures must be modified to eliminate areas prone to storm damage	All areas
CME.P.5.1	New sewers shall be floodproofed; new septic tanks have back flow preventer***	All areas
FLUE.1.1	Adopt regulations to protect wellfields, recharge areas, regulate floodland***	All areas
FLUE.3.2	Secondary aquifer recharge areas protected from effects of development***	All areas
FLUE.3.3	Development in floodplain only if significant alteration does not occur***	All areas
HE.3.1	Existing mobile home parks encouraged to upgrade through code	All areas
IE.1.3	Encourage diversion of stormwater runoff to recharge areas preferably***	All areas
IE.2.1	Untreated wastewater shall not be discharged into aquifers, surface waters***	All areas

### Zoning

Section 11.1	Mobile home stand shall not settle unevenly under weight of structure***	All areas
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### Rockledge Capital Improvement Plan

P.4	Casa Loma Drainage Basin 10. 2015	All areas
P.4	Create 60-acre master stormwater retention in Drainage Basin 9. 2015	All areas

Citation	Statement	Applies to
<b>Comprehensive Plan</b>		
CE.O.6.2	The City shall continue to reduce per capita consumption of fresh groundwater by its residents through conservation and reuse of existing water supplies, and through the establishment and use of non-potable supplies as appropriate.	All areas
CE.P.6.2.1	The City shall adopt specific standards which regulate the installation and operation of air/water heat pumps in a manner consistent with county policy, in order to reduce the wasteful use of groundwater by such systems.	All areas
CE.P.6.2.2	The City shall require the use of reclaimed wastewater for irrigation or other non-potable uses wherever such water is reasonably available to water users, and its use is economically feasible.	All areas
CE.P.6.2.6	New development shall not be approved unless a demonstrably secure source of potable and/or non-potable water is available to meet the projected water use demands of the development.	All areas
CE.O.6.4	Representative samples of one (1) percent or more of the natural vegetative communities found in the city shall be protected and preserved. These areas will be used for preservation, open space and recreational purposes for the citizens of Rockledge. The amount of each vegetative community which is preserved shall be adequate to ensure the persistence of all native vegetation found in the city.	All areas
CE.P.6.4.2	Areas of natural habitat within the 100-year floodplain shall be given priority consideration in the identification of lands which are publicly acquired to address passive recreational demand and open space objectives.	All areas
CE.P.6.4.8	The City shall not approve any development which would significantly and adversely alter the ecological functions of freshwater wetlands or deep water habitat. Ecological functions include: (a) Provision of wildlife and fisheries habitat; (b) Maintenance of in-stream flows and lake levels during periods of high and/or low rainfall; (c) Erosion control; and (d) Water quality enhancement	All areas
CE.O.6.5	The abundance and diversity of submerged aquatic vegetation and fish species found in the Indian River Lagoon within the zone between the Rockledge shoreline and the Intracoastal Waterway shall continue to be as great or greater, than they were in 1988.	All areas
CE.P.6.5.1	The City shall implement alternative means of wastewater effluent discharge (such as effluent reuse) which will reduce the volume of wastewater discharged to the Indian River Lagoon in order to ameliorate the adverse effects of wastewater pollution on estuarine habitat.	All areas
CE.P.6.5.3	The City shall identify means for reducing the volume of untreated stormwater discharged to surface waters, and shall develop a program to take corrective action to the greatest extent feasible, via retrofit of stormwater treatment practices.	All areas
CE.P.6.5.4	The City shall not permit shoreline development activities which would destroy or degrade the function of estuarine shoreline or deep water habitat, except where such activities are clearly in the public interest and there is no practical alternative which reduces or avoids impacts to estuarine habitat.	All areas
CE.P.6.5.5	The City shall take steps toward establishment of an estuarine buffer zone which would specify the setback from the Indian River Lagoon required to protect estuarine habitat (including intertidal, wetland and deep water habitat) and water quality from impacts caused by new development or redevelopment.	All areas
CE.O.6.7	The City shall continue to establish procedures and regulations which support state and county hazardous material management objectives, and which will reduce the number of sites at which improper use, storage or disposal of hazardous materials occurs.	All areas
CE.P.6.7.1	The City shall coordinate with the FDEP and Brevard County in the establishment of amnesty days for the collection of hazardous domestic wastes.	All areas
CE.P.6.7.3	All businesses which use hazardous materials or generate hazardous wastes shall be required to: (a) Prepare hazardous materials spill containment and clean-up plans; (b) Design drainage and sewer facilities to prevent the contamination of soils, groundwater or surface waters from hazardous materials spills; and, (c) Provide interim storage facilities for hazardous wastes generated on-site.	All areas

Citation	Statement	Applies to
CE.P.6.8.1	In order to reduce the adverse consequences of floodplain development and simultaneously encourage the conservation of natural habitat, the City shall evaluate revising its flood damage prevention ordinance to limit construction within the floodplain through the provision of compensatory storage for fill placed within the 100-year floodplain.	All areas
CE.O.5.3	The City will ensure that building and development activities are carried out in a manner, which minimizes the danger to life and property from hurricanes.	All areas
CE.P.5.3.1	Guidelines for post-disaster redevelopment and hazard mitigation have been developed and are included in development regulations. These guidelines are designed to reduce or eliminate the exposure of human life and public and private property to hurricane hazards. The guidelines will incorporate the Brevard County Comprehensive Emergency Management Plan (CEMP) recommendations on hazard mitigation and other applicable interagency reports, as well as specific chapters of the City Code or articles thereof including, but not limited to, Chapter 6--Building and construction regulations.	All areas
CE.O.5.4	Over the course of the ten-year planning period, no public funds (to the effect of direct construction subsidies) will be expended which would serve to subsidize the cost of new private development or redevelopment within the coastal high hazard area (CHHA).	All areas
CE.P.5.4.2	The City shall only approve the expenditure of public funds within the CHHA for the following purposes: (1) Provide upkeep to existing infrastructure in order to maintain adopted facility standards as identified in the comprehensive plan; (2) Correct existing infrastructure deficiencies in order to meet adopted facility standards; (3) Assist in the restoration or enhancement of the area's natural resources; (4) Provide recreational facilities which support the City's objective of providing increased public access to the Indian River.	All areas
CE.O.5.5	Future development in the CHHA will be limited to water dependent or water related land uses, as identified in the comprehensive plan.	All areas
CE.P.5.5.3	Land uses within the coastal high hazard area shall be limited to recreational uses with construction limited to docks associated with neighboring single-family residential development or recreational facilities identified in the recreation and open space element.	All areas
CE.O.5.6	Within one (1) year after plan submittal or as required by Florida State Statutes, whichever is greater, levels of service standards established for public facilities in the capital improvements element will be applied in the review of all land developments in the coastal area.	All areas
CE.P.5.6.1	No development shall be approved unless sufficient public facilities are available to serve the development consistent with the level of service standards adopted as part of the comprehensive plan and identified in the capital improvements element.	All areas
CE.O.1.1	Future development and redevelopment activities shall be directed toward appropriate areas as depicted on the future land use map, coordinated with the topography, soil conditions and availability of facilities and services, and consistent with the goals, objectives, and policies of the comprehensive plan.	All areas
CE.P.1.1.2	The City shall undertake efforts to amend where necessary the existing ordinance and regulations to bring them into consistency with the adopted comprehensive plan within one (1) year of plan submittal or as required by Florida State Statute, whichever is greater. At a minimum this will include the following: (1) Subdivision of land within the City; (2) Signage; (3) Areas subject to seasonal and periodic flooding.	All areas
CE.O.4.8	The present treatment system will operate at the advanced secondary level or that level required by the type of treatment. System modification and expansion (i.e. deep well, reuse) will include consideration of appropriate changes in treatment level. The City will correct existing facility deficiencies and will have chosen an alternative method for disposing of wastewater effluent.	All areas
CE.P.4.8.1	The City will investigate wastewater effluent disposal alternatives and provide coordination with the Florida Department of Environmental Protection.	All areas
CE.P.4.8.5	Wastewater reuse for irrigation, spray and fire emergencies will be included in future modification/expansion whenever cost-effective as determined by the city council.	All areas
CE.O.4.9	Throughout the planning period, the permitting and installation of additional septic tanks within the incorporated city limits will not be allowed unless an area is considered to be suitable for such use based on factors such as soils, density and land use.	All areas

Citation	Statement	Applies to
CE.P.4.9.3	The City will develop a strategy to reduce septic tank use, except as identified in objective 4.9.	All areas
CE.O.4.10	Upon plan adoption, wastewater package plants will not be allowed within the incorporated city limits except in cases of overriding public benefit as determined on a case-by-case basis by the city council.	All areas
CE.P.4.10.1	The City has adopted regulations placing limitations on the use of package plants within the incorporated city limits.	All areas
CE.O.4.11	Throughout the planning period, future development within the incorporated limits of the City will be considered for approval only if it is compatible with the City's wastewater treatment plans.	All areas
CE.P.4.11.1	Approval of new development will be based in part, upon an evaluation of the impact of the development on the City's wastewater treatment system.	All areas
CE.P.4.11.3	The City will require the total costs (extension of lines, alterations to lift stations and the cost of plant capacity) for providing new wastewater service to be borne by the specific users of the service system.	All areas
CE.O.4.14	To accomplish effective groundwater recharge where soil conditions permit through the establishment and implementation of ordinance containing groundwater recharge standards, with such ordinances being submitted for adoption consideration no later than September 30, 1991, with final adoption within one (1) year following the initial submittal.	All areas
CE.P.4.14.2	Post-development groundwater recharge rates equal to or greater than pre-development rates will be used by the City to represent the minimum standard in all ordinances involving groundwater recharge.	All areas
CE.O.4.15	To protect, preserve or improve the quality of surface drainage waters being discharged from existing and future drainage systems in the City so that such discharges do not contribute to the degradation of water quality conditions in receiving water bodies or prevent the improvement of degraded conditions, and promote the continuance of establishment of health, balanced natural environments through the implementation of ordinances, engineering studies, inspection programs, and coordinated actions with regulatory agencies.	All areas
CE.P.4.15.3	The City will identify various stormwater treatment measures and associated "best management practices" such as earthen berms, settling basins, filtration facilities, natural vegetation, oil/grease baffles and skimmers and similar devices intended to improve overall water quality and include them as a component of the City's site design standards and regulations, with emphasis being placed on the usage of the most efficient and cost-effective, nonpoint source pollution control techniques for each project whenever possible.	All areas
CE.P.4.15.5	The City will continue its program to reduce the number of existing points of direct stormwater discharge into receiving surface water bodies, where possible, consisting of the following procedures:  a. Engineering studies will be initiated for the purpose of identifying the comparative nonpoint pollution impact of each direct discharge point, and determining relative priorities for corrective actions (or "retrofit" projects) to be undertaken, based on extent of: <ul style="list-style-type: none"> <li>• Adverse impacts on receiving water body.</li> <li>• System retrofitting required to eliminate or minimize the adverse impacts.</li> <li>• Projected benefits to be accomplished.</li> <li>• Overall implementation feasibility.</li> </ul> b. Facility design studies will be initiated for those direct discharge points determined to have the highest priority. c. The estimated costs of individual corrective action projects will be included as components of the capital improvements program, as regularly amended.	All areas
CE.O.4.16	All surface drainage systems under the City's authority shall receive the proper levels of operation and maintenance necessary for the effective accomplishment of their intended water management functions, with inspections of systems components.	All areas
CE.P.4.16.1	City public works staff will inspect surface water management system components and provide the required maintenance on at least an annual basis, based on financial feasibility and the link to a proposed stormwater management utility.	All areas

Citation	Statement	Applies to
CE.O.4.18	To reduce existing flooding problems and to prevent additional flooding problems from being created as a result of future development through actions identified in needs assessments and engineering studies, with the actions being undertaken on a priority basis as determined in the engineering studies, with individual prioritized actions being initiated no later than one (1) year following the completion of the engineering studies, consistent with the capital improvements plan.	All areas
CE.P.4.18.2	Drainage needs assessment investigations will be initiated by the City for areas within the City which have been identified as experiencing flooding problems, for the purpose of determining the nature and extent of the flooding problems, and possible actions to alleviate the problems.	All areas
CE.P.4.18.5	One (1) measure of flood control for new development will be implemented by the City through the limitation of fill in the 100-year floodplain. In cases where there are no alternatives to fill in the floodplain, compensatory storage for such fill will be provided through excavation in adjacent upland areas (above the 100-year floodplain) of a volume equivalent to the loss of storage within the 100-year floodplain resulting from the placement of fill, where such compensatory storage do not conflict with FDEP or SJRWMD requirements and can be accomplished in an environmentally sound and economically feasible manner.	All areas
CE.O.4.19	To accomplish the protection and preservation of existing wetlands as viable components of the City's surface water management systems, to include the establishment or maintenance of desirable hydro periods, water quality conditions, and natural ecosystems, applicable ordinances (including design criteria and standards). The City will maintain established wetland standards found in the Land Development Regulations.	All areas
CE.P.4.19.1	Public infrastructure improvements that encourage the development of wetlands will be avoided except in the case of overriding public interest, for the purpose of protecting and preserving wetland areas with appropriate measures such as ordinances and development standards being used to control development in affected wetland areas.	All areas
CE.O.4.20	In order for proper and adequate surface water management facilities to be provided in response to identified needs, existing deficiencies and needs will be determined, future needs based on an analysis of the future land use plan will be estimated, cost and time requirements of corrective actions will continue to be identified, and alternative sources of revenue will be evaluated, with the above information being compiled into a surface water management plan for the entire city and any external service areas.	All areas
CE.P.4.20.1	The City will undertake a comprehensive inventory of all components of the City's surface water management system as a project of highest priority, for the purpose of identifying and describing each system component, with the inventory representing the first phase of a possible stormwater management utility program.	All areas
CE.P.4.20.7	Stormwater management systems serving new development in the City will be required by the City to employ the most efficient and cost effective pollution control techniques available, consistent with or more restrictive than state and St. Johns River Water Management District regulations, standards and design criteria.	All areas
CE.P.4.20.8	New or redesigned stormwater management systems which will use detention-type stormwater treatment facilities will also provide for the diversion of the "first flush" of runoff to separate retention areas in order to protect the water quality in the detention system from the adverse effects of direct stormwater discharges, particularly in cases where direct bleed down techniques are employed.	All areas
CE.P.4.20.9	Individual on-site stormwater treatment facilities will be inspected following their construction. A periodic inspection program with regard to proper operation and maintenance is in place.	All areas
CE.O.4.24	Water conservation will continue to be included in development regulations and public information. These regulations and public information shall incorporate the goals, objectives, policies of the conservation element which pertain to use of potable water.	All areas

Citation	Statement	Applies to
CE.P.4.24.1	City development regulations will be revised to include water conservation strategies. Conservation strategies will include at least the following: (a) Installation of water conserving plumbing fixtures in new or renovated building construction which are, at minimum, consistent with the requirements of the State Water Conservation Act. (F.S. § 553.14). (b) Water reuse and/or reclamation, where appropriate, for irrigation, industrial use and other appropriate non-potable water use applications. (c) Encourage new development to use natural vegetation and/or drought resistant xeriscape plants. (d) Minimize the use of potable water by air/water heat pumps by adopting an ordinance based on the air/water heat pump model ordinance prepared by the St. Johns River Water Management District.	All areas
<b>EAR</b>		
PW.P.4.24.1	Revise regs to use water conserving plumbing fixtures in new/renovated bldg.***	All areas
PW.P.4.28	City will coordinate with Brevard Co. to reduce volume by 30% by 1994***	All areas
<b>Land Development Regulations</b>		
I.1.70.f	Provide for flood prevention, proper storm drainage, and ...*** (a) Site and building regulations	All areas
I.1.95.4	... need to evacuate the recreational vehicle park ...*** The objectives of this chapter are:	All areas
I.1.95.56	Coastal high hazard areas: ...*** (A) DISTRICT AND INTENT. Mobile home parks developed in such a manner as to make efficient, economical and aesthetically pleasing use of the land, so restricted that same will be continually maintained by the owner, and when such is provided for in a carefully drawn plan, the city council may permit upon recommendation of the planning and zoning board such development providing the following conditions are met:	All areas
I.1.95.b	The hurricane vulnerability area ...*** (6) To help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas;	All areas
I.1.95.c	... minimum elevation requirements ...***	All areas
IV.42.10.a	The flood hazard areas of the city are subject to periodic inundation ...*** (a) A Florida registered Professional Engineer or Architect must certify that the building has been designed and constructed so that below the flood protection elevation, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The design must take into account: flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effect of buoyancy, and impacts from debris.	All areas
IV.42.10.b	... flood losses are caused by the cumulative effect ...*** (b) Flood-proofing measures must be operable without human intervention and without an outside source of electricity.	All areas
IV.42.10.c	... minimum elevation requirements be established ... for streets, roads...*** Sewage collection and treatment systems and potable water supply systems must be designed and located to prevent inflow or contamination of surface waters up to the flood protection elevation. Electrical and communications utilities must be designed to avoid flood damage up to the flood protection elevation.	All areas
IV.42.13.a	Restrict or prohibit uses which are dangerous to health safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;	All areas
IV.42.13.b	Require that uses vulnerable to floods, including facilities ...*** No development shall be approved if such development will result in an increase in the elevation of the regulatory flood, additional threats to public safety, extraordinary public expense, nuisance impacts, or violation of the public interest, or local ordinance.	All areas
IV.42.13.c	Control the alteration of natural floodplains, stream channels ...*** Individual septic tanks, aerobic septic, and individual wells must receive development orders from appropriate County and/or State entities. Land development code standards for specific individual uses may impose larger or more restrictive site/lot area requirements.	All areas
IV.42.13.d	Control filling, grading, dredging and other development which may increase erosion or flood damage.	All areas

Citation	Statement	Applies to
IV.42.13.e	Prevent or regulate the construction of flood barriers which unnaturally divert floodwaters or which may increase flood hazards to other lands	All areas
IV.42.13.f	Regulate and control the minimum elevation for the construction of streets, roads, highways, buildings and other improvements; and thereby prevent damage or injury to persons or property from floods, surface drainage, storm runoff, overflow and other water conditions.	All areas
IV.42.14.a	To protect human life and health***Flood damage prevention	All areas
IV.42.14.b	To minimize expenditure of public money for costly flood-control projects***	All areas
IV.42.14.c	To minimize the need for rescue and relief efforts associated with flooding***	All areas
IV.42.14.d	To minimize prolonged business interruptions***These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise unprotected from flood damages.	All areas
IV.42.14.e	To minimize damage to public facilities and utilities such as water and ...***It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
IV.42.14.f	To help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas.	All areas
IV.42.14.g	... potential home buyers are notified that property is in a flood area ...***It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
IV.42.14.h	To minimize damage to persons and properties from floodwaters....*** <sup>(2)</sup> Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.	All areas
V.50.52.1.a	Twelve (12) inches above base flood elevation*** <sup>(3)</sup> Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters.	All areas
V.50.52.1.c	Such height or elevation as may be necessary to cause all surface, storm...***It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
V.50.52.2	Nonresidential construction. New construction or substantial improvement...*** <sup>(4)</sup> Control filling, grading, dredging and other development which may increase erosion or flood damage.	All areas
V.50.52.3	Elevated buildings. New construction or substantial improvements ...***It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
V.50.52.3.a.	Provide a minimum of two (2) openings ...*** <sup>(5)</sup> Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.	All areas
V.50.52.3.b	... utility connections are prohibited below the base flood elevation;***The All Permit Applications objectives of this chapter are:	All areas
V.50.52.4.a	Prohibit encroachments, including fill, new construction ...*** <sup>(1)</sup> To protect human life and health;	All areas
V.50.52.4.b	... shall comply with all applicable flood hazard reduction provisions ...***The objectives of this chapter are:	All areas
V.50.52.4.c	Prohibit the placement of manufactured homes (mobile homes)...*** <sup>(2)</sup> To minimize expenditure of public money for costly flood control projects;	All areas
V.50.52.5.a	New construction of any street, road or highway ...***The objectives of this chapter are:	All areas
V.57.12.	A system shall be provided for draining all projects ...***It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
VI.62.76.1	... secure mobile home to the ground by the use of anchors and tie-downs...*** <sup>(3)</sup> To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;	All areas



Citation	Statement	Applies to
VI.62.76.1.a	mobile home ... "hurricane and windstorm resistive" ...***The objectives of this chapter are:	All areas
VI.62.76.1.b	... each mobile home shall be tied down by one of the following ....*** (4) To minimize prolonged business interruptions;	All areas
VI.62.79.d.1	Suitability of land. Land subject to flooding, improper drainage ...***The objectives of this chapter are:	All areas
VI.62.83.a	Water supply. Each mobile home park, mobile home cooperative ...*** (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;	All areas
VI.62.83.g	Tie down or anchorage. Mobile homes shall be tied down or anchored ...***The objectives of this chapter are:	All areas
VIII.85.36.B	On-site sewage disposal system. Where septic tanks are permitted ...*** (7) To ensure that potential home buyers are notified that property is in a flood area.	All areas

**Satellite Beach****Capital Improvement Plan**

CIE.O.1.3	Prohibit expenditures for development/ redevelopment east of Coastal Construction Control Line***	All areas
CIE.P.1.1.4	Fund drainage improvements to mitigate hazardous street flooding***	All areas
CIE.P.1.3.1	Protect and renourish dunes and beach excluding additional development***	All areas
Table.8-1	Stormwater drainage for flooding/pipe failure \$160,000 annually through 01***	All areas

**City Code**

I.30.4.5.e	Improperly managed stormwater runoff increases the incidence ...*** (4) Evacuation. It shall be the responsibility of the park management to notify all park occupants of the need to evacuate the recreational vehicle park in case of fire, wind, water or other manmade disasters or acts of God.	All areas
I.30.4.6.a	Flooding is a natural, recurring phenomenon in the city.***On-site sewage disposal system. Where septic tanks are permitted by applicable City regulations and are to be utilized, the Brevard County Consumer Health Services Division shall utilize the standards of Chapter 10-6, Florida Administrative Code, to determine that on-site sewage disposal systems are permitted and under what conditions, if any. Unless a Development Order is issued pursuant to Subsection (A) hereof, no Development Order shall be issued, unless conditioned upon hook-up to an on-site disposal system operated in compliance with Chapter 10D-6, Florida Administrative Code. No Final Development Order shall be granted until the applicant shall submit to the Development Director, a certificate from the Brevard County Health Department that certifies that the site is or will be made suitable for the use of	All areas
I.30.4.6.b.1	They provide natural storage and conveyance of floodwaters.*** (56) Coastal high hazard areas: Areas designated by local governments (pursuant to s. 163.3178(2)(h), F.S.) and includes areas which have historically experienced destruction or severe damage, or are scientifically predicted to experience destruction or severe damage, from storm surge, waves, erosion, or other manifestations of rapidly moving or storm driven water. These areas shall include all areas where public facilities have been damaged or undermined by coastal storms, Federal Emergency Management Agency designated V zones, areas seaward of the coastal construction control line established by the Florida Department of Natural Resources pursuant to Chapter 161, F.S., and inlets which are not structurally controlled.	All areas
I.30.4.6.b.2	They facilitate groundwater recharge.***	All areas
I.30.4.6.b.3	They provide temporary storage of surface waters that moderates flood ...***	All areas
I.30.4.6.d.1	Structures located in floodprone areas are placed at unreasonable risk ...*** (c) It is imperative that minimum elevation requirements be established for the construction of streets, roads, highways, buildings and other improvements in these areas of the City other than the flood hazard areas determined by the Federal Emergency Management Agency, in order to control, storm runoff and other water conditions.	All areas
I.30.4.6.d.2	Expensive and dangerous search, rescue and disaster relief operations...***Provide for flood prevention, proper storm drainage, and appropriate utility systems.	All areas

Citation	Statement	Applies to
I.30.4.6.d.3	Roads ... may be damaged by flooding ...***Except as herein provided, the surface of the lowest level of any building or structure designed for human occupancy, excluding parking garages, shall be not less than twelve (12) inches above the mean crown of the adjoining street or streets to the lot or parcel upon which the building is constructed. The building official may waive this requirement when he is satisfied through submittal of a topographic survey and other supporting engineering documentation, that the conditions of terrain and soils provide adequate protection against the one-hundred-year flood criteria. Other considerations which must be addressed include sanitary waste disposal, either through public or private systems. In addition, the building official may require certification from a registered engineer that the finished floor is at least twelve (12) inches above the base flood elevation (one-hundred-year flood) for the area and may further require a release of liability signed by the property owner, duly recorded in the county records, releasing the city from any claims arising out of the granting of this waiver.	All areas
I.30.4.6.d.4	Flooding of developed properties ... projects to control floodwaters.***The flood hazard areas of the City of Titusville are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.	All areas
I.30.4.6.d.5	Normally flood-free lands are placed at risk of flooding ...***These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise protected from flood	All areas
I.30.4.6.d.6	Water quality is degraded, the supply of fresh water to estuaries is...***Warning and disclaimer of liability. The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages.	All areas
I.30.4.6.d.7	Property values are lowered and economic activity is disrupted ...*** (a)It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
I.30.4.7.c.3	The dune provides protection from wave erosion for oceanfront properties ...*** (a) It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
I.30.6.5.a	Protect ... groundwater and surface water.*** (1)Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion (hazards, or which result in damaging increases in erosion) or in flood heights or	All areas
I.30.6.5.b	Prevent activities which adversely affect groundwater and surface water.*** (a) It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:	All areas
I.30.6.5.c	... stormwater management systems ... approximate natural systems.*** (2)Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;	All areas
I.30.6.5.d	Protect natural drainage systems.*** (a)It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions	All areas
I.30.6.5.e	Minimize runoff pollution of groundwater and surface water.*** (3)Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;	All areas
I.30.6.5.f	Maintain and restore groundwater levels.*** (a)It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions	All areas

Citation	Statement	Applies to
I.30.6.5.g	Protect and maintain natural salinity levels in estuarine areas.*** (4) Control filling, grading, dredging and other development which may increase erosion or flood damage; and,	All areas
I.30.6.5.h	Minimize erosion and sedimentation.*** (a) It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions	All areas
I.30.6.5.i	Protect, maintain and restore the habitat of fish and wildlife.*** (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.	All areas
I.30.6.6.a	Protect human life and health.*** (b) The objectives of this article are:	All areas
I.30.6.6.b	Minimize expenditure of public money for costly flood control projects.*** (1) To protect human life and health;	All areas
I.30.6.6.c	Minimize the need for rescue and relief efforts associated with flooding ..*** (b) The objectives of this article are:	All areas
I.30.6.6.d	Minimize prolonged business interruptions and damage to public facilities*** (2) To minimize expenditure of public money for costly flood control projects;	All areas
I.30.6.6.e	... providing for the sound use and development of floodprone areas.***	All areas
I.30.6.6.f	... purchasers ... are notified that the property is in a floodprone area.*** (b) The objectives of this article are:	All areas
I.30.6.6.g	... vulnerable to floods are designed ... to resist flood damage.*** (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;	All areas
I.30.6.6.h	Preserve natural floodplains, stream channels and natural protective ...***	All areas
I.30.6.6.i	Limit filling, grading, dredging and other development ... erosion ...***	All areas
I.30.6.6.j	Prevent unnatural diversion of floodwater to lands that are ... flood free.*** (b) The objectives of this article are:	All areas
I.30.6.6.k	Maintain the normal movement of surface waters, the optimum storage ...*** (4) To minimize prolonged business interruptions;	All areas
I.30.6.6.l	Avoid the need of costly and environmentally disruptive flood management *** ..	All areas
I.30.6.6.m	Encourage the use of floodprone lands as open space.***	All areas
I.30.6.6.n	Make the city eligible for participation in the National Flood Insurance Program*** (b) The objectives of this article are:	All areas
II.34.41.a.5	... in the interest of public safety because of fire, flood, storm ...*** (b) As used in the "Hurricane Evacuation Planning Sub-Element": The hurricane vulnerability area (Level of Threat A) as defined by the Hurricane Evacuation Study (East Central Florida Regional Planning Council). Includes the area bounded by Rockledge Drive on the west and the Indian River Lagoon on the east.	All areas
II.66.54	No person shall, by any means of locomotion, traverse or cross the crest...*** (b) The objectives of this article are:	All areas
III.30.173.c	For purposes of determining concurrency, ...*** (6) To help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas; and	All areas
IV.30.229.f.	Every use shall be so operated so that no solid material or nonsolid ...*** (b) The objectives of this article are:	All areas
IV.30.231.d.	... generation, storage, disposal or use of toxic or dangerous chemicals ...*** (7) To ensure that potential home buyers are notified that property is in a flood	All areas
IV.50.143	... debris or refuse has accumulated by reason of any storm, ...***	All areas
V.	Make the city eligible for participation in the National Flood Insurance Program*** (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;	All areas
V.30.261.2	Provide for adequate minimum standards and procedures ...*** (5) Street, road and highway construction. New construction of any street, road or highway shall have the crown of such street, road or highway elevated to or above the level of the highest of the following described elevations, to wit:	All areas
V.30.278	New structures or substantial improvements of structures located east ...***	All areas

Citation	Statement	Applies to
VI.30.311	... regulations for protecting the city's natural and manmade resources ...*** (a) Nineteen (19) feet above mean sea level; or	All areas
VI.30.362.a	Estuarine shoreline protection zone (canal/river shoreline). ...*** (1) Each owner or other person having possession or control of a mobile home in an MH (mobile home) district shall secure such mobile home to the ground by the use of anchors and tie-downs so as to resist wind overturning and sliding. However, nothing herein shall be construed as requiring that anchors and tie-downs be installed to secure mobile homes which are permanently attached to a permanent structure. A permanent structure shall have a foundation and such other structural elements as are required pursuant to rules and regulations promulgated from time to time by the state department of highway safety and motor vehicles which assure the rigidity and stability of the mobile home.	All areas
VI.30.362.b	Ocean bluff protection zone ...*** (a) A mobile home manufactured in accordance with the code standards, as defined by Florida Statutes and "hurricane and windstorm resistive" shall be anchored to [at] each anchor point provided on the mobile home. A mobile home not meeting these standards must be anchored with anchor points spaced as required by the state department of highway safety and motor vehicles, starting at each end of	All areas
VI.30.364.a.	... historical storm and hurricane tides ...*** (b) In addition, each mobile home shall be tied down by one of the following means:	All areas
VI.30.364.c	... protect the integrity of the coastal beach and dune ...*** 1. A mobile home having built-in, over-the-roof ties shall be secured by the tie-down points; provided, that such built-in ties and points meet the standards promulgated by the state department of highway safety and motor vehicles.	All areas
VI.30.364.f.	No permit shall be granted unless the applicant shall have sufficient ...*** 2. A mobile home not having built-in, over-the-roof ties and tie-down points meeting state department of highway safety and motor vehicles standards shall be secured in accordance with standards promulgated by such department.	All areas
VI.30.391	The degree of flood protection required by this division is reasonable ...*** (d) Design requirements for mobile home parks, mobile home cooperatives, and mobile home condominiums. All mobile home parks, mobile home cooperatives, and mobile home condominiums established within the city shall conform with the following requirements:	All areas
VI.30.392	... located or maintained within any area of special flood hazard ...*** (1) Suitability of land. Land subject to flooding, improper drainage or erosion, or that is for topographic or other reasons [is] unsuitable for use as a mobile home park, mobile home cooperative, mobile home condominium shall not be used for same unless these hazards can be and are corrected.	All areas
VI.30.395	.a Dune-crossing structures, dune construction or restoration, or ...*** Water supply. Each mobile home park, mobile home cooperative, [and] mobile home condominium shall be connected to a municipal water supply system. At least one above ground water service connection shall be provided for each mobile home site.	All areas
VI.30.395.b	... cause an absolute minimum disruption to the dunes, bluff or ...*** Tie down or anchorage. Mobile homes shall be tied down or anchored in accordance with the requirements of Florida Statutes, Section 320.8325, and Appendix H, Standard Building Code, and regulations adopted pursuant thereto.	All areas
VII.30.472.2	Impervious surface areas of a residential lot shall not exceed ...*** (c) The intent of this Article is to preserve and protect floodplains and their functions through the limitation of development in these areas.	All areas
VII.30.473.2	Impervious surface areas of a lot shall not exceed the maximum ...*** (a) In all areas of special flood hazard the following provisions are required:	All areas
VII.30.473.3	... provide pervious areas to reduce stormwater runoff ...*** (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;	All areas
VII.30.476	The use of non-permeable or impervious plastic and similar material ...*** (a) In all areas of special flood hazard the following provisions are required:	All areas
VII.30.572.a	The design and performance of all stormwater management systems...*** (2) Manufactured homes shall be anchored to prevent flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, the use of over-the-top or frame ties to ground anchors. This standard shall	All areas

Citation	Statement	Applies to
	be in addition to and consistent with applicable state requirements for resisting wind forces;	
VII.30.572.b	The following development activities are exempt from the stormwater ...*** (a)	All areas
VII.30.573.1	In all areas of special flood hazard the following provisions are required: While development activity is underway and after it is completed...*** (3) New All areas construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;	All areas
VII.30.573.2	... development activity shall not violate the water quality standards ...*** (a) In all areas of special flood hazard the following provisions are required:	All areas
VII.30.574.1	Detention and retention systems shall be designed in conformance ...*** (4) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;	All areas
VII.30.574.2	To the maximum extent practicable, natural systems shall be used ...*** (a) In all areas of special flood hazard the following provisions are required:	All areas
VII.30.574.3	The proposed stormwater management system shall be designed to...*** (5) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of	All areas
VII.30.574.4	... shall be designed to function properly for a minimum 20-year life.*** (a) In all areas of special flood hazard the following provisions are required:	All areas
VII.30.574.5	The design and construction of the proposed stormwater management...*** (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;	All areas
VII.30.574.6	No surface water may be channeled or directed into a sanitary sewer.*** (a) In all areas of special flood hazard the following provisions are required:	All areas
VII.30.574.7	The proposed stormwater management system shall be compatible...*** (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;	All areas
<b>Comprehensive Plan</b>		All areas
CCME.O.1.3	Prohibits public subsidization of land development/redevelopment***	
CCME.O.1.4A.2	Requires new construction rules apply to storm damage more than 67%	All areas
CCME.O.1.7	Shoreline Protection Ordinance	Redevelopment
CCME.O1.10	City shall conserve, protect, make appropriate use of soils, minerals, and native vegetative communities within the City	All areas
CCME.P.1.1.3	Establish Ocean Bluff Protection Area prohibiting construction in area***	All areas
CCME.P.1.5.4	Work with other agencies to preserve/enhance wetlands, beach, habitat***	All areas
CCME.P.1.5.5	Administer water conservation and floodplain management regulations and implement watershed and shoreline protection ordinances	
CCME.P.1.5.6	Work with SJRWMD, FDEP, FIND, etc. to clear waterways of organic rich sediments (muck)***	All areas
CCME.P.1.6.3	The City will protect from development and inappropriate alteration, natural reservations identified in the Recreation and Open Space Element	All areas
CCME.P.1.6.4	Designation environmentally sensitive lands in accordance with LDR***	All areas
CCME.P.1.6.5	City will ensure that it has the ability to manage hazardous wastes in a manner that protects natural resources and human health and safety	All areas
FLUE.P.1.7.1	Encourages elimination/reduction of uses in an interagency hazmat report***	All areas
FLUE.P1.1.1	LDR's shall prohibit development where LOS is diminished***	All areas
FLUE.P1.1.6	Correlate coastal population densities with OEMs' evacuation plans***	All areas
FLUE.P1.2.1	Minimize conditions affecting nonresidential areas of flooding***	All areas
HE.P.1.4.5	Continue ban on mobile homes within the city***	All areas
IE.O.1.2	Develop program of phased improvements over 20 years to storm drainage***	All areas
IE.P.1.1.4	Support projects to achieve water quality standards, service levels***	All areas

Citation	Statement	Applies to
IE.P.1.10	City supports improvements to countywide hazardous waste program***	All areas
IE.P.1.6	Monitor progress toward reducing groundwater infiltration to 10% of flow***	All areas
IE.P.1.6	Continue sampling, testing, analysis of stormwater discharges***	All areas
IE.P.1.9	Support County's solid waste disposal service and recycling system***	All areas
Policy 1.2.9.a	Post-disaster redevelopment shall be governed by all applicable codes, city charter provisions and standards, in regard to setbacks, off-street parking and landscaping and shall decrease future public and private vulnerability to future storms by applying with applicable state and county construction regulations.	All areas
Policy 1.4A.4	The city has participated in the development of the County's Emergency Management Plan.	Redevelopment/ Reconstruction Only
Policy 1.4B.1	The city will support mitigation activities to eliminate or reduce disaster damages and to coordinate recovery efforts with long term development and hazard mitigation plans of the city. 1. S.B. Departments/agencies are encouraged to support mitigation efforts that fall within their respective missions.	All Facilities
Policy 1.4B.2	When the President makes a Disaster Declaration, the Disaster Relief Act of 1974, Section 408, as amended, sets forth certain conditions for receiving any federal disaster loans or grants, specifically the mitigation measures will be taken to prevent such damages from reoccurring.	All Permit Applications
TE.O.1.7	Recommend improvement of flooding conditions across Pineda Causeway***	All Permit Applications

**Titusville****Capital Improvement Plan**

CIE.1.2.1	City shall only expend funds in CHHA for replacement of public facilities***	All areas
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**Capital Improvement Schedule**

CI Schedule for Water Resources	Water Distribution Improvements	All Utilities
CI Schedule for Water Resources	Water System Improvements FY 15-19--\$500,000 per year	All Utilities
CI Schedule for Sanitary Sewer	Sewer System Improvements - FY15-19 \$350,000 per year	All Utilities
CI Schedule for Sanitary Sewer	Infiltration/Inflow Assessment FY15-18 - \$525,000.	All Utilities
CI Schedule for Stormwater	Draa Field Retention Pond - \$850,000	All areas
CI Schedule for Stormwater	TMDL Basin Management Plan FY15-19 - \$1,185,000	Required Retrofit Only
CI Schedule for Stormwater	NPDES – FY15-19 \$300,000	All areas
CI Schedule for Stormwater	Steel Pipe replacements FY15-19 ---\$900,000	Required Retrofit Only

**Code of Ordinances**

IV.1.6.91.a	provide adequate protection against the one-hundred-year flood criteria...*** (A) ... the following conditions are met:	All areas
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**Comprehensive Plan**

CME.1.1.1	Erosion control practices shall be employed for development and agriculture***	Redevelopment/ Reconstruction Only
CME.1.1.3	Industries using hazmat shall insure water is not contaminated***	All areas
CME.1.2.1	Removal of native vegetation in littoral zone of waterbody eliminated***	All areas
CME.2.1.1	New construction shall adhere to NFIP standards	All areas
CME.2.1.2	Development which may jeopardize the public shall not be allowed***	All areas
CME.2.2.1	Public subsidization of infrastructure in CHHZ shall be avoided***	All areas

Citation	Statement	Applies to
CME.2.2.2	Programs shall be developed to mitigate forces of hurricane events***	All areas
CME.2.2.3	Continue to update and implement post disaster redevelopment policies as needed	All areas
FLUE.1.18.1	Maintain disaster operations plan coordinated with County and KSC***	All areas
FLUE.1.18.2	Identify inland structures to function as temporary housing for evacuees***	All areas
FLUE.1.18.3	Police and fire departments shall coordinate with County in evacuating***	All areas
FLUE.1.18.4	Post-hurricane mitigation includes mechanisms for relocation of structures***Applies to annexed land extending corporate boundaries to Palm Bay Road.	All areas
IE.3.1.3	City will initiate maintenance program for major drainage systems annually***Applies to area annexed extending city to Palm Bay Road, as it's developed	All areas
CE.1.1.11	Cost of restoration of environmentally damaged areas shall be borne by the party directly responsible for the damage	All areas
CE.1.2.3	The City will not allow total removal of vegetation during land development	All areas
CE.1.5.2	Storage of hazardous material with "areas of critical concern" shall be regulated in accordance with the City's Aquifer Protection Ordinance	All areas
CE.1.6.1	The development of wetlands shall be addressed in the City development regulations	All areas
CE.1.10.1	The City shall provide standards or programs to protect or restore littoral vegetation in and adjacent to a waterbody in order to prevent shoreline erosion, filter out nutrients and provide wildlife habitat.	All areas
CE.1.6.6	Mitigation for unavoidable impacts to wetlands, which possess significant functional value, as determined by a functional assessment, will be addressed in the land development regulations	All areas
CE.1.10.2	Erosion and sedimentation control practices shall be employed for all urban development and agricultural activities where needed to protect natural waterbodies, water courses, and wetlands from siltation.	All areas
CE.1.12.1	The City shall develop a comprehensive surface water basin management plan for the major waterways. The planning and approval of new development, new public wastewater or stormwater facilities, and the retrofitting of existing wastewater or stormwater facilities shall conform to the comprehensive surface water basin management plans.	All areas
CE.1.12.2	The City shall institute a maintenance program for public stormwater management systems so as to ensure the proper functioning and expected pollutant removal efficiency of stormwater management systems.	All areas
CE.1.12.3	The City shall promote the conservation of natural vegetation in flood plain areas and freshwater swamps for the purpose of storing stormwater run-off.	All areas
CE.1.12.4	Flood control for new development shall be accomplished through the limitation of fill in the 100-year flood plain as defined by Federal Emergency Management Agency (FEMA). Where no practical alternative to fill in the 100-year flood plain exists, compensatory storage for such fill shall be as provided for in Strategy 1.12.4.1.	All areas
CE.1.12.5	Land exhibiting the following conditions shall be developed at a density no greater than one unit per acre unless site specific verifiable data is presented which contradicts such limiting conditions.	All areas
CE.1.13.1	The City shall require applicable best management practices for the use, handling, storage or disposal of regulated substances so as to prevent ground water contamination.	All areas
CE.1.13.2	The City shall continue to protect groundwater quality and quantity by regulating impervious surface coverage in its prime recharge area (Area of Critical Concern)	All areas
CE.1.13.3	The City shall encourage SJRWMD, FEDP and other applicable regulatory agencies to pursue additional groundwater monitoring studies on the quality of the surficial aquifer water resources within the City.	All areas
CE.1.13.4	The City shall make all reasonable efforts to coordinate with Brevard County and other municipalities supplying potable water to facilitate measures to protect groundwater quality and groundwater resources capacity.	All areas
CE.1.14.1	The City shall maintain its water conservation plan	All areas
CE.1.14.6	The City shall utilize the emergency conservation techniques in accordance with the regional water management district in times of a 'declared' severe water shortage.	All areas



Citation	Statement	Applies to
<b>Land Development Regulations</b>		
V.35.81.a	The flood hazard areas of the City of Titusville are subject to periodic ..***(a) Site and building regulations	
V.35.81.b	... flood losses are caused by the cumulative effect ...*** (1) Size of development site. The minimum size of the site to be developed for a mobile home park shall be ten (10) acres.	All areas
V.35.82.a	... promote the public health, safety and general welfare ...*** (a) Site and building regulations	All areas
V.35.82.a.1	... prohibit uses which are dangerous to health ...*** (8) ... All mobile home parks must be connected to public water and sewer lines....	All areas
V.35.82.a.2	... protected against flood damage at the time of initial construction;*** (a) Purpose. The purpose of this ordinance is to permit a desirable living environment for the residents of multiple-family dwelling districts, to provide timely logical commercial and industrial development and to encourage a harmonious relationship with surrounding developments by providing for a review and evaluation by the planning and zoning board and city council for all multifamily projects of twenty (20) or more units, all commercial developments of three (3) acres or more, all industrial developments of five (5) acres or more, mobile home parks, institutional zoning and all conditional uses, and all plans for development of property within the Downtown Redevelopment Area as	All areas
V.35.82.a.3	Control the alteration of natural floodplains, stream channels ...***	All areas
V.35.82.a.4	Control filling, grading, dredging and other development which ...*** If the Florida Department of Environmental Protection finds a sanitary nuisance exists as defined in Chapter 386 of the Florida Statutes and such nuisance may be abated by sewer service to the City of Titusville sewerage system, the city on the written request of the Florida Department of Environmental Protection may authorize an immediate connection to the City of Titusville sewerage	All areas
V.35.82.a.5	Prevent ... unnaturally divert floodwaters or which may increase flood ...*** It shall be unlawful to dispose of sewage waste to a septic tank or temporary wastewater treatment facility after the expiration of such permit.	All areas
V.35.82.b.1	To protect human life and health;*** The council finds that uncontrolled drainage and development of land has a significant adverse impact upon the health, safety and welfare of the community.	All areas
V.35.82.b.2	To minimize expenditure of public money for costly flood control projects;*** (7) Improperly managed storm water runoff can increase the incidence of flooding and the level of floods which occur, endangering property and human life;	All areas
V.35.82.b.3	To minimize the need for rescue and relief efforts associated with flooding*** (9) Substantial economic losses result from these adverse impacts on community waters;	All areas
V.35.82.b.4	To minimize prolonged business interruptions;*** (12) To prevent damage from flooding, while recognizing that natural fluctuations in water levels are beneficial;	All areas
V.35.82.b.5	To minimize damage to public facilities and utilities such as ...*** (1) All proposed storm water management systems shall be designed to prevent flood, safety or health hazards.	All areas
V.35.82.b.6	... maintain a stable tax base ...*** (4) Runoff computations shall be based on the most critical situation (rainfall duration, distribution and antecedent soil moisture condition) and conform to acceptable engineering practices using rainfall data and other local information applicable to the affected area.	All areas
V.35.82.b.7	... notified that property is in a flood area.*** (5) All storm water management facilities shall be designed for a minimum of twenty-year life and shall have low maintenance cost and easy legal access for periodic maintenance.	All areas
V.35.82.c	The intent of this Article is to preserve and protect floodplains and ...*** The flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.	All areas
V.35.84	... degree of flood protection required ...*** (A) ... the following conditions are	All areas

Citation	Statement	Applies to
V.35.88.a.1	New construction and substantial improvements shall be anchored ...***These flood losses are caused by the cumulative effect of obstructions in floodplains increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed or otherwise unprotected from	All areas
V.35.88.a.10	Any alteration, repair, reconstruction or improvement to a structure ...*** (a) To protect human life and health;	All areas
V.35.88.a.12	... elevated no lower than one foot above the base flood elevation.***The objectives of the provisions of this Code relating to flood damage prevention	All areas
V.35.88.a.2	Manufactured homes shall be anchored to prevent flotation ...***	All areas
V.35.88.a.3	New construction ... resistant to flood damage;*** (Ord. No. 1022-91, § 1, 12-18-	All areas
V.35.88.a.4	New construction ... minimize flood damage***Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;	All areas
V.35.88.a.5	... service facilities ... prevent water from entering or accumulating ...***Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;	All areas
V.35.88.a.6	New and replacement water supply systems ...***Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters;	All areas
V.35.88.a.7	New and replacement sanitary sewage systems ...***Control filling, grading, dredging and other development which may increase erosion or flood damage;	All areas
V.35.88.a.8	On-site waste disposal systems shall be located and constructed ...***Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and	All areas
V.35.88.a.9	Any alteration, repair, reconstruction or improvement to a structure ...***The objectives of the provisions of this Code relating to flood damage prevention	All areas
V.35.90.a	All subdivision proposals ... minimize flood damage.*** (b) To minimize expenditure of public money for costly flood-control projects;	All areas
V.35.90.b	All subdivision proposals shall have public utilities and facilities ...***The objectives of the provisions of this Code relating to flood damage prevention	All areas
V.35.90.c	All subdivision proposals shall have adequate drainage ...*** (c) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;	All areas
V.35.90.d	Base flood elevation data shall be provided for subdivision proposals ...***The objectives of the provisions of this Code relating to flood damage prevention	All areas
V.35.91.a	Standards for areas of shallow flooding (AO Zones).*** (d) To minimize prolonged business interruptions;	All areas
V.35.91.b.1	All new construction and substantial improvements ...***The objectives of the provisions of this Code relating to flood damage prevention are:	All areas
V.35.91.b.2	All new construction and substantial improvements ... utilities*** (e) To minimize damage to public facilities and utilities such as water and gas mains, electric telephone and sewer lines, streets and bridges located in floodplains;	All areas
VI.35.101	... reduce the potential harm ... of hazardous waste ...***The objectives of the provisions of this Code relating to flood damage prevention are:	All areas
VI.35.101.a	... safe and cost effective hazardous waste storage ...*** (f) To help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas;	All areas
VI.35.101.c	The regulation of hazardous and toxic materials in the City shall, ...***The objectives of the provisions of this Code relating to flood damage prevention	All areas
VI.35.101.d	The Administrator shall be the City Council's representative ...*** (g) To ensure that potential home buyers are notified that property is in a flood area; and	All areas
VI.35.102.a	hazardous and toxic substances shall be prohibited unless in compliance...***The objectives of the provisions of this Code relating to flood damage	All areas

Citation	Statement	Applies to
VI.35.103.a	Regulation of extremely hazardous substances ...*** (h) To minimize damage to persons and properties from floodwaters, and also from surface drainage, storm runoff, overflow and other water conditions both in flood hazard areas and other areas that are not specifically specified as flood hazard areas...	All areas
VI.35.103.b	... prevent the accidental discharge of any extremely hazardous substances*** A system shall be provided for draining all projects requiring a development order from the city including the lots, roads and streets in the subdivision and for handling drainage runoff that comes into or across the subdivision from the outside. Soil types shall be considered and ultimate land usage assumed for selection of proper runoff designed by accepted engineering principles for design floods resulting from rain storms of the maximum intensity predicted for Brevard County for at least the one-hundred year storm of twenty-four-hour duration, with a maximum rainfall of thirteen (13) inches for any water management facility to meet a one hundred (100) year storm of twenty-four (24) hour pre-post event. This includes known flood prone areas outside the special flood hazard area, however, if any engineer performs a basin study of one (1) mile in all directions and proves the proposed development will not have a negative impact on the drainage system, the project may build to the twenty-five (25) year twenty-four (24) hour event. Any facility not having an effective positive outfall shall design the water management facility to retain the one hundred (100) year storm of twenty-four (24) hour event of the maximum rainfall intensity of thirteen (13) inches as predicted for Brevard County. The system shall be designed for twenty-year life, low maintenance costs, and ease of maintenance methods.	All areas
VI.35.103.c.	[hazardous substances] ... located within the area of critical concern ... *** (1) Residential construction. In all new construction or substantial improvement of any residential structure (or manufactured home/mobile home), the elevation of the lowest horizontal structural member, including basement, but excluding footings, pilings, columns, pile caps, nonstructural slabs, bracing and grade beams, shall not be lower than the level of the highest of the following described elevations, to-wit:	All areas
VI.35.104.a	... [no] hazardous and toxic materials ... within 750' [of potable] wells*** (a) Twelve (12) inches above base flood elevation; or	All areas
VI.35.104.b	... [no hazardous and toxic materials] ... In the area of Critical Concern*** (b) Eighteen (18) inches above the crown of the public street, road or highway upon which the property site of such residence fronts; or	All areas
VI.35.104.c	In all areas of the City, the production ... hazardous and toxic materials*** (1) Residential construction. In all new construction or substantial improvement of any residential structure (or manufactured home/mobile home), the elevation of the lowest horizontal structural member, including basement, but excluding footings, pilings, columns, pile caps, nonstructural slabs, bracing and grade beams, shall not be lower than the level of the highest of the following described elevations, to-wit:	All areas
VI.35.104.d	... toxic material in quantities greater than those permitted ... *** (c) Such height or elevation as may be necessary to cause all surface, storm, flood and other waters to adequately and suitably drain from the residence site into a drainage facility serving the locale of the residence at the time of such construction or substantial improvement	All areas
VI.35.104.e	Hazardous materials discharge shall be prohibited. No entity...*** Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection (A)(3) below.	All areas
VI.35.105.a	hazardous or toxic substances prohibited within "Area of Critical Concern."**** (2) Nonresidential construction. New construction or substantial improvement of any commercial, industrial or other nonresidential structure (or manufactured home/mobile home) shall have the lowest floor, including basement, elevated no lower than the elevation required for residential construction as specified in subsection (1) of this paragraph (A), or structures and their attendant utility and sanitary facilities located in all A zones may be floodproofed in lieu of being elevated; provided, that all areas of the structure below the elevation required for residential specified in subsection (1) of this paragraph (A) are watertight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this paragraph are satisfied. Such certification shall be provided to the official as set forth in this section.	All areas

Citation	Statement	Applies to
VI.35.105.b	Within the Area of Critical Concern, no nonresidential storage ...*** (3) Elevated buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.	All areas
VI.35.105.d	Monitoring Capability. All new non-portable storage facilities ...*** (a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:	All areas
VI.35.106.a	An inventory of regulated substances and an Emergency Plan ...*** (1) Provide a minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject of flooding;	All areas
VI.35.106.a	Approved containment of regulated substances shall be required. ...*** (b) Electrical, plumbing and other utility connections are prohibited below the base flood elevation;	All areas
VI.35.106.b	Emergency Management and Contingency plan shall be required ...*** (4) Floodways. Located within areas of special flood hazard established, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:	All areas
VI.35.107.a	Report of spills and liability for clean up. ...*** (a) Prohibit encroachments, including fill, new construction, substantial improvements and other developments, unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during Hazardous materials or substances; cleanup or abatement ...*** (4) Floodways.	All areas
VI.35.107.e	Located within areas of special flood hazard established, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:	All areas
VI.35.107.f	City shall be entitled to recover all of its expense for taking emergency*** (b) If subsection (4)(a) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.	All areas
VI.35.109.a	Reconstruction after catastrophe ...*** (4) Floodways. Located within areas of special flood hazard established, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:	All areas

**West Melbourne****Capital Improvement Plan**

CIE.Roadway	Improving intersection of Henry & Dougherty--Construction Fund	Redevelopment/ Reconstruction Only
CIE.Wastewater	Sewer pipe lining--Wastewater Utility/Stormwater Special Revenue	Redevelopment/ Reconstruction Only

**Capital Improvement Plan Budget**

Sewer	Lift Station rehab at Garretts Run 2009-10--\$160,000	Redevelopment/ Reconstruction Only
Sewer	Lift Station renovation at Laila Park 2009-10--\$160,000	Redevelopment/ Reconstruction Only
Stormwater	Mapping and Master Plan 2009-10--\$130,000	Redevelopment/ Reconstruction Only

Citation	Statement	Applies to
Transportation	Dairy RD construction 2012013--\$2,500,000	New Development/ Construction Only
Transportation	Dairy RD widening--design 2009-10--\$250,000	Redevelopment/ Reconstruction Only
Water	Emergency intertie for fire flow 2009-10--\$200,000	Redevelopment/ Reconstruction Only

**Comprehensive Plan**

Cons.5.4	Stormwater management ordinance enforced to maintain water quality***	All areas
Cons.5.3	Uses causing adverse effects to groundwater recharge area is prohibited***	All areas
Cons.5.1	Amount of pre-development runoff shall not exceed post-development runoff***	New
Cons.5.3	Direct channeling of surface water runoff into waterbodies is prohibited***	All areas
CE.P.2.8	Compliance with effluent standards in operation wastewater treatment plant***	All areas
CE.P.2.9	Continue to operate deep well injection system, alleviating pollution***	All areas
CE.P.3.1	Public water and sewer shall be required for all development projects***	New
Cons.5.1	Amount of pre-development runoff shall not exceed post-development runoff***	New
Cons.4.7	Educate the public about irrigation	All areas
Cons.4.6	Requires reclaimed water lines and connection to reuse system***	New
Cons.4.9	Septic tanks allowed only in areas where public sewer is unavailable***	New
Cons.4.10	Require installation of backflow preventers on non-residential services***	All areas
Intergov.2.5	Coordinate disposal resources with Brevard County	
Pub.Fac.5.4	Educate about unsafe disposal of hazardous wastes***	All areas
Cons.3.7	Environmental report required for all development in 1/2 ac wetlands***	New
Pub.Fac.4.7	New subdivisions required to connect to major wastewater system.***	New
Cons.3.9	Limited development permitted in wetlands	All areas
Pub.Fac.6.10	The city will develop a master drainage inventory as part of the master drainage plan and plan during the ten-year time frame of this Comprehensive Plan.	All Utilities
Pub.Fac.	Amend land development regulations to be consistent with FEMA	All areas
Cons.3.8	Environmental assessment to be done prior to development in wetlands***	New
Pub.Fac.	Contain sanitary sewer facilities during a storm event	New
HE.1.8	Update/enforce building codes to assure safe and healthful structures*** Applies to multiple family, industrial, mobile home and commercial development.	New
Cons.5.8	Continue deep well injection system***	All areas
Cons.5.4	Enforce stormwater management for private facilities***	All areas
Pub.Fac.6.10	Develop Master Storm Drainage Plan for entire city***	All areas
PFE.1.4	Development expansion tied to available capacity	New
Pub.Fac.6.3	Public Works will evaluate city drainage systems	All areas
Pub.Fac.2.6	Minimize use of potable water sources for irrigation purposes	All areas
Pub.Fac.5.5	City shall continue to require recycling of solid waste***	All areas
Pub.Fac.1.3	City shall ensure adequate facilities/services are available and implement growth management	New
Pub.Fac.6.3	City will insure drainage systems be inspected and maintained annually***	All areas

<b>Citation</b>	<b>Statement</b>	<b>Applies to</b>
Table 12 p. 41 Stormwtr. Improv.	Baffle box installation 2009--\$613,400	Required Retrofit Only
Table 14 p. 48 Sanitary Swr Proj.	Haven DR lift station 2009-- \$210,000	Required Retrofit Only
Table 14 p. 48 Sanitary Swr Proj.	Lift Station Rehabilitation 2010-2013-- \$240,000 each year	Required Retrofit Only
<b>Fire Prevention Code</b>		
Sec.7-4	Burning permit required for outdoor fire unless 50 feet from any structure***	All areas
<b>Land Development Code</b>		
LDR Sec.71-8	Runoff from impervious areas shall be directed to retention/detention areas***	All areas
LDR Sec.71-10	Land cleared for development shall be protected from erosion***	All areas
LDR Sec 71-8	New construction/improvements anchored to prevent movement of structure***	All areas

**1.17 APPENDIX VI****1.17.1 Critical Facilities Vulnerability Matrix**

The following table depicts all critical facilities within all Brevard County jurisdictions and overlying hazard zones which indicate possible vulnerabilities to Flooding, Wind, Storm Surge and Fire Risk.

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
ADVANCED QUICK CIRCUITS	600 N JOHN RODES BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
AIR LIQUIDE - MERRITT ISLAND	7007 N COURTENAY PKWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	High Risk	Prot. Reas. Likely	Other
AMBASSADOR SERVICES	9025 N ATLANTIC AVE	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
AQUARINA DEVELOPMENTS - SERVICE MGMT. S	450 AQUARINA BLVD	Brevard Unincorp.	Zone AE	111-115	Category 1	No Risk	Wetland/Submerged	Other
ASTROTECH SPACE OPERATIONS INC.	1515 CHAFFEE DR	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
ATLANTIS ELEMENTARY	7300 BRIGGS AV	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
AUDUBON ELEMENTARY	1201 N BANANA RIVER DR	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	S/H
B.C. PARKS - CHAIN OF LAKES MAINTENANCE FACILITY	2300 TRUMAN SCARBOROUGH WY	Brevard Unincorp.	Zone X - 500 yr	101-105	Category 2	Low Risk	No Risk	Other
B.C. PARKS - NORTH AREA MAINTENANCE FACILITY	475 NORTH WILLIAMS AVENUE	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
B.C. PARKS - NORTH BREVARD SENIOR CENTER	909 LANE AVENUE	Brevard Unincorp.	Zone X - 500 yr	101-105	Category 5	High Risk	No Risk	Other
BC PARKS - BARRIER ISL. ENVIRONMENTAL CTR	8385 HIGHWAY A1A	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 4	High Risk	No Risk	Other
BC PARKS - ENCHANTED FOREST ENVIRON. CTR	444 COLUMBIA BOULEVARD	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Other
BC PARKS - FLUTIE ATHLETIC COM. MAINT. FAC	2101 OAK STREET	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 4	High Risk	No Risk	Other
BC PARKS - HABITAT GOLF COURSE MAINT. FAC.	3591 FAIRGREEN STREET	Brevard Unincorp.	Zone X - 500 yr	111-115	Not in Zone	High Risk	No Risk	Other
BC PARKS - IRENE H. CANOVA COMMUNITY BLDG	2285 HIGHWAY A1A	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 4	High Risk	No Risk	Other
BC PARKS - POW/MIA COMMUNITY BUILDING	5995 NORTH US HIGHWAY 1	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	High Risk	No Risk	Other
BC PARKS - SAM'S HOUSE ENVIRON. CTR.	6195 NORTH TROPICAL TRAIL	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	High Risk	No Risk	Other
BC PARKS - SAVANNAHS GOLF MAINT. FAC	3915 SAVANNAHS TRAIL	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	High Risk	No Risk	Other
BC PARKS - SPACE COAST SPORTS MAINT FAC.	662 CANAVERAL GROVES BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
BC PARKS - SPESSARD HOLLAND GOLF MAINT FAC	2374 OAK STREET	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 4	High Risk	No Risk	Other

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
BC PARKS - VIERA REGIONAL PARK MAINT. FAC.	2300 JUDGE FRAN JAMIESON WY	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
BC PARKS - WICKHAM PARK MAINT. FACILITY	2500 PARKWAY DRIVE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
BC PARKS - WICKHAM PARK SENIOR CENTER	2785 LEISURE WAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
BCSO ANIMAL SHELTER SOUTH	5100 EAU GALLIE BOULEVARD	Brevard Unincorp.	Zone AE	106-110	Not in Zone	Low Risk	No Risk	Other
BCU - NORTH BREVARD WTP	3205 AUSTRALIAN WAY	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
BCU - PORT ST. JOHN WWTP	3710 JUANITA STREET	Brevard Unincorp.	Zone A	101-105	Not in Zone	High Risk	No Risk	Utility
BCU - SOUTH BEACHES REGIONAL WWTP	2800-S. HIGHWAY A1A	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 4	Low Risk	Prot. Almost Certain	Utility
BCU - SOUTH CENTRAL REGIONAL WWTP	10001 WICKHAM RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
BCU - SYKES CREEK REGIONAL WWTP	3630 N. COURTENAY PARKWAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	High Risk	Prot. Reas. Likely	Utility
BELLSOUTH TELECOMMUNICATIONS - 33022	1750 CROTON AVE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Communication
BELLSOUTH TOWER - BAREFOOT DMS E8601	720 SOUTH EGRET CIRCLE	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 5	Very High Risk	No Risk	Other
BELLSOUTH TOWER - COCO KSC TOLL 33682	450 WEST COCOA BEACH CSWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Reas. Likely	Other
BELLSOUTH TOWER - MERRITT ISLAND CO 33618	125 EAST MUSTANG WAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
BREVARD CO FIRE RESCUE - STA #21	4940 N US HWY 1	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #22	2475 TAYLOR AVENUE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #23	700 PARK AVE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #24	2280 COLUMBIA BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
BREVARD CO FIRE RESCUE - STA #26	6655 CAROLE AVENUE	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #28	4870 N US 1 HWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	Prot. Almost Certain	Other
BREVARD CO FIRE RESCUE - STA #29	3950 CANAVERAL GROVES BLVD	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #40	6400 TROPICAL TRL	Brevard Unincorp.	Zone AE	106-110	Category 2	Very High Risk	Prot. Reas. Likely	Other
BREVARD CO FIRE RESCUE - STA #41	300 ALMA BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Reas. Likely	Other
BREVARD CO FIRE RESCUE - STA #42	840 BANANA RIVER DR	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
BREVARD CO FIRE RESCUE - STA #43	902 AIRPORT RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Very High Risk	Prot. Almost Certain	Other
BREVARD CO FIRE RESCUE - STA #44	3780 W KING STREET	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #47	7225 MURRELL RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #48	5550 PORADA DR	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #62	299 SEA PARK BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
BREVARD CO FIRE RESCUE - STA #63	2602 A1A HWY	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other



## All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
BREVARD CO FIRE RESCUE - STA #64	2550 A1A HWY S	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Reas. Likely	Other
BREVARD CO FIRE RESCUE - STA #65	7400 A1A HWY	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 2	High Risk	Prot. Almost Certain	Other
BREVARD CO FIRE RESCUE - STA #66	1695 AURORA RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #67	11 N NEIMAN AVE, MELBOURNE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #80	400 PINEDA COURT, SUNTREE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #81	4630 LAKE WASHINGTON RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #82	109 NW PINE ST, W MELBOURNE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #83	5148 NW MINTON RD, PB	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #84	1391 NE CLERMONT ST, PB	Brevard Unincorp.	Zone X - 500 yr	111-115	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #86	301 BAREFOOT BAY BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #88	175 MEDPLEX, PB	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - STA #89	2051 DEGROOT AVE SW, PB	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO FIRE RESCUE - Supply	300 ANSIN RD, ROCKLEDGE	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
BREVARD CO LIBRARY-MICCO	7921 RON BEATTY BLVD	Brevard Unincorp.	Zone X - 500 yr	111-115	Not in Zone	Low Risk	No Risk	Other
BREVARD CO PARKS & REC, CENTRAL MAINLAND	3850 LAKE DRIVE	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
BREVARD CO PARKS 7 REC, MI/BCH SECTOR	591 CONE ROAD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
BREVARD CO ROAD & BRIDGE-CENTRAL AREA	555 CONE ROAD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
BREVARD CO ROAD AND BRIDGE-TRAFFIC OPS	580 MANOR DRIVE	Brevard Unincorp.	Zone AE	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
BREVARD CO SOLID WASTE CENTRAL FACILITY	2250 ADAMSON ROAD	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Utility
BREVARD CO SOLID WASTE TRANSFER FACILITY	4366 SOUTH STREET/SR #405	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Utility
BREVARD CO WTP-BAREFOOT BAY	334 EGRET CIRCLE	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 5	Very High Risk	No Risk	Utility
BREVARD CO WWTP -BAREFOOT BAY	7700 DOTTIE DRIVE	Brevard Unincorp.	Zone X - 500 yr	111-115	Not in Zone	Very High Risk	No Risk	Utility
BREVARD CO WWTP-MIMS	2880 PINE AVE	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
BREVARD CO WWTP-MIMS-HIGH	2262 HIGH DR	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
BREVARD CO WWTP-PSJ	3710 JUANITA STREET	Brevard Unincorp.	Zone A	101-105	Not in Zone	Low Risk	No Risk	Utility
BREVARD CO WWTP-SAN SEBASTIAN	8800 7TH AVENUE	Brevard Unincorp.	Zone A	111-115	Category 5	Very High Risk	No Risk	Utility
BREVARD CO WWTP-SO BEACHES REGIONAL	2800-S. HIGHWAY A1A	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 4	Low Risk	Prot. Almost Certain	Utility
BREVARD CO WWTP-WICKHAM	10001 WICKHAM RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility

## All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
BREVARD COUNTY GOVERNMENT CENTER	2725 JUDGE FRAN JAMIESON WAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
CAPE CANAVERAL 36 A&B CELL TOWER	Building M6-0088 NASA	Brevard Unincorp.	Zone AE	106-110	Category 2	Low Risk	Prot. Reas. Likely	Other
CAPE CANAVERAL ADMIN BLDG	105 POLK AVENUE	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
CAPE CANAVERAL AIR FORCE STATION CELL TOWER	15160 SAMUEL E PHILLIPS PKWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 4	Low Risk	Prot. Reas. Likely	Other
CENTRAL JUNIOR HIGH	250 W BREVARD DR	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	S/H
CGD UTILITIES - SNUG HARBOR VILLAGE WTP	7700 DOTTIE DRIVE	Brevard Unincorp.	Zone X - 500 yr	111-115	Not in Zone	Very High Risk	No Risk	Utility
CHALLENGER 7 ELEMENTARY	6135 RENA DR	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
CHEMCO TECHNICAL SERVICES	5325 US 1, MIMS	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Other
CHILDREN AND ELDER SERVICES	2555 JUDGE FRAN JAMIESON WAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
COLONY PARK UTILITIES - WWTP	6786 MANGROVE DR, MERRITT ISLAND	Brevard Unincorp.	Zone AE	106-110	Category 2	High Risk	Prot. Reas. Likely	Utility
DELAURA MIDDLE SCHOOL	300 JACKSON AV	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
DEVEREUX HOS. + CHILDRENS CENT	8000 DEVEREUX DRIVE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
DEVINE MERCY CATHOLIC SCHOOL	1940 N COURTENAY PKWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Very High Risk	Prot. Almost Certain	S/H
EDGEWOOD JUNIOR HIGH	180 E MERRITT AV	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
EFSC/UNIV OF CENTRAL FLORIDA - BLDG 3	1513 CLEARLAKE RD COCOA	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
EMBRY RIDDLE AERONAUTICAL UNIV	1140 SCHOOL AV	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	S/H
FAIRGLEN ELEMENTARY	201 INDIAN TRAIL	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 4	Very High Risk	Prot. Almost Certain	S/H
FLEET MARINE WHARF	PORT CANAVERAL	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
FLORIDA DEPARTMENT OF HEALTH BREVARD CNTY	2555 JUDGE FRAN JAMIESON WAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
FLORIDA HIGHWAY PATROL DIST HQ	3775 WEST KING STREET	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Other
FLORIDA POWER & LIGHT - CAPE CANAV.	6001 US 1	Brevard Unincorp.	Zone X - 500 yr	101-105	Category 4	Very High Risk	Prot. Almost Certain	Power
GARDENDALE ELEMENTARY	301 GROVE BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
GEMINI ELEMENTARY	2100 OAK ST	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	S/H
HANS CHRISTIAN ANDERSON ELEMEN	3011 S FISKE BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
HERBERT C HOOVER JUNIOR HIGH	1 HAWK HAVEN DR	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	S/H
HOLY NAME OF JESUS CATHOLIC SC	3060 N HWY A1A	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	S/H
INDIALANTIC ELEMENTARY	1050 N PALM AV	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	S/H
INTER-AGENCY MARITIME OPERATIONS CENTER	640 MAGELLAN RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
JAMES MADISON MIDDLE	3375 DAIRY RD	Brevard Unincorp.	Zone AE	101-105	Not in Zone	Very High Risk	No Risk	S/H

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
JESS PARRISH HOSPITAL	951 N WASHINGTON AVE	Brevard Unincorp.	Zone X - 500 yr	101-105	Category 5	Low Risk	No Risk	S/H
LEWIS CARROLL ELEMENTARY	1 SKYLINE BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Very High Risk	Prot. Almost Certain	S/H
MARINER HEALTH OF MELBOURNE	251 FLORIDA AVE	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	No Risk	Prot. Almost Certain	S/H
MELBOURNE CENTRAL WAREHOUSE	2893 HARPER ROAD	Brevard Unincorp.	Zone AE	106-110	Not in Zone	Low Risk	No Risk	Other
MERRITT ISLAND CHRISTIAN SCHOOL	140 MAGNOLIA AV	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
MERRITT ISLAND HIGH	100 E MUSTAND WAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
MERRITT ISLAND PUBLIC LIBRARY	1195 N COURTENAY PKWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
MICHAEL BIEBINK SCHOOL	1900 S TROPICAL TR	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
MILA ELEMENTARY	288 W MERRITT AV	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
MIMS ELEMENTARY	2582 U.S.HWY 1	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
NASA - JOHN F. KENNEDY SPACE CENTER (KSC)	FL 32899	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Reas. Likely	Other
NORMANDY SCHOOL	2327 PALMETTO AV	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
NORTH BREVARD LIBRARY	2121 S HOPKINS AVE	Brevard Unincorp.	Zone X - 500 yr	101-105	Category 4	Low Risk	No Risk	Other
NORTHGATE PROPERTIES - WTP & WWTP	1ST AVE MIMS	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
OAKPARK ELEMENTARY	3395 DAIRY RD	Brevard Unincorp.	Zone AE	101-105	Not in Zone	Very High Risk	No Risk	S/H
ORLANDO UTILITIES COMMISSION INDIAN RVR	7800 S US HWY 1	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Utility
PALM CHAPEL CHRISTIAN SCHOOL	1890 N COURTENAY PKWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Very High Risk	Prot. Almost Certain	S/H
PATRICK AIR FORCE BASE	PATRICK AFB, FL 32925	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
PCM PRODUCTS	1225 WHITE DR	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
PINE ISLAND CONSERVATION AREA PUMP STATION	2121 PINE ISLAND RD	Brevard Unincorp.	Zone AE	106-110	Category 2	Low Risk	Prot. Reas. Likely	Utility
PINE LAKE MOBILE HOME ESTATES - WWTP	2505 EBER BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
PINEWOOD ELEMENTARY	3654 LIONEL RD	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	S/H
PORT CANAVERAL FIRE STATION	660 MAGELLAN RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
PORT ST. JOHN LIBRARY	6500 CAROLE AVE	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
PRAXAIR - LINDE DIV. AIR SEPERATION PLAN	2801 HAMMOCK RD	Brevard Unincorp.	Zone AE	101-105	Category 2	Low Risk	Prot. Reas. Likely	Utility
RIVER GROVE MHP - RIVER GROVE I	5 LOVE COURT	Brevard Unincorp.	Zone X - 500 yr	111-115	Not in Zone	Very High Risk	Prot. Almost Certain	Other
RIVER GROVE MHP - RIVER GROVE II	5 LOVE COURT	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 5	High Risk	No Risk	Other
RIVERSIDE CHRISTIAN ACADEMY	3333 N RIVERSIDE DR	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	S/H
SEA PARK ELEMENTARY	300 SEA PARK BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	S/H
SEAPORT CANAVERAL	555 FLORIDA SR 401	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
SEWER LIFT STATION # 11	POINSETT AURORA	Brevard Unincorp.	Zone AE	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 14	CHAMPION ST	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 19	HIGH POINT DR.	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 20	HIGH POINT AND N COCOA	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 21	N. STRATFORD/STRATFORD	Brevard Unincorp.	Zone AE	101-105	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 22	COUNTRY LAKE DR	Brevard Unincorp.	Zone AE	101-105	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 25	LAKE DR. W./CLEARLAKE	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 28	SR 524 EAST OF COX RD	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 29	TOWNSEND RD. N. AND SR 520	Brevard Unincorp.	Zone A	101-105	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 30	FRIDAY RD	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 31	CAMP ROAD	Brevard Unincorp.	Zone A	101-105	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 33	SR 520 AND COX ROAD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 34	CROSS BOW DR	Brevard Unincorp.	Zone A	101-105	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 37	BURNETT RD AND LAKE DR	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 38	2600 CLEARLAKE RD	Brevard Unincorp.	Zone A	106-110	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 4	SCHOOL ST AND FISKE BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 42	SR 524/EAST OF WESTMINSTER	Brevard Unincorp.	Zone A	101-105	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 43	LOST LAKES SUBDIVISION	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
SHERIFF - WEST PRECINCT	2725 JUDGE FRANK JAMIESON WAY	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
SOCIAL SECURITY ADMIN	310 CANAVERAL GROVES BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
SOUTH BCHS BREVARD WATER CO-OP	41 MOHICAN WAY	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 2	High Risk	Prot. Almost Certain	Utility
SOUTH HUMANE SOCIETY	5100 W. EAU GALLIE BLVD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
SOUTH MAINLAND / MICCO FIRE STATION	299 BAREFOOT BLVD	Brevard Unincorp.	Zone A	111-115	Not in Zone	Low Risk	No Risk	Other
SOUTH MAINLAND COMMUNITY CENTER	3700 ALLEN AVENUE	Brevard Unincorp.	Zone X - 500 yr	111-115	Not in Zone	Very High Risk	No Risk	S/H
ST. SEBASTIAN BY THE SEA EPISCOPAL CHURCH	210 OAK STREET	Brevard Unincorp.	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
SUN LAKE ESTATES - WWTP	4865 LAKE ONTARIO DR	Brevard Unincorp.	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
SUNTREE ELEMENTARY	900 PINEHURST DR	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
THOMAS JEFFERSON JR HIGH	1275 S COURTENAY PKWY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	S/H
TROPICAL ELEMENTARY	885 S COURTENAY PKY	Brevard Unincorp.	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
VIERA HOSPITAL	8745 N WICKHAM RD	Brevard Unincorp.	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
CRUISE TERMINAL 1	9050 DISCOVERY RD	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
CRUISE TERMINAL 10	9005 CHARLES M ROWLAND DR	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
CRUISE TERMINAL 3	32 GEORGE KING BLVD	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
CRUISE TERMINAL 5	9245 CHARLES M ROWLAND DR	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
CRUISE TERMINAL 6	9241 CHARLES M ROWLAND DR	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
CRUISE TERMINAL 8	9155 CHARLES M ROWLAND DR	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
FIRE STATION 52	8970 COLUMBIA RD	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
FIRE STATION 54	9290 GROUPER RD	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
INTERAGENCY MARITIME OPERATIONS CENTER	640 MAGELLAN RD	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
MARITIME CENTER	445 CHALLENGER RD	Canaveral Port Authority	Zone X	106-110	Category 3	Low	Low Risk	Other
BREVARD COUNTY SHERIFF'S OFFICE	111 POLK AVENUE	Cape Canaveral	Zone X - 500 yr	106-110	Category 1	Low Risk	Low Risk	Other
CAPE CANAVERAL CITY HALL	100 POLK AVENUE	Cape Canaveral	Zone X - 500 yr	106-110	Category 1	Low Risk	Low Risk	Other
CAPE CANAVERAL FIRE STATION STA # 60	190 JACKSON AVE	Cape Canaveral	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
CAPE CANAVERAL PUBLIC LIBRARY	201 POLK AVENUE	Cape Canaveral	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
CAPE CANAVERAL RECREATION CENTER	7300 NORTH ATLANTIC AVE	Cape Canaveral	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
CAPE CANAVERAL WWTP	600 THURM BOULEVARD	Cape Canaveral	Zone AE	106-110	Category 1	Low Risk	Wetland/Submerged	Utility
CAPE VIEW ELEMENTARY	8440 N ROSALIND AV	Cape Canaveral	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
1.5 MIL ELEVATED STORAGE PARK SITE	PEACHTREE/N COCOA	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
AT&T - COCOA POINT OF PRESENCE (POP)	101 ROSA L JONES	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Communication
BEAUTIFICATION BLDG.	600 SCHOOL ST.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BELLSOUTH TELECOMMUNICATIONS - 33615	712 FLORIDA AVE	Cocoa	Zone X - 500 yr	111-115	Not in Zone	Low Risk	No Risk	Communication
BREVARD CO LIBRARY-CENTRAL REFERENCE	308 FORREST AVENUE	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	Prot. Almost Certain	Other
BREVARD CO SPACE COAST AREA TRANSIT SVC	401 S. VARR AVENUE	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
BREVARD CORRECTIONAL INSTITUTION	855 CAMP ROAD	Cocoa	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
BREVARD GROUP TREATMENT HOME	3905 GRISSOM PKWY	Cocoa	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Other
BREVARD REG JUVENILE DETENTION CTR	5225 DEWITT AVE	Cocoa	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
CAMBRIDGE ELEMENTARY	2000 CAMBRIDGE DR	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
CITY GARAGE/FUEL	301 SHEARER BLVD.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	No Risk	No Risk	Other
CITY OF COCOA - JERRY SELLER WRS	375 NORTH COCOA BLVD	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
COCOA FIRE STATION # 1	1740 Dixon Blvd	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
COCOA FIRE STATION # 2	300 Brunson Blvd	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
COCOA FIRE STATION # 3	3505 SR 524	Cocoa	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
COCOA HIGH SCHOOL	2000 TIGER TRAIL	Cocoa	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
COCOA POLICE DEPARTMENT	1226 W KING ST	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	PSAP - Comm.
COCOA POLICE OPERATIONS	1223 W. KING ST.	Cocoa	Zone AE	106-110	Not in Zone	Very High Risk	No Risk	Other
COCOA POLICE SUB-STATION	400 S. VARR AVE.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
COCOA POLICE SUB-STATION	451 TAFT ST.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
COCOA WORK RELEASE CENTER	585 CAMP ROAD	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
EASTERN FLORIDA STATE COLLEGE	1519 CLEARLAKE RD	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
FDOT BREVARD OPERATIONS OFFICE	555 CAMP ROAD	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
FIRE STATION (Storage)	2003 MICHIGAN AVE	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
GENERAL MAINTENANCE BLDG.	600 SCHOOL ST.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
INDUSTRIAL PARK PUMP STATION	NO. WILSON AVE.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	No Risk	No Risk	Utility
PINEDA ELEMENTARY	905 PINEDA ST	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
PINEDA ELEMENTARY	905 PINEDA ST	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
PORCHE HOUSE	434 DELANNEY AVE.	Cocoa	Zone X - 500 yr	111-115	Not in Zone	Low Risk	No Risk	Other
PURCHASING/WAREHOUSE	5 N. WILSON	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
ROCKLEDGE HEALTH AND REHAB CEN	587 BARTON BLVD	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
SATURN ELEMENTARY	880 RANGE RD	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
SATURN ELEMENTARY	880 RANGE RD	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
SELLERS WASTEWATER TREATMENT PLANT	375 N. COCOA BLVD.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
SEVENTH DAY ADVENTIST CHRISTIAN	1500 COX RD	Cocoa	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	S/H

## All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
SEWER LIFT STATION # 1	100 RIVERSIDE DR.	Cocoa	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Utility
SEWER LIFT STATION # 10	1721 DIXON BLVD.	Cocoa	Zone AE	101-105	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 12	FORREST AND N. COCOA	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	Prot. Almost Certain	Utility
SEWER LIFT STATION # 13	REAR/S. STETSON CIR.	Cocoa	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 15	REAR/2000 BLK MICHIGAN	Cocoa	Zone AE	106-110	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 16	1400 N. COCOA BLVD.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 17	TULANE AND MUSKEGUM	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 18	LONDON BLVD.	Cocoa	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 2	BREVARD/N. INDIAN RIVER DR.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	Prot. Almost Certain	Utility
SEWER LIFT STATION # 23	N. WILSON	Cocoa	Zone X - 500 yr	106-110	Not in Zone	No Risk	No Risk	Utility
SEWER LIFT STATION # 24	ROSENTINE/TIGER TRAIL	Cocoa	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 26	RANGE AND HOOPER	Cocoa	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 27	HIGHLAND AND PLAZA PARK	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 35	1514 CLEARLAKE RD.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 39	WINCHESTER AND PARAPET	Cocoa	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 40	MAPLE WOOD TRAILER PARK	Cocoa	Zone X - 500 yr	101-105	Not in Zone	No Risk	No Risk	Utility
SEWER LIFT STATION # 41	900 BLK. N. COCOA BLVD.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	Prot. Almost Certain	Utility
SEWER LIFT STATION # 44	COCOA BAY/RIDGE RD.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 45	DIXON/INDIAN RIVER DR.	Cocoa	Zone AE	106-110	Category 2	Low Risk	Prot. Almost Certain	Utility
SEWER LIFT STATION # 5	MONTCLAIR AND CYPRESS	Cocoa	Zone AE	106-110	Not in Zone	High Risk	No Risk	Utility
SEWER LIFT STATION # 6	PINEDA AND COLUMBIA	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 7	800 N. FISKE BLVD.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
SEWER LIFT STATION # 8	BERNARD AND WILSON	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
SEWER LIFT STATION # 9	S. FISKE AND HOLMES	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
ST MARKS ACADEMY	4 CHURCH ST	Cocoa	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
TRANSMISSION DIST. BLDG.	600 SCHOOL ST.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	No Risk	No Risk	S/H
UTILITIES ADMIN BUILDING	600 SCHOOL ST.	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
WMIE RADIO STATION - EAS	1150 KING STREET	Cocoa	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Communication



All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
BELLSOUTH TELECOMMUNICATIONS - 33682	450 W. COCOA BEACH CSWY.	Cocoa Beach	Zone AE	106-110	Category 2	Low Risk	Low Risk	Communication
CAPE CANAVERAL HOSPITAL	701 W. COCOA BEACH CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	S/H
CB RECREATIONAL DEPT. GYMNASIUM	321 RAMP ROAD	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
CHURCH OF OUR SAVIOUR	5301 N. ATLANTIC AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Other
CITY OF CB-WATER RECLAMATION FACILITY	1600 MINUTEMEN CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
CLUB ZION CHURCH	830 N. ATLANTIC AVEN.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Other
COCOA BEACH CHRISTIAN SCHOOL	830 S. ATLANTIC AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	S/H
COCOA BEACH CITY HALL	2 SOUTH ORLANDO AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
COCOA BEACH COMMUNITY CHURCH	126 S. ATLANTIC AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Other
COCOA BEACH COUNTRY CLUB	5000 TOM WARRINER BLVD.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
COCOA BEACH FIRE STATION # 50	151 W. VOLUSIA LANE	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
COCOA BEACH FIRE STATION # 51	50 S. ORLANDO AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
COCOA BEACH HIGH SCHOOL	1500 MINUTEMEN CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	S/H
COCOA BEACH HIGH SCHOOL	1500 MINUTEMEN CSWY	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	S/H
COCOA BEACH PD PSAP/COMM.	20 SOUTH ORLANDO AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	PSAP - Comm.
COCOA BEACH POLICE DEPARTMENT	20 SOUTH ORLANDO AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Other
COCOA BEACH PUBLIC LIBRARY	550 N. BREVARD AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
COCOA BEACH PUBLIC WORKS COMPLEX	1600 MINUTEMEN CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
COCOA BEACH PUBLIC WORKS GARAGE	1600 MINUTEMEN CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
COCOA BEACH SEWER LIFT STATION # 1	1600 MINUTEMEN CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 10	S.B.R.B. AND ST CROIX AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 11	4600 TOM WARRINER BLVD.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 12	1450 MINUTEMEN CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 13	2200 N. ATLANTIC AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 14	1485 BAY SHORE DRIVE	Cocoa Beach	Zone X - 500 yr	106-110	Category 1	LOW RISK	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 15	29TH STREET SOUTH	Cocoa Beach	Zone X - 500 yr	106-110	Category 1	LOW RISK	Low Risk	Utility



All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
COCOA BEACH SEWER LIFT STATION # 16	ARTHUR AND WINSLOW AVE	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 3	1301 13TH STREET SOUTH	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 4	203 COCOA ISLES BLVD.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 5	SR 520 AND BELT ROAD	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 6	400 4TH STREET SOUTH	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 7	35 CEDAR AVENUE	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION # 8	5600 N. BAN. RIVER BLVD.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
COCOA BEACH SEWER LIFT STATION PAFB	289 SHEARWATER PKWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Utility
FIRST CHRISTIAN CHURCH	470 S. BREVARD AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Other
FIRST UNITED METHODIST CHURCH	3300 N. ATLANTIC AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
FPL NORTH SUBSTATION	WEST COLUMBIA LANE	Cocoa Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Low Risk	Utility
FPL SOUTH SUBSTATION	1ST ST. S. AND S. BREV. AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Utility
FREEDOM 7 ELEMENTARY SCHOOL	400 4TH STREET SOUTH	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	S/H
FREEDOM 7 ELEMENTARY SCHOOL	400 4TH STREET SOUTH	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	S/H
LUTHERAN CHURCH	525 MINUTEMEN CSWY.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
RIVERSIDE PRESBYTERIAN CHURCH	3400 N. ATLANTIC AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
THEODORE ROOSEVELT K-8	1400 MINUTEMEN CSWY.	Cocoa Beach	Zone AE	106-110	Category 1	LOW RISK	Low Risk	S/H
UNITED STATES POST OFFICE	550 NORTH BREVARD AVE.	Cocoa Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Low Risk	Other
FIRE STATION #87	2855 VALKARIA ROAD	Grant-Valkaria	Zone X - 500 yr	111-115	Category 5	Very High Risk	Prot. Reas. Likely	Other
TOWN HALL	1449 VALKARIA ROAD	Grant-Valkaria	Zone X - 500 yr	111-115	Category 5	Very High Risk	Prot. Reas. Likely	Other
INDIALANTIC FIRE STATION	216 FOURTH AVES	Indialantic	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
INDIALANTIC POLICE DEPT	220 FIFTH AVE	Indialantic	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
INDIALANTIC TOWN HALL COMPLEX	216 FIFTH AVE	Indialantic	Zone X - 500 yr	111-115	Category 4	Low Risk	Prot. Almost Certain	Other
ASCENSION LUTHER CHURCH	1053 PINETREE DR	Indian Harbour Bch	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
B.C. PARKS - N. BEACHES MAINTENANCE FACILITY	212 RIVERSIDE PARK DRIVE	Indian Harbour Bch	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
BELLSOUTH TOWER - EAU GALLIE CO 33642	980 PINETREE DR	Indian Harbour Bch	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
COMMUNITY CENTER - CANOVA PARK	2285 HWY A1A	Indian Harbour Bch	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	S/H
ESPECIALLY FOR CHILDREN	1230 BANANA RIVER DR	Indian Harbour Bch	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
FIRE STATION #56	1116 PINETREE DR	Indian Harbour Bch	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
GRACE CHURCH	1202 BANANA RIVER DR	Indian Harbour Bch	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
INDIAN HARBOUR BCH POLICE DEPARTMENT	40 CHEYENNE CT	Indian Harbour Bch	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
INDIAN HARBOUR BEACH CITY HALL	2055 S. PATRICK DRIVE	Indian Harbour Bch	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
INDIAN HARBOUR BEACH POLICE DEPT	2055 S. PATRICK DRIVE	Indian Harbour Bch	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
OCEAN BREEZE ELEMENTARY	1101 CHEYENNE DR	Indian Harbour Bch	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	S/H
FIRE STATION STA#99	1840 MALABAR ROAD	Malabar	Zone X - 500 yr	111-115	Not in Zone	High Risk	No Risk	Other
HARRIS - GOVERNMENT COMMUNICATIONS SYSTEM	2800 JORDAN BLVD	Malabar	Zone X - 500 yr	111-115	Not in Zone	High Risk	No Risk	Other
MALABAR, TOWN OF	2725 MALABAR ROAD	Malabar	Zone X - 500 yr	111-115	Not in Zone	Very High Risk	No Risk	Other
ARBORS AT MELBOURNE	3033 SARNO ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
ASCENSION CATHOLIC	2950 N HARBOR CITY BLVD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	Prot. Almost Certain	S/H
ATLANTIC SHORES NURSING HOME	4251 STACK BLVD.	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
AVANTE AT MELBOURNE	1420 OAK ST	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
B.C. PARKS - WICKHAM PARK MAINT. FACILITY	2500 PARKWAY DRIVE	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
B.C. PARKS - WICKHAM PARK SENIOR CENTER	2785 LEISURE WAY	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BELLSOUTH TELECOMMUNICATIONS - 33656	728 PALMETTO AVE	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Communication
BREVARD CO CLERK/COURTS MELBOURNE	50 S. NIEMAN AVENUE	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
BREVARD CO PARKS & REC, SO AREA SECTOR	2500 PARKWAY DRIVE	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO SOLID WASTE TRANSFER FACILITY	3379 SARNO ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Utility
BREVARD CO SPACE COAST AREA TRANSIT SVC	460 S. HARBOUR CITY BLVD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	Prot. Almost Certain	Other
BREVARD COUNTY SERVICE COMPLEX-SOUTH	1515 SARNO RD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
CARNEGIE-GARDENS NURSING CENTER	1415 HICKORY STREET	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
CENTRAL CATHOLIC HIGH SCHOOL	100 E FLORIDA AV	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	S/H
CIRCLES OF CARE INC	400 EAST SHERIDAN RD	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
CITA MISSION-EMERGENCY SHELTER	2300 S. HARBOR CITY BLVD.	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
CITY OF MELBOURNE - AVENUE B PUMP STATION	211 E. AVE. B	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	Prot. Almost Certain	Utility
CITY OF MELBOURNE - DAVID B. LEE WRF	835 N. APOLLO BLVD.	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
CITY OF MELBOURNE - FRONT ST. PUMP ST	1313 NEW HAVEN AVE	Melbourne	Zone AE	111-115	Category 1	Low Risk	Prot. Reas. Likely	Other
CITY OF MELBOURNE - GRANT STREET WRF	2300 GRANT STREET	Melbourne	Zone X - 500 yr	111-115	Category 4	Low Risk	Prot. Almost Certain	Utility
CITY OF MELBOURNE - REVERSE OSMOSIS WTP	5980 LAKE WASHINGTON ROAD	Melbourne	Zone AE	106-110	Not in Zone	High Risk	No Risk	Utility
CITY OF MELBOURNE - SOUTH WATER TREATMEN	6055 LAKE WASHINGTON ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Utility
CITY OF MELBOURNE HALL	900 EAST STRAWBRIDGE AVE	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
CITY OF MELBOURNE- HIBISCUS BOOSTER STATION	966 W. HIBISCUS BLVD.	Melbourne	Zone AE	106-110	Not in Zone	Low Risk	Prot. Reas. Likely	Other
CITY OF MELBOURNE-CANOVA BOOSTER STATION	930 WALLACE AVE.	Melbourne	Zone X - 500 yr	111-115	Category 4	Low Risk	No Risk	Utility

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
CITY OF MELBOURNE-JOE MULLINS WTP	5985 LAKE WASHINGTON RD.	Melbourne	Zone AE	106-110	Not in Zone	Low Risk	No Risk	Utility
CITY OF MELBOURNE-JOHN A. BUCKLEY WTP	5980 LAKE WASHINGTON RD.	Melbourne	Zone AE	106-110	Not in Zone	Low Risk	No Risk	Utility
CITY OF MELBOURNE-LIFT STATIONS	LOCATED THROUGHOUT CITY	Melbourne	Zone AE	111-115	Not in Zone	Low Risk	Location Specific	Utility
CITY OF MELBOURNE-NORTH BOOSTER STATION	2595 MC GRAW AVE.	Melbourne	Zone AE	106-110	Not in Zone	Low Risk	No Risk	Utility
CITY OF MELBOURNE-PINEDA BOOSTER STATION	2935 PINEDA CAUSEWAY	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	Prot. Almost Certain	Utility
CONSULATE HEALTH CARE	3033 SARNO ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
CRANE CREEK SURGERY CENTER	2222 S HARBOR CITY BLVD	Melbourne	Zone AE	111-115	Category 2	Low Risk	No Risk	S/H
CRANE PARK COMMUNITY CENTER	1440 MOSSWOOD DR.	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
CROTON ELEMENTARY	1449 CROTON RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
DR W J CREEL ELEMENTARY	1566 PALMWOOD DR	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
EASTERN FLORIDA STATE COLLEGE	3865 N WICKHAM RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
EAU GALLIE CIVIC CENTER	1521 PINEAPPLE AVE	Melbourne	Zone X - 500 yr	106-110	Category 4	Low Risk	Prot. Almost Certain	Other
EAU GALLIE HIGH	1400 COMMODORE BLVD	Melbourne	Zone X - 500 yr	106-110	Category 4	Low Risk	Prot. Reas. Likely	S/H
EAU GALLIE LIBRARY	1521 PINEAPPLE AVE	Melbourne	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
EAU GALLIE POST OFFICE	681 ST. CLAIR ST.	Melbourne	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
EVEREST COLLEGE	2401 N HARBOR CITY BLVD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	Prot. Almost Certain	S/H
FLORIDA AIR ACADEMY	1950 S ACADEMY DR	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	S/H
FLORIDA INST OF TECHNOLOGY	150 W UNIVERSITY BLVD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	S/H
FRONT STREET COMMUNITY CENTER	2205 FRONT ST	Melbourne	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
GRANT STREET COMMUNITY CENTER	2547 GRANT ST	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
HARBOR CITY ELEMENTARY	1377 SARNO RD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	S/H
HEALTH FIRST MEDICAL GROUP	1223 GATEWAY DR.	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
HOLMES REGIONAL MED CENTER	1350 S. HICKORY ST	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
HOLMES REGIONAL NURSING CENTER	606 SHERIDAN ROAD	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	Prot. Almost Certain	S/H
HOLY TRINITY EPISCOPAL SCHOOL	50 E STRAWBRIDGE AV	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
INTERSTATE BATTERY SYS. OF FL SPACECOAST	3133 SARNO RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
KEISER COLLEGE OF TECHNOLOGY	410 N WICKHAM RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
KINDRED HOSPITAL	765 NASA BLVD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
LIFE CARE CENTER OF MELBOURNE	606 SHERIDAN ROAD	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	Prot. Almost Certain	S/H
LIPSCOMB PARK COMMUNITY CENTER	3316 S MONROE ST	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
LONGLEAF ELEMENTARY	4290 N. WICKHAM RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
LYNDON B JOHNSON JUNIOR HIGH	2155 CROTON RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H

## All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
MELBOURNE AUDITORIUM	625 E HIBISCUS AVE	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
MELBOURNE CENTRAL WAREHOUSE BLDG	2893 HARPER ROAD	Melbourne	Zone X - 500 yr	106-109	Not in Zone	Low Risk	No Risk	Other
MELBOURNE DB LEE WWTP	835 N. APOLLO BLVD.	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	Prot. Almost Certain	Utility
MELBOURNE FIRE STATION #71	865 EAU GALLIE BLVD.	Melbourne	Zone X - 500 yr	106-110	Category 4	Low Risk	Prot. Almost Certain	Other
MELBOURNE FIRE STATION #72	2937 SARNO RD.	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE FIRE STATION #73	1530 TOWER ACCESS RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE FIRE STATION #74	900 EAST STRAWBRIDGE AVE	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
MELBOURNE FIRE STATION #75	151 UNIVERSITY BLVD.	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
MELBOURNE FIRE STATION #76	2470 CROTON ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE FIRE STATION #77	3721 N. WICKHAM ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE FIRE STATION #78	850 EBER ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE HIGH	74 BULLDOG BLVD	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
MELBOURNE INTER'NTL AIRPORT	1 AIR TERMINAL PARKWAY	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE INTER'NTL AIRPORT AIR TRAFFIC CTRL	901 TOWER ACCESS RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE INTER'NTL AIRPORT ELEC.VAULT	1530 TOWER ACCESS ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE INTER'NTL AIRPORT OPS. &MAINT.	830 ED FOSTER RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE LIBRARY	540 E FEE AVE	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
MELBOURNE POLICE DEPARTMENT PSAP	701 S BABCOCK ST	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	PSAP - Comm.
MELBOURNE POLICE DEPT	650 N APOLLO BLVD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
MELBOURNE POST OFFICE	640 E. NEW HAVEN AVE.	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
MELBOURNE PUBLIC WORKS GARAGE	2901 HARPER ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE PUBLIC WORKS LIFT STATION REPAIR	2889 HARPER ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
MELBOURNE TERRACE REHABILITATION CENTER	251 FLORIDA AVE.	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Other
MELBOURNE WATER/SEWER ADM STA	2891 HARPER ROAD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
MELBOURNE WWTP-GRANT ST	2300 GRANT STREET	Melbourne	Zone X - 500 yr	111-115	Category 4	Low Risk	Prot. Almost Certain	Utility
NATIONAL WEATHER SERVICE	421 CROTON RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Communication
OUR LADY OF LOURDES PAROCHIAL	420 E FEE AV	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
PALM BAY HIGH	1 PIRATE LANE	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
PHILLIPS JR COLLEGE	2401 N HARBOR CITY BLVD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	Prot. Almost Certain	S/H
POLICE COMMUNICATIONS CENTER	701 S. BABCOCK ST.	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Communication
PUBLIC WORKS/BACK UP EOC	900 E STRAWBRIDGE AVE	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Communication

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
ROY ALLEN ELEMENTARY	2601 FOUNTAINHEAD BLVD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
SABAL ELEMENTARY	1400 WICKHAM RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
SALVATION ARMY-EMERGENCY SHELTER	1080 HICKORY ST.	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
SEA PINES REHAB HOSPITAL	101 E FLORIDA AVE	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
SEVENTH DAY ADVENTIST SCHOOL	210 W NEW HAVEN AV	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	S/H
SHERWOOD ELEMENTARY	2541 POST RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
SOUTH ALTERNATIVE AT PINE GROVE	2175 N WICKHAM RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
SOUTH PINE GROVE	2175 N WICKHAM RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
SPACE COAST MARINE INSTITUTE	1000 INSPIRATION LANE	Melbourne	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
STONE COMMUNITY	1101 UNIVERSITY BLVD E	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
STONE JUNIOR HIGH	1101 E UNIVERSITY BLVD	Melbourne	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	S/H
UNIVERSITY PARK ELEMENTARY	500 W UNIVERSITY BLVD	Melbourne	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	S/H
WEBSTER UNIVERSITY	1775 W. HIBISCUS BLVD.	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
WEST SHORE JR/SR HIGH	250 WILDCAT ALLEY	Melbourne	Zone X - 500 yr	106-110	Category 4	Low Risk	No Risk	S/H
WUESTHOFF MEDICAL CENTER	250 N. WICKHAM RD	Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
COMMUNITY CHAPEL	501 OCEAN AVE	Melbourne Beach	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
GRACE LUTHERAN CHURCH	1805 OAK STREET	Melbourne Beach	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
MELBOURNE BEACH FIRE STATION #58	505 OCEAN AVE	Melbourne Beach	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
MELBOURNE BEACH POLICE DEPT	505 CINNAMON DR	Melbourne Beach	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
MELBOURNE BEACH PUBLIC WORKS DEPT	507 OCEAN AVE	Melbourne Beach	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
MELBOURNE BEACH TOWN HALL	507 OCEAN AVE	Melbourne Beach	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
POST OFFICE	504 OCEAN AVE	Melbourne Beach	Zone X - 500 yr	111-115	Category 3	Low Risk	Prot. Almost Certain	Other
MELBOURNE VILL POLICE DEPT	535 HAMMOCK RD	Melbourne Village	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
ANCHOR CARE AND REHABILITATION CENTER	1515 PORT MALABAR BL	Palm Bay	Zone X - 500 yr	111-115	Category 5	High Risk	No Risk	Other
B.C. PARKS - GREATER PALM BAY SENIOR CENTER	1275 CULVER DRIVE NE	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BAYSIDE HIGH SCHOOL	1901 DEGROODT RD SW	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
CITY OF PALM BAY UTIL. AQUIFER STOR.RECO	250 OSMOSIS DRIVE	Palm Bay	Zone X - 500 yr	106-110	Category 5	Low Risk	No Risk	Utility
CITY OF PALM BAY UTILITIES - REPUMP FACI	645 NASH ST	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
CITY OF PALM BAY UTILITIES - WTP	1111 TROUTMAN BLVD	Palm Bay	Zone X - 500 yr	111-115	Category 5	Very High Risk	No Risk	Utility
CITY OF PALM BAY UTILITIES - WWTP#2	250 OSMOSIS DRIVE	Palm Bay	Zone X - 500 yr	111-115	Not in Zone	Very High Risk	No Risk	Utility
FAR CHEMICAL, INC.	2210 WILHELMINA CT NE	Palm Bay	Zone X - 500 yr	111-115	Category 5	Low Risk	Prot. Almost Certain	Other
HERITAGE HIGH SCHOOL	2351 MALABAR RD	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
HERITAGE HIGH SCHOOL	2351 Malabar Road	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
INTERSIL CORP	1650 ROBERT J CONLAN BLVD	Palm Bay	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
L3HARRIS GOVERNMENT COMMUNICATIONS SYSTEM	2400 PALM BAY RD NE	Palm Bay	Zone X - 500 yr	111-115	Category 5	Low Risk	No Risk	Other
PALM BAY CITY HALL AND ANNEX	120 MALABAR ROAD SE	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
PALM BAY FIRE STATION #1	1201 PORT MALABAR BLVD NE	Palm Bay	Zone X - 500 yr	111-115	Not in Zone	Low Risk	No Risk	Other
PALM BAY FIRE STATION #2	150 MALABAR RD SE	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
PALM BAY FIRE STATION #3	790 JUPITER BLVD NW	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
PALM BAY FIRE STATION #4	1200 SAN FILIPPO DR SE	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
PALM BAY FIRE STATION #5	1525 FOUNDATION PARK BLVD SE	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
PALM BAY POLICE DEPARTMENT	130 MALABAR ROAD	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	PSAP - Comm.
PALM BAY PUBLIC WORKS	1050 MALABAR RD SW	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
PALM BAY PUBLIC WORKS	1750 MAIN STREET NE	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
RIVERVIEW SENIOR RESORT	3490 GRAN AVE NE	Palm Bay	Zone X - 500 yr	111-115	Category 5	Very High Risk	No Risk	Other
SUNRISE ELEMENTARY SCHOOL	1651 MARA LOMA BLVD SE	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
TED WHITLOCK COMMUNITY CENTER	370 CHAMPIONSHIP CIRCLE NW	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
WILLOWBROOK FARMS	3400 WILLOWBROOK ST	Palm Bay	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
ACCURATE METAL FINISHING OF FLORIDA	500 Gus Hipp Blvd	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
B.C. PARKS - MARTIN ANDERSON SENIOR CENTER	1025 FLORIDA AVENUE	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
BREVARD CO MEDICAL EXAMINER	1750 CEDAR STREET	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
BREVARD COUNTY EOC / PSAP	1746 CEDAR STREET	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Communication
BREVARD COUNTY SHERIFF'S OFFICE	340 GUS HIPPI BLVD	Rockledge	Zone AE	106-110	Category 4	Low Risk	No Risk	Other
CITY OF ROCKLEDGE - WWTP	1700 JACK OATES BLVD	Rockledge	Zone X - 500 yr	106-110	Category 5	Very High Risk	No Risk	Utility
GOLFVIEW ELEMENTARY	1530 S FISKE BLVD	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
HUNTINGTON PLACE REAHAB AND NURSING	1775 HUNTINGTON LANE	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
HYDRO ALUMINUM ROCKLEDGE	100 GUS HIPPI BLVD	Rockledge	Zone AE	106-110	Category 4	Low Risk	No Risk	Other
JOHN F KENNEDY MIDDLE	2100 S FISKE BLVD	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
RED CROSS	1700 CEDAR ST	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
ROCKLEDGE CHRISTIAN CENTER	2175 S FISKE BLVD	Rockledge	Zone X - 500 yr	106-110	Not in Zone	High Risk	No Risk	Other
ROCKLEDGE CITY HALL	1600 HUNTINGTON LANE	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other



## All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
ROCKLEDGE COMMUNITY CENTER	123 BARTON AVE	Rockledge	Zone X - 500 yr	106-110	Category 5	Very High Risk	No Risk	Other
ROCKLEDGE FIRE DEPARTMENT STATION #1	1800 S. ROCKLEDGE BLVD.	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
ROCKLEDGE FIRE DEPARTMENT STATION #2	1600 S. FISKE BLVD.	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
ROCKLEDGE FIRE DEPARTMENT STATION #3	3500 MURRELL ROAD.	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
ROCKLEDGE HEALTH AND REHAB	587 BARTON BLVD	Rockledge	Zone X - 500 yr	106-109	Not in Zone	Low Risk	No Risk	Other
ROCKLEDGE HIGH	220 RAIDER RD	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
ROCKLEDGE POLICE DEPT	1776 JACK OATS BLVD	Rockledge	Zone AE	106-110	Not in Zone	Very High Risk	No Risk	PSAP - Comm.
ROCKLEDGE PUBLIC WORKS	1800 N. GARDEN ROAD	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	Other
ROCKLEDGE REGIONAL MEDICAL CENTER - ROCKLEDGE	110 LONGWOOD AVENUE	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
ROCKLEDGE WASTEWATER/RECLAIM	1700 JACK OATS BLVD	Rockledge	Zone X - 500 yr	106-110	Category 5	Very High Risk	No Risk	Utility
RONALD MCNAIR MIDDLE	501 ROSA L. JONES BLVD	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
ST MARYS CATHOLIC	1152 S SEMINOLE DR	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
TRINITY LUTHERAN	1330 FISKE BLVD	Rockledge	Zone X - 500 yr	106-110	Not in Zone	Very High Risk	No Risk	S/H
WUESTHOFF HOSPICE AND PALATIVE CARE	661 EYSTER BLVD	Rockledge	Zone X - 500 yr	106-111	Not in Zone	Very High Risk	No Risk	S/H
SATELLITE BEACH CITY FIRE	1390 S PATRICK DRIVE	Satellite Beach	Zone X - 500 yr	106-110	Category 1	Mod Risk	Prot. Almost Certain	Other
SATELLITE BEACH POLICE DEPARTMENT	510 CINNAMON DRIVE	Satellite Beach	Zone X - 500 yr	106-110	Category 2	Low Risk	Prot. Almost Certain	Other
SATELLITE BEACH PUBLIC WORKS	530 CINNAMON DRIVE	Satellite Beach	Zone X - 500 yr	106-110	Category 1	Low Risk	Prot. Almost Certain	Other
SATELLITE BEACH REC	1089 S PATRICK DRIVE	Satellite Beach	Zone X - 500 yr	111-115	Category 2	Low Risk	Prot. Almost Certain	Other
SPESSARD L HOLLAND ELEMENTARY	50 HOLLAND CT	Satellite Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
SPESSARD L HOLLAND ELEMENTARY	50 HOLLAND CT	Satellite Beach	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
SURFSIDE ELEMENTARY	401 CASSIA BLVD	Satellite Beach	Zone X - 500 yr	111-115	Category 2	Low Risk	Prot. Almost Certain	S/H
SURFSIDE ELEMENTARY	401 CASSIA BLVD	Satellite Beach	Zone X - 500 yr	111-115	Category 2	Low Risk	Prot. Almost Certain	S/H
ANDREW JACKSON MIDDLE	1515 KNOX MCRAE DR	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	S/H
APOLLO ELEMENTARY	3085 KNOX MCRAE DR	Titusville	Zone X - 500 yr	101-105	Category 5	Very High Risk	No Risk	S/H
ASTRONAUT HIGH	800 WAR EAGLE BLVD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
BCSO	700 S PARK AVE	Titusville	Zone X - 500 yr	101-105	Category 4	Low Risk	No Risk	PSAP - Comm.
BCSO ANIMAL SHELTER NORTH	2605 FLAKE ROAD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
BELLSOUTH TOWER - TITUSVILLE/HOPKINS ST. CO 33670	620 HOPKINS ST	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
BREVARD CO COURTHOUSE TITUS	400 SOUTH PALM AVENUE	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	No Risk	Other
BREVARD CO LIBRARY-NORTH BREVARD	3550 S. WASHINGTON AVE, #16	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other
BREVARD CO PUBLIC SAFETY #22	2280 COLUMBIA BLVD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
BREVARD CO ROAD & BRIDGE-NORTH AREA	2575 FLAKE ROAD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
BREVARD CO SHERIFF'S OFFICE ADMIN	700 SOUTH PARK AVENUE	Titusville	Zone X - 500 yr	101-105	Category 4	Low Risk	No Risk	Other
CITY OF TITUSVILLE - BLUE HERON WRF	4800 DEEP MARSH ROAD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Utility
CITY OF TITUSVILLE - SAND POINT WRF	10 E MAX BREWER CAUSEWAY	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Reas. Likely	Utility
CITY OF TITUSVILLE - WATER PLANT	GARDEN ST	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Utility
CITY OF TITUSVILLE- ARMSTRONG PUMPING AND STORAGE FACILITY	ARMSTRONG DRIVE	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Utility
CITY OF TITUSVILLE -BLUE HERON WRF	4800 DEEP MARSH ROAD	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Reas. Likely	Utility
CITY OF TITUSVILLE- FIELD OPERATIONS	1135 KNOX MCRAE DRIVE	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Utility
CITY OF TITUSVILLE -OSPNEY WRF	1105BUFFALO ROAD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Utility
COQUINA ELEMENTARY	850 KNOX MCRAE DR	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	S/H
EASTERN FLORIDA STATE COLLEGE	1311 N WASHINGTON AVE	Titusville	Zone X - 500 yr	101-105	Category 5	Low Risk	No Risk	S/H
FIRE STATION	113 HOPKINS AV S	Titusville	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	Other
FIRE STATION	418 PINE ST	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other
FIRE STATION 10	617 SINGLETON AV N	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
FIRE STATION 11	550 S. WASHINGTON AVE	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other
FIRE STATION 12	2150 S PARK AVE	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
FIRE STATION 13	4715 BARNA AVE	Titusville	Zone X - 500 yr	106-110	Category 3	Very High Risk	Prot. Almost Certain	Other
IMPERIAL ESTATES ELEMENTARY	5525 KATHY DR	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
MARINER HEALTH OF TITUSVILLE	2225 KNOX MCRAE RD	Titusville	Zone AE	101-105	Not in Zone	Very High Risk	No Risk	S/H
PARK AVE BAPTIST SCHOOL	2600 S PARK AV	Titusville	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	S/H
PHARMCO LABORATORIES	3520 SOUTH ST	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
RIVERVIEW ELEMENTARY	3000 JOLLY ST	Titusville	Zone X - 500 yr	101-105	Category 5	Low Risk	No Risk	S/H



## All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
RIVERVIEW ELEMENTARY	3000 JOLLY ST	Titusville	Zone X - 500 yr	101-105	Category 5	Low Risk	No Risk	S/H
SOUTH LAKE ELEMENTARY	3755 GARDEN ST	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
SOUTH LAKE ELEMENTARY	3755 GARDEN ST	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	S/H
ST TERESA CATHOLIC SCHOOL	207 OJIBWAY AV	Titusville	Zone X - 500 yr	106-110	Category 3	Low Risk	Prot. Almost Certain	S/H
TITUSVILLE CHRISTIAN SCHOOL	3155 SOUTH ST	Titusville	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	S/H
TITUSVILLE CITY GARAGE	101 N. SINGLETON AVE	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
TITUSVILLE FACILITIES/ TRAFFIC SHOP	4660 SISSON RD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	Other
TITUSVILLE HIGH	150 TERRIER TRAIL	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	S/H
TITUSVILLE NURSE AND REHAB CTR	1705 JESS PARRISH COURT	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Reas. Likely	Other
TITUSVILLE POLICE DEPARTMENT	1819 CHENEY HIGHWAY	Titusville	Zone X - 500 yr	101-105	Not in Zone	High Risk	No Risk	Other
TITUSVILLE POLICE DEPARTMENT	1100 JOHN GLENN BLVD	Titusville	Zone X - 500 yr	101-105	Not in Zone	Low Risk	No Risk	PSAP - Comm.
TITUSVILLE POLICE DEPT. SUB-STATION	1026 PALMETTO	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other
TITUSVILLE SOCIAL SERVICE CENTER	725 S. DELEON AVENUE	Titusville	Zone X - 500 yr	101-105	Category 4	Low Risk	No Risk	Other
TITUSVILLE, CITY HALL	555 S. WASHINGTON AVENUE	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other
TITUSVILLE, CITY HALL ANNEX	445 S. WASHINGTON AVE.	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other
TITUSVILLE, MUNICIPAL MARINA	451 MARINA ROAD	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	Prot. Almost Certain	Other
TITUSVILLE, VEH. MAINT. FACILITY	101 N. SINGLETON AVE	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Other
TITUSVILLE, WATER TREATMENT PLNT	2836 GARDEN STREET	Titusville	Zone X - 500 yr	101-105	Not in Zone	Very High Risk	No Risk	Utility
WALKER HALFWAY HOUSE	5332 RIVEREDGE DR	Titusville	Zone X - 500 yr	101-105	Category 3	Low Risk	No Risk	Other
LIFT STATION 141 - HOLLYWOOD ESTATES	GAIL BLVD (Kimberly)	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 142 - TACO BELL	2035 W NEW HAVEN AVE	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 143 - BURGER KING	1885 W NEW HAVEN AVE	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 144 - TIMBER RIDGE	1430 HENRY AVE	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 145 - OAK GROVE	990 HOLLYWOOD BLVD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 146 - SHERIDAN LAKES	1500 S JOHN RHODES BLVD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 147 - HAMMOCK LAKES	2636 TUSCARORA CT	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 148 - TAMARIND ESTATES	1460 TAMANGO DR	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 149 - SAN PAULO	3413 CHICA CIR	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 150 - QUAIL RUN	3586 BOBWHITE CT	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 151 - PINE LAKES	3600 REDMAN DR	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility

All Brevard County Critical Facilities

Facility Name	Address	Jurisdiction	Flood Zone	Wind Zone	Storm Surge Zone	Fire Risk	Sea Level Rise Risk	Type
LIFT STATION 152 - WHISPERING WINDS	3765 SOFTBREEZE (Rear)	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 153 - LYNNWOOD	950 HOLLYWOOD BLVD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 154 - FALCON RIDGE	2330 GRIFFITH LN	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 155 - PALM BREEZE	2902 EBER BLVD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 156 - MANCHESTER LAKES	1589 CORBETT LN	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 157 - CRYSTAL LAKES	3654 BURDOCK AVE	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 158 - BUENA VIDA	2129 W NEW HAVEN AVE	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 159 - IMAGINE SCHOOLS	4650 ACADEMIC LN	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 160 - HAVENS OF RIVERIA	4532 ECPLORER DR	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 161 - COASTAL COMMERCE CENTER	490 S COASTAL LN	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
LIFT STATION 162 - LOWES	2150 MINTON RD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility
MEADOWLANE ELEMENTARY	2800 WINGATE BLVD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
MEADOWLANE ELEMENTARY SCHOOL OF SCIENCE	2255 MEADOW LANE	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
MEADOWLANE INTERMEDIATE	2700 WINGATE BLVD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	S/H
VETRANS MEMORIAL COMPLEX	2285 MINTON RD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
W MELBOURNE POLICE DEPT	2290 MINTON RD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
WEST MELBOURNE CITY HALL	2240 MINTON RD	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Other
WEST MELBOURNE PUBLIC WORKS	1415 HENRY AVE	West Melbourne	Zone X - 500 yr	106-110	Not in Zone	Low Risk	No Risk	Utility

**1.18 APPENDIX VII**

**1.18.1 Adoption of Local Mitigation Strategies**

The Resolutions of Adoption from each jurisdiction within Brevard County are on the following pages.

## **BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

### **RESOLUTION #**

#### **A RESOLUTION OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS FOR UNINCORPORATED BREVARD COUNTY, FLORIDA, ADOPTING THE 2020 UPDATE OF THE BREVARD PREPARES LOCAL HAZARD MITIGATION STRATEGY (LMS) PLAN.**

WHEREAS, the unincorporated areas of Brevard County are vulnerable to the human and economic costs of natural, technological and societal disasters, and

WHEREAS, Brevard County recognizes the importance of reducing or eliminating these vulnerabilities for the overall good and welfare of the community, and

WHEREAS, Brevard County has been an active participant in the Brevard Prepares LMS Steering Committee, which has established a comprehensive, coordinated planning process to eliminate or decrease these vulnerabilities, and

WHEREAS, Brevard County's representatives and staff have identified and justified a number of proposed projects and programs needed to mitigate the vulnerabilities of the unincorporated areas of Brevard to the impacts of future disasters, and

WHEREAS, these proposed projects and programs have been incorporated into the updated 2020 edition of the Brevard Prepares LMS that has been prepared and issued for consideration and implementation by the communities of Brevard County; and

WHEREAS, the Brevard County 2020 LMS is in compliance with the local hazard mitigation requirements of Section 322 of the Disaster Mitigation Act of 2000 (DMA2K) as implemented in 44 C.F.R., Part 201; and

WHEREAS, approval and adoption of the LMS is necessary in order to maintain eligibility for future hazard mitigation project grant funding.

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

**Section 1.** The Board of County Commissioners accepts and adopts the 2020 Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan.

**Section 2.** The agency personnel of the Brevard County Board of County Commissioners are requested and instructed to pursue available funding opportunities for implementation of the proposals designated herein.

**Section 3.** The Brevard County Board of County Commissioners will, upon securing such funding or other necessary resources, seek to implement the proposals contained in its section of the strategy.

**Section 4.** The Brevard County Board of County Commissioners will continue to participate in the Brevard Prepares LMS Steering Committee to update and expand the Brevard Prepares LMS.

**Section 5.** The Brevard County Board of County Commissioners will further encourage other businesses, industries, and community groups within Brevard to participate in Brevard Prepares to support the Brevard Prepares LMS.

**Section 6.** This resolution shall take effect immediately upon the enactment date.

DONE, ORDERED, AND ADOPTED in regular session of the Brevard County Board of County Commissioners this 25<sup>th</sup> day of \_\_\_\_\_ 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Scott Ellis, Clerk

\_\_\_\_\_  
Bryon Lober, Chair

(As approved by the Board on \_\_\_\_\_, 2020)

Reviewed for legal form and content:

\_\_\_\_\_  
Assistant County Attorney

Meeting Date
8/25/20



AGENDA	
Section	Consent
Item No.	

**AGENDA REPORT**  
*BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS*

<b>SUBJECT:</b>	Resolution: Brevard County Local Hazard Mitigation Strategy (LMS)				
<b>DEPT/OFFICE:</b>	Public Safety/Emergency Management				
<b>Requested Action:</b>					
It is requested the Board approve a resolution adopting the Brevard Prepares Local Hazard Mitigation Strategy.					
<b>Summary Explanation &amp; Background:</b>					
<p>Every five years, the Local Mitigation Strategy (LMS) is required to be updated and submitted to the Federal Emergency Management Agency (FEMA) for review and approval. In this cycle, that review and approval process was delegated from FEMA to the Florida Division of Emergency Management (FDEM). FDEM has determined that Brevard County has developed and submitted all the necessary plan revisions, is compliant with federal standards, and is ready for formal community adoption. In addition to the County, each participating jurisdiction must pass a resolution and the LMS.</p> <p>An approved and adopted LMS is a requirement for state and local governments, in order to receive Hazard Mitigation Grant Program funding following a Presidential Disaster Declaration, per the Robert T. Stafford Disaster Relief Act and the Code of Federal Regulations.</p> <p>Additional benefits to having a local hazard mitigation strategy are that it:</p> <ol style="list-style-type: none"> <li>1. Increases public awareness and understanding of vulnerabilities as well as support for specific actions to increase resiliency and reduce losses from future natural disasters.</li> <li>2. Builds partnerships with diverse stakeholders increasing opportunities to leverage data and resources in reducing workloads as well as achieving shared community objectives.</li> <li>3. Expands understanding of potential risk reduction measures to include structural and regulatory tools, where available, such as ordinances and building codes.</li> <li>4. Allows for development, prioritization, and implementation of mitigation projects. Projects are designed to accrue cost benefits and increase community resiliency, as losses are reduced after each hazard event.</li> </ol> <p><b>Fiscal Impact:</b> None</p>					
<b>Clerk to the Board Instructions:</b>					
Exhibits Attached: LMS Resolution, LMS Executive Summary, LMS Approval Pending Adoption letter from FDEM, and the LMS					
<b>Contract /Agreement (If attached):</b>		<b>Reviewed by County Attorney</b>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>
				<input type="checkbox"/>	<b>PR</b> <input type="checkbox"/>
<b>County Manager</b>		<b>Assistant County Manager</b>		<b>Department Director / Extension</b>	
Frank Abbate					



STATE OF FLORIDA

## **DIVISION OF EMERGENCY MANAGEMENT**

Ron DeSantis  
Governor

Jared Moskowitz  
Director

August 13, 2020

John Scott, Interim Director  
Brevard County Emergency Management  
1746 Cedar Street  
Rockledge, Florida 32955

Re: Brevard County Local Hazard Mitigation Plan Approved Pending Adoption

Dear Interim Director Scott,

This is to confirm that we have completed a State review of the Brevard County Local Mitigation Strategy (LMS) update for compliance with the federal hazard mitigation planning standards contained in 44 CFR 201.6(b)-(d). Based on our review and comments, Brevard County developed and submitted all the necessary plan revisions and our staff has reviewed and approved these revisions. We have determined that the Brevard County LMS plan is compliant with federal standards, subject to formal community adoption, for the jurisdictions below:

Brevard County, Unincorporated  
City of Cape Canaveral  
City of Cocoa  
City of Cocoa Beach  
Town of Grant-Valkaria  
Town of Indialantic  
City of Indian Harbour Beach  
Town of Malabar  
City of Melbourne

Town of Melbourne Beach  
City of Palm Bay  
Town of Palm Shores  
City of Rockledge  
City of Satellite Beach  
City of Titusville  
City of West Melbourne  
Brevard Public Schools  
Canaveral Port Authority

Upon submittal of a copy of all participating jurisdictions' documentation of their adoption resolutions to our office, we will send all necessary documentation to the Federal Emergency Management Agency (FEMA) who will issue formal approval of the Brevard County LMS.

If you have any questions regarding this matter, please contact your LMS Liaison Kristin Buckingham at [Kristin.Buckingham@em.myflorida.com](mailto:Kristin.Buckingham@em.myflorida.com) or 850-815-4519.

Respectfully,

Miles E. Anderson,  
Bureau Chief, Mitigation  
State Hazard Mitigation Officer

MEA/kb

Attachments: MEMORADUM: State approval of LMS plans under Program Administration  
by States (PAS)

cc: FEMA Region IV, Mitigation Division – Risk Analysis Branch



## LMS Executive Summary

The Federal and State government requires that Brevard County have a Hazard Mitigation Plan in compliance with the local hazard mitigation requirements of Section 322 of the Disaster Mitigation Act of 2000 as implemented in 44 CFR 201.6(b)-(d); and, 27P-22 Florida Administrative Code. In 1998, public and private sector interests of Brevard County joined together as Brevard Prepares to pre-identify critical facilities and projects and programs that could be done to help reduce the impacts of future disasters. The projects and programs are called mitigation initiatives. Currently, the Brevard Prepares Steering Committee hears new initiatives and guides the LMS process on an annual basis. However, every 5 years the State reviews and approves the Strategy using state and federal guidance documents. The Brevard Prepares Steering Committee has undertaken a comprehensive planning process in conjunction with Brevard County Emergency Management, culminating in the publication of this 2020 update of the Brevard County Local Mitigation Strategy.

The Brevard County Local Mitigation Strategy (LMS) provides the framework to reduce identified hazards within the county with an objective of increasing the County's resilience. The purpose of the LMS through its guiding body Brevard Prepares Steering Committee is to decrease the vulnerability of the citizens, governments, businesses and institutions of Brevard County, Florida, to the future human, economic and environmental costs of natural, technological, and societal disasters. The Brevard Prepares Steering Committee develops, monitors, and maintains the local strategy for hazard mitigation which is intended to accomplish this purpose. The representatives of the Brevard Prepares Steering Committee build and sustain a culture of preparedness and mitigation-mindset that will make the County more socially, ecologically, and economically resilient before, during, and after an incident. Resilience in our communities depends on working together.

The LMS is a multi-jurisdictional hazard mitigation plan, and the planning effort has been conducted through the coordinated, cooperative effort of local governments and other organizations and agencies within Brevard County. The local governments include the City of Cape Canaveral, the City of Cocoa, the City of Cocoa Beach, the Town of Grant-Valkaria, the Town of Indialantic, the City of Indian Harbour Beach, the Town of Malabar, the City of Melbourne, the Town of Melbourne Beach, the City of Palm Bay, the Town of Palm Shores, the City of Rockledge, the City of Satellite Beach, the City of Titusville, the City of West Melbourne and Brevard County.

Other key participant organizations and agencies involved with this project include Waste Management, Canaveral Port Authority, St. John's River Water Management District (SJRWMD), Harris Corporation, Florida Institute of Technology, and Brevard Public Schools.

## LMS Executive Summary

For this 2020 update, a new hazard and risk analysis was completed by Brevard County Emergency Management in cooperation with partner jurisdictions. Brevard Prepares Steering Committee worked to identify, justify and prioritize specific proposals for projects and programs that will mitigate (avoid or minimize) these vulnerabilities in the future. These proposed projects and programs are also referred to as Mitigation Initiatives in this the LMS.

Other items besides the hazard descriptions. and the mitigation initiatives include:

- A description of the activities of local government and private organizations that promote hazard mitigation; a description of the policies, ordinances or programs that guide those activities; and any deficiencies in the policies, ordinances, and programs with recommendations to correct those deficiencies.
- A description of the methods used to engage private sector participation.
- A statement of general mitigation goals
- A description of the procedures used by the Brevard Prepares Steering Committee to review the LMS at regular intervals to ensure that it reflects current conditions within the County.
- A hazard assessment to include, at the minimum, an evaluation of the vulnerability of structures, infrastructure, special risk populations, environmental resources and the economy to storm surge, high winds, flooding, wildfires and any other hazard to which the community is susceptible.
- A statement of procedures used to set the order of priority for projects based on project variables which shall include technical and financial feasibility.
- A list of approved projects in order of priority with estimated costs and associated funding sources.
- A list of critical facilities that must remain operational during and after a disaster.
- A list of repetitive loss structures.
- Maps, in Geographical Information System (GIS) format, depicting hazard areas, project locations, critical facilities and repetitive loss structures.

At the conclusion of each planning cycle (5 years), the updated LMS is submitted to the Florida Division of Emergency Management (FDEM), who also has the authority to review the document on behalf of the Federal Emergency Management Agency (FEMA), for review in comparison to the requirements from the Local Mitigation Plan Review Guide, revised by FEMA in October 2011. Once it is determined that this plan adequately addresses these requirements and receives conditional approval; the plan is then submitted to the participating jurisdictions for formal adoption and approval. Adoption resolutions will be attached to the plan as Appendix VII. In accordance with Federal practice, the participating local jurisdictions have one year from the date of State approval of the plan to complete the formal adoption.

## **RESOLUTION 2020-54**

### **A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AUTHORIZING THE INCLUSION OF THE CITY OF PALM BAY IN THE 2020 UPDATE OF THE BREVARD PREPARES LOCAL MITIGATION STRATEGY PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Bay is vulnerable to the human and economic costs of natural, technological and societal disasters, and

**WHEREAS**, the City of Palm Bay recognizes the importance of reducing or eliminating these vulnerabilities for the overall good and welfare of the community, and

**WHEREAS**, the City of Palm Bay has been an active participant in the Brevard Prepares Local Mitigation Strategy (LMS) Steering Committee, which has established a comprehensive, coordinated planning process to eliminate or decrease these vulnerabilities, and

**WHEREAS**, the City of Palm Bay's representatives and staff have identified and justified a number of proposed projects and programs needed to mitigate the vulnerabilities of the unincorporated areas of Brevard to the impacts of future disasters, and

**WHEREAS**, these proposed projects and programs have been incorporated into the updated 2020 edition of the Brevard Prepares LMS that has been prepared and issued for consideration and implementation by the communities of the City of Palm Bay, and

**WHEREAS**, the City of Palm Bay 2020 LMS is in compliance with the local hazard mitigation requirements of Section 322 of the Disaster Mitigation Act of 2000 (DMA2K), as implemented in 44 C.F.R., Part 201, and

**WHEREAS**, approval and adoption of the LMS is necessary in order to maintain eligibility for future hazard mitigation project grant funding.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA,** as follows:

**Section 1.** The City of Palm Bay accepts and adopts the 2020 Brevard Prepares Local Hazard Mitigation Strategy (LMS) Plan.

**Section 2.** The agency personnel of the City of Palm Bay are requested and instructed to pursue available funding opportunities for implementation of the proposals designated herein.

**Section 3.** The City of Palm Bay will, upon securing such funding or other necessary resources, seek to implement the proposals contained in its section of the strategy.

**Section 4.** The City of Palm Bay will continue to participate in the Brevard Prepares LMS Steering Committee to update and expand the Brevard Prepares LMS.

**Section 5.** The City of Palm Bay will further encourage other businesses, industries, and community groups within Brevard to participate in Brevard Prepares to support the Brevard Prepares LMS.

**Section 6.** This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2020- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Juliet Misconi, Chief Procurement Officer

**DATE:** 11/5/2020

**RE:** Resolution 2020-55, amending the Procurement Manual by repealing Local Price Preference and Points for Location.

On September 22, 2020, City Council held a Council Workshop to discuss the Procurement Department Code of Ordinances, Chapter 38. During the Workshop, Staff presented several options for consideration regarding Local Price Preference. Following Council direction, and in conjunction with Ordinance 2020-71 (considered for a second reading on this Council Agenda) this proposed change rescinds Local Price Preference for all formal Invitations for Bids and Points for Location for all Requests for Proposals upon the enactment date. Solicitations issued, under evaluation, or pending award would still have Local Preference provisions unless otherwise prohibited by the Ordinance.

As discussed at the Workshop, Procurement has developed initiatives to serve the local and small business community and is actively pursuing them.

**REQUESTING DEPARTMENT:**

Procurement

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Motion to approve the repeal and removal of Local Price Preference and Points for Location from the Procurement Manual, Resolution with an effective date upon enactment of Ordinance 2020-71.

**ATTACHMENTS:**

**Description**

Resolution 2020-55

## **RESOLUTION 2020-55**

**A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION 2016-32, AS AMENDED BY RESOLUTION 2017-32, WHICH ADOPTED THE CITY OF PALM BAY'S PROCUREMENT MANUAL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council adopted the Procurement Manual on August 16, 2016, and

**WHEREAS**, the City Council amended the Procurement Manual on August 3, 2017 via Resolution 2017-32, and

**WHEREAS**, the City of Palm Bay desires to amend the Procurement Manual.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The City Council of the City of Palm Bay hereby amends Resolution 2016-32, as amended by Resolution 2017-32, by removing the Local Price Preference language and the Points for Location, which is, by reference, incorporated herein as Exhibit "A".

**SECTION 2.** This Resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2020- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

## EXHIBIT 'A'

### PROCUREMENT MANUAL

#### "Section O. Competitive Sealed Proposal Process

##### 2. RFP Process:

\* \* \*

~~g. Points for Location: In accordance with the definition of Class "A", Class "B" and Class "C" Businesses contained in SECTION GG, LOCAL PRICE PREFERENCE, Item #2, the following points for location will be incorporated into the solicitation document (maximum possible points of 10%):~~

- ~~a. Class A Business 10%~~
- ~~b. Class B Business 7.5%~~
- ~~c. Class C Business 5%~~

\* \* \*

#### **~~GG Local Price Preference~~**

- ~~1. The City recognizes that the foundation of a strong local economy includes programs to encourage businesses to locate within the City of Palm Bay and to encourage businesses to hire Palm Bay residents as employees. A local vendor Purchasing Preference Policy has been established and is herein described below.~~
- ~~2. The term "Business" shall mean a person, firm, corporation or other business entity which is duly licensed and authorized to engage in a particular work in the State of Florida. Businesses shall be broken down into four (4) types of classes:~~
  - ~~a. **Class A Business:** shall mean any Business that has established and agrees to maintain a permanent place of business located in a non-residential zone and staffed with full-time employees within the limits of the City and shall maintain a staffing level at that location of the prime contractor for the proposed work of at least fifty percent (50%) who are residents of the City.~~
  - ~~b. **Class B Business:** shall mean any Business that has established and agrees to maintain a permanent place of business located in a non-residential zone and staffed at that location with full time employees within the limits of the City or shall maintain a staffing level of the prime contractor for the proposed work of at least fifty percent (50%) who are residents of the City.~~

- c. ~~**Class C Business:** shall mean any Business that has established and agrees to maintain a permanent place of business located in a non-residential zone and staffed at that location with full-time employees within the limits of Brevard County.~~
  - d. ~~**Class D Business:** shall mean any Business that does not qualify as either a Class A, Class B, or Class C business.~~
  - e. **Provided that:**
    - 1) ~~A Business can only qualify for one class preference level;~~
    - 2) ~~A Business with outstanding liens, fines or violations with the City shall not be eligible to qualify for Class A, Class B, or Class C status;~~
    - 3) ~~A Business which operates through the use of a post office box, mail house or a residential/home address shall not be eligible to qualify as either a Class A, Class B or Class C Business, with respect to the business's location; and~~
    - 4) ~~The City may require, at the City's discretion, from a Class A or Class B business, evidence of employee's residency through the production of current Florida Drivers Licenses, copies of Brevard County tax bills; current utility bills (i.e.; water, electric), or other type of similar documentation that demonstrates that the employee's residence is physically located within the City of Palm Bay.~~
    - 5) ~~Post office boxes or mail house mailing addresses do not qualify.~~
3. ~~The term "Budget Cost" shall mean the estimated cost of the project as determined by the appropriate Department Director and certified to the Chief Procurement Officer prior to the opening of said bid. For multi-year agreements, "Budgeted Cost" will be calculated on the actual estimated annual expenditure; for one-time purchases, calculation will be based on the current year budgeted amount.~~
4. **Procedures for Granting Local Price Preference in Procurement and Contracting**
- a. ~~For purchases of \$100,000<sup>.00</sup> or less, departments shall utilize their best efforts to purchase from businesses located in the City.~~
  - b. ~~For purchases in excess of \$100,000<sup>.00</sup> which typically are obtained through an Invitation to Bid process, vendors may be given a price preference for being a local business. Price preferences may be given for purchasing or letting of contracts for procurement of personal property, materials, certain contractual services, and construction of improvements to real property or to existing structures.~~
  - c. **Competitive Sealed Bids:** Local vendors will be provided with a price preferences which will be applied to Businesses as follows:  
  
For awards up to and including five hundred thousand dollars (\$500,000.00):



1) ~~Class A Business — five percent (5%) price preference;~~

2) ~~Class B Business — three percent (3%) price preference;~~

3) ~~Class C Business — one and a half percent (1.5%) price preference.~~

~~For awards greater than five hundred thousand dollars (\$500,000.00) up to and including one million dollars (\$1,000,000.00):~~

1) ~~Class A Business — Three percent (3%) price preference;~~

2) ~~Class B Business — Two percent (2%) price preference;~~

3) ~~Class C Business — one percent (1%) price preference.~~

**d. The local preference shall not be applied in the following circumstances:**

1) ~~The Business submits a proposal/bid that exceeds the projected Budget Cost;~~

2) ~~The proposal/bid is in excess of one million dollars (\$1,000,000.00);~~

3) ~~Florida State Statutes or federal law prohibits the use of local preferences;~~

4) ~~The work is funded in whole or in part by a governmental entity where the laws, rules, regulations or policies which prohibit the use local preferences;~~

5) ~~Emergency purchases;~~

6) ~~Sole source purchases;~~

7) ~~Cooperative purchasing agreements or utilization of other agency contracts;~~

8) ~~Revenue contracts;~~

9) ~~The Business is determined to be unqualified to perform the work as determined by the City.~~



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Yvonne McDonald, Finance Director

**DATE:** 11/5/2020

**RE:** Ordinance 2020-76, amending the Code of Ordinances, Chapter 62, Road Maintenance District, by repealing the chapter in its entirety, first reading.

In Fiscal Year 2011, under Ordinance 2011-27, the City created a dependent special district to be known as the "City of Palm Bay Road Maintenance District ("District"). The intended purpose of establishing the District was to provide a dedicated constant financial mechanism for road funding with the district. The District was to be comprised of all the lands within the corporate limits of the City of Palm Bay.

A direct levy from the District was placed on the tax bill. The creation of the District provided a separate line item on the 2012 property tax bill which was to show the portion of the property tax that was dedicated to road maintenance in the District.

The District, as established, was never used because it was later learned that a district cannot be comprised of all the lands included with the corporate limits of the City of Palm Bay. The area had to be more focused to meet the special benefits test. The Palm Bay Road Maintenance District line item on the annual tax bill since 2012 has never been utilized as a result of the later finding.

The purpose of the memo is to request the Repeal of Ordinance 2011-27 which established the District. Dissolution of the Special District will also remove the line item from the 2021 annual tax bill.

### **REQUESTING DEPARTMENT:**

City Manager's Office, Finance, City Attorney's Office

### **FISCAL IMPACT:**

Repealing of the Ordinance and termination of the District will eliminate that annual Special District registration fee of \$175.00 charged by the Florida Department of Economic Opportunity.

### **RECOMMENDATION:**

Motion to authorize repealing of Ordinance 2011-27, approve the termination of the Special District and notify the State of the dissolution of the District.

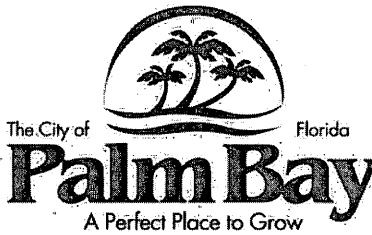
**ATTACHMENTS:**

**Description**

**RCM Legislative Memorandum 03-03-2011**

**Ordinance 2020-76**

# LEGISLATIVE MEMORANDUM



**TO:** Honorable Mayor and Members of the City Council

**FROM:** Lee R. Feldman, City Manager *L. R. Feldman*

**DATE:** March 3, 2011

**RE:** Creation of Special "Palm Bay Road Maintenance District"

The Fiscal Year 2011 budget contemplated the creation of a special district for the purpose of funding the annual road maintenance budget (currently fund at \$2,000,000 or 0.6413 mils). Due to the timing of property tax billing cycle, the actual establishment of the special district will not occur until FY 12. Therefore, the 0.6413 mils was added to the General Fund's levy of 6.8587 and then transferred to the Road Maintenance Trust Fund in FY 11. Beginning in FY 12, a direct levy from the district would be placed on the tax bill.

The City Attorney has drafted the attached ordinance creating the Palm Bay Road Maintenance District pursuant to Section 189.4041, Florida Statutes. Key features of the ordinance are:

- All the land within the corporate limits of the City of Palm Bay is included in the District.
- The Mayor and City Council shall serve as the governing body ("Board") of the District.
- The District may levy ad-valorem taxes, not to exceed one (1) mil, for the provision of road maintenance services within the District.
- The fiscal year of the District is from October 1 to September 30.

The creation of the District will provide a separate line item on the property tax bill which will show that portion of the property tax that will be dedicated to road maintenance in the District.

## **FISCAL IMPACT:**

Creation of a special district, with one (1) mil of taxing authority, will limit the City's General Fund tax levy to nine (9) mils.

## **RECOMMENDATION:**

Motion to adopt the proposed ordinance creating the Palm Bay Road Maintenance District.

LRF/tjl

Attachment: 1) Proposed Ordinance

## ORDINANCE 2020-76

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE V, LEGISLATIVE, CHAPTER 62, ROAD MAINTENANCE DISTRICT, BY REPEALING THE CHAPTER IN ITS ENTIRETY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR DELETION FROM THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title V, Legislative, Chapter 62, Road Maintenance District, is hereby repealed in its entirety:

### ~~“CHAPTER 62: ROAD MAINTENANCE DISTRICT~~

#### ~~§ 62.01 TITLE.~~

~~There is hereby created a dependent special district to be known as the "City of Palm Bay Road Maintenance District", pursuant to Fla. Stat. § 189.4041.~~

#### ~~§ 62.02 PURPOSE.~~

~~(A) The purpose of this chapter is to provide a dedicated constant financial mechanism for the funding of road maintenance within the area comprising the District. This District is created as a dependant district in order for the City Council to be directly involved with the implementation of the District's goals while providing separate and dedicated revenue for funding road maintenance. The creation of the District will enable the city to efficiently and effectively provide needed road maintenance within the city.~~

~~(B) The land comprising the City of Palm Bay Road Maintenance District is all of the lands included within the corporate limits of the City of Palm Bay, as the same may be expanded or contracted from time to time.~~

~~(C) The City of Palm Bay Road Maintenance District's ordinance may be amended from time to time as determined by its Board and the City Council.~~

~~(D) Notwithstanding that the city and district are separate legal entities, the district, as a dependent district of the city, shall be operated to further the public and municipal purposes of the city by providing road maintenance within the area comprising the district. Therefore, it shall not be a conflict of interest for any person~~

~~to serve both the city and the district as an official, employee, agent or consultant. The district and city officials and employees, when acting for the district, shall have the protection of sovereign immunity to the maximum extent allowed by law and the city shall have the protection of sovereign immunity to the maximum extent allowed by law with respect to any acts of any city officials or employees while they are providing services to or acting on behalf of the district.~~

~~(E) The creation of the district is consistent with the approved comprehensive plan of the city.~~

#### ~~§ 62.03 PROVISIONS DECLARED SUPPLEMENTAL AND ADDITIONAL.~~

~~The provisions of this section relating to the powers of the City of Palm Bay Road Maintenance District and its ability to impose ad valorem taxes shall be deemed supplemental and additional to the home rule power of the city and other provisions of law that grant the city the authority to levy, impose, and collect special assessments, ad valorem taxes and other fees and charges. Nothing contained herein shall be construed to limit the city in any manner or preclude it from proceeding in the provision of road maintenance in any manner otherwise provided by law, including the home rule authority of the city.~~

#### ~~§ 62.04 OFFICIALS OF THE DISTRICT.~~

~~(A) Governing Body. The City Council of the City of Palm Bay, sitting in an ex officio capacity, shall serve as the Board to the District.~~

~~(B) Executive Director. The City Manager shall serve as Executive Director to the District.~~

~~(C) Legal Counsel. The City Attorney or his designee shall serve as attorney of record to the District. Attorney's fees for services rendered may be borne by the District as approved by the Governing Body.~~

~~(D) Secretary. The City Clerk or her designee shall serve as the secretary of record to the District.~~

#### ~~§ 62.05 POWERS OF THE DISTRICT.~~

~~(A) The City of Palm Bay Road Maintenance District shall have the following powers, together with all other powers necessary to effectively carry out the goal of providing road maintenance within the area comprising the District:~~

~~(1) To provide, study, plan, design, establish, acquire, construct, own, lease, operate, manage, maintain, dispose of, improve, and expand road facilities within the area comprising the District.~~

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~~(2) — To execute all contracts and other documents, adopt all proceedings and perform all acts determined by the Council as necessary or advisable to carry out the purposes of this section. The Mayor shall execute contracts and other documentation on behalf of the City of Palm Bay Road Maintenance District. Execution of contracts may be delegated to the City Manager when deemed appropriate.~~

~~(3) — To fix, alter, levy, collect, and enforce rates, fees, charges, penalties, and fines from persons or property, or both, for the provision and use of services, facilities, and products of the City of Palm Bay Road Maintenance District or to pay the operating or financing costs of the District's facilities and services that are available to potential users.~~

~~(4) — To contract for the service of engineers, accountants, attorneys, and other experts or consultants and such other agents and employees as the Board may require or deem appropriate from time to time.~~

~~(5) — To acquire such lands and rights and interests therein; to acquire such personal property as may be deemed necessary and appropriate in connection with the acquisition, ownership, expansion, improvement, operation, and maintenance of the District's facilities; and to hold and dispose of all real and personal property under its control.~~

~~(6) — To exercise exclusive jurisdiction, control, and supervision over the District's services, local improvements, and facilities and to make and enforce such rules and regulations for the maintenance, management, and operation of the District and its facilities and services as may be, in the judgment of the Board, necessary or desirable for the efficient operation of the District in accomplishing the purposes of this section.~~

~~(7) — To enter into interlocal agreements or join with any other general or special purpose local governments, public agencies, or authorities in the exercise of common powers.~~

~~(8) — To accomplish construction directly or by contracting with other entities, whether public or private, for all or any part of the construction of improvements to the District's facilities as determined by the Board in accordance with applicable law.~~

~~(9) — To receive and accept from any federal or state agency grants or loans for or in the aid of the planning, construction, reconstruction, operation, promotion, or financing of the District's facilities or services and to receive and accept aid, contributions, or loans from any other source of money, labor, or~~

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~~other things of value, to be held, used, and applied only for the purpose for which the grants, contributions, or loans may be made.~~

~~(10) To divide the District services and facilities into separate units, benefit areas, or subsystems for the purpose of imposing ad valorem taxes.~~

~~(11) To appoint advisory boards and committees to assist the Board in the exercise and performance of the powers and duties provided in this section.~~

~~(12) To sue and be sued in the name of the District and to participate as a party in any civil, administrative, or other action.~~

~~(13) To adopt and use a seal and authorize the use of a facsimile thereof.~~

~~(14) To employ or contract with any public entity or person to manage and operate the District and its facilities, or any portion thereof, upon such terms as the Board deems appropriate.~~

~~(15) Subject to such provisions and restrictions as may be set forth in any financing documents, to sell or otherwise dispose of the District's facilities, or any portion thereof, upon such terms as the Board deems appropriate, and to enter into acquisition or other agreements to effect such dispositions.~~

~~(16) To acquire by purchase, gift, devise, or otherwise, and to dispose of, real or personal property or any estate therein.~~

~~(17) To provide such deferred compensation, retirement benefits, or other benefits and programs as the Board deems appropriate.~~

~~(18) To maintain an office or offices at such place or places as the Board may designate from time to time.~~

~~(19) To hold, control, and acquire by donation, purchase, or eminent domain or dispose of any public easements, dedications to public use, platted reservations for public purposes, or any reservations for those purposes authorized by this section and to make use of such easements, dedications, and reservations for the purposes authorized in this article.~~

~~(20) To lease, as lessor or lessee, to or from any person, firm, corporation, association, or body, public or private, facilities or property of any nature to carry out the purposes authorized in this section.~~

~~(21) To borrow money and issue bonds, certificates, warrants, notes, obligations, or other evidence of indebtedness in accordance with Fla. Stat. Chapter 189.~~

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~~(22) To apply for and accept grants, loans, and subsidies from any governmental entity for the acquisition, construction, operation, and maintenance of the District's facilities and services and to comply with all requirements and conditions imposed in connection therewith.~~

~~(23) To the extent allowed by law to the extent required to effectuate the purposes of this section, to exercise all privileges, immunities, and exemptions accorded municipalities and counties of the state under the provisions of the Constitution and laws of the state.~~

~~(24) To invest its moneys in such investments as directed by the Board in accordance with state law and which shall be consistent in all instances with the applicable provisions of the financing documents.~~

~~(25) To purchase such insurance as the Board deems appropriate.~~

~~(26) To prescribe and promulgate necessary rules and regulations consistent with the provisions of this section.~~

~~(27) To do all acts and to exercise all powers necessary, convenient, incidental, implied, or proper, both within and outside the boundaries of the District, in connection with any of the powers, duties, obligations, or purposes authorized by this chapter, general law, or any interlocal agreement entered into by the District.~~

~~(28) To make and adopt ordinances, resolutions or motions at duly noticed and publicly held meetings in conformance with applicable law.~~

~~(29) To use city employees and equipment in the provision of road maintenance within the District and to pay to the city the reasonable costs thereof incurred by the District.~~

~~(30) To levy ad valorem taxes, which is not to exceed one (1) mil, on all real property within the territorial limits of the District, which is subject to taxation, and to use said taxes for the provision of road maintenance within the area comprising the District or to pledge such taxes to the issuance of District indebtedness. The District shall levy and collect ad valorem taxes in accordance with Fla. Stat. Chapter 200, as amended from time to time.~~

~~(31) Nothing herein is intended to or shall be construed to limit the power of local self-government of a municipal corporation or conflict with the Constitution of the State or the City Charter of the City of Palm Bay.~~

~~§ 62.06 DISTRICT BUDGET.~~

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~~(A) As a dependent special district of the city, the District's fiscal year shall begin on October 1 and end on September 30.~~

~~(B) The District shall annually adopt a budget in accordance with applicable law and have the authority to appropriate and expend revenue in accordance with that budget.~~

~~(C) All funds of the District shall be deposited in qualified public depositories, in accordance with Fla. Stat. Chapter 280, as it may be amended from time to time.~~

~~(D) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for directors, officers and employees shall be as set forth in this chapter and Fla. Stat. Chapters 112, 119, 189, and 286, as amended from time to time. The City Council, as directors for the District, shall not receive other compensation for their service on the District.~~

~~§ 62.07 BOARD ACTIONS; COMPLIANCE WITH LAW; AUTHORITY TO ADOPT POLICIES AND REGULATIONS.~~

~~(A) A record shall be kept of all meetings of the District and in such meetings a majority vote of the directors, providing that a quorum is present, shall be necessary to any affirmative action by the District Board.~~

~~(B) The District shall comply with the Sunshine laws of the state as set forth in Fla. Stat. Chapter 286, to preserve the right of the people to attend public meetings.~~

~~(C) The District shall comply with the public records laws of the state as set forth in Florida's Public Records Act, to preserve the right of the people to access public records.~~

~~(D) The District may adopt policies and regulations not inconsistent with any portion of this chapter or Fla. Stat. Chapter 189, as amended from time to time, as it may deem necessary for the transaction of its business and in implementing and carrying out the provisions of this section. The District shall have authority to provide all things necessary for the operation and provision of road maintenance within the District.~~

~~(E) The District's planning requirements shall be as set forth in this chapter and Fla. Stat. Chapter 189, as amended from time to time."~~

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the City of Palm Bay Code of Ordinances be revised to delete the language as specified above.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020; and read in title only and duly enacted at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY

Reviewed by CAO: \_\_\_\_\_



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley, AICP Growth Management Director

**DATE:** 11/5/2020

**RE:** Ordinance 2020-77, amending the Code of Ordinances, Chapter 184, Subdivisions, by removing the requirement for recordation of the subdivision plat prior to issuance of building permits for model homes and developer owner/building homes, first reading.

On July 16, 2020, City Council unanimously approved Ordinance 2020-43. Since the approval, staff has identified an error within Section 184.15 (6). Within this section, the words "certificate of completion is granted" should in fact read "plat is recorded in the Brevard County Public Records". During the codification process the addition of this correct language was overlooked. The attached ordinance is intended to correct this oversight so that the appropriate process will be accurately described in the ordinance.

**REQUESTING DEPARTMENT:**

Growth Management

**RECOMMENDATION:**

Motion to approve the correction to Section 185.15 (6) as noted above (P&Z Case # T-13-2020).

**Planning and Zoning Board Recommendation:**

Unanimous approval of the request, subject to the staff report comments.

**ATTACHMENTS:**

**Description**

Council memo from July 2020

Staff Report

Copy of Ordinance 2020-43

Ordinance 2020-77



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley, AICP, Growth Management Director

**DATE:** 7/16/2020

**RE:** Ordinance 2020-43, amending the Code of Ordinances, Chapter 184, Subdivisions, by removing the requirement for recordation of the subdivision plat prior to the issuance of building permits for model homes and developer owner/builder homes (Case T-13-2020, City of Palm Bay), final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

City of Palm Bay (Growth Management Department) has asked for a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 184: Subdivisions, Section 184.15 Issuance of a Building Permit. The purpose of this amendment is to remove the requirement for recordation of the subdivision plat prior to issuance of building permits for model homes and developer owner/builder homes.

National Homebuilders have recently requested the approval of model homes and developer-owned homes (aka speculation homes) to be permitted and constructed prior to issuance of the Certificate of Completion for the subdivision improvements. The purpose is to allow for "early-builds" to spur sales prior to the opening of the subdivision. If this provision is removed, the existing requirement for developers and/or builders to certify in writing that the title will remain in the builder's or developer's name until the subdivision Certificate of Completion is issued, must be amended to require that the title does not transfer ownership until the plat is recorded. Staff addresses both issues within the proposed ordinance.

**REQUESTING DEPARTMENT:**

Growth Management

**RECOMMENDATION:**

Motion to

approve Case T-13-2020, based on the analysis contained in the staff report.

**Planning and Zoning Board Recommendation:**

Unanimous approval of the request, subject to the staff report comments.

**ATTACHMENTS:**

Description

Case T-13-2020

Board Minutes

Ordinance 2020-43





## STAFF REPORT

### LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042  
Landdevelopmentweb@palmbayflorida.org

#### Prepared by

Patrick J. Murphy, Assistant Growth Management Director

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#### CASE NUMBER

T-13-2020

#### PLANNING & ZONING BOARD HEARING DATE

June 3, 2020

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#### PROPERTY OWNER & APPLICANT

City of Palm Bay; Growth Management  
Department

#### PROPERTY LOCATION/ADDRESS

Not Applicable

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#### SUMMARY OF REQUEST

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 184: Subdivisions, Section 184.15 Issuance of a Building Permit. The purpose of this amendment is to remove the requirement for recordation of the subdivision plat prior to issuance of building permits for model homes and developer owner/builder homes.

**Existing Zoning**

Not Applicable

**Existing Land Use**

Not Applicable

**Site Improvements**

Not Applicable

**Site Acreage**

Not Applicable

#### APPLICABILITY

City-Wide

#### COMPREHENSIVE PLAN COMPATIBILITY

Not specifically addressed

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**BACKGROUND:**

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 184: Subdivisions, Section 184.15 Issuance of a Building Permit. Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in ~~striktthrough~~ format.

The applicant for this amendment is the City of Palm Bay

**ANALYSIS:**

The original Palm Bay Subdivision Code was adopted in February of 1996, via Ordinance No. 96-05. Overall the Chapter has been amended a total of five (5) times. These changes consisted of updates to development standards, submission requirements, creation of a minor subdivision process, and the inclusion of additional definitions.

Section 185.15 was created in 2005 and added to the subdivision chapter via Ordinance 2005-47. This specific section has been amended twice since its adoption. Once in 2016 to correct a scrivener's error and again in 2017 to increase the number of structures that could be allowed under these provisions.

Recent projects submitted by National Homebuilders have requested the approval of model homes and developer-owned homes (aka speculation homes) to be permitted and constructed prior to issuance of the Certificate of Completion (C of C) for the subdivision improvements. The purpose of which is to allow for "early-builds" to spur sales prior to the opening of the subdivision. Staff has heard their concerns with the ordinance.

An unfortunate hurdle to this practice is subsection (B)(1) that requires the subdivision plat to be recorded prior to issuance of the building permit for said structure(s). The fundamental purpose of plat recordation is for the sale of property. This is typically the last step in the subdivision process and thus, plat recordation for the express purpose of early building permit issuance, does not appear warranted.

However, if this provision is removed then the existing requirement [subsection (B)(7)] that developers and/or builders certify in writing that the title will remain in the builder's or developer's name until such time as the subdivision C of C is issued, must be amended to require the title not "change hands" until the plat is recorded.

Therefore, the purpose of this amendment is to effectuate these two (2) changes. All other existing criteria shall remain intact.

**STAFF RECOMMENDATION:**

Motion to approve Case T-13-2020, based on the Analysis contained in this staff report.



## **§ 184.15 ISSUANCE OF BUILDING PERMIT.**

(A) No building permits shall be issued for any building in the subdivision, except as provided for below, until a certificate of completion has been issued by the City Engineer certifying that the subdivision improvements have been completed and the subdivision has been recorded with the County Clerk of Records. The City Engineer shall notify the City Building Division of when a subdivision has received a certificate of completion and thus is open for building.

(B) Model homes and developer owned/builder owned homes may be permitted prior to the subdivision improvements receiving a certificate of completion provided the following conditions are adhered to:

(1) ~~The subdivision has been recorded per State Statutes;~~

(2) >>(1)<< A stabilized, all weather roadway is provided for fire apparatus to access all structures proposed for permitting;

(3) >>(2)<< A water source for fire apparatus use shall be provided and approved by the City of Palm Bay Fire Marshal;

(4) >>(3)<< A waiver of liability shall be provided to the City;

(5) >>(4)<< All homes proposed for permitting under this section shall maintain a minimum of one hundred (100) feet distance from existing structures not within the subdivision;

(6) >>(5)<< A maximum of twenty-five (25) structures will be permitted under this section per subdivision;

(7) >>(6)<< Builders must certify in writing that title will remain in the builder's name or the developer's name until such time as the subdivision >>plat is recorded in the Brevard County Public Records<< ~~certificate of completion is granted~~. In no case shall a Certificate of Occupancy be granted for a home until the certificate of completion has been issued;

(8) >>(7)<< The builder must bond the estimated cost of demolition of the structures should the subdivision improvements not be completed and the building permit expires or is revoked. Said demolition must occur within one (1) year of notification from the City or the City shall demolish the structures utilizing the bond proceeds.





**LAND DEVELOPMENT DIVISION**

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

Landdevelopment@palmbayflorida.org

**CODE TEXTUAL AMENDMENT APPLICATION**

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

**ORDINANCE SECTION(S) PROPOSED TO BE CHANGED:**

Section 184.15

**PROPOSED LANGUAGE (attach addendum if necessary):**

See attached.

**JUSTIFICATION FOR PROPOSED CHANGE (attach other documents if necessary)**

The purpose of this amendment is to authorize the construction of Model Homes without having to record the subdivision, if approved by the Growth Management Director.



CITY OF PALM BAY, FLORIDA  
CODE TEXTUAL AMENDMENT APPLICATION  
PAGE 2 OF 2

THE APPLICATION FEE MUST BE SUBMITTED WITH APPLICATION TO PROCESS THIS REQUEST:

☐

**\*\$1,500.00 Application Fee. Make Check payable to "City of Palm Bay."**

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing code textual amendment application and that the facts stated in it are true.

Signature of Applicant Laurence Bradley Digitally signed by Laurence Bradley  
DN: dc=org, dc=palmbayflorida, ou=Community  
Planning & Economic Development, ou=Land  
Development, cn=Laurence Bradley  
Date: 2020.05.04 16:07:43 -04'00' Date 5/4/20

Printed Name of Applicant Laurence Bradley, AICP, Director of Growth Management

Full Address 120 Malabar Road SE, Palm Bay, FL 32909

Telephone 321-733-3042 Email laurence.bradley@palmbayflorida.org

PERSON TO BE NOTIFIED (If different from above):

Printed Name \_\_\_\_\_

Full Address \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

**\*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**



## **ORDINANCE 2020-43**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 184, SUBDIVISIONS, BY REMOVING THE REQUIREMENT FOR RECORDATION OF THE SUBDIVISION PLAT PRIOR TO ISSUANCE OF BUILDING PERMITS FOR MODEL HOMES AND DEVELOPER OWNER/BUILDER HOMES, PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES, PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR AN EFFECTIVE DATE**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows**

**SECTION 1** The City of Palm Bay Code of Ordinances, Title XVII Land Development Code, Chapter 184, Subdivisions, Section 184 15 Issuance of Building Permit, is hereby amended and shall henceforth read as follows

"Section 184 15 ISSUANCE OF BUILDING PERMIT

\* \* \*

(B) Model homes and developer owned/builder owned homes may be permitted prior to the subdivision improvements receiving a certificate of completion provided the following conditions are adhered to

(1) ~~The subdivision has been recorded per State Statutes:~~

(2) >>(1)<< A stabilized all weather roadway is provided for fire apparatus to access all structures proposed for permitting,

(3) >>(2)<< A water source for fire apparatus use shall be provided and approved by the City of Palm Bay Fire Marshal

(4) >>(3)<< A waiver of liability shall be provided to the City,

(5) >>(4)<< All homes proposed for permitting under this section shall maintain a minimum of one hundred (100) feet distance from existing structures not within the subdivision,

(6) >>(5)<< A maximum of twenty-five (25) structures will be permitted under this section per subdivision

(7) >>(6)<< Builders must certify in writing that title will remain in the builder's name or the developer's name until such time as the subdivision certificate of completion is granted. In no case shall a Certificate of Occupancy be granted for a home until the certificate of completion has been issued

(8) >>(7)<< The builder must bond the estimated cost of demolition of the structures should the subdivision improvements not be completed and the building permit expires or is revoked. Said demolition must occur within one (1) year of notification from the City or the City shall demolish the structures utilizing the bond proceeds "

**SECTION 2** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of ordinances and the sections may be renumbered to accomplish such intention

**SECTION 4** If any portion, clause phrase sentence or classification of this ordinance is held or declared to be either unconstitutional invalid inapplicable inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance, it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage and that without the

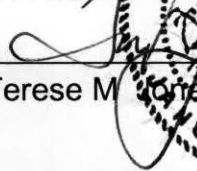



inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof

**SECTION 5** The provisions within this ordinance shall take effect immediately upon the enactment date


Read in title only at Meeting 2020 23, held on July 2, 2020, and read in title only and duly enacted at Meeting 2020 24 held on July 16 2020

ATTEST

  
Terese M. Jones, CITY CLERK

Reviewed by CAO 

Applicant City of Palm Bay  
Case T 13 2020

  
William Capote MAYOR

***Strikethrough words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<) Deletions and additions constitute the proposed amendment Words remaining are now in effect and remain unchanged***



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley AICP Growth Management Director

**DATE:** 7/16/2020

**RE:** Ordinance 2020-43 amending the Code of Ordinances Chapter 184 Subdivisions by removing the requirement for recordation of the subdivision plat prior to the issuance of building permits for model homes and developer owner/builder homes (Case T 13-2020, City of Palm Bay), final reading

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

City of Palm Bay (Growth Management Department) has asked for a textual amendment to the Code of Ordinances, Title XVII Land Development Code, Chapter 184: Subdivisions, Section 184.15 Issuance of a Building Permit. The purpose of this amendment is to remove the requirement for recordation of the subdivision plat prior to issuance of building permits for model homes and developer owner/builder homes.

National Homebuilders have recently requested the approval of model homes and developer-owned homes (aka speculation homes) to be permitted and constructed prior to issuance of the Certificate of Completion for the subdivision improvements. The purpose is to allow for 'early-builds' to spur sales prior to the opening of the subdivision. If this provision is removed, the existing requirement for developers and/or builders to certify in writing that the title will remain in the builder's or developer's name until the subdivision Certificate of Completion is issued, must be amended to require that the title does not transfer ownership until the plat is recorded. Staff addresses both issues within the proposed ordinance.

**REQUESTING DEPARTMENT**

Growth Management

**RECOMMENDATION**

Motion to  
approve Case T-13-2020 based on the analysis contained in the staff report.

**Planning and Zoning Board Recommendation**

Unanimous approval of the request, subject to the staff report comments.

**ATTACHMENTS:****Description**

Case T 13-2020

Board Minutes

Ordinance 2020-43



Office of The  
JUL 22 2020  
City Clerk

July 2, 2020

**CITY OF PALM BAY  
120 MALABAR RD. SE PALM BAY, FL 32907  
AFFIDAVIT OF PUBLICATION**

COMES NOW Affiant, SUSAN BENJAMIN, and states:

1. Affiant is an owner of Trader Jake's newspaper with knowledge of the publication of the NOTICE OF PUBLIC HEARING in the above-styled cause.

2. Affiant further says that Trader Jakes is a newspaper published at Melbourne, in said Brevard County, Florida, and that the said Trader Jakes has heretofore been continuously published in said Brevard County, Florida, each week, for a period of 1 year next preceding the first publication of the attached copy of advertisement: and Affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

3. The NOTICE OF PUBLIC HEARING in the above-styled cause, a true and correct copy of which is included herein was published for one (1) week, specifically July 3, 2020

All of the matters set forth are true and correct. I understand that the penalty for making a false statement under oath includes fines and/or imprisonment.

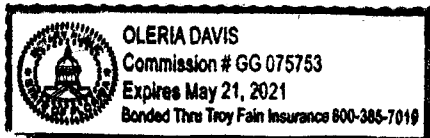
  
SUSAN BENJAMIN

STATE OF FLORIDA  
COUNTY OF BREVARD

SWORN TO OR SUBSCRIBED before me,  
on the 7 day of July, 2020,  
the undersigned, by Susan Benjamin who  
was sworn or took an oath.

  
NOTARY PUBLIC-STATE OF FLORIDA

Publication cost \$250  
Ad/Invoice Number: 012942



**NOTICE OF PUBLIC HEARING**

**CITY OF PALM BAY, FLORIDA**

Notice is hereby given that the City Council of the City of Palm Bay, Florida, will hold a public hearing for the purpose of enacting Ordinances 2020-40, 2020-41, 2020-42 and 2020-43 at City Hall, 120 Malabar Road, SE, Palm Bay, on July 16, 2020, at 7:00 P.M., titled as shown:

**ORDINANCE 2020-40**

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XX, UTILITIES CODE, CHAPTER 200, UTILITIES CODE, BY MODIFYING ABBREVIATIONS AND DEFINITIONS CONTAINED THEREIN; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE 2020-41**

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XX, UTILITIES CODE, CHAPTER 201, SEWER USE, SUBCHAPTER 'PRETREATMENT OF WASTEWATER', BY INCLUDING PROVISIONS RELATED TO THE DENTAL AMALGAM PROGRAM; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE 2020-42**

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2020 BUDGET BY APPROPRIATING AND ALLOCATING FUNDS AS FOLLOWS: USAGE OF UNDESIGNATED FUND BALANCE IN THE FOLLOWING FUNDS: GENERAL FUND; LAW ENFORCEMENT TRUST FUND; FIRE IMPACT FEE FUNDS; TRANSPORTATION IMPACT FEE FUNDS; UTILITIES OPERATING FUND; UTILITIES CONNECTION FEE FUND; UTILITIES RENEWAL/REPLACEMENT FUND; STORMWATER UTILITY FUND; AND FLEET SERVICES FUND; USAGE OF DESIGNATED FUND BALANCE IN THE SHIP GRANT FUND; RECOGNIZE THE FOLLOWING REVENUE, GRANTS AND AGREEMENTS: LOAN PROCEEDS FROM THE FLORIDA STATE REVOLVING LOAN FUND FOR CONSTRUCTION OF THE SOUTH REGIONAL WATER RECLAMATION FACILITY; AND CAPITAL LEASE FUNDING FOR THE PURCHASE OF POLICE VEHICLE REPLACEMENTS AND FIRE APPARATUS; TRANSFER FUNDS FROM THE GENERAL FUND TO THE FLEET SERVICES FUND FOR VEHICLE PURCHASES; RECOGNIZING THAT SUCH APPROPRIATIONS MUST BE MADE PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF PALM BAY, CHAPTER 35; ADOPTING, RATIFYING, CONFIRMING, AND VALIDATING THE ALLOCATIONS; PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE 2020-43**

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 184, SUBDIVISIONS, BY REMOVING THE REQUIREMENT FOR RECORDATION OF THE SUBDIVISION PLAT PRIOR TO ISSUANCE OF BUILDING PERMITS FOR MODEL HOMES AND DEVELOPER OWNER/BUILDER HOMES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, notice is hereby given that the City of Palm Bay shall hold the above public meeting on July 16, 2020, beginning at 7:00 P.M. and lasting until the meeting is complete. The meeting will be conducted via communications media technology (teleconference/video conference).

Interested parties are invited to submit written or oral communication on the aforementioned ordinances. Interested parties may appear in person, subject to legal and social distancing measures. Information regarding the virtual City Council meeting format can be found at [www.palmbayflorida.org/agenda](http://www.palmbayflorida.org/agenda), or contact the Office of the City Clerk at (321) 952-3414.

If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Section 286.0105, Florida Statutes). Such person must provide a method for recording the proceedings verbatim.

Terese M. Jones, CMC, City Clerk

## **ORDINANCE 2020-77**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 184, SUBDIVISIONS, BY REMOVING THE REQUIREMENT FOR RECORDATION OF THE SUBDIVISION PLAT PRIOR TO ISSUANCE OF BUILDING PERMITS FOR MODEL HOMES AND DEVELOPER OWNER/BUILDER HOMES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:**

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 184, Subdivisions, Section 184.15, Issuance of Building Permit, is hereby amended and shall henceforth read as follows:

“Section 184.15 ISSUANCE OF BUILDING PERMIT.

\* \* \*

(B) Model homes and developer owned/builder owned homes may be permitted prior to the subdivision improvements receiving a certificate of completion provided the following conditions are adhered to:

\* \* \*

(6) Builders must certify in writing that title will remain in the builder's name or the developer's name until such time as the subdivision certificate of completion is granted >>plat is recorded in the Brevard County Public Records<<. In no case shall a Certificate of Occupancy be granted for a home until the certificate of completion has been issued;

\* \* \*

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020-23, held on July 2, 2020; and read in title only and duly enacted at Meeting 2020-24, held on July 16, 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

City of Palm Bay, Florida  
Ordinance 2020-

Reviewed by CAO: \_\_\_\_\_

Applicant: City of Palm Bay  
Case: T-13-2020

***~~Strikethrough~~ words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Yvonne McDonald, Finance Director

**DATE:** 11/5/2020

**RE:** Ordinance 2020-78, amending the Fiscal Year 2019-2020 budget by appropriating and allocating certain monies (fifth budget amendment), first reading.

### **SUMMARY:**

Summary of the proposed budget amendment:

#### **General Fund (001)**

##### ***Expenditures – Total \$26,123***

- Transfer to the Debt Service Fund for the correction to BA #2 entries for partial refunding of the 2013 T.S.O. Refunding Bond Fund (221) – **(\$1,750).**
- Transfer funds from the Department of the City Manager (\$3,618) to Parks Department \$3,618 for the purchase of bracket kits for the City Military Banner Program as a result of a Youth Advisory Board recommendation; approved by Council 07/16/2020 – Net Impact - **\$0.**
- Transfer unspent funds from the Department of the City Manager (\$769) to Public Works Department \$769 to complete the lettering on the buildings to match the signs for the City Hall Complex directional signage project; approved by Council 07/16/2020 – Net Impact - **\$0.**
- Transfer to the Debt Service Fund for the correction to BA #4 entries for the reduction in debt service funding required; \$27,873 to be appropriated back as cash has not been deducted – **\$27,873.**

#### **Community Development Block Grant (CDBG) Fund (112)**

##### ***Revenues – Total \$116,480***

- Record incoming CDBG Grant revenue for expense reimbursement; approved by Council 06/20/2019 – **\$116,480.**

##### ***Expenditures – Total \$116,480***

- Appropriate funds for Public Services and Public Facilities accounts for reimbursement to sub-recipients awarded funds for 2019/2020; approved by Council 06/20/2019 – **\$116,480.**

#### **Home Improvement Grant Fund (114)**

##### ***Revenues – Total \$53,086***

- Record additional program income revenues for HOME Down Payment Assistance Program; approved by Council 10/01/2020 – **\$53,086.**

**Expenditures – Total \$58,086**

- Appropriate funds for Down Payment Assistance Program Project (16CD01) for eligible first-time home buyers from income revenues of \$53,086 in addition to \$5,000 from reserves; approved by Council 10/01/2020 – **\$58,086.**

**Park Impact Fee Fund (154)****Revenues – Total \$21,034**

- Transfer from Park Impact fees - 32907 for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds – **\$21,034.**

**TIF/Transportation Impact Fee Fund (155)****Revenues – Total \$470,305**

- Transfer from Transportation Impact fees - 32907 for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds – **\$382,727.**
- Transfer from Transportation Impact fees - 32907 for the return of funds transferred out of original Impact Fee at 09/19 to cover retainage paid out of original Impact Fee in 01/20 – **\$87,578.**

**Bayfront Community Redevelopment Agency Fund (181)****Expenditures – Total \$0**

- Project Closeout for 18CR03 (Pelican Harbor Redevelopment) (\$4,476) and return funds to reserves (\$4,476) – Net Impact - **\$0.**
- Project Closeout for 18CR06 (Liberia Park Phase 1) (\$12,397) and return funds to reserves \$12,397 – Net Impact - **\$0.**
- Project Closeout for 19CR01 (Signage/Improvements) (\$58,000) and return funds to reserves – \$58,000 – Net Impact - **\$0.**

**Park Impact Fees-Nexus 32907 Fund (192)****Expenditures – Total \$21,034**

- Transfer to Park Impact fees for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds – **\$21,034.**

**Transportation Impact Fees-Nexus 32907 Fund (197)****Expenditures – Total \$470,305**

- Transfer to Transportation Impact fees for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds – **\$382,727.**
- Transfer to Transportation Impact fees - 32907 for the return of funds transferred out of original Impact Fee at 09/19 to cover retainage paid out of original Impact Fee in 01/20 – **\$87,578.**

**2013 T.S.O. Refunding Bond Fund (221)****Revenues – Total (\$1,750)**

- Transfer reduction from the General Fund (001) for the correction to BA #2 entries for partial refunding of the 2013 T.S.O. Refunding Bond Fund (221) – **(\$1,750).**

**Expenditures – Total (\$1,750)**

- Correction to BA #2 entries for the issuance costs for the partial refunding of the 2013 T.S.O. Refunding Bond (221) – **(\$1,750).**

**2019 T.S.O. Refinancing Bond Fund (229)****Expenditures – Total \$51,867,645**

- Record 2019 Taxable Special Obligation (T.S.O.) Refinancing Bond (229) issuance costs \$11,827 and escrow payment \$51,855,818 – **\$51,867,645.**



**I-95 Interchange Fund (306)****Expenditures – Total \$47,500**

- Appropriate funding for required drainage easement to Fire Station Pond to comply with the St. John's River Water Management (SJRWMD) permit / Project 15PW11; approved by Council 08/01/2019 – **\$47,500.**

**Road Maintenance CIP Fund (307)****Expenditures – Total \$0**

- Project Closeout for 20RD02 (2020 Rejuvenation) (\$39,230) and return funds to reserves \$39,230 – Net Impact - **\$0.**
- Project Closeout for 20RD03 (Unit 45 Road Maintenance) (\$2,694,054) and return funds to reserves \$2,694,054 – Net Impact - **\$0.**

**Connector Road I-95 Fund (308)****Expenditures – Total \$293,335**

- Appropriate funding for required drainage easement to Fire Station Pond to comply with the St. John's River Water Management (SJRWMD) permit / Project 15PW11; approved by Council 08/01/2019 – **\$293,335.**

**GO Road Program Fund (309)****Expenditures – Total \$2,037,686**

- Provide additional budgeted funds for Road Bond paving for Port Malabar Road Paving Project 20GO10; approved by Council 03/07/2019 – **\$12,855.**
- Provide additional budgeted funds for Emerson Drive NE Road Paving Project 20GO11; approved by Council 02/06/2020 – **\$8,450.**
- Provide additional budgeted funds for ancillary items for Unit 46 Road Bond paving Project 20GO13; approved by Council 02/06/2020 – **\$8,450.**
- Provide funding for construction, advertising, geotechnical services, survey, and design costs for Unit 17 Road Paving Project 20GO17; approved by Council 02/06/2020 – **\$2,002,931.**
- Provide funding for geotechnical services for Port Malabar Paving East Project 20GO16; approved by Council 02/06/2020 – **\$5,000.**

**Utilities Operating Fund (421)****Revenues – Total \$189,228**

- Increase revenues due to the increase from fees paid for meters and installation costs; approved by Council 09/17/20 – **\$189,228.**

**Expenditures – Total \$727,104**

- Transfer funds from the Utilities Operating Fund to the Utilities R&R Fund for the North Regional Wastewater Treatment Plant (NRWWTP) Clarifier project 20WS21; approved by Council 09/03/20 – **\$647,302.**
- Appropriate funds for cost of new meter installations that have been higher than anticipated due to increased connections; approved by Council 09/03/20 – **\$113,400.**
- Project Closeout for 17WS02 (I-95/Parkway WM and FM) and return funds to Fund Balance – **(\$13,746).**
- Project Closeout for 20WS06 (NR Equipment Storage Building) and return funds to Fund Balance – **(\$19,852).**

**Utility Connection Fee Fund (423)**

**Expenditures – Total (\$114,356)**

- Additional funding needed for a second legal ad for project 18WS04 since the project was split out into two bids; approved by Council 02/06/20 – **\$644**.
- Project Closeout for 17WS08 (Regional Pump Station #2) and return funds to Fund Balance – **(\$115,000)**.

**Utility Renewal/Replacement Fund (424)****Revenues – Total \$647,302**

- Transfer funds from the Utilities Operating Fund to the Utilities R&R Fund for the North Regional Wastewater Treatment Plant (NRWWTP) Clarifier project 20WS21; approved by Council 09/03/20 – **\$647,302**.

**Expenditures – Total \$334,141**

- Appropriate funds for the emergency replacement of the clarifier for the North Regional Wastewater Treatment Plant (NRWWTP) project 20WS21; approved by Council 09/03/20 – **\$602,000**.
- Project Closeout for 16WS01 (Treatment Unit Rehabilitation) and return funds to Fund Balance – **(\$255,359)**.
- Project Closeout for 19WS21 (NRWTP Scada Upgrade) and return funds to Fund Balance – **(\$12,500)**.

**Building Fund (451)****Expenditures – Total \$25,000**

- Appropriate funds for FY 20 security deposit and first month's rent to temporarily relocate Building Department staff due to insufficient space to accommodate all division employees safely; approved by Council 09/17/20 – **\$25,000**.

**Stormwater Utility Fund (461)****Expenditures – Total \$0**

- Project Closeout for 19SU04 (Ph II Pipe Rplcmt Unit 42) (\$51,815) and return funds to reserves \$51,815 – Net Impact - **\$0**.
- Project Closeout for 20SU03 (Pollack Park Stormwater) (\$740) and return funds to reserves \$740 – Net Impact - **\$0**.
- Project Closeout for 20SU09 (FY 20 Cured in Place Pipe) (\$68,999) and return funds to reserves \$68,999 – Net Impact - **\$0**.

**FY 2020 Year-End Close-Out**

A fiscal year-end close-out review of each fund, department, division by category and general ledger accounts reflecting a deficit of \$2,500 or greater was completed by the Finance Department. In addition to the previously stated summary of proposed budget amendments, revenue and expenditure appropriations are recorded to account for the following:

- Additional revenues generated exceeding the initially budgeted amount.
- Unbudgeted expenditures (personnel, operating, contributions, transfers and/or capital account line items) exceeding the initially budgeted amount not covered in the expenditure category total.

Please refer to the attached Exhibit B for a detailed breakdown of each department and fund year-end close-out appropriations.

**REQUESTING DEPARTMENT:**

Community & Economic Development, Growth Management, Utilities, Public Works, Parks & Recreation, Finance, Police Department, Fire Department

**FISCAL IMPACT:**

Please refer to Exhibit A and Exhibit B for Fiscal Impacts.

**RECOMMENDATION:**

Motion to adopt, by Ordinance, the FY 2020 Fifth Budget Amendment

**ATTACHMENTS:**

**Description**

**Exhibit A - BA #5 Appropriations**

**Exhibit B - FY 2020 Year-End Close-Outs**

**Ordinance 2020-78**

## Summary of the Proposed Budget Amendment

	Revenues	Expenditures
<b>General Fund (001)</b>		
Transfer to Debt Service Fund for the correction of BA #2 entries for partial refunding of the 2012 T.S.O. Refunding Bond		(1,750)
Transfer from the Office of the City Manager to Parks Department for the purchase of brackets kits to support local military members and veterans		(3,618)
Transfer to the Parks Department from the Office of the City Manager the purchase of brackets kits to support local military members and veterans		3,618
Transfer from the Office of the City Manager to Public Works Department to complete lettering on buildings to match signs for City Hall Complex directional signage project		(769)
Transfer to Public Works Department from the Office of the City Manager to complete lettering on buildings to match signs for City Hall Complex directional signage project		769
Correction to BA #4 entry for the reduction in debt service funding due to the application of funds left over		27,873
Undesignated Fund Balance	26,123	
<b>Fund Subtotal</b>	<b>26,123</b>	<b>26,123</b>
<b>Community Development Block Grant (CDBG) Fund (112)</b>		
Appropriate funds for Public Services and Public Facilities accounts for reimbursement to sub-recipients awarded funds for 2019/2020		116,480
Record Incoming CDBG revenues for expense reimbursement	116,480	
<b>Fund Subtotal</b>	<b>116,480</b>	<b>116,480</b>
<b>Home Investment Grant Fund (114)</b>		
Record additional program income revenue	53,086	
Appropriate funds for Down Payment Assistance Program Project 16CD01 for eligible first-time home buyers		58,086
Reserves		(5,000)
<b>Fund Subtotal</b>	<b>53,086</b>	<b>53,086</b>
<b>Park Impact Fee Fund (154)</b>		
Reserves		21,034

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Exhibit A

Transfer from Park Impact fees - 32907 for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds	21,034	
<b>Fund Subtotal</b>	<b>21,034</b>	<b>21,034</b>
<b>TIF/Transportation Impact Fee Fund (155)</b>		
Reserves		470,305
Transfer from Transportation Impact fees - 32907 for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds	382,727	
Transfer from Transportation Impact fees - 32907 for the return of funds transferred out of original Impact Fee at 09/19 to cover retainage paid out of original Impact Fee in 01/20	87,578	
<b>Fund Subtotal</b>	<b>470,305</b>	<b>470,305</b>
<b>Bayfront Community Redevelopment (BCRA) Fund (181)</b>		
Closeout Project 18CR03 and return funds		(4,476)
Closeout Project 18CR06 and return funds		(12,397)
Closeout Project 19CR01 and return funds		(58,000)
Reserves		74,873
<b>Fund Subtotal</b>	<b>0</b>	<b>0</b>
<b>Parks Impact Fee Fund - 32907 (192)</b>		
Transfer to Park Impact fees for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds		21,034
Undesignated Fund Balance	21,034	
<b>Fund Subtotal</b>	<b>21,034</b>	<b>21,034</b>
<b>Transportation Impact Fee Fund-32907 (197)</b>		
Transfer to Transportation Impact fees for the return of excess funds budgeted and transferred at the end of FY 19 from original Impact Fee Funds		382,727
Transfer to Transportation Impact fees - 32907 for the return of funds transferred out of original Impact Fee at 09/19 to cover retainage paid out of original Impact Fee in 01/20		87,578
Undesignated Fund Balance	470,305	
<b>Fund Subtotal</b>	<b>470,305</b>	<b>470,305</b>

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Exhibit A

<b>2013 T.S.O. Refunding Bond Fund (221)</b>		
Issuance costs correction from BA #2 entries for partial refunding of the 2012 T.S.O. Refunding Bond		(1,750)
Transfer from the General Fund for the correction of BA #2 entries for partial refunding of the 2012 T.S.O. Refunding Bond	(1,750)	
<b>Fund Subtotal</b>	<b>(1,750)</b>	<b>(1,750)</b>
<b>2019 T.S.O. Refinancing Bond Fund (229)</b>		
Record the Issuance costs for the 2019 T.S.O. Refinancing Bond		11,827
Record the Reserves for the 2019 T.S.O. Refinancing Bond		(51,867,645)
Record the Cash Defeasance payment for the 2019 T.S.O. Refinancing Bond		51,855,818
<b>Fund Subtotal</b>	<b>0</b>	<b>0</b>
<b>I-95 Interchange Fund (306)</b>		
Appropriate funds for required 48" drainage easement to Fire Station Pond per agreement		47,500
Designated Fund Balance	47,500	
<b>Fund Subtotal</b>	<b>47,500</b>	<b>47,500</b>
<b>Road Maintenance CIP Fund (307)</b>		
Closeout project 20RD02 and return funds to reserves		(39,230)
Closeout project 20RD03 and return funds to reserves		(2,694,054)
Reserves		2,733,284
<b>Fund Subtotal</b>	<b>0</b>	<b>0</b>
<b>Connector Road I-95 Fund (308)</b>		
Appropriate funds for required 48" drainage easement to Fire Station Pond per agreement		293,335
Designated Fund Balance	293,335	
<b>Fund Subtotal</b>	<b>293,335</b>	<b>293,335</b>
<b>GO Road Program (309)</b>		
Additional budget for Road Bond Paving for Port Malabar Road Project 20GO10		12,855
Additional budget for Emerson Drive NE Project 20GO11		8,450
Additional budget for Unit 46 Road Bond Paving Project 20GO13		8,450

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Exhibit A

Funding for construction, advertising, geotechnical services, survey, and design costs for Unit 17 Road Paving Project 20GO17		2,002,931
Funding for geotechnical services for Port Malabar Paving East Project 20GO16		5,000
Undesignated Fund Balance	2,037,686	
<b>Fund Subtotal</b>	<b>2,037,686</b>	<b>2,037,686</b>
<b>Utilities Operating Fund (421)</b>		
Transfer to Utilities R&R Fund to maintain required Fund Balance for the amendment to Project 20WS21		647,302
Increase revenues for from fees paid and installation costs for meter services	189,228	
Appropriate funds for higher than anticipated costs of new meter installations		113,400
Reserves		75,828
Closeout project 17WS02 and return funds to fund balance		(13,746)
Closeout project 20WS06 and return funds to fund balance		(19,852)
Undesignated Fund Balance	647,302	
Designated Fund Balance	(33,598)	
<b>Fund Subtotal</b>	<b>802,932</b>	<b>802,932</b>
<b>Utilities Connection Fee Fund (423)</b>		
Additional funding needed for second legal ad for project 18WS04		644
Closeout project 17WS08 and return funds to fund balance		(115,000)
Undesignated Fund Balance	644	
Designated Fund Balance	(115,000)	
<b>Fund Subtotal</b>	<b>(114,356)</b>	<b>(114,356)</b>
<b>Utilities Renewal/Replacement Fund (424)</b>		
Funding for the emergency replacement of the NRWWTP Clarifier Project 20WS21		602,000
Transfer from Utilities Operating Fund to maintain required Fund Balance for the amendment to Project 20WS21	647,302	
Reserves		647,302
Closeout project 16WS01 and return funds to fund balance		(255,359)
Closeout project 19WS21 and return funds to fund balance		(12,500)
Undesignated Fund Balance	602,000	
Designated Fund Balance	(267,859)	
<b>Fund Subtotal</b>	<b>981,443</b>	<b>981,443</b>

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Exhibit A

<b>Building Fund (451)</b>		
FY 20 funding for temporary lease for relocation of Building Department staff		25,000
Undesignated Fund Balance	25,000	
<b>Fund Subtotal</b>	<b>25,000</b>	<b>25,000</b>
<b>Stormwater Utility Fund (461)</b>		
Closeout project 19SU04 and return funds to reserves		(51,815)
Closeout project 20SU03 and return funds to reserves		(740)
Closeout project 20SU09 and return funds to reserves		(68,999)
Reserves		121,554
<b>Fund Subtotal</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>5,250,157</b>	<b>5,250,157</b>



**FY 2020 Year-End Close-Out Appropriations – Budget Amendment #5**

<b>GENERAL FUND (001)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
GENERAL FUND		OPERATING MILLAGE	377,724	
GENERAL FUND		DELINQUENT OPERATING	151,615	
GENERAL FUND		PALM BAY WATER	91,957	
GENERAL FUND		WASTE MANAGEMENT	43,099	
GENERAL FUND		BREVARD COUNTY	38,943	
GENERAL FUND		ENGINEERING PLAN FEES	115,370	
GENERAL FUND		LIEN RESEARCH FEES	48,060	
GENERAL FUND		COLLECTION & DISPOSAL FEE	113,160	
GENERAL FUND		MOWING SERVICES	60,369	
GENERAL FUND		RIGHT-OF-WAY FEES	164,503	
GENERAL FUND		INTEREST INCOME	121,577	
GENERAL FUND		INTEREST ON RESERVES	35,097	
GENERAL FUND		UNDESIGNATED FUND BALANCE	(894,490)	
LEGISLATIVE	ADMINISTRATION	FULL-TIME SALARIES/WAGES		5,500
LEGISLATIVE	ADMINISTRATION	OTHER CONTRIBUTIONS		9
OFFICE OF CITY MANAGER	ADMINISTRATION	FULL-TIME SALARIES/WAGES		(8,862)
OFFICE OF CITY MANAGER	ADMINISTRATION	PART-TIME WAGES		6,362
OFFICE OF CITY MANAGER	PUBLIC INFORMATION	FULL-TIME SALARIES/WAGES		2,500
OFFICE OF CITY MANAGER	ADMINISTRATION	OTHER CONTRACTUAL SERVICE		7,000

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Exhibit B

OFFICE OF CITY MANAGER	ADMINISTRATION	CONSULTANT SERVICES		(7,000)
FINANCE	REVENUE	FULL-TIME SALARIES/WAGES		(17,000)
FINANCE	ACCOUNTING	FULL-TIME SALARIES/WAGES		6,700
FINANCE	ADMINISTRATION	SECURITY/MEDICARE		4,600
FINANCE	ADMINISTRATION	RETIREMENT - ICMA		5,700
FINANCE	ADMINISTRATION	FULL-TIME SALARIES/WAGES		63,000
HUMAN RESOURCES	ADMINISTRATION	IN-HOUSE TRAINING		(3,400)
HUMAN RESOURCES	ADMINISTRATION	TRAINING & EDUCATION COST		3,400
GROWTH MANAGEMENT	LAND DEVELOPMENT	FULL-TIME SALARIES/WAGES		(1,000)
GROWTH MANAGEMENT	ADMINISTRATION	FULL-TIME SALARIES/WAGES		1,000
COMMUNITY & ECON. DEV.	ADMINISTRATION	OTHER PROFESSIONAL SVC		(23,300)
COMMUNITY & ECON. DEV.	ADMINISTRATION	FULL-TIME SALARIES/WAGES		1,000
COMMUNITY & ECON. DEV.	ADMINISTRATION	FULL-TIME SALARIES/WAGES		9,700
COMMUNITY & ECON. DEV.	ADMINISTRATION	COMP TIME USED		1,000
COMMUNITY & ECON. DEV.	ADMINISTRATION	SOCIAL SECURITY/MEDICARE		1,400
COMMUNITY & ECON. DEV.	ADMINISTRATION	RETIREMENT - ICMA		1,100
COMMUNITY & ECON. DEV.	ADMINISTRATION	OTHER PROMO ACTIVITIES		9,100
PARKS & RECREATION	PARKS	FULL-TIME SALARIES/WAGES		(20,500)

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Exhibit B

PARKS & RECREATION	ADMINISTRATION	FULL-TIME SALARIES/WAGES		5,000
PARKS & RECREATION	RECREATION	FULL-TIME SALARIES/WAGES		5,000
PARKS & RECREATION	PARKS	PART-TIME WAGES		10,500
PARKS & RECREATION	RECREATION	PART-TIME WAGES		(12,500)
PARKS & RECREATION	RECREATION	SPECIAL EVENTS		4,500
PARKS & RECREATION	RECREATION	OTHER PROMO ACTIVITIES		4,000
PARKS & RECREATION	RECREATION	FIRST FRIDAY EVENTS		4,000
PARKS & RECREATION	PARKS	ATHLETIC FIELD		(1,500)
PARKS & RECREATION	PARKS	UNIFORMS/CLOTHING		1,500
FACILITIES	FACILITY MAINTENANCE	A/C MAINTENANCE		(7,000)
FACILITIES	FACILITY MAINTENANCE	WATER & SEWER SERVICES		7,000
FACILITIES	FACILITY MAINTENANCE	BUILDING REPAIRS		(42,900)
FACILITIES	FACILITY MAINTENANCE	COUNTY DISPOSAL		25,000
FACILITIES	FACILITY MAINTENANCE	CONTROL ACCESS		3,500
FACILITIES	FACILITY MAINTENANCE	SAFETY EQUIPMENT		4,400
FACILITIES	FACILITY MAINTENANCE	TOOLS/EQUIPMENT		10,000
FACILITIES	FACILITY MAINTENANCE	FUELS/LUBRICANTS		(13,000)
FACILITIES	FACILITY MAINTENANCE	TOOLS/EQUIPMENT		13,000

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Exhibit B

POLICE	UNIFORM SERVICES	FULL-TIME SALARIES/WAGES		(165,000)
POLICE	EXECUTIVE	FULL-TIME SALARIES/WAGES		25,500
POLICE	EXECUTIVE	PART-TIME WAGES		5,400
POLICE	EXECUTIVE	SOCIAL SECURITY/MEDICARE		7,400
POLICE	SUPPORT SERVICES	FULL-TIME SALARIES/WAGES		9,200
POLICE	SUPPORT SERVICES	RETIREMENT - ICMA		3,300
POLICE	UNIFORM SERVICES	COMP TIME USED		98,900
POLICE	UNIFORM SERVICES	OVERTIME		11,700
POLICE	UNIFORM SERVICES	INSURANCE BENEFITS CREDIT		3,600
POLICE	UNIFORM SERVICES	TRAVEL M&IE		(3,200)
POLICE	UNIFORM SERVICES	TOOLS/EQUIPMENT		3,200
POLICE	UNIFORM SERVICES	TRAINING & EDUCATION COST		(3,000)
POLICE	UNIFORM SERVICES	MISC OPERATING SUPPLIES		(3,000)
POLICE	UNIFORM SERVICES	BOOKS/SUBSCRIPTIONS		6,000
POLICE	INVESTIGATIONS	OVERTIME		(30,000)
POLICE	INVESTIGATIONS	FULL-TIME SALARIES/WAGES		(12,000)
POLICE	INVESTIGATIONS	COMP TIME USED		42,000
POLICE	INVESTIGATIONS	FULL-TIME SALARIES/WAGES		(6,000)
POLICE	INVESTIGATIONS	HOLIDAY PAY		4,000
POLICE	INVESTIGATIONS	EDUCATION-DEGREE		2,000

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Exhibit B

POLICE	INVESTIGATIONS	TRAINING & EDUCATION COST		(5,000)
POLICE	INVESTIGATIONS	TRAVEL M&IE		(3,500)
POLICE	INVESTIGATIONS	TOOLS/EQUIPMENT		8,500
POLICE	COMM. CENTER	FULL-TIME SALARIES/WAGES		(114,300)
POLICE	COMM. CENTER	COMP TIME USED		16,000
POLICE	COMM. CENTER	PART-TIME WAGES		4,000
POLICE	COMM. CENTER	OVERTIME		73,000
POLICE	VICTIMS SERVICES	FULL-TIME SALARIES/WAGES		16,000
POLICE	VICTIMS SERVICES	SOCIAL SECURITY/MEDICARE		1,300
POLICE	VICTIMS SERVICES	RETIREMENT - ICMA		4,000
FIRE	EMERGENCY SERVICES	OXYGEN/MEDICAL SUPPLIES		(7,500)
FIRE	EMERGENCY SERVICES	UNIFORMS/CLOTHING		(4,000)
FIRE	EMERGENCY SERVICES	MACHINERY/EQUIP REPAIR		6,500
FIRE	EMERGENCY SERVICES	MISC OPERATING SUPPLIES		5,000
FIRE	EMERGENCY SERVICES	FULL-TIME SALARIES/WAGES		(130,400)
FIRE	EMERGENCY SERVICES	COMP TIME USED		18,000
FIRE	EMERGENCY SERVICES	INSURANCE BENEFITS CREDIT		3,500
FIRE	EMERGENCY SERVICES	CERTIFICATE / LICENSE		8,000

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FIRE	EMERGENCY SERVICES	EDUCATION-DEGREE		12,800
FIRE	EMERGENCY SERVICES	PARA SOLO / EMT		10,300
FIRE	EMERGENCY SERVICES	LIFE & HEALTH INSURANCE		3,800
FIRE	EMERGENCY SERVICES	SOCIAL SECURITY/MEDICARE		74,000
FIRE	EMERGENCY SERVICES	FULL-TIME SALARIES/WAGES		(150,000)
FIRE	EMERGENCY SERVICES	HOLIDAY PAY		(50,000)
FIRE	EMERGENCY SERVICES	FLSA / PREMIUM PAY		(34,000)
FIRE	EMERGENCY SERVICES	CLOTHING ALLOWANCE		(9,000)
FIRE	EMERGENCY SERVICES	RETIREMENT - ICMA		(9,000)
FIRE	EMERGENCY SERVICES	OVERTIME		460,000
PUBLIC WORKS	ADMINISTRATION	FULL-TIME SALARIES/WAGES		(24,100)
PUBLIC WORKS	ADMINISTRATION	FULL-TIME SALARIES/WAGES		19,000
PUBLIC WORKS	ENGINEERING	PART-TIME WAGES		2,500
PUBLIC WORKS	ENGINEERING	SOCIAL SECURITY/MEDICARE		2,600
PUBLIC WORKS	ENGINEERING	FULL-TIME SALARIES/WAGES		(32,000)
PUBLIC WORKS	ENGINEERING	OVERTIME		32,000

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PUBLIC WORKS	ENGINEERING	OTHER PROFESSIONAL SVC		(2,500)
PUBLIC WORKS	ENGINEERING	COPIER LEASE		2,500
PUBLIC WORKS	ROW BEAUTIFICATION	FULL-TIME SALARIES/WAGES		(7,200)
PUBLIC WORKS	ROW BEAUTIFICATION	OVERTIME		7,200
PUBLIC WORKS	TRAFFIC OPERATIONS	MISC OPERATING SUPPLIES		(3,000)
PUBLIC WORKS	TRAFFIC OPERATIONS	STREET/TRAFFIC LIGHTS		3,000
PUBLIC WORKS	INFRASTRUCTURE	FULL-TIME SALARIES/WAGES		(3,200)
PUBLIC WORKS	INFRASTRUCTURE	COMP TIME USED		3,200
GENERAL GOVERNMENT		OTHER CURRENT CHARGES		7,475
GENERAL GOVERNMENT		CREDIT CARD PROCESS FEES		30,000
GENERAL GOVERNMENT		COVID-19		153,000
GENERAL GOVERNMENT	TRANSFERS	TRANSFERS / TO COMMUNITY INVEST. FUND		(224,473)
GENERAL GOVERNMENT	TRANSFERS	TRANSFERS / TO COMMUNITY INVEST FUND		224,473
		<b>FUND SUBTOTAL</b>	<b>466,984</b>	<b>466,984</b>
<b>PALM BAY MUNICIPAL FOUNDATION (103)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
		MAYOR'S BALL AWARDS/SCHOL		(14,000)
		OTHER CONTRIBUTIONS		14,000
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>

<b>STATE HOUSING GRANT (SHIP) FUND (111)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
GROWTH MANEGEMENT	HANDS	FULL-TIME SALARIES/WAGES		8,000
GROWTH MANEGEMENT	HANDS	EMP HEALTH INS PREMIUMS		3,000
GROWTH MANEGEMENT	HANDS	ADMINISTRATIVE SERVICES		900
GROWTH MANEGEMENT	HANDS	BANK SERVICE FEES		800
GROWTH MANEGEMENT	HANDS	FUND BALANCE / UNDESIGNATED	12,700	
		<b>FUND SUBTOTAL</b>	<b>12,700</b>	<b>12,700</b>
<b>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND (112)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
GROWTH MANEGEMENT	HANDS	FULL-TIME SALARIES/WAGES		(3,510)
GROWTH MANEGEMENT	HANDS	TERMINATION BENEFITS		3,510
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>HOME INVESTMENT FUND (114)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
GROWTH MANEGEMENT	HANDS	AUDIT COSTS		133
GROWTH MANEGEMENT	HANDS	ADMINISTRATIVE SERVICES		154
GROWTH MANEGEMENT	HANDS	FUND BALANCE / UNDESIGNATED	287	
		<b>FUND SUBTOTAL</b>	<b>287</b>	<b>287</b>
<b>NSP PROGRAM FUND (123)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
GROWTH MANEGEMENT	HANDS	ADMINISTRATIVE SERVICES		2,550



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GROWTH MANEGEMENT	HANDS	FUND BALANCE / UNDESIGNATED	2,550	
		<b>FUND SUBTOTAL</b>	<b>2,550</b>	<b>2,550</b>
<b>DONATIONS FUND (131)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
FIRE		FIRE CONTRIBUTIONS	5,134	
POLICE		POLICE CONTRIBUTIONS	12,962	
FIRE		SPECIAL EVENTS		346
FIRE		MISC OPERATING SUPPLIES		4,160
FIRE		CITY TRAINING/EVENTS FOOD		628
POLICE		TRAVEL M&IE		7,463
POLICE		MISC OPERATING SUPPLIES		4,198
POLICE		CITY TRAINING/EVENTS FOOD		42
POLICE		TRAINING & EDUCATION COST		1,100
POLICE		OTHER CONTRIBUTIONS		2,500
POLICE		FUND BALANCE / DESIGNATED	2,341	
		<b>FUND SUBTOTAL</b>	<b>20,437</b>	<b>20,437</b>
<b>POLICE IMPACT FEE FUND - NEXUS 32905 (180)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
POLICE		RESERVES		(50)
POLICE		BANK SERVICE FEES		50
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>

<b>POLICE IMPACT FEE FUND - NEXUS 32907 (183)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
POLICE		RESERVES		(50)
POLICE		BANK SERVICE FEES		50
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>POLICE IMPACT FEE FUND - NEXUS 32908 (184)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
POLICE		RESERVES		(50)
POLICE		BANK SERVICE FEES		50
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>POLICE IMPACT FEE FUND - NEXUS 32909 (186)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
POLICE		RESERVES		(100)
POLICE		BANK SERVICE FEES		100
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>FIRE IMPACT FEE FUND - NEXUS 32905 (187)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
FIRE		RESERVES		(100)
FIRE		BANK SERVICE FEES		100
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>FIRE IMPACT FEE FUND - NEXUS 32907 (188)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
FIRE		RESERVES		(100)
FIRE		BANK SERVICE FEES		100
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>FIRE IMPACT FEE FUND - NEXUS 32908 (189)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>

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FIRE		RESERVES		(150)
FIRE		BANK SERVICE FEES		150
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>FIRE IMPACT FEE FUND - NEXUS 32909 (190)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
FIRE		RESERVES		(4,300)
FIRE		BANK SERVICE FEES		200
FIRE		MISC OPERATING SUPPLIES		4,100
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>PARKS IMPACT FEE FUND - NEXUS 32905 (192)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PARKS & RECREATION		RESERVES		(250)
PARKS & RECREATION		BANK SERVICE FEES		250
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>PARKS IMPACT FEE FUND - NEXUS 32908 (193)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PARKS & RECREATION		RESERVES		(200)
PARKS & RECREATION		BANK SERVICE FEES		200
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>PARKS IMPACT FEE FUND - NEXUS 32909 (194)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PARKS & RECREATION		RESERVES		(600)
PARKS & RECREATION		BANK SERVICE FEES		600
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>

<b>TRANSPORTATION IMPACT FEE FUND - NEXUS 32905 (196)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS		RESERVES		(500)
PUBLIC WORKS		BANK SERVICE FEES		500
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>TRANSPORTATION IMPACT FEE FUND - NEXUS 32907 (197)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS		RESERVES		(300)
PUBLIC WORKS		BANK SERVICE FEES		300
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>TRANSPORTATION IMPACT FEE FUND - NEXUS 32908 (198)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS		RESERVES		(650)
PUBLIC WORKS		BANK SERVICE FEES		650
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>TRANSPORTATION IMPACT FEE FUND - NEXUS 32909 (199)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS		RESERVES		(800)
PUBLIC WORKS		BANK SERVICE FEES		800
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>'10 PST REVENUE BONDS FUND (219)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
FINANCE		INTEREST INCOME	130	
FINANCE		PAYING AGENT FEES		130
		<b>FUND SUBTOTAL</b>	<b>130</b>	<b>130</b>

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<b>I-95 INTERCHANGE CIP FUND (306)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS		RESERVES		(100)
PUBLIC WORKS		BANK SERVICE FEES		100
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>CONNECTOR I-95 CIP FUND (308)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS		RESERVES		(50)
PUBLIC WORKS		BANK SERVICE FEES		50
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>G.O. ROAD BOND FUND (309)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS		INTEREST INCOME	302,541	
PUBLIC WORKS		OTHER CURRENT CHARGES		900
PUBLIC WORKS		RESERVES		301,641
		<b>FUND SUBTOTAL</b>	<b>302,541</b>	<b>302,541</b>
<b>UTILITIES OPERATING FUND (421)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
UTILITIES	ADMINISTRATION	TERMINATION BENEFITS		(31,500)
UTILITIES	ADMINISTRATION	VACATION PAYOUTS		14,000
UTILITIES	CUSTOMER SERVICE	VACATION PAYOUTS		9,000
UTILITIES	BUSINESS OEPRATIONS	VACATION PAYOUTS		6,500
UTILITIES	BUSINESS OEPRATIONS	TERMINATION BENEFITS		2,000
UTILITIES	ADMINISTRATION	TRAVEL M&IE		(4,000)

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UTILITIES	ADMINISTRATION	BANK SERVICE FEES		4,000
UTILITIES	ADMINISTRATION	DUES & MEMBERSHIPS		(5,000)
UTILITIES	ADMINISTRATION	TRAINING & EDUCATION COST		(7,000)
UTILITIES	ADMINISTRATION	OTHER PROFESSIONAL SVC		(20,000)
UTILITIES	ADMINISTRATION	INVENTORY ADJUSTMENT		12,000
UTILITIES	ADMINISTRATION	COVID-19		20,000
UTILITIES	CUSTOMER SERVICE	POSTAGE/FREIGHT/OTHER		(7,000)
UTILITIES	CUSTOMER SERVICE	CREDIT CARD PROCESS FEES		7,000
UTILITIES	ENGINEERING & CONSTR.	FULL-TIME SALARIES/WAGES		(4,000)
UTILITIES	ENGINEERING & CONSTR.	VACATION PAYOUTS		4,000
UTILITIES	MAINTENANCE	FULL-TIME SALARIES/WAGES		(3,500)
UTILITIES	MAINTENANCE	TERMINATION BENEFITS		3,500
UTILITIES	FIELD MAINTENANCE	FULL-TIME SALARIES/WAGES		(9,000)
UTILITIES	FIELD MAINTENANCE	TERMINATION BENEFITS		9,000
UTILITIES	LABORATORY	FULL-TIME SALARIES/WAGES		(3,000)
UTILITIES	LABORATORY	TERMINATION BENEFITS		3,000
UTILITIES	LABORATORY	OTHER MACH/EQUIP MAINT		(3,000)
UTILITIES	LABORATORY	LAB SUPPLIES		3,000
UTILITIES	WATER PLANT - NORTH. REG.	FULL-TIME SALARIES/WAGES		(13,500)
UTILITIES	WATER PLANT - NORTH. REG.	TERMINATION BENEFITS		13,500

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UTILITIES	WATER PLANT - SRWTF	FULL-TIME SALARIES/WAGES		(3,500)
UTILITIES	WATER PLANT - SRWTF	TERMINATION BENEFITS		3,500
UTILITIES	WATER PLANT - SRWTF	CHEMICALS		(3,000)
UTILITIES	WATER PLANT - SRWTF	LAB SUPPLIES		3,000
UTILITIES	WASTEWATER	FULL-TIME SALARIES/WAGES		(23,200)
UTILITIES	WASTEWATER	OVERTIME		10,500
UTILITIES	WASTEWATER	TERMINATION BENEFITS		7,000
UTILITIES	WASTEWATER	VACATION PAYOUTS		5,700
UTILITIES	WASTEWATER	MACHINERY/EQUIP REPAIR		(3,000)
UTILITIES	WASTEWATER	MISC OPERATING SUPPLIES		3,000
UTILITIES	WASTEWATER - NORTH. REG.	FULL-TIME SALARIES/WAGES		(16,000)
UTILITIES	WASTEWATER - NORTH. REG.	OVERTIME		10,000
UTILITIES	WASTEWATER - NORTH. REG.	TERMINATION BENEFITS		6,000
UTILITIES	WASTEWATER - NORTH. REG.	OUTSIDE LAB SERVICES		(11,500)
UTILITIES	WASTEWATER - NORTH. REG.	RESIDUAL REMOVAL		6,300
UTILITIES	WASTEWATER - NORTH. REG.	TOOLS/EQUIPMENT		5,200
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>

UTILITIES CONNECTION FEE FUND (423)			REVENUES	EXPENDITURES
UTILITIES		INTEREST ON SEWER CONNECT	2,100	
UTILITIES	WATER PROJECTS	BANK SERVICE FEES		600
UTILITIES	WASTEWATER PROJECTS	BANK SERVICE FEES		1,500
		<b>FUND SUBTOTAL</b>	<b>2,100</b>	<b>2,100</b>
UTILITIES MAIN LINE EXTENSION FUND (425)			REVENUES	EXPENDITURES
UTILITIES		INTEREST INCOME	850	
UTILITIES	COMBINED PROJECTS	BANK SERVICE FEES		850
		<b>FUND SUBTOTAL</b>	<b>850</b>	<b>850</b>
USA 1 ASSESSMENT FUND (431)			REVENUES	EXPENDITURES
UTILITIES		INTEREST INCOME	100	
UTILITIES		PAYING AGENT FEES		100
		<b>FUND SUBTOTAL</b>	<b>100</b>	<b>100</b>
BUILDING FUND (451)			REVENUES	EXPENDITURES
GROWTH MANAGEMENT	BUILDING	FULL-TIME SALARIES/WAGES		(32,400)
GROWTH MANAGEMENT	BUILDING	COMP TIME USED		2,900
GROWTH MANAGEMENT	BUILDING	PART-TIME WAGES		23,000
GROWTH MANAGEMENT	BUILDING	TERMINATION BENEFITS		6,500
GROWTH MANAGEMENT	BUILDING	COMPUTER SOFTWARE MAINT		(14,500)
GROWTH MANAGEMENT	BUILDING	ENGINEERING SERVICES		3,500



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GROWTH MANAGEMENT	BUILDING	OTHER PROFESSIONAL SVC		11,000
GROWTH MANAGEMENT	BUILDING	RESERVES		(18,900)
GROWTH MANAGEMENT	BUILDING	CREDIT CARD PROCESS FEES		7,900
GROWTH MANAGEMENT	BUILDING	COVID-19		11,000
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>STORMWATER UTILITY (SWU) FUND (461)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS	ENGINEERING & SURVEY	TRAVEL M&IE		(300)
PUBLIC WORKS	STORMWATER	BANK SERVICE FEES		300
PUBLIC WORKS	ENGINEERING & SURVEY	FULL-TIME SALARIES/WAGES		(5,000)
PUBLIC WORKS	ENGINEERING & SURVEY	VACATION PAYOUTS		5,000
PUBLIC WORKS	ENGINEERING & SURVEY	LICENSES/CERTIFICATES		(3,000)
PUBLIC WORKS	ENGINEERING & SURVEY	TRAINING & EDUCATION COST		(1,400)
PUBLIC WORKS	ENGINEERING & SURVEY	OTHER CURRENT CHARGES		4,400
PUBLIC WORKS	PHYSICAL ENVIRONMENT	FULL-TIME SALARIES/WAGES		(54,700)
PUBLIC WORKS	CUSTOMER SERVICE	OVERTIME		40,000
PUBLIC WORKS	CUSTOMER SERVICE	SOCIAL SECURITY/MEDICARE		6,000
PUBLIC WORKS	PHYSICAL ENVIRONMENT	OVERTIME		3,800

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PUBLIC WORKS	PHYSICAL ENVIRONMENT	TRAINER/LEADER		4,900
PUBLIC WORKS	INFRASTRUCTURE	FULL-TIME SALARIES/WAGES		(6,900)
PUBLIC WORKS	INFRASTRUCTURE	TRAINER/LEADER		3,300
PUBLIC WORKS	INFRASTRUCTURE	SICK PAYOUTS		3,600
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>SOLID WASTE FUND (471)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS	OPERATIONS	FULL-TIME SALARIES/WAGES		(6,000)
PUBLIC WORKS	OPERATIONS	TERMINATION BENEFITS		6,000
PUBLIC WORKS	OPERATIONS	COMPUTER SOFTWARE MAINT		(5,000)
PUBLIC WORKS	CUSTOMER SERVICE	POSTAGE/FREIGHT/OTHER		2,400
PUBLIC WORKS	CUSTOMER SERVICE	CREDIT CARD PROCESS FEES		2,600
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>RISK MANAGEMENT FUND (512)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
OFFICE OF THE CITY ATTORNEY	RISK MANAGEMENT	FULL-TIME SALARIES/WAGES		(8,000)
OFFICE OF THE CITY ATTORNEY	RISK MANAGEMENT	FULL-TIME SALARIES/WAGES		8,000
OFFICE OF THE CITY ATTORNEY	RISK MANAGEMENT	TERMINATION BENEFITS		(8,500)
OFFICE OF THE CITY ATTORNEY	RISK MANAGEMENT	RETIREMENT - ICMA		8,500

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OFFICE OF THE CITY ATTORNEY	RISK MANAGEMENT	WORKERS COMP CLAIMS		(35,000)
OFFICE OF THE CITY ATTORNEY	RISK MANAGEMENT	WORKERS COMP PAYMENTS		35,000
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>OTHER EMPLOYEE BENEFITS FUND (513)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
HUMAN RESOURCES	BENEFITS	SUPPLEMENTAL INSURANCE		(15,100)
HUMAN RESOURCES	BENEFITS	CITY-PAID LIFE INSURANCE		3,200
HUMAN RESOURCES	BENEFITS	EE PAID LIFE INSURANCE		11,900
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
<b>FLEET SERVICES FUND (521)</b>			<b>REVENUES</b>	<b>EXPENDITURES</b>
PUBLIC WORKS	FLEET SERVICES	FULL-TIME SALARIES/WAGES		(10,000)
PUBLIC WORKS	FLEET SERVICES	EMERGENCY PAY		4,000
PUBLIC WORKS	FLEET SERVICES	SOCIAL SECURITY/MEDICARE		3,400
PUBLIC WORKS	FLEET SERVICES	SICK PAYOUTS		2,600
PUBLIC WORKS	FLEET SERVICES	VEHICLE PARTS		(16,100)
PUBLIC WORKS	FLEET SERVICES	VEHICLE REPAIR		8,000
PUBLIC WORKS	FLEET SERVICES	MISC OPERATING SUPPLIES		5,300
PUBLIC WORKS	FLEET SERVICES	TOOLS/EQUIPMENT		2,800
		<b>FUND SUBTOTAL</b>	<b>0</b>	<b>0</b>
		<b>ALL FUNDS TOTAL</b>	<b>808,679</b>	<b>808,679</b>

## **ORDINANCE 2020-78**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2020 BUDGET BY APPROPRIATING AND ALLOCATING FUNDS AS FOLLOWS: USAGE OF UNDESIGNATED FUND BALANCE IN THE FOLLOWING FUNDS: GENERAL FUND; PARKS IMPACT FEE FUNDS; TRANSPORTATION IMPACT FEE FUNDS; G.O. ROAD PROGRAM FUND; UTILITIES CONNECTION FEE FUND; UTILITIES OPERATING FUND; AND THE BUILDING FUND; USAGE OF DESIGNATED FUND BALANCE IN THE FOLLOWING FUNDS: I-95 INTERCHANGE FUND; CONNECTOR ROAD I-95 FUND; UTILITIES OPERATING FUND; UTILITIES CONNECTION FEE FUND AND THE UTILITIES RENEWAL/REPLACEMENT FUND; RECOGNIZING THE FOLLOWING REVENUE: CDBG GRANT REIMBURSEMENT AND HOME DOWN PAYMENT ASSISTANCE PROGRAM INCOME; TRANSFER FROM THE GENERAL FUND TO THE DEBT SERVICE FUND FOR THE PARTIAL REFUNDING OF THE 2012 T.S.O. REFUNDING BOND; TRANSFER REMAINING FUNDS FROM THE ORIGINAL IMPACT FEES TO THE NEXUS PARKS AND TRANSPORTATION IMPACT FEES FUNDS; TRANSFER FROM THE UTILITIES OPERATING FUND TO THE UTILITIES RENEWAL/REPLACEMENT FUND TO MAINTAIN REQUIRED FUND BALANCE; RECOGNIZING THAT SUCH APPROPRIATIONS MUST BE MADE PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF PALM BAY, CHAPTER 35; ADOPTING, RATIFYING, CONFIRMING, AND VALIDATING THE ALLOCATIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Bay recognizes that non-budgeted items must be appropriated and that such appropriation must be allocated by Ordinance, and

**WHEREAS**, transfers between funds and departments must be approved by City Council, and

**WHEREAS**, Chapter 35, Finance, Budget, Section 35.035, of the City of Palm Bay, Code of Ordinances provides for the transfer of funds and appropriation of unbudgeted funds.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA,** as follows:

**SECTION 1.** The City Council, in accordance with the City of Palm Bay, Code of Ordinances, Chapter 35, Finance, Budget, Section 35.035, hereby appropriates the following funds as outlined in the attached Exhibit 'A'.

**SECTION 2.** The City Council adopts, ratifies, and approves the appropriations as listed above.

**SECTION 3.** The provisions within this Ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020; and read in title only and duly enacted at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Joan Junkala-Brown, Community & Economic Development Director

**DATE:** 11/5/2020

**RE:** Consideration of a grant agreement with Florida Department of Emergency Management for the Hazard Mitigation Grant Program for Cimarron Circle acquisition and demolition.

In 2017, the City of Palm Bay was approached by homeowners on Cimarron Circle regarding losses incurred as a result of Hurricane Irma and sought assistance to address perpetual flood damage to the homes, which were built within a high-risk flood zone. Homes built within a floodplain sustain recurrent flood damage, which is not covered under home insurance.

At the Regular Council Meeting held on July 19, 2018, City Council approved the submission of a grant application to the Florida Department of Emergency Management (FDEM) for the FEMA Hazard Mitigation Grant Program (HMGP). The grant application included the acquisition and demolition of thirteen (13) homes on Cimarron Circle. The homes on Cimarron Circle are located within a flood plain and have suffered repetitive losses due to flood events, to include Hurricane Irma. Funding under the HMGP covers 75 percent of overall project costs and requires a 25 percent cost-share from other funding sources. On August 24, 2020, the City of Palm Bay was notified of its HMGP grant award of \$2,052,539.

At the August 13, 2019 meeting, City Council authorized the submission of an application for additional federal funding assistance to administer the Community Development Block Grant (CDBG-DR) Voluntary Home Buyout (VHB) Program to provide match funding to acquire and demolish the 13 flood-prone homes on Cimarron Circle in northeast Palm Bay. In December 2019, the City was notified of its award of \$684,179 in CDBG-DR funds to meet the cost-share requirement for this project. City Council authorized acceptance of the funds at their April 16, 2020 meeting, contingent on the HMGP funding being awarded.

The total projected cost of the Cimarron Circle flood damage mitigation project is \$2,736,718 (HMGP and CDBG-DR grant funding) and will cover the cost of acquisition for the 13 properties, demolition, environmental reviews, and other related activity. Through these two funding sources, the City will acquire and demolish the homes and retain the properties for future open green space in perpetuity, thereby mitigating any potential future losses due to flooding.

The purpose of this item is to seek Council authorization to accept the HMGP Grant award and execute the agreement.

**REQUESTING DEPARTMENT:**

Community & Economic Development

**FISCAL IMPACT:**

City Council's acceptance of the grant award will result in an increase of \$2,052,539.25 in grant funding to the City's General Fund, account 001-0000-331-2006.

**RECOMMENDATION:**

Motion to Approve the grant agreement between the City of Palm Bay and Florida Department of Emergency Management and authorize the City Manager to execute the grant agreement.

**ATTACHMENTS:****Description**

**Grant Agreement H0555 between the City of Palm Bay and Florida Department of Emergency Management**

**July 19, 2018 Regular Council Meeting Minutes**

## SUB-RECIPIENT AGREEMENT CHECKLIST

### DIVISION OF EMERGENCY MANAGEMENT MITIGATION BUREAU

REQUEST FOR REVIEW AND APPROVAL	
SUB-RECIPIENT:	City of Palm Bay
PROJECT #:	4337-283-R
PROJECT TITLE:	City of Palm Bay, Cimarron Circle - Acquisition and Demolition
CONTRACT #:	H0555
MODIFICATION #:	N/A

SUB-RECIPIENT REPRESENTATIVE (POINT OF CONTACT)	
	Sandra Urban, Speical Projects Manager, City of Palm Bay

Enclosed is your copy of the proposed contract/modification between **the City of Palm Bay** and the Florida Division of Emergency Management (FDEM).

	COMPLETE
<input type="checkbox"/>	This form is required to be included with all Reviews, Approvals, and Submittal
<input type="checkbox"/>	Two (2) Copies printed for Approval
<input type="checkbox"/>	Printed Single-sided ( <i>If your policy is to copy two-sided please contact me and I will send you two original one-sided copies for signature</i> )
<input type="checkbox"/>	Reviewed and Approved
<input type="checkbox"/>	Signed and Dated by Official Representative ( <i>blue ink</i> )
<input type="checkbox"/>	<b>Copy of the organization's resolution or charter</b> that specifically identifies the person or position that is authorized to sign, if not Chairman, Mayor, Chief
<input type="checkbox"/>	Attachment I - Federal Funding Accountability and Transparency Act (FFATA) completed, signed, and dated ( <input type="checkbox"/> N/A for Modifications)
<input type="checkbox"/>	Two Signed and dated Originals mailed to FDEM - Tallahassee Florida Division of Emergency Management Mitigation Bureau – HMGP 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100 Attention – Grant Specialist –Tracy O'Dell

If you have any questions regarding this contract, or who is authorized to sign it, please contact your Project Manager at (850) 692-9458 or email me at [Carmen.Acosta@em.myflorida.com](mailto:Carmen.Acosta@em.myflorida.com).



Agreement Number: H0555  
Project Number: 4337-283-R

### FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENT

2 C.F.R. §200.92 states that a “subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.”

As defined by 2 C.F.R. §200.74, “pass-through entity” means “a non-Federal entity that provides a subaward to a Sub-Recipient to carry out part of a Federal program.”

As defined by 2 C.F.R. §200.93, “Sub-Recipient” means “a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program.”

As defined by 2 C.F.R. §200.38, “Federal award” means “Federal financial assistance that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity.”

As defined by 2 C.F.R. §200.92, “subaward” means “an award provided by a pass-through entity to a Sub-Recipient for the Sub-Recipient to carry out part of a Federal award received by the pass-through entity.”

The following information is provided pursuant to 2 C.F.R. §200.331(a)(1):

Sub-Recipient's name:	<u>City of Palm Bay</u>
Sub-Recipient's unique entity identifier:	<u>59-6018984</u>
Federal Award Identification Number (FAIN):	<u>FEMA-DR-4337-FL</u>
Federal Award Date:	<u>August 21, 2020</u>
Subaward Period of Performance Start and End Date:	<u>Upon execution through November 30, 2022</u>
Amount of Federal Funds Obligated by this Agreement:	<u>\$1,974,933.00</u>
Total Amount of Federal Funds Obligated to the Sub-Recipient by the pass-through entity to include this Agreement:	<u>\$2,052,539.25</u>
Total Amount of the Federal Award committed to the Sub-Recipient by the pass-through entity	<u>\$2,052,539.25</u>
Federal award project description (see FFATA):	<u>Acquisition and Demolition</u>
Name of Federal awarding agency:	<u>Federal Emergency Management Agency</u>
Name of pass-through entity:	<u>FL Division of Emergency Management</u>
Contact information for the pass-through entity:	<u><a href="mailto:Carmen.Acosta@em.myflorida.com">Carmen.Acosta@em.myflorida.com</a></u>
Catalog of Federal Domestic Assistance (CFDA) Number and Name:	<u>97.039 Hazard Mitigation Grant Program</u>
Whether the award is R&D:	<u>N/A</u>
Indirect cost rate for the Federal award:	<u>N/A</u>

THIS AGREEMENT is entered into by the State of Florida, Division of Emergency Management, with headquarters in Tallahassee, Florida (hereinafter referred to as the "Division"), and the **City of Palm Bay** , (hereinafter referred to as the "Sub-Recipient").

For the purposes of this Agreement, the Division serves as the pass-through entity for a Federal award, and the Sub-Recipient serves as the recipient of a subaward.

THIS AGREEMENT IS ENTERED INTO BASED ON THE FOLLOWING REPRESENTATIONS:

A. The Sub-Recipient represents that it is fully qualified and eligible to receive these grant funds to provide the services identified herein;

B. The State of Florida received these grant funds from the Federal government, and the Division has the authority to subgrant these funds to the Sub-Recipient upon the terms and conditions outlined below; and,

C. The Division has statutory authority to disburse the funds under this Agreement.

THEREFORE, the Division and the Sub-Recipient agree to the following:

(1) APPLICATION OF STATE LAW TO THIS AGREEMENT

2 C.F.R. §200.302 provides: "Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds." Therefore, section 215.971, Florida Statutes, entitled "Agreements funded with federal or state assistance", applies to this Agreement.

(2) LAWS, RULES, REGULATIONS AND POLICIES

a. The Sub-Recipient's performance under this Agreement is subject to 2 C.F.R. Part 200, entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."

b. As required by Section 215.971(1), Florida Statutes, this Agreement includes:

i. A provision specifying a scope of work that clearly establishes the tasks that the Sub-Recipient is required to perform.

ii. A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the Division before payment. Each deliverable must be directly related to the scope of work and specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

iii. A provision specifying the financial consequences that apply if the Sub-Recipient fails to perform the minimum level of service required by the agreement.

iv. A provision specifying that the Sub-Recipient may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.

v. A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the Division.

vi. A provision specifying that any funds paid in excess of the amount to which the Sub-Recipient is entitled under the terms and conditions of the agreement must be refunded to the Division.

c. In addition to the foregoing, the Sub-Recipient and the Division shall be governed by all applicable State and Federal laws, rules and regulations, including those identified in Attachment B. Any express reference in this Agreement to a particular statute, rule, or regulation in no way implies that no other statute, rule, or regulation applies.

### (3) CONTACT

a. In accordance with section 215.971(2), Florida Statutes, the Division's Grant Manager shall be responsible for enforcing performance of this Agreement's terms and conditions and shall serve as the Division's liaison with the Sub-Recipient. As part of his/her duties, the Grant Manager for the Division shall:

- i. Monitor and document Sub-Recipient performance; and,
- ii. Review and document all deliverables for which the Sub-Recipient requests payment.

b. The Division's Grant Manager for this Agreement is:

Carmen Acosta  
Project Manager  
Bureau of Mitigation  
Florida Division of Emergency Management  
2702 Directors Row  
Orlando, Florida 32809  
Telephone: 850-692-9458  
Email: [Carmen.Acosta@em.myflorida.com](mailto:Carmen.Acosta@em.myflorida.com)

The Division's Alternate Grant Manager for this Agreement is:

Kathleen Marshall  
Community Program Manager  
Bureau of Mitigation  
Florida Division of Emergency Management  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399  
Telephone: 850-815-4503  
Email: [Kathleen.Marshall@em.myflorida.com](mailto:Kathleen.Marshall@em.myflorida.com)

1. The name and address of the Representative of the Sub-Recipient responsible for the administration of this Agreement is:

Sandra Urban  
Special Projects Manager  
City of Palm Bay  
120 Malabar Road Southeast  
Palm Bay, Florida 32907  
Telephone: 321-952-3400 ext. 5252  
Email: Sandra.Urban@palmbayflorida.org

2. In the event that different representatives or addresses are designated by either party after execution of this Agreement, notice of the name, title and address of the new representative will be provided to the other party.

(4) TERMS AND CONDITIONS

This Agreement contains all the terms and conditions agreed upon by the parties.

(5) EXECUTION

This Agreement may be executed in any number of counterparts, any one of which may be taken as an original.

(6) MODIFICATION

Either party may request modification of the provisions of this Agreement. Changes which are agreed upon shall be valid only when in writing, signed by each of the parties, and attached to the original of this Agreement.

(7) SCOPE OF WORK

The Sub-Recipient shall perform the work in accordance with the Budget and Scope of Work, Attachment A of this Agreement.

(8) PERIOD OF AGREEMENT

This Agreement shall begin upon execution by both parties and shall end on **November 30, 2022**, unless terminated earlier in accordance with the provisions of Paragraph (17) of this Agreement. Consistent with the definition of "period of performance" contained in 2 C.F.R. §200.77, the term "period of agreement" refers to the time during which the Sub-Recipient "may incur new obligations to carry out the work authorized under" this Agreement. In accordance with 2 C.F.R. §200.309, the Sub-Recipient may receive reimbursement under this Agreement only for "allowable costs incurred during the period of performance." In accordance with section 215.971(1)(d), Florida Statutes, the Sub-Recipient may expend funds authorized by this Agreement "only for allowable costs resulting from obligations incurred during" the period of agreement.

(9) FUNDING

- a. This is a cost-reimbursement Agreement, subject to the availability of funds.
- b. The State of Florida's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature, and subject to any modification in accordance with either Chapter 216, Florida Statutes, or the Florida Constitution.
- c. The Division will reimburse the Sub-Recipient only for allowable costs incurred by the Sub-Recipient in the successful completion of each deliverable. The maximum reimbursement amount for each deliverable is outlined in Attachment A of this Agreement ("Budget and Scope of Work"). The maximum reimbursement amount for the entirety of this Agreement is **\$1,974,933.00**.
- d. As required by 2 C.F.R. §200.415(a), any request for payment under this Agreement must include a certification, signed by an official who is authorized to legally bind the Sub-Recipient, which reads as follows: "By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812)."
- e. The Division will review any request for reimbursement by comparing the documentation provided by the Sub-Recipient against a performance measure, outlined in Attachment A, that clearly delineates:
  - i. The required minimum acceptable level of service to be performed; and,
  - ii. The criteria for evaluating the successful completion of each deliverable.
- f. The performance measure required by section 215.971(1)(b), Florida Statutes, remains consistent with the requirement for a "performance goal", which is defined in 2 C.F.R. §200.76 as "a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared." It also remains consistent with the requirement, contained in 2 C.F.R. §200.301, that the Division and the Sub-Recipient "relate financial data to performance accomplishments of the Federal award."
- g. If authorized by the Federal Awarding Agency, then the Division will reimburse the Sub-Recipient for overtime expenses in accordance with 2 C.F.R. §200.430 ("Compensation—personal services") and 2 C.F.R. §200.431 ("Compensation—fringe benefits"). If the Sub-Recipient seeks reimbursement for overtime expenses for periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, or other similar cause (see 29 U.S.C. §207(e)(2)), then the Division will treat the expense as a fringe benefit. 2 C.F.R. §200.431(a) defines fringe benefits as "allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages." Fringe benefits are allowable under this Agreement as long as the benefits are reasonable and are required by law, Sub-Recipient-employee agreement, or an

established policy of the Sub-Recipient. 2 C.F.R. §200.431(b) provides that the cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- i. They are provided under established written leave policies;
- ii. The costs are equitably allocated to all related activities, including Federal awards; and,
- iii. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

h. If authorized by the Federal Awarding Agency, then the Division will reimburse the Sub-Recipient for travel expenses in accordance with 2 C.F.R. §200.474. As required by the Reference Guide for State Expenditures, reimbursement for travel must be in accordance with section 112.061, Florida Statutes, which includes submission of the claim on the approved state travel voucher. If the Sub-Recipient seeks reimbursement for travel costs that exceed the amounts stated in section 112.061(6)(b), Florida Statutes (\$6 for breakfast, \$11 for lunch, and \$19 for dinner), then the Sub-Recipient must provide documentation that:

- i. The costs are reasonable and do not exceed charges normally allowed by the Sub-Recipient in its regular operations as a result of the Sub-Recipient's written travel policy; and,
  - ii. Participation of the individual in the travel is necessary to the Federal award.
- i. The Division's grant manager, as required by section 215.971(2)(c), Florida Statutes, shall reconcile and verify all funds received against all funds expended during the grant agreement period and produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the Sub-Recipient.

- j. As defined by 2 C.F.R. §200.53, the term "improper payment" means or includes:
- i. Any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements; and,
  - ii. Any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment that does not account for credit for applicable discounts, and any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

#### (10) RECORDS

a. As required by 2 C.F.R. §200.336, the Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the Division, or any of their authorized representatives, shall enjoy the right of access to any documents, papers, or other records of the Sub-Recipient which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right

of access also includes timely and reasonable access to the Sub-Recipient's personnel for the purpose of interview and discussion related to such documents. Finally, the right of access is not limited to the required retention period but lasts as long as the records are retained.

b. As required by 2 C.F.R. §200.331(a)(5), the Division, the Chief Inspector General of the State of Florida, the Florida Auditor General, or any of their authorized representatives, shall enjoy the right of access to any documents, financial statements, papers, or other records of the Sub-Recipient which are pertinent to this Agreement, in order to make audits, examinations, excerpts, and transcripts. The right of access also includes timely and reasonable access to the Sub-Recipient's personnel for the purpose of interview and discussion related to such documents.

c. As required by Florida Department of State's record retention requirements (Chapter 119, Florida Statutes) and by 2 C.F.R. §200.333, the Sub-Recipient shall retain sufficient records to show its compliance with the terms of this Agreement, as well as the compliance of all subcontractors or consultants paid from funds under this Agreement, for a period of five (5) years from the date of submission of the final expenditure report. The following are the only exceptions to the five (5) year requirement:

i. If any litigation, claim, or audit is started before the expiration of the 5-year period, then the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

ii. When the Division or the Sub-Recipient is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.

iii. Records for real property and equipment acquired with Federal funds must be retained for 5 years after final disposition.

iv. When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 5-year retention requirement is not applicable to the Sub-Recipient.

v. Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

vi. Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

d. In accordance with 2 C.F.R. §200.334, the Federal awarding agency must request transfer of certain records to its custody from the Division or the Sub-Recipient when it determines that the records possess long-term retention value.



e. In accordance with 2 C.F.R. §200.335, the Division must always provide or accept paper versions of Agreement information to and from the Sub-Recipient upon request. If paper copies are submitted, then the Division must not require more than an original and two copies. When original records are electronic and cannot be altered, there is no need to create and retain paper copies. When original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable.

f. As required by 2 C.F.R. §200.303, the Sub-Recipient shall take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or the Division designates as sensitive or the Sub-Recipient considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

g. Florida's Government in the Sunshine Law (Section 286.011, Florida Statutes) provides the citizens of Florida with a right of access to governmental proceedings and mandates three, basic requirements: (1) meetings of public boards or commissions must be open to the public; (2) reasonable notice of such meetings must be given; and, (3) minutes of the meetings must be taken and promptly recorded. The mere receipt of public funds by a private entity, standing alone, is insufficient to bring that entity within the ambit of the open government requirements. However, the Government in the Sunshine Law applies to private entities that provide services to governmental agencies and that act on behalf of those agencies in the agencies' performance of their public duties. If a public agency delegates the performance of its public purpose to a private entity, then, to the extent that private entity is performing that public purpose, the Government in the Sunshine Law applies. For example, if a volunteer fire department provides firefighting services to a governmental entity and uses facilities and equipment purchased with public funds, then the Government in the Sunshine Law applies to board of directors for that volunteer fire department. Thus, to the extent that the Government in the Sunshine Law applies to the Sub-Recipient based upon the funds provided under this Agreement, the meetings of the Sub-Recipient's governing board or the meetings of any subcommittee making recommendations to the governing board may be subject to open government requirements. These meetings shall be publicly noticed, open to the public, and the minutes of all the meetings shall be public records, available to the public in accordance with Chapter 119, Florida Statutes.

h. Florida's Public Records Law provides a right of access to the records of the state and local governments as well as to private entities acting on their behalf. Unless specifically exempted from disclosure by the Legislature, all materials made or received by a governmental agency (or a private entity acting on behalf of such an agency) in conjunction with official business which are used to perpetuate, communicate, or formalize knowledge qualify as public records subject to public inspection. The mere receipt of public funds by a private entity, standing alone, is insufficient to bring that entity within the ambit of the public record requirements. However, when a public entity delegates a public function to a private entity, the records generated by the private entity's performance of that duty become



public records. Thus, the nature and scope of the services provided by a private entity determine whether that entity is acting on behalf of a public agency and is therefore subject to the requirements of Florida's Public Records Law.

i. The Sub-Recipient shall maintain all records for the Sub-Recipient and for all subcontractors or consultants to be paid from funds provided under this Agreement, including documentation of all program costs, in a form sufficient to determine compliance with the requirements and objectives of the Budget and Scope of Work - Attachment A - and all other applicable laws and regulations.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT: (850) 815-4156, [Records@em.myflorida.com](mailto:Records@em.myflorida.com), or 2555 Shumard Oak Boulevard, Tallahassee, FL 32399.**

(11) AUDITS

a. The Sub-Recipient shall comply with the audit requirements contained in 2 C.F.R. Part 200, Subpart F.

b. In accounting for the receipt and expenditure of funds under this Agreement, the Sub-Recipient shall follow Generally Accepted Accounting Principles ("GAAP"). As defined by 2 C.F.R. §200.49, GAAP "has the meaning specified in accounting standards issued by the Government Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB)."

c. When conducting an audit of the Sub-Recipient's performance under this Agreement, the Division shall use Generally Accepted Government Auditing Standards ("GAGAS"). As defined by 2 C.F.R. §200.50, GAGAS, "also known as the Yellow Book, means generally accepted government auditing standards issued by the Comptroller General of the United States, which are applicable to financial audits."

d. If an audit shows that all or any portion of the funds disbursed were not spent in accordance with the conditions of this Agreement, the Sub-Recipient shall be held liable for reimbursement to the Division of all funds not spent in accordance with these applicable regulations and Agreement provisions within thirty (30) days after the Division has notified the Sub-Recipient of such non-compliance.

e. The Sub-Recipient shall have all audits completed by an independent auditor, which is defined in section 215.97(2)(i), Florida Statutes, as "an independent certified public accountant licensed under chapter 473." The independent auditor shall state that the audit complied with the applicable

provisions noted above. The audit must be received by the Division no later than nine months from the end of the Sub-Recipient's fiscal year.

f. The Sub-Recipient shall send copies of reporting packages for audits conducted in accordance with 2 C.F.R. Part 200, by or on behalf of the Sub-Recipient, to the Division at the following address:

DEMSingle\_Audit@em.myflorida.com

OR

Office of the Inspector General  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

g. The Sub-Recipient shall send the Single Audit reporting package and Form SF-SAC to the Federal Audit Clearinghouse by submission online at:

<http://harvester.census.gov/fac/collect/ddeindex.html>

h. The Sub-Recipient shall send any management letter issued by the auditor to the Division at the following address:

DEMSingle\_Audit@em.myflorida.com

OR

Office of the Inspector General  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

## (12) REPORTS

a. Consistent with 2 C.F.R. §200.328, the Sub-Recipient shall provide the Division with quarterly reports and a close-out report. These reports shall include the current status and progress by the Sub-Recipient and all subcontractors in completing the work described in the Scope of Work and the expenditure of funds under this Agreement, in addition to any other information requested by the Division.

b. Quarterly reports are due to the Division no later than fifteen (15) days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

c. The close-out report is due sixty (60) days after termination of this Agreement or sixty (60) days after completion of the activities contained in this Agreement, whichever first occurs.

d. If all required reports and copies are not sent to the Division or are not completed in a manner acceptable to the Division, then the Division may withhold further payments until they are completed or may take other action as stated in Paragraph (16) REMEDIES. "Acceptable to the Division" means that the work product was completed in accordance with the Budget and Scope of Work.

e. The Sub-Recipient shall provide additional program updates or information that may be required by the Division.

f. The Sub-Recipient shall provide additional reports and information identified in Attachment F.

**(13) MONITORING**

a. The Sub-Recipient shall monitor its performance under this Agreement, as well as that of its subcontractors and/or consultants who are paid from funds provided under this Agreement, to ensure that time schedules are being met, the Schedule of Deliverables and Scope of Work are being accomplished within the specified time periods, and other performance goals are being achieved. A review shall be done for each function or activity in Attachment A to this Agreement, and reported in the quarterly report.

b. In addition to reviews of audits, monitoring procedures may include, but not be limited to, on-site visits by Division staff, limited scope audits, and/or other procedures. The Sub-Recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Division. In the event that the Division determines that a limited scope audit of the Sub-Recipient is appropriate, the Sub-Recipient agrees to comply with any additional instructions provided by the Division to the Sub-Recipient regarding such audit. The Sub-Recipient further agrees to comply and cooperate with any inspections, reviews, investigations or audits deemed necessary by the Florida Chief Financial Officer or Auditor General. In addition, the Division will monitor the performance and financial management by the Sub-Recipient throughout the contract term to ensure timely completion of all tasks.

**(14) LIABILITY**

a. Unless Sub-Recipient is a State agency or subdivision, as defined in section 768.28(2), Florida Statutes, the Sub-Recipient is solely responsible to parties it deals with in carrying out the terms of this Agreement and, as authorized by section 768.28(19), Florida Statutes, Sub-Recipient shall hold the Division harmless against all claims of whatever nature by third parties arising from the work performance under this Agreement. For purposes of this Agreement, Sub-Recipient agrees that it is not an employee or agent of the Division, but is an independent contractor.

b. As required by section 768.28(19), Florida Statutes, any Sub-Recipient which is a state agency or subdivision, as defined in section 768.28(2), Florida Statutes, agrees to be fully responsible for its negligent or tortious acts or omissions which result in claims or suits against the Division, and agrees to be liable for any damages proximately caused by the acts or omissions to the extent set forth in Section 768.28, Florida Statutes. Nothing herein is intended to serve as a waiver of sovereign immunity by any Sub-Recipient to which sovereign immunity applies. Nothing herein shall be construed as consent by a state agency or subdivision of the State of Florida to be sued by third parties in any matter arising out of any contract.

(15) DEFAULT

If any of the following events occur ("Events of Default"), all obligations on the part of the Division to make further payment of funds shall terminate and the Division has the option to exercise any of its remedies set forth in Paragraph (16); however, the Division may make payments or partial payments after any Events of Default without waiving the right to exercise such remedies, and without becoming liable to make any further payment if:

- a. Any warranty or representation made by the Sub-Recipient in this Agreement or any previous agreement with the Division is or becomes false or misleading in any respect, or if the Sub-Recipient fails to keep or perform any of the obligations, terms or covenants in this Agreement or any previous agreement with the Division and has not cured them in timely fashion, or is unable or unwilling to meet its obligations under this Agreement;
- b. Material adverse changes occur in the financial condition of the Sub-Recipient at any time during the term of this Agreement, and the Sub-Recipient fails to cure this adverse change within thirty (30) days from the date written notice is sent by the Division;
- c. Any reports required by this Agreement have not been submitted to the Division or have been submitted with incorrect, incomplete or insufficient information; or,
- d. The Sub-Recipient has failed to perform and complete on time any of its obligations under this Agreement.

(16) REMEDIES

If an Event of Default occurs, then the Division shall, after thirty (30) calendar days written notice to the Sub-Recipient and upon the Sub-Recipient's failure to cure within those thirty (30) days, exercise any one or more of the following remedies, either concurrently or consecutively:

- a. Terminate this Agreement, provided that the Sub-Recipient is given at least thirty (30) days prior written notice of the termination. The notice shall be effective when placed in the United States, first class mail, postage prepaid, by registered or certified mail-return receipt requested, to the address in paragraph (3) herein;
- b. Begin an appropriate legal or equitable action to enforce performance of this Agreement;
- c. Withhold or suspend payment of all or any part of a request for payment;
- d. Require that the Sub-Recipient refund to the Division any monies used for ineligible purposes under the laws, rules and regulations governing the use of these funds.
- e. Exercise any corrective or remedial actions, to include but not be limited to:
  - i. Request additional information from the Sub-Recipient to determine the reasons for or the extent of non-compliance or lack of performance,
  - ii. Issue a written warning to advise that more serious measures may be taken if the situation is not corrected,

- iii. Advise the Sub-Recipient to suspend, discontinue or refrain from incurring costs for any activities in question or
- iv. Require the Sub-Recipient to reimburse the Division for the amount of costs incurred for any items determined to be ineligible;
- f. Exercise any other rights or remedies which may be available under law.

Pursuing any of the above remedies will not stop the Division from pursuing any other remedies in this Agreement or provided at law or in equity. If the Division waives any right or remedy in this Agreement or fails to insist on strict performance by the Sub-Recipient, it will not affect, extend or waive any other right or remedy of the Division, or affect the later exercise of the same right or remedy by the Division for any other default by the Sub-Recipient.

#### (17) TERMINATION

- a. The Division may terminate this Agreement for cause after thirty (30) days written notice. Cause can include misuse of funds, fraud, lack of compliance with applicable rules, laws and regulations, failure to perform on time, and refusal by the Sub-Recipient to permit public access to any document, paper, letter, or other material subject to disclosure under Chapter 119, Florida Statutes, as amended.
- b. The Division may terminate this Agreement for convenience or when it determines, in its sole discretion that continuing the Agreement would not produce beneficial results in line with the further expenditure of funds, by providing the Sub-Recipient with thirty (30) calendar day's prior written notice.
- c. The parties may agree to terminate this Agreement for their mutual convenience through a written amendment of this Agreement. The amendment will state the effective date of the termination and the procedures for proper closeout of the Agreement.
- d. In the event that this Agreement is terminated, the Sub-Recipient will not incur new obligations for the terminated portion of the Agreement after the Sub-Recipient has received the notification of termination. The Sub-Recipient will cancel as many outstanding obligations as possible. Costs incurred after receipt of the termination notice will be disallowed. The Sub-Recipient shall not be relieved of liability to the Division because of any breach of Agreement by the Sub-Recipient. The Division may, to the extent authorized by law, withhold payments to the Sub-Recipient for the purpose of set-off until the exact amount of damages due the Division from the Sub-Recipient is determined.

#### (18) PROCUREMENT

- a. The Sub-Recipient shall ensure that any procurement involving funds authorized by the Agreement complies with all applicable federal and state laws and regulations, to include 2 C.F.R. §§200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200 (entitled "Contract Provisions for Non-Federal Entity Contracts Under Federal Awards").
- b. As required by 2 C.F.R. §200.318(i), the Sub-Recipient shall "maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited

to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.”

c. As required by 2 C.F.R. §200.318(b), the Sub-Recipient shall “maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.” In order to demonstrate compliance with this requirement, the Sub-Recipient shall document, in its quarterly report to the Division, the progress of any and all subcontractors performing work under this Agreement.

d. The Sub-Recipient agrees to include in the subcontract that (i) the subcontractor is bound by the terms of this Agreement, (ii) the subcontractor is bound by all applicable state and federal laws and regulations, and (iii) the subcontractor shall hold the Division and Sub-Recipient harmless against all claims of whatever nature arising out of the subcontractor's performance of work under this Agreement, to the extent allowed and required by law.

e. As required by 2 C.F.R. §200.318(c)(1), the Sub-Recipient shall “maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.”

f. As required by 2 C.F.R. §200.319(a), the Sub-Recipient shall conduct any procurement under this agreement “in a manner providing full and open competition.” Accordingly, the Sub-Recipient shall not:

- i. Place unreasonable requirements on firms in order for them to qualify to do business;
- ii. Require unnecessary experience or excessive bonding;
- iii. Use noncompetitive pricing practices between firms or between affiliated companies;
- iv. Execute noncompetitive contracts to consultants that are on retainer contracts;
- v. Authorize, condone, or ignore organizational conflicts of interest;
- vi. Specify only a brand name product without allowing vendors to offer an equivalent;
- vii. Specify a brand name product instead of describing the performance, specifications, or other relevant requirements that pertain to the commodity or service solicited by the procurement;
- viii. Engage in any arbitrary action during the procurement process; or,
- ix. Allow a vendor to bid on a contract if that bidder was involved with developing or drafting the specifications, requirements, statement of work, invitation to bid, or request for proposals.

g. “[E]xcept in those cases where applicable Federal statutes expressly mandate or encourage” otherwise, the Sub-Recipient, as required by 2 C.F.R. §200.319(b), shall not use a geographic preference when procuring commodities or services under this Agreement.

h. The Sub-Recipient shall conduct any procurement involving invitations to bid (i.e. sealed bids) in accordance with 2 C.F.R. §200.320(c) as well as section 287.057(1)(a), Florida Statutes.

i. The Sub-Recipient shall conduct any procurement involving requests for proposals (i.e. competitive proposals) in accordance with 2 C.F.R. §200.320(d) as well as section 287.057(1)(b), Florida Statutes.

j. For each subcontract, the Sub-Recipient shall provide a written statement to the Division as to whether that subcontractor is a minority business enterprise, as defined in Section 288.703, Florida Statutes. Additionally, the Sub-Recipient shall comply with the requirements of 2 C.F.R. §200.321 (“Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms”).

#### (19) ATTACHMENTS

a. All attachments to this Agreement are incorporated as if set out fully.

b. In the event of any inconsistencies or conflict between the language of this Agreement and the attachments, the language of the attachments shall control, but only to the extent of the conflict or inconsistency.

c. This Agreement has the following attachments:

- i. Exhibit 1 - Funding Sources
- ii. Attachment A – Budget and Scope of Work
- iii. Attachment B – Program Statutes and Regulations
- iv. Attachment C – Statement of Assurances
- v. Attachment D – Request for Advance or Reimbursement
- vi. Attachment E – Justification of Advance Payment
- vii. Attachment F – Quarterly Report Form
- viii. Attachment G – Warranties and Representations
- ix. Attachment H – Certification Regarding Debarment
- x. Attachment I – Federal Funding Accountability and Transparency Act
- xi. Attachment J – Mandatory Contract Provisions

#### (20) PAYMENTS

a. Any advance payment under this Agreement is subject to 2 C.F.R. §200.305 and, as applicable, section 216.181(16), Florida Statutes. All advances are required to be held in an interest-bearing account. If an advance payment is requested, the budget data on which the request is based and a justification statement shall be included in this Agreement as Attachment E. Attachment E will specify the amount of advance payment needed and provide an explanation of the necessity for and proposed use of these funds. No advance shall be accepted for processing if a reimbursement has been paid prior

to the submittal of a request for advanced payment. After the initial advance, if any, payment shall be made on a reimbursement basis as needed.

b. Invoices shall be submitted at least quarterly and shall include the supporting documentation for all costs of the project or services. The final invoice shall be submitted within sixty (60) days after the expiration date of the agreement. An explanation of any circumstances prohibiting the submittal of quarterly invoices shall be submitted to the Division grant manager as part of the Sub-Recipient's quarterly reporting as referenced in Paragraph (12) of this Agreement.

c. If the necessary funds are not available to fund this Agreement as a result of action by the United States Congress, the federal Office of Management and Budgeting, the State Chief Financial Officer or under subparagraph (9)b. of this Agreement, all obligations on the part of the Division to make any further payment of funds shall terminate, and the Sub-Recipient shall submit its closeout report within thirty (30) days of receiving notice from the Division.

(21) REPAYMENTS

a. All refunds or repayments due to the Division under this Agreement are to be made payable to the order of "Division of Emergency Management", and mailed directly to the following address:

Division of Emergency Management  
Cashier  
2555 Shumard Oak Boulevard  
Tallahassee FL 32399-2100

b. In accordance with Section 215.34(2), Florida Statutes, if a check or other draft is returned to the Division for collection, Sub-Recipient shall pay the Division a service fee of \$15.00 or 5% of the face amount of the returned check or draft, whichever is greater.

(22) MANDATED CONDITIONS

a. The validity of this Agreement is subject to the truth and accuracy of all the information, representations, and materials submitted or provided by the Sub-Recipient in this Agreement, in any later submission or response to a Division request, or in any submission or response to fulfill the requirements of this Agreement. All of said information, representations, and materials are incorporated by reference. The inaccuracy of the submissions or any material changes shall, at the option of the Division and with thirty (30) days written notice to the Sub-Recipient, cause the termination of this Agreement and the release of the Division from all its obligations to the Sub-Recipient.

b. This Agreement shall be construed under the laws of the State of Florida, and venue for any actions arising out of this Agreement shall be in the Circuit Court of Leon County. If any provision of this Agreement is in conflict with any applicable statute or rule, or is unenforceable, then the provision shall be null and void to the extent of the conflict, and shall be severable, but shall not invalidate any other provision of this Agreement.



c. Any power of approval or disapproval granted to the Division under the terms of this Agreement shall survive the term of this Agreement.

d. The Sub-Recipient agrees to comply with the Americans With Disabilities Act (Public Law 101-336, 42 U.S.C. Section 12101 et seq.), which prohibits discrimination by public and private entities on the basis of disability in employment, public accommodations, transportation, State and local government services, and telecommunications.

e. Those who have been placed on the convicted vendor list following a conviction for a public entity crime or on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of \$25,000.00 for a period of 36 months from the date of being placed on the convicted vendor list or on the discriminatory vendor list.

f. Any Sub-Recipient which is not a local government or state agency, and which receives funds under this Agreement from the federal government, certifies, to the best of its knowledge and belief, that it and its principals:

i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency;

ii. Have not, within a five-year period preceding this proposal been convicted of or had a civil judgment rendered against them for fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

iii. Are not presently indicted or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offenses enumerated in paragraph (22) f. ii. of this certification; and,

iv. Have not within a five-year period preceding this Agreement had one or more public transactions (federal, state or local) terminated for cause or default.

g. If the Sub-Recipient is unable to certify to any of the statements in this certification, then the Sub-Recipient shall attach an explanation to this Agreement.

**h. In addition, the Sub-Recipient shall send to the Division (by email or by facsimile transmission) the completed "Certification Regarding Debarment, Suspension, Ineligibility And Voluntary Exclusion" (Attachment H) for each intended subcontractor which Sub-Recipient plans to fund under this Agreement. The form must be received by the Division before the Sub-Recipient enters into a contract with any subcontractor.**

i. The Division reserves the right to unilaterally cancel this Agreement if the Sub-Recipient refuses to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes, which the Sub-Recipient created or received under this Agreement.

j. If the Sub-Recipient is allowed to temporarily invest any advances of funds under this Agreement, any interest income shall either be returned to the Division or be applied against the Division's obligation to pay the contract amount.

k. The State of Florida will not intentionally award publicly-funded contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e) [Section 274A(e) of the Immigration and Nationality Act ("INA")]. The Division shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the Sub-Recipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this Agreement by the Division.

l. Section 287.05805, Florida Statutes, requires that any state funds provided for the purchase of or improvements to real property are contingent upon the contractor or political subdivision granting to the state a security interest in the property at least to the amount of state funds provided for at least 5 years from the date of purchase or the completion of the improvements or as further required by law.

m. The Division may, at its option, terminate the Contract if the Contractor is found to have submitted a false certification as provided under section 287.135(5), F.S., or been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or been engaged in business operations in Cuba or Syria, or to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel.

#### (23) LOBBYING PROHIBITION

a. 2 C.F.R. §200.450 prohibits reimbursement for costs associated with certain lobbying activities.

b. Section 216.347, Florida Statutes, prohibits "any disbursement of grants and aids appropriations pursuant to a contract or grant to any person or organization unless the terms of the grant or contract prohibit the expenditure of funds for the purpose of lobbying the Legislature, the judicial branch, or a state agency."

c. No funds or other resources received from the Division under this Agreement may be used directly or indirectly to influence legislation or any other official action by the Florida Legislature or any state agency.

d. The Sub-Recipient certifies, by its signature to this Agreement, that to the best of his or her knowledge and belief:

i. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sub-Recipient, 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.

ii. 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, the Sub-Recipient shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities."

iii. The Sub-Recipient shall require that this certification be included in the award documents for all subawards (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Sub-Recipients shall certify and disclose.

iv. 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.

(24) COPYRIGHT, PATENT AND TRADEMARK

**EXCEPT AS PROVIDED BELOW, ANY AND ALL PATENT RIGHTS ACCRUING UNDER OR IN CONNECTION WITH THE PERFORMANCE OF THIS AGREEMENT ARE HEREBY RESERVED TO THE STATE OF FLORIDA; AND, ANY AND ALL COPYRIGHTS ACCRUING UNDER OR IN CONNECTION WITH THE PERFORMANCE OF THIS AGREEMENT ARE HEREBY TRANSFERRED BY THE SUB-RECIPIENT TO THE STATE OF FLORIDA.**

a. If the Sub-Recipient has a pre-existing patent or copyright, the Sub-Recipient shall retain all rights and entitlements to that pre-existing patent or copyright unless the Agreement provides otherwise.

b. If any discovery or invention is developed in the course of or as a result of work or services performed under this Agreement, or in any way connected with it, the Sub-Recipient shall refer the discovery or invention to the Division for a determination whether the State of Florida will seek patent protection in its name. Any patent rights accruing under or in connection with the performance of this Agreement are reserved to the State of Florida. If any books, manuals, films, or other copyrightable material are produced, the Sub-Recipient shall notify the Division. Any copyrights accruing under or in connection with the performance under this Agreement are transferred by the Sub-Recipient to the State of Florida.

c. Within thirty (30) days of execution of this Agreement, the Sub-Recipient shall disclose all intellectual properties relating to the performance of this Agreement which he or she knows or should know could give rise to a patent or copyright. The Sub-Recipient shall retain all rights and entitlements to any pre-existing intellectual property which is disclosed. Failure to disclose will indicate that no such property exists. The Division shall then, under Paragraph (24) b., have the right to all patents and copyrights which accrue during performance of the Agreement.

d. If the Sub-Recipient qualifies as a state university under Florida law, then, pursuant to section 1004.23, Florida Statutes, any invention conceived exclusively by the employees of the Sub-Recipient shall become the sole property of the Sub-Recipient. In the case of joint inventions, that is inventions made jointly by one or more employees of both parties hereto, each party shall have an equal, undivided interest in and to such joint inventions. The Division shall retain a perpetual, irrevocable, fully-paid, nonexclusive license, for its use and the use of its contractors of any resulting patented, copyrighted or trademarked work products, developed solely by the Sub-Recipient, under this Agreement, for Florida government purposes.

#### (25) LEGAL AUTHORIZATION

The Sub-Recipient certifies that it has the legal authority to receive the funds under this Agreement and that its governing body has authorized the execution and acceptance of this Agreement. The Sub-Recipient also certifies that the undersigned person has the authority to legally execute and bind Sub-Recipient to the terms of this Agreement.

#### (26) EQUAL OPPORTUNITY EMPLOYMENT

a. In accordance with 41 C.F.R. §60-1.4(b), the Sub-Recipient hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:

During the performance of this contract, the contractor agrees as follows:

i. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following:

Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The

contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

ii. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

iii. The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.

iv. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

v. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

vi. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

vii. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

viii. The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:

*Provided*, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States.

b. The Sub-Recipient further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: *Provided*, that if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

c. The Sub-Recipient agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

d. The Sub-Recipient further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive order. In addition, the Sub-Recipient agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the Sub-Recipient under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such Sub-Recipient; and refer the case to the Department of Justice for appropriate legal proceedings.

(27) COPELAND ANTI-KICKBACK ACT

The Sub-Recipient hereby agrees that, unless exempt under Federal law, it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, the following clause:

- i. Contractor. The contractor shall comply with 18 U.S.C. § 874, 40 U.S.C. § 3145, and the requirements of 29 C.F.R. pt. 3 as may be applicable, which are incorporated by reference into this contract.
- ii. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clause above and such other clauses as the FEMA may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all of these contract clauses.
- iii. Breach. A breach of the contract clauses above may be grounds for termination of the contract, and for debarment as a contractor and subcontractor as provided in 29 C.F.R. § 5.12.

(28) CONTRACT WORK HOURS AND SAFETY STANDARDS

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract that exceeds \$100,000 and involves the employment of mechanics or laborers, then any such contract must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation.

(29) CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract that exceeds \$150,000, then any such contract must include the following provision:

Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387), and will report violations to FEMA and the Regional Office of the Environmental Protection Agency (EPA).



(30) SUSPENSION AND DEBARMENT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract, then any such contract must include the following provisions:

- i. This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).
- ii. The contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.
- iii. This certification is a material representation of fact relied upon by the Division. If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Division, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.
- iv. The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

(31) BYRD ANTI-LOBBYING AMENDMENT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract, then any such contract must include the following clause:

Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352 (as amended). Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient.

(32) CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS

a. If the Sub-Recipient, with the funds authorized by this Agreement, seeks to procure goods or services, then, in accordance with 2 C.F.R. §200.321, the Sub-Recipient shall take the following affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used whenever possible:



- i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
  - vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs i. through v. of this subparagraph.
- b. The requirement outlined in subparagraph a. above, sometimes referred to as "socioeconomic contracting," does not impose an obligation to set aside either the solicitation or award of a contract to these types of firms. Rather, the requirement only imposes an obligation to carry out and document the six affirmative steps identified above.
- c. The "socioeconomic contracting" requirement outlines the affirmative steps that the Sub-Recipient must take; the requirements do not preclude the Sub-Recipient from undertaking additional steps to involve small and minority businesses and women's business enterprises.
- d. The requirement to divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises, does not authorize the Sub-Recipient to break a single project down into smaller components in order to circumvent the micro-purchase or small purchase thresholds so as to utilize streamlined acquisition procedures (e.g. "project splitting").

### (33) ASSURANCES

The Sub-Recipient shall comply with any Statement of Assurances incorporated as Attachment C.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

**SUB-RECIPIENT:** City of Palm Bay

By: \_\_\_\_\_

Name and title: \_\_\_\_\_

Date: \_\_\_\_\_

FID# \_\_\_\_\_

**STATE OF FLORIDA**

**DIVISION OF EMERGENCY MANAGEMENT**

By: \_\_\_\_\_

Name and Title: Jared Moskowitz, Director

Date: \_\_\_\_\_

## EXHIBIT – 1

THE FOLLOWING FEDERAL RESOURCES ARE AWARDED TO THE SUB-RECIPIENT UNDER THIS AGREEMENT:

### Federal Program

Federal agency: Federal Emergency Management Agency: Hazard Mitigation Grant

Catalog of Federal Domestic Assistance title and number: 97.039

Award amount: **\$ 1,974,933.00**

THE FOLLOWING COMPLIANCE REQUIREMENTS APPLY TO THE FEDERAL RESOURCES AWARDED UNDER THIS AGREEMENT:

- 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5121 et seq., and Related Authorities
- Sections 1361(A) of the National Flood Insurance Act of 1968, 42 U.S.C. 4104c, as amended by the National Flood Insurance Reform Act of 1994, Public Law 103-325 and the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, Public Law 108-264
- 31 CFR Part 205 Rules and Procedures for Funds Transfers

### Federal Program:

1. Sub-Recipient is to use funding to perform the following eligible activities:
  - Acquisition of hazard prone properties
2. Sub-Recipient is subject to all administrative and financial requirements as set forth in this Agreement, or will be in violation of the terms of the Agreement.

**Attachment A**  
**Budget and Scope of Work**

**STATEMENT OF PURPOSE:**

The purpose of this Scope of Work is to acquire single family residences in Palm Bay, Brevard County, Florida, funded through the Hazard Mitigation Grant Program (HMGP) **DR-4337-283-R**, as approved by the Florida Division of Emergency Management (Division) and the Federal Emergency Management Agency (FEMA).

The Sub-Recipient, City of Palm Bay, agrees to administer and complete the project per scope of work as submitted by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall complete the work in accordance with all applicable Federal, State and Local Laws, Regulations and Codes. All acquisition activities shall be voluntary and conducted in compliance with 44 CFR Part 80.

**PROJECT OVERVIEW:**

As a Hazard Mitigation Grant Program project, the Sub-Recipient proposes to acquire and demolish thirteen (13) residential properties in Palm Bay, Florida, 32905.

The scope of work proposes to acquire, demolish and remove all associated debris to clear the site and convert and return the land to open space into perpetuity. This includes all required permits, fees, property acquisition and removal or demolition of existing structures and septic tank.

Mitigation activities shall include all associated debris be removed to clear site, the land be converted to open space and the deed restricted as set forth in the FEMA program requirements concerning the acquisition of property for open space [44 CFR 206.434 (e)].

The project shall provide protection against a 100-year storm event. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations.

Project Locations:

<b>ID#</b>	<b>Location</b>	<b>Coordinates</b>
1)	1200 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.027886, -80.616077)
2)	1204 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.027893, -80.616415)
3)	1208 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.027898, -80.616740)
4)	1212 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.027902, -80.617066)
5)	1216 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.027873, -80.617458)
6)	1217 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028379, -80.617086)
7)	1220 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028073, -80.617688)
8)	1226 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028417, -80.617653)
9)	1227 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028653, -80.617081)
10)	1232 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028692, -80.617645)
11)	1293 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028644, -80.616672)
12)	1297 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028370, -80.616681)
13)	1298 Cimarron Circle North East, Palm Bay, Florida, 32905	(28.028359, -80.616103)

**TASKS & DELIVERABLES:**

**A) Tasks**

- 1) The Sub-Recipient shall procure the services of a qualified and licensed Florida contractor and execute a contract with the selected bidder to complete the scope of work as approved by the Division and FEMA. The Sub-Recipient shall select the qualified, licensed Florida contractor in accordance with the Sub-Recipient's procurement policy as well as all federal and state laws and regulations. All

procurement activities shall contain sufficient source documentation and be in accordance with all applicable regulations.

The Sub-Recipient shall be responsible for furnishing or contracting all labor, materials, equipment, tools, transportation and supervision and for performing all work per sealed engineering designs and construction plans presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA.

The Sub-Recipient and contractor shall be responsible for maintaining a safe and secure worksite for the duration of the work. The contractor shall maintain all work staging areas in a neat and presentable condition.

The Sub-Recipient shall ensure that no contractors or subcontractors are debarred or suspended from participating in federally funded projects.

The selected contractor shall have a current and valid occupational license/business tax receipt issued for the type of services being performed.

The Sub-Recipient shall provide documentation demonstrating the results of the procurement process. This shall include a rationale for the method of procurement and selection of contract type, contractor selection and/or rejection and bid tabulation and listing, and the basis of contract price.

The Sub-Recipient shall provide an executed "Debarment, Suspension, Ineligibility, Voluntary Exclusion Form" for each contractor and/or subcontractor performing services under this agreement.

Executed contracts with contractors and/or subcontractors shall be provided to the Division by the Sub-Recipient.

The Sub-Recipient shall provide copies of professional licenses for contractors selected to perform services. The Sub-Recipient shall provide a copy of a current and valid occupational license or business tax receipt issued for the type of services to be performed by the selected contractor.

- 2) The Sub-Recipient shall monitor and manage the acquisition of property subjected to or in danger of repetitive damage. The project shall be implemented in accordance with the approved scope of work previously presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall ensure that all applicable state, local and federal laws and regulations are followed and documented, as appropriate.

The project consists of the general construction and furnishing of all materials, equipment, labor and fees to acquire and demolish property.

The Sub-Recipient shall fully perform the approved project, as described in the submitted documents, in accordance with the approved scope of work, budget line item, allocation of funds and applicable terms and conditions indicated herein. The Sub-Recipient shall not deviate from the approved project terms and conditions.

Construction activities shall be completed by a qualified and licensed Florida contractor. All construction activities shall be monitored by the professional of record. The Sub-Recipient shall complete the project in accordance with all required permits. All work shall be completed in accordance with applicable codes and standards.

Upon completion of the work, the Sub-Recipient shall schedule and participate in a final inspection of the completed project by the local municipal or county official, or other approving official, as applicable. The official shall inspect and certify that all installation was in accordance with the manufacturer's specifications. Any deficiencies found during this final inspection shall be corrected by the Sub-Recipient prior to Sub-Recipient's submittal of the final inspection request to the Division.

Upon completion of Task 2, the Sub-Recipient shall submit the following documents with sufficient supporting documentation, and provide a summary of all contract scope of work and scope of work changes, if any. Additional documentation for closeout shall include:

- a) Local Building Official Inspection Report, Local Permits, Certificate of Completion, Lead-based paint report, and Final Approval, as applicable.

- b) Letter from corresponding entities certifying the termination of any utilities. This may include but is not limited to decommissioning of septic systems and potable water wells.
  - c) Copy of Warranty Deeds.
  - d) Letter verifying compliance with the National Historic Preservation Act, to include if archaeological materials or human remains were encountered during project activities, and if so, how they were handled.
  - e) Copy of the U. S. Army Corps of Engineers (USACE) permit or verification that no permit is required (NPR) from the USACE Regulatory Division for work conducted in or near wetlands prior to construction activities.
  - f) Letter verifying that potentially hazardous waste, universal waste, and hazardous materials were handled, managed, and disposed in accordance with the requirements of local, state, and federal regulations. Copies of all required hazardous waste permits required by local, state and/or federal agencies must be submitted if any hazardous materials were encountered.
  - g) A Notice of Demolition or Asbestos Renovation forms and confirmation that any Asbestos-Containing Materials (ACM) were taken to an authorized landfill for such materials.
  - h) Letter verifying that the Sub-Recipient complied with all federal, state, and local abatement and disposal requirements under the Toxic Substances Control Act (TSCA) if any ACM, lead based paint, and/or other toxic materials were found during construction activities.
  - i) Letter verifying compliance with the State Hazardous Materials and Solid Waste Laws, to include if any hazardous materials were encountered during project activities, and if so, how they were handled and disposed of. Copies of all required hazardous waste permits required by local, state and/or federal agencies must be submitted if any hazardous materials were encountered.
  - j) Letter verifying compliance with the Resources Conservation and Recovery Act, to include identifying where and how unusable equipment, debris and materials were disposed of.
  - k) Proof of compliance with Project Conditions and Requirements contained herein.
- 3) During the course of this agreement, the Sub-Recipient shall submit requests for reimbursement. Adequate and complete source documentation shall be submitted to support all costs (federal share and local share) related to the project. In some cases, all project activities may not be fully complete prior to requesting reimbursement of costs incurred in completion of this scope of work; however, a partial reimbursement may be requested.

The Sub-Recipient shall submit an Affidavit signed by the Sub-Recipient's project personnel with each reimbursement request attesting to the completion of the work, that disbursements or payments were made in accordance with all agreement and regulatory conditions, and that reimbursement is due and has not been previously requested.

The Sub-Recipient shall maintain accurate time records. The Sub-Recipient shall ensure invoices are accurate and any contracted services were rendered within the terms and timelines of this agreement. All supporting documentation shall agree with the requested billing period. All costs submitted for reimbursement shall contain adequate source documentation, which may include but not be limited to: cancelled checks, bank statements, Electronic Funds Transfer, paid bills and invoices, payrolls, time and attendance records, contract and subcontract award documents.

**Construction Expense:** The Sub-Recipient shall pre-audit bills, invoices, and/or charges submitted by the contractors and subcontractors and pay the contractors and subcontractors for approved bills, invoices, and/or charges. Sub-Recipient shall ensure that all contractor/subcontractor bills, invoices, and/or charges are legitimate and clearly identify the activities being performed and associated costs.

**Project Management Expenses:** The Sub-Recipient shall pre-audit source documentation such as payroll records, project time sheets, attendance logs, etc. Documentation shall be detailed information describing tasks performed, hours devoted to each task, and the hourly rate charged for

each hour including enough information to calculate the hourly rates based on payroll records. Employee benefits shall be clearly shown.

The Division shall review all submitted requests for reimbursement for basic accuracy of information. Further, the Division shall ensure that no unauthorized work was completed prior to the approved project start date by verifying vendor and contractor invoices. The Division shall verify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measures are in compliance with the approved scope of work prior to processing any requests for reimbursement.

Review and approval of any third party in-kind services, if applicable, shall be conducted by the Division in coordination with the Sub-Recipient. Quarterly reports shall be submitted by the Sub-Recipient and received by the Division at the times provided in this agreement prior to the processing of any reimbursement.

The Sub-Recipient shall submit to the Division requests for reimbursement of actual construction and managerial costs related to the project as identified in the project application, sealed engineering designs, and construction plans. The requests for reimbursement shall include:

- a) Contractor, subcontractor, and/or vendor invoices which clearly display dates of services performed, description of services performed, location of services performed, cost of services performed, name of service provider and any other pertinent information;
- b) Proof of payment from the Sub-Recipient to the contractor, subcontractor, and/or vendor for invoiced services;
- c) Clear identification of amount of costs being requested for reimbursement as well as costs being applied against the local match amount.

The Sub-Recipient's final request for reimbursement shall include the final construction project cost. Supporting documentation shall show that all contractors and subcontractors have been paid.

**B) Deliverables:**

Mitigation Activities consist of acquiring, demolishing, and removing debris from properties located on Cimarron Circle North East, Palm Bay, Florida. Land shall be converted to open space and the deed restricted as set forth in the FEMA program requirements concerning the acquisition of property for open space [44 CFR 206.434 (e)].

The completed project shall provide protection against a 100-year storm event.

Provided the Sub-Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division shall reimburse the Sub-Recipient based on the percentage of overall project completion.

**PROJECT CONDITIONS AND REQUIREMENTS:**

**C) Engineering:**

- 1) The Sub-Recipient shall submit to the Division an official letter stating that the project is 100% complete and ready for the Division's Final Inspection of the project.
- 2) The Sub-Recipient shall provide a copy of the Notice of Commencement, and any local official Inspection Report and/or Final Approval, as applicable.
- 3) The Sub-Recipient should submit a copy of the Warranty Deed.
- 4) The Sub-Recipient shall provide a copy of any letters issued by the utility companies involved, confirming that all services have been terminated, as applicable.

**D) Environmental:**



- 1) Sub-Recipient shall follow all applicable state, local and federal laws, regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding. If project work is delayed for a year or more after the date of the categorical exclusion (CATEX), then coordination with and project review by regulatory agencies shall be redone.
- 2) Any change, addition or supplement to the approved Scope of Work that alters the project (including other work not funded by FEMA, but done substantially at the same time), regardless of the budget implications, shall require re-submission of the application to FEMA through the Division for National Environmental Policy Act (NEPA) re-evaluation before starting project work.
- 3) If human remains or intact archaeological deposits are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The Sub-Recipient will ensure that archaeological discoveries are secured in place, that access to the sensitive areas is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The Sub-Recipient's contractor will provide immediate notice of such discoveries to the Sub-Recipient. The Sub-Recipient will notify the Florida Division of Historical Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary.

In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with ***Florida Statutes, Section 872.05***.

Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.

The applicant shall ensure that all debris is disposed of in a manner consistent with Florida Department of Environmental Protection (FDEP) regulations.

- 4) Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.
- 5) Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
- 6) If any asbestos containing material, lead based paint, and/or other toxic materials are found during construction activities, the applicant must comply with all federal, state and local abatement and disposal requirements. Upon closeout, the applicant must provide Notice of Demolition or Asbestos Renovation forms and confirmation that any asbestos containing materials were taken to an authorized landfill for such materials.

#### **E) Programmatic:**

- 1) A change in the scope of work *must* be approved by the Division and FEMA in advance regardless of the impact to the budget.
- 2) The Sub-Recipient must notify the Division as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower costs or earlier completion.
- 3) The Sub-Recipient must "obtain prior written approval for any budget revision which would result in a need for additional funds" [44 CFR 13(c)], from the Division and FEMA.
- 4) Any extension of the Period of Performance shall be submitted to FEMA 60 days prior to the expiration date. Therefore, any request for a Period of Performance Extension shall be in writing and submitted, along with substantiation of the new expiration date and a new schedule of work, to



the Division a minimum of seventy (70) days prior to the expiration date, for Division processing to FEMA.

- 5) A copy of the executed subcontract agreement must be forwarded to the Division within 10 days of execution.
- 6) The Sub-Recipient must avoid duplication of benefits between the HMGP and any other form of assistance, as required by Section 312 of the Stafford Act, and further clarification in 44 CFR 206.191. The Sub-Recipient shall identify and ensure that any duplication of benefits is properly documented and accounted for in the final mitigation offer.
- 7) If the Sub-Recipient is not the current titleholder of the affected properties, the Sub-Recipient shall provide documentation confirming the property acquisition and easement rights were obtained voluntarily. If condemnation or eminent domain is used to obtain easement rights, FEMA shall not pay for any associated costs or payments to the property owner. Furthermore, FEMA shall not consider it an eligible contribution to the Non-Federal cost share requirement and shall not financially participate in that component of a project if land or easements are obtained involuntarily.
- 8) The Sub-Recipient shall ensure that all property acquisition activities are voluntary and conducted in compliance with 44 CFR Part 80. In addition, the Sub-Recipient shall ensure that fair procedures are in place to compensate property owners and tenants affected by this property acquisition. This includes but may not be limited to determination of property values, the amount of mitigation offers, and the review and resolution of mitigation offer disputes.
- 9) The Sub-Recipient shall ensure that a title search is conducted on the subject properties. All known encumbrances that are incompatible with open space use shall be revised or extinguished to ensure that each property use is consistent with the open space requirements in 44 CFR Part 80 and applicable guidance.
- 10) The Sub-Recipient shall obtain a title insurance policy reflecting that all incompatible easements or other encumbrances to the title have been extinguished to demonstrate clear title in conformance with 44 CFR Section 80.17 (b).
- 11) The Sub-Recipient shall remove incompatible facilities by demolition or by relocation outside the hazard area within 90 days of settlement of the property transaction, in conformance with 44 CFR Section 80.17 (d).
- 12) The Sub-Recipient will comply with the Uniform Relocation Assistance Act and document compliance as appropriate, if applicable.
- 13) Recording of the deed and required deed restrictions will take place in accordance with State law and within 14 days after the settlement and closing. The Sub-Recipient will record each property purchased on the applicable quarterly report.
- 14) The Sub-Recipient shall provide the following documentation for each property:
  - a) An executed Declaration and Release Form (FEMA 009-0-3).
  - b) An executed Statement of Voluntary Participation Form (FEMA 81-112).
  - c) An executed copy of the Model Statement of Assurances for Property Acquisition Projects or an equivalent acceptable to the Division and FEMA.
  - d) A recorded copy of the deed conveying full property interest to City of Palm Bay. This deed must include the necessary elements of FEMA's prescribed model deed restrictions.
  - e) An NFIP Repetitive Loss Update Worksheet (FEMA AW-501) for any property that is identified in the FEMA Repetitive Loss Database.
  - f) Project specific information relating to duplication of benefits, as applicable.
- 15) Documentation demonstrating the market value of each property (pre-event or current, as appropriate) and how the market value was determined.

- 16) All closeout documentation shall be delivered to the Division 30 days prior to the Period of Performance (POP) date.
- 17) Per FEMA Hazard Mitigation Assistance Guidance Part VI, D.3.4 – Contingency funds are not automatically available for use. Prior to their release, contingency funds must be re-budgeted to another direct cost category and identified. Post-award changes to the budget require prior written approval from the Division (FDEM). The written request should demonstrate what unforeseen condition related to the project arose that required the use of contingency funds.
- 18) National Historic Preservation Act (NHPA): If human remains or intact archaeological deposits are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The sub-recipient will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The sub-recipient's contractor will provide immediate notice of such discoveries to the sub-recipient. The sub-recipient shall contact the Florida Division of Historic Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities; all work shall stop immediately, and the proper authorities notified in accordance with Florida Statutes, Section 872.05.
- 19) National Historic Preservation Act (NHPA): Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.
- 20) National Historic Preservation Act (NHPA): The sub-recipient shall ensure that all debris is disposed of in a manner consistent with Florida Department of Environmental Protection (FDEP) regulations.
- 21) Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA): Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, sub-recipient shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
- 22) Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA): If any asbestos containing material, lead based paint, and/or other toxic materials are found during construction activities, the sub-recipient must comply with all federal, state and local abatement and disposal requirements. Upon closeout, the sub recipient must provide Notice of Demolition or Asbestos Renovation forms and confirmation that any asbestos containing materials were taken to an authorized landfill for such materials.

This is FEMA project number **4337-283-R**. It is funded under HMGP, FEMA-4337-DR-FL and must adhere to all program guidelines established for the HMGP in accordance with the PAS Operational Agreement for Disaster 4337.

FEMA awarded this project on August 21, 2020; this Agreement shall begin upon execution by both parties, and the Period of Performance for this project shall end on **November 30, 2022**.

**F) FINANCIAL CONSEQUENCES:**

If the Sub-Recipient fails to comply with any term of the award, the Division shall take one or more of the following actions, as appropriate in the circumstances:

- 1) Temporarily withhold cash payments pending correction of the deficiency by the Sub-Recipient;
- 2) Disallow all or part of the cost of the activity or action not in compliance;
- 3) Wholly or partly suspend or terminate the current award for the Sub-Recipient's program;
- 4) Withhold further awards for the program; or
- 5) Take other remedies that may be legally available.

**SCHEDULE OF WORK**

State & Local Contracting:	3 Months
Construction Plan/Technical Specifications:	3 Months
Title Search, Deed Restriction/Recording:	3 Months
Asbestos Test, Abatement:	3 Months
Environmental, Permitting, Bidding:	3 Months
Demolition/Site Grading/Landscaping:	6 Months
Final Inspections:	3 Months
Closeout Compliance:	3 Months
<b>Total Period of Performance:</b>	<b>27 Months</b>

**BUDGET****Line Item Budget\***

	<b>Project Cost</b>	<b>Federal Share</b>	<b>Non-Federal Share</b>
Materials:	\$2,340,897.00	\$1,755,672.75	\$585,224.25
Labor:	\$244,000.00	\$183,000.00	\$61,000.00
Fees:	\$48,347.00	\$36,260.25	\$12,086.75
<b>Initial Agreement Amount:</b>	<b>\$2,633,244.00</b>	<b>\$1,974,933.00</b>	<b>\$658,311.00</b>
***Contingency Funds:	\$103,475.00	\$77,606.25	\$25,868.75
<b>Project Total:</b>	<b>\$2,736,719.00</b>	<b>\$2,052,539.25</b>	<b>\$684,179.75</b>

\*Any line item amount in this Budget may be increased or decreased 10% or less, with the Division's approval, without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.

\*\*\* **This project has an estimated \$103,475.00 in contingency funds.** Per FEMA Hazard Mitigation Assistance Guidance Part VI, D.3.4 – Contingency funds are not automatically available for use. Prior to their release, contingency funds must be re-budgeted to another direct cost category and identified. Post-award changes to the budget require prior written approval from the Division (FDEM). The written request should demonstrate what unforeseen condition related to the project arose that required the use of contingency funds.

Project Management costs are included for this project in the amount of 0.00

**Funding Summary**

Federal Share:	\$2,052,539.25	(75.00%)
Non-Federal Share:	\$684,179.75	(25.00%)
<b>Total Project Cost:</b>	<b>\$2,736,719.00</b>	<b>(100.00%)</b>

**Attachment B**  
**Program Statutes and Regulations**

The parties to this Agreement and the Hazard Mitigation Grant Program (HMGP) are generally governed by the following statutes and regulations:

- (1) The Robert T. Stafford Disaster Relief and Emergency Assistance Act;
- (2) 44 CFR Parts 7, 9, 10, 13, 14, 17, 18, 25, 206, 220, and 221, and any other applicable FEMA policy memoranda and guidance documents;
- (3) State of Florida Administrative Plan for the Hazard Mitigation Grant Program;
- (4) Hazard Mitigation Assistance Guidance- February 27, 2015 Update; and
- (5) All applicable laws and regulations delineated in Attachment C of this Agreement.

In addition to the above statutes and regulations, the Sub-recipient must comply with the following:

The Sub-recipient shall fully perform the approved hazard mitigation project, as described in the Application and Attachment A (Budget and Scope of Work) attached to this Agreement, in accordance with approved scope of work indicated therein, the estimate of costs indicated therein, the allocation of funds indicated therein, and the terms and conditions of this Agreement. The Sub-recipient shall not deviate from the approved project and the terms and conditions of this Agreement. The Sub-recipient shall comply with any and all applicable codes and standards in performing work funded under this Agreement, and shall provide any appropriate maintenance and security for the project.

Any development permit issued by, or development activity undertaken by, the Sub-recipient and any land use permitted by or engaged in by the Sub-recipient, shall be consistent with the local comprehensive plan and land development regulations prepared and adopted pursuant to Chapter 163, Part II, Florida Statutes. Funds shall be expended for, and development activities and land uses authorized for, only those uses which are permitted under the comprehensive plan and land development regulations. The Sub-recipient shall be responsible for ensuring that any development permit issued and any development activity or land use undertaken is, where applicable, also authorized by the Water Management District, the Florida Department of Environmental Protection, the Florida Department of Health, the Florida Game and Fish Commission, and any Federal, State, or local environmental or land use permitting authority, where required. The Sub-recipient agrees that any repair or construction shall be in accordance with applicable standards of safety, decency, and sanitation, and in conformity with applicable codes, specifications and standards.

The Sub-recipient will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms with the approved plans and specifications and will furnish progress reports and such other information to HMGP as may be required.

If the hazard mitigation project described in Attachment A includes an acquisition or relocation project, then the Sub-recipient shall ensure that, as a condition of funding under this Agreement, the owner of the affected real property shall record in the public records of the county where it is located the following covenants and restrictions, which shall run with and apply to any property acquired, accepted, or from which a structure will be removed pursuant to the project.

- (1) The property will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices;

- (2) No new structure will be erected on property other than:
  - a. a public facility that is open on all sides and functionally related to a designed open space;
  - b. a restroom; or
- (3) A structure that the Director of the Federal Emergency Management Agency approves in writing before the commencement of the construction of the structure;
- (4) After the date of the acquisition or relocation no application for disaster assistance for any purpose will be made to any Federal entity and no disaster assistance will be provided for the property by any Federal source; and
- (5) If any of these covenants and restrictions is violated by the owner or by some third party with the knowledge of the owner, fee simple title to the Property described herein shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida without further notice to the owner, its successors and assigns, and the owner, its successors and assigns shall forfeit all right, title and interest in and to the property.

HMGP Contract Manager will evaluate requests for cost overruns and submit to the regional Director written determination of cost overrun eligibility. Cost overruns shall meet Federal regulations set forth in 44 CFR 206.438(b).

The National Environmental Policy Act (NEPA) stipulates that additions or amendments to a HMGP Sub-Recipient Scope of Work (SOW) shall be reviewed by all State and Federal agencies participating in the NEPA process.

As a reminder, the Sub-recipient must obtain prior approval from the State, before implementing changes to the approved project Scope of Work (SOW). Per the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments:

- (1) For Construction projects, the grantee must "obtain prior written approval for any budget revision which result in a need for additional funds" (44 CFR 13(c));
- (2) A change in the Scope of Work must be approved by FEMA in advance regardless of the budget implications; and
- (3) The Sub-recipient must notify the State as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower cost or earlier completion. Any extensions of the period of performance must be submitted to FEMA sixty (60) days prior to the project expiration date.

The Sub-recipient assures that it will comply with the following statutes and regulations to the extent applicable:

- (1) 53 Federal Register 8034
- (2) Federal Acquisition Regulations 31.2
- (3) Section 1352, Title 31, US Code
- (4) Chapter 473, Florida Statutes
- (5) Chapter 215, Florida Statutes
- (6) Section 768.28, Florida Statutes
- (7) Chapter 119, Florida Statutes
- (8) Section 216.181(6), Florida Statutes
- (9) Cash Management Improvement Act of 1990
- (10) American with Disabilities Act
- (11) Section 112.061, Florida Statutes
- (12) Immigration and Nationality Act
- (13) Section 286.011, Florida Statutes

- (14) 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- (15) Uniform Relocation Assistance and Real Property Acquisitions Act of 1970
- (16) Title I of the Omnibus Crime Control and Safe Streets Act of 1968
- (17) Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act
- (18) Omnibus Crime Control and Safe Streets Act of 1968, as amended
- (19) Victims of Crime Act (as appropriate)
- (20) Section 504 of the Rehabilitation Act of 1973, as amended
- (21) Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990)
- (22) Department of Justice regulations on disability discrimination, 28 CFR, Part 35 and Part 39
- (23) 42 U.S.C. 5154a

## **Attachment C**

### **Statement of Assurances**

To the extent the following provisions apply to this Agreement, the Sub-recipient certifies that:

- (a) It possesses legal authority to enter into this Agreement and to carry out the proposed program;
- (b) Its governing body has duly adopted or passed as an official act of resolution, motion or similar action authorizing the execution of the hazard mitigation agreement with the Division of Emergency Management (DEM), including all understandings and assurances contained in it, and directing and authorizing the Sub-recipient's chief administrative officer or designee to act in connection with the application and to provide such additional information as may be required;
- (c) No member of or delegate to the Congress of the United States, and no Resident Commissioner, shall receive any share or part of this Agreement or any benefit. No member, officer, or employee of the Sub-recipient or its designees or agents, no member of the governing body of the locality in which this program is situated, and no other public official of the locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year after, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds, for work to be performed in connection with the program assisted under this Agreement. The Sub-recipient shall incorporate, in all contracts or subcontracts a provision prohibiting any interest pursuant to the purpose stated above;
- (d) All Sub-recipient contracts for which the State Legislature is in any part a funding source, shall contain language to provide for termination with reasonable costs to be paid by the Sub-recipient for eligible contract work completed prior to the date the notice of suspension of funding was received by the Sub-recipient. Any cost incurred after a notice of suspension or termination is received by the Sub-recipient may not be funded with funds provided under this Agreement unless previously approved in writing by the Division. All Sub-recipient contracts shall contain provisions for termination for cause or convenience and shall provide for the method of payment in such event;
- (e) It will comply with:
  - (1) Contract Work Hours and Safety Standards Act of 1962, 40 U.S.C. 327 et seq., requiring that mechanics and laborers (including watchmen and guards) employed on federally assisted contracts be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty hours in a work week; and
  - (2) Federal Fair Labor Standards Act, 29 U.S.C. Section 201 et seq., requiring that covered employees be paid at least minimum prescribed wage, and also that they be paid one and one-half times their basic wage rates for all hours worked in excess of the prescribed work-week.
- (f) It will comply with
  - (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), and the regulations issued pursuant thereto, which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Sub-recipient received Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Sub-recipient, this assurance shall obligate the Sub-recipient, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is



used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits;

- (2) Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107) which prohibits discrimination on the basis of age or with respect to otherwise qualifies handicapped individuals as provided in Section 504 of the Rehabilitation Act of 1973;
  - (3) Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts; affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff/termination, rates of pay or other forms of compensation; and election for training and apprenticeship;
- (g) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties pursuant to Section 112.313 and Section 112.3135, Florida Statutes;
  - (h) It will comply with the Anti-Kickback Act of 1986, 41 U.S.C. Section 51 which outlaws and prescribes penalties for "kickbacks" of wages in federally financed or assisted construction activities;
  - (i) It will comply with the provisions of 18 U.S.C. 594, 598, 600-605 (further known as the Hatch Act) which limits the political activities of employees;
  - (j) It will comply with the flood insurance purchase and other requirements of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4002-4107, including requirements regarding the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance;

For sites located within Special Flood Hazard Areas (SFHA), the Sub-recipient must include a FEMA Model Acknowledgement of Conditions of Mitigation of Property in a Special Flood Hazard Area with FEMA Grant Funds executed by the title holder with the closeout request verifying that certain SFHA requirements were satisfied on each of the properties. The Model Acknowledgement can be found at [www.fema.gov/government/grant/sfha\\_conditions.shtm](http://www.fema.gov/government/grant/sfha_conditions.shtm)

- (k) It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided under this Agreement to comply with the "Uniform Federal Accessibility Standards," (AS) which is Appendix A to 41 CFR Section 101-19.6 for general type buildings and Appendix A to 24 CFR, Part 40 for residential structures. The Sub-recipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor;
- (l) It will, in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (U.S.C. 470), Executive Order 11593, 24 CFR, Part 800, and the Preservation of Archaeological and Historical Data Act of 1966 (16 U.S.C. 469a-1, et seq.) by:
  - (1) Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR, Section 800.8) by the proposed activity; and

- (2) Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.
- (3) Abiding by the terms and conditions of the “**Programmatic Agreement Among the Federal Emergency Management Agency, the Florida State Historic Preservation Office, the Florida Division of Emergency Management and the Advisory Council on Historic Preservation, (PA)**” which addresses roles and responsibilities of Federal and State entities in implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470(f), and implementing regulations in 36 CFR, Part 800.
- (4) When any of the Sub-recipient’s projects funded under this Agreement may affect a historic property, as defined in 36 CFR, Part 800 (2)(e), the Federal Emergency Management Agency (FEMA) may require the Sub-recipient to review the eligible scope of work in consultation with the State Historic Preservation Office (SHPO) and suggest methods of repair or construction that will conform with the recommended approaches set out in the **Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings 1992 (Standards)**, the **Secretary of the Interior’s Guidelines for Archeological Documentation (Guidelines)** (48 Federal Register 44734-37), or any other applicable Secretary of Interior standards. If FEMA determines that the eligible scope of work will not conform with the **Standards**, the Sub-recipient agrees to participate in consultations to develop, and after execution by all parties, to abide by, a written agreement that establishes mitigation and recondition measures, including but not limited to, impacts to archeological sites, and the salvage, storage, and reuse of any significant architectural features that may otherwise be demolished.
- (5) The Sub-recipient agrees to notify FEMA and the Division if any project funded under this Agreement will involve ground disturbing activities, including, but not limited to: subsurface disturbance; removal of trees; excavation of footings and foundations, and installation of utilities (such as water, sewer, storm drains, electrical, gas, leach lines and septic tanks) except where these activities are restricted solely to areas previously disturbed by the installation, replacement or maintenance of such utilities. FEMA will request the SHPO’s opinion on the potential that archeological properties may be present and be affected by such activities. The SHPO will advise the Sub-recipient on any feasible steps to be accomplished to avoid any National Register eligible archeological property or will make recommendations for the development of a treatment plan for the recovery or archeological data from the property.

If the Sub-recipient is unable to avoid the archeological property, develop, in consultation with SHPO, a treatment plan consistent with the **Guidelines** and take into account the Advisory Council on Historic Preservation (Council) publication “Treatment of Archeological Properties”. The Sub-recipient shall forward information regarding the treatment plan to FEMA, the SHPO and the Council for review. If the SHPO and the Council do not object within fifteen (15) calendar days of receipt of the treatment plan, FEMA may direct the Sub-recipient to implement the treatment plan. If either the Council or the SHPO object, Sub-recipient shall not proceed with the project until the objection is resolved.

- (6) The Sub-recipient shall notify the Division and FEMA as soon as practicable: (a) of any changes in the approved scope of work for a National Register eligible or listed property; (b) of all changes to a project that may result in a supplemental DSR or modify a HMGP project for a National Register eligible or listed property; (c) if it appears that a project funded under this Agreement will affect a previously unidentified property that may be eligible for inclusion in the National Register or affect a known historic property in an unanticipated manner. The Sub-recipient acknowledges that FEMA may require the Sub-recipient to stop construction in the vicinity of the discovery of a previously unidentified property that may eligible for inclusion in the National Register or upon learning that construction may affect a known historic property in an unanticipated manner. The Sub-recipient further acknowledges that FEMA may require the Sub-recipient to take all

reasonable measures to avoid or minimize harm to such property until FEMA concludes consultation with the SHPO. The Sub-recipient also acknowledges that FEMA will require, and the Sub-recipient shall comply with, modifications to the project scope of work necessary to implement recommendations to address the project and the property.

- (7) The Sub-recipient acknowledges that, unless FEMA specifically stipulates otherwise, it shall not receive funding for projects when, with intent to avoid the requirements of the PA or the NHPA, the Sub-recipient intentionally and significantly adversely affects a historic property, or having the legal power to prevent it, allowed such significant adverse effect to occur.
- (m) It will comply with Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex;
- (n) It will comply with the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, (42 U.S.C. 4521-45-94) relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
- (o) It will comply with 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
- (p) It will comply with Lead-Based Paint Poison Prevention Act (42 U.S.C. 4821 et seq.) which prohibits the use of lead based paint in construction of rehabilitation or residential structures;
- (q) It will comply with the Energy Policy and Conservation Act (P.L. 94-163; 42 U.S.C. 6201-6422), and the provisions of the State Energy Conservation Plan adopted pursuant thereto;
- (r) It will comply with the Laboratory Animal Welfare Act of 1966, (7 U.S.C. 2131-2159), pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by an award of assistance under this Agreement;
- (s) It will comply with Title VIII of the Civil Rights Act of 1968, (42 U.S.C 2000c and 42 U.S.C. 3601-3619), as amended, relating to non-discrimination in the sale, rental, or financing of housing, and Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color or national origin;
- (t) It will comply with the Clean Air Act of 1955, as amended, 42 U.S.C. 7401-7642;
- (u) It will comply with the Clean Water Act of 1977, as amended, 42 U.S.C. 7419-7626
- (v) It will comply with the endangered Species Act of 1973, 16 U.S.C. 1531-1544;
- (w) It will comply with the Intergovernmental Personnel Act of 1970, 42 U.S.C. 4728-4763;
- (x) It will assist the awarding agency in assuring compliance with the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 270;
- (y) It will comply with environmental standards which may be prescribed pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347;
- (z) It will assist the awarding agency in assuring compliance with the Preservation of Archeological and Historical Preservation Act of 1966, 16 U.S.C. 469a, et seq.;
- (aa) It will comply with the Rehabilitation Act of 1973, Section 504, 29 U.S.C. 794, regarding non-discrimination;

- (bb) It will comply with the environmental standards which may be prescribed pursuant to the Safe Drinking Water Act of 1974, 42 U.S.C. 300f-300j, regarding the protection of underground water sources;
- (cc) It will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Property Acquisition Policies Act of 1970, 42 U.S.C. 4621-4638, which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs;
- (dd) It will comply with the Wild and Scenic Rivers Act of 1968, 16 U.S.C. 1271-1287, related to protecting components or potential components of the national wild and scenic rivers system;
- (ee) It will comply with the following Executive Orders: EO 11514 (NEPA); EO 11738 (violating facilities); EO 11988 (Floodplain Management); EO 11990 (Wetlands); and EO 12898 (Environmental Justice);
- (ff) It will comply with the Coastal Barrier Resources Act of 1977, 16 U.S.C. 3510;
- (gg) It will assure project consistency with the approved State program developed under the Coastal Zone Management Act of 1972, 16 U.S.C. 1451-1464; and
- (hh) It will comply with the Fish and Wildlife Coordination Act of 1958, 16 U.S.C. 661-666.
- (ii) With respect to demolition activities, it will:
  - (1) Create and make available documentation sufficient to demonstrate that the Sub-recipient and its demolition contractor have sufficient manpower and equipment to comply with the obligations as outlined in this Agreement.
  - (2) Return the property to its natural state as though no improvements had ever been contained thereon.
  - (3) Furnish documentation of all qualified personnel, licenses and all equipment necessary to inspect buildings located in the Sub-recipient's jurisdiction to detect the presence of asbestos and lead in accordance with requirements of the U.S. Environmental Protection Agency, the Florida Department of Environmental Protection and the County Health Department.
  - (4) Provide documentation of the inspection results for each structure to indicate:
    - a. Safety Hazard Present
    - b. Health Hazards Present
    - c. Hazardous Materials Present
  - (5) Provide supervision over contractors or employees employed by the Sub-recipient to remove asbestos and lead from demolished or otherwise applicable structures.
  - (6) Leave the demolished site clean, level and free of debris.
  - (7) Notify the Division promptly of any unusual existing condition which hampers the contractor's work.
  - (8) Obtain all required permits.
  - (9) Provide addresses and marked maps for each site where water wells and septic tanks are to be closed along with the number of wells and septic tanks located on each site. Provide documentation of closures.
  - (10) Comply with mandatory standards and policies relating to energy efficiency which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (Public Law 94-163).

- (11) Comply with all applicable standards, orders, or requirements issued under Section 112 and 306 of the Clean Air Act (42 U.S.C. 1857h), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and the U.S. Environmental Protection Agency regulations (40 CFR, Part 15 and 61). This clause shall be added to any subcontracts.
- (12) Provide documentation of public notices for demolition activities.

**Attachment D**

**DIVISION OF EMERGENCY MANAGEMENT**

**REQUEST FOR ADVANCE OR REIMBURSEMENT OF  
HAZARD MITIGATION ASSISTANCE PROGRAM FUNDS**

SUB-RECIPIENT: City of Palm Bay

REMIT ADDRESS: \_\_\_\_\_

CITY: Palm Bay STATE: Florida ZIP CODE: 32907

PROJECT TYPE: Acquisition and Demolition PROJECT #: 4337-283-R

PROGRAM: Hazard Mitigation Grant Program CONTRACT #: H0555

APPROVED BUDGET: \_\_\_\_\_ FEDERAL SHARE: \_\_\_\_\_ MATCH: \_\_\_\_\_

ADVANCED RECEIVED: \_\_\_\_\_ N/A \_\_\_\_\_ AMOUNT: \_\_\_\_\_ SETTLED? \_\_\_\_\_

Invoice Period: \_\_\_\_\_ To \_\_\_\_\_ Payment #: \_\_\_\_\_

Eligible Amount 100% (Current Request)	Obligated Federal Amount 75%	Obligated Non- Federal 25%	Division Use Only	
			Approved	Comments

TOTAL CURRENT REQUEST: \$ \_\_\_\_\_

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812.

SUB-RECIPIENT SIGNATURE: \_\_\_\_\_

NAME / TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

TO BE COMPLETED BY THE DIVISION	
APPROVED PROJECT TOTAL	\$ _____
ADMINISTRATIVE COST	\$ _____
APPROVED FOR PAYMENT	\$ _____
GOVERNOR'S AUTHORIZED REPRESENTATIVE _____	
DATE _____	

**SUMMARY OF DOCUMENTATION IN SUPPORT OF AMOUNT  
CLAIMED FOR ELIGIBLE DISASTER WORK UNDER THE  
HAZARD MITIGATION ASSISTANCE PROGRAM**

SUB-RECIPIENT: City of Palm Bay PAYMENT #: \_\_\_\_\_  
PROJECT TYPE: Acquisition and Demolition PROJECT #: 4337-283-R  
PROGRAM: Hazard Mitigation Grant Program CONTRACT #: H0555

	REF NO <sup>2</sup>	DATE <sup>3</sup>	DOCUMENTATION <sup>4</sup>	(Check) AMOUNT	ELIGIBLE COSTS (100%)
1					
2					
3					
4					
5					
6					
7					
8					
9					
<b><i>This payment represents      % completion of the project.</i></b>					<b>TOTAL</b>

<sup>2</sup> Recipient's internal reference number (e.g., Invoice, Receipt, Warrant, Voucher, Claim Check, or Schedule #)

<sup>3</sup> Date of delivery of articles, completion of work or performance services. (per document)

<sup>4</sup> List Documentation (Recipient's payroll, material out of recipient's stock, recipient owned equipment and name of vendor or contractor) by category (Materials, Labor, Fees) and line item in the approved project line item budget. Provide a brief description of the articles or services. List service dates per each invoice.

**Attachment E  
JUSTIFICATION OF ADVANCE PAYMENT**

**SUB-RECIPIENT:** City of Palm Bay

If you are requesting an advance, indicate same by checking the box below.

☐ **ADVANCE REQUESTED**

Advance payment of \$ \_\_\_\_\_ is requested. Balance of payments will be made on a reimbursement basis. These funds are needed to pay staff, award benefits to clients, duplicate forms and purchase start-up supplies and equipment. We would not be able to operate the program without this advance.

If you are requesting an advance, complete the following chart and line item justification below.

**PLEASE NOTE:** Calculate your estimated expenses at 100% of your expected needs for ninety (90) days. Submit Attachment D with the cost share breakdown along with Attachment E and all supporting documentation.

**ESTIMATED EXPENSES**

<b>BUDGET CATEGORY/LINE ITEMS</b> (list applicable line items)	<b>20__-20__ Anticipated Expenditures for First Three Months of Contract</b>
<u>For example</u> <b>ADMINISTRATIVE COSTS</b> (Include Secondary Administration.)	
<u>For example</u> <b>PROGRAM EXPENSES</b>	
<b>TOTAL EXPENSES</b>	

**LINE ITEM JUSTIFICATION** (For each line item, provide a detailed justification explaining the need for the cash advance. The justification must include supporting documentation that clearly shows the advance will be expended within the first ninety (90) days of the contract term. Support documentation should include quotes for purchases, delivery timelines, salary and expense projections, etc. to provide the Division reasonable and necessary support that the advance will be expended within the first ninety (90) days of the contract term. Any advance funds not expended within the first ninety (90) days of the contract term as evidenced by copies of invoices and cancelled checks as required by the Budget and Scope of work showing 100% of expenditures for the 90 day period shall be returned to the Division Cashier, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, within thirty (30) days of receipt, along with any interest earned on the advance.



Attachment F

DIVISION OF EMERGENCY MANAGEMENT  
HAZARD MITIGATION GRANT PROGRAM  
QUARTERLY REPORT FORM

**Instructions:** Complete and submit this form to the appropriate Project Manager within fifteen (15) days of each quarter's end date.

SUB-RECIPIENT: City of Palm Bay PROJECT #: 4337-283-R  
PROJECT TYPE: Acquisition and Demolition CONTRACT #: H0555  
PROGRAM: Hazard Mitigation Grant Program QUARTER ENDING: \_\_\_\_\_

**Advance Payment Information:**

Advance Received ☐ N/A ☐ Amount: \$ \_\_\_\_\_ Advance Settled? Yes ☐ No ☐

Provide reimbursement **Projections** for this project (*projections may change*):

Jul-Sep 20\_\_ \$ \_\_\_\_\_ Oct-Dec 20\_\_ \$ \_\_\_\_\_ Jan-Mar 20\_\_ \$ \_\_\_\_\_ Apr-Jun 20\_\_ \$ \_\_\_\_\_

**Target Dates:**

Contract Initiation Date: \_\_\_\_\_ Contract Expiration Date: \_\_\_\_\_

Estimated Project Completion Date: \_\_\_\_\_

Project Proceeding on **Schedule**? ☐ Yes ☐ No (*If No, please describe under **Issues** below*)

**Percentage** of Work Completed (*may be confirmed by state inspectors*): \_\_\_\_\_%

Describe **Milestones** achieved during this quarter:

Provide a **Schedule** for the remainder of work to project completion: (*Milestones from Contract with estimated dates*)

<u>Milestone</u>	<u>Date</u>

Describe **Issues** or circumstances affecting completion date, milestones, scope of work, and/or cost:

**Cost Status:** ☐ Cost Unchanged ☐ Under Budget ☐ Over Budget

Additional **Comments**/Elaboration:

*NOTE: Division of Emergency Management (DEM) staff may perform interim inspections and/or audits at any time. Events may occur between quarterly reports, which have significant impact upon your project(s), such as anticipated overruns, changes in scope of work, etc. Please contact the Division as soon as these conditions become known, otherwise you may be found non-compliant with your sub grant award.*

Person Completing Form:

Phone:

**~ To be completed by Division staff ~**

Date Reviewed: \_\_\_\_\_ Reviewer: \_\_\_\_\_

Actions:

**Attachment G**  
**Warranties and Representations**

Financial Management

The Sub-Recipient's financial management system must comply with 2 C.F.R. §200.302.

Procurements

Any procurement undertaken with funds authorized by this Agreement must comply with the requirements of 2 C.F.R. §200, Part D—Post Federal Award Requirements—Procurement Standards (2 C.F.R. §§200.317 through 200.326).

Business Hours

The Sub-Recipient shall have its offices open for business, with the entrance door open to the public, and at least one employee on site, from: **8:00 AM - 5:00 PM, Monday Thru Friday, as applicable.**

Licensing and Permitting

All subcontractors or employees hired by the Sub-Recipient shall have all current licenses and permits required for all of the particular work for which they are hired by the Sub-Recipient.

## Attachment H

### Certification Regarding Debarment, Suspension, Ineligibility And Voluntary Exclusion

#### Subcontractor Covered Transactions

- (1) The prospective subcontractor, \_\_\_\_\_, of the Sub-Recipient certifies, by submission of this document, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the Sub-Recipient's subcontractor is unable to certify to the above statement, the prospective subcontractor shall attach an explanation to this form.

#### SUBCONTRACTOR

\_\_\_\_\_  
By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Date

**City of Palm Bay**  
Sub-Recipient's Name

**H0555**  
DEM Contract Number

**4337-283-R**  
FEMA Project Number

**Attachment I**  
**Federal Funding Accountability and Transparency Act**  
**Instructions and Worksheet**

**PURPOSE:** The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent of this legislation is to empower every American with the ability to hold the government accountable for each spending decision. The FFATA legislation requires information on federal awards (federal assistance and expenditures) be made available to the public via a single, searchable website, which is <http://www.usaspending.gov/>.

The FFATA Sub-award Reporting System (FSRS) is the reporting tool the Florida Division of Emergency Management ("FDEM" or "Division") must use to capture and report sub-award and executive compensation data regarding first-tier sub-awards that obligate \$25,000 or more in Federal funds (excluding Recovery funds as defined in section 1512(a) (2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5).

Note: This "Instructions and Worksheet" is meant to explain the requirements of the FFATA and give clarity to the FFATA Form distributed to sub-awardees for completion. All pertinent information below should be filled out, signed, and returned to the project manager.

**ORGANIZATION AND PROJECT INFORMATION**

**The following information must be provided to the FDEM prior to the FDEM's issuance of a sub-award (Agreement) that obligates \$25,000 or more in federal funds as described above. Please provide the following information and return the signed form to the Division as requested.**

PROJECT #: 4337-283-R

FUNDING AGENCY: Federal Emergency Management Agency

AWARD AMOUNT: \$ 1,974,933.00

OBLIGATION/ACTION DATE: August 21, 2020

SUBAWARD DATE (if applicable): \_\_\_\_\_

DUNS#: 060236262

DUNS# +4: \_\_\_\_\_

\*If your company or organization does not have a DUNS number, you will need to obtain one from Dun & Bradstreet at 866-705-5711 or use the web form (<http://fedgov.dnb.com/webform>). The process to request a DUNS number takes about ten minutes and is free of charge.

BUSINESS NAME: \_\_\_\_\_

DBA NAME (IF APPLICABLE): \_\_\_\_\_

PRINCIPAL PLACE OF BUSINESS ADDRESS: \_\_\_\_\_

ADDRESS LINE 1: \_\_\_\_\_

ADDRESS LINE 2: \_\_\_\_\_

ADDRESS LINE 3: \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE+4\*\* \_\_\_\_\_

PARENT COMPANY DUNS# (if applicable): \_\_\_\_\_

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA#): \_\_\_\_\_

DESCRIPTION OF PROJECT (Up to 4000 Characters)

As a Hazard Mitigation Grant Program project, the Sub-Recipient proposes to acquire and demolish thirteen (13) residential properties in Palm Bay, Florida, 32905.

The scope of work proposes to acquire, demolish and remove all associated debris to clear the site and convert and return the land to open space into perpetuity. This includes all required permits, fees, property acquisition and removal or demolition of existing structures and septic tank.

Mitigation activities shall include all associated debris be removed to clear site, the land be converted to open space and the deed restricted as set forth in the FEMA program requirements concerning the acquisition of property for open space [44 CFR 206.434 (e)].

The project shall provide protection against a 100-year storm event. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations.

*Verify the approved project description above, if there is any discrepancy, please contact the project manager.*

**PRINCIPAL PLACE OF PROJECT PERFORMANCE (IF DIFFERENT THAN PRINCIPAL PLACE OF BUSINESS):**

ADDRESS LINE 1: \_\_\_\_\_

ADDRESS LINE 2: \_\_\_\_\_

ADDRESS LINE 3: \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE+4\*\* \_\_\_\_\_

CONGRESSIONAL DISTRICT FOR PRINCIPAL PLACE OF PROJECT PERFORMANCE:

\*\*Providing the Zip+4 ensures that the correct Congressional District is reported.

**EXECUTIVE COMPENSATION INFORMATION:**

1. In your business or organization's previous fiscal year, did your business or organization (including parent organization, all branches, and all affiliates worldwide) receive (a) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance (e.g. loans, grants, subgrants, and/or cooperative agreements, etc.) subject to the Transparency Act, as defined at 2 CFR 170.320; , (b) \$25,000,000 or more in annual gross revenues from U.S. Federal procurement contracts (and subcontracts) and Federal financial assistance (e.g. loans, grants, subgrants, and/or cooperative agreements, etc.) subject to the Transparency Act?

Yes ☐ No ☐

***If the answer to Question 1 is "Yes," continue to Question 2. If the answer to Question 1 is "No", move to the signature block below to complete the certification and submittal process.***

2. Does the public have access to information about the compensation of the executives in your business or organization (including parent organization, all branches, and all affiliates worldwide) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) Section 6104 of the Internal Revenue Code of 1986?

Yes ☐ No ☐

**If the answer to Question 2 is "Yes," move to the signature block below to complete the certification and submittal process. [Note: Securities Exchange Commission information should be accessible at <http://www.sec.gov/answers/execomp.htm>. Requests for Internal Revenue Service (IRS) information should be directed to the local IRS for further assistance.]**

**If the answer to Question 2 is "No" FFATA reporting is required. Provide the information required in the "TOTAL COMPENSATION CHART FOR MOST RECENTLY COMPLETED FISCAL YEAR" appearing below to report the "Total Compensation" for the five (5) most highly compensated "Executives", in rank order, in your organization. For purposes of this request, the following terms apply as defined in 2 CFR Ch. 1 Part 170 Appendix A:**

**"Executive"** is defined as "officers, managing partners, or other employees in management positions".

**"Total Compensation"** is defined as the cash and noncash dollar value earned by the executive during the most recently completed fiscal year and includes the following:

- i. Salary and bonus.
- ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- v. Above-market earnings on deferred compensation which is not tax-qualified.
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

**TOTAL COMPENSATION CHART FOR MOST RECENTLY COMPLETED FISCAL YEAR**

(Date of Fiscal Year Completion \_\_\_\_\_)

<b>Rank</b> (Highest to Lowest)	<b>Name</b> (Last, First, MI)	<b>Title</b>	<b>Total Compensation</b> <b>for Most Recently</b> <b>Completed Fiscal Year</b>
<b>1</b>			
<b>2</b>			
<b>3</b>			
<b>4</b>			
<b>5</b>			

THE UNDERSIGNED CERTIFIES THAT ON THE DATE WRITTEN BELOW, THE INFORMATION PROVIDED HEREIN IS ACCURATE.

SIGNATURE: \_\_\_\_\_

NAME AND TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

**Attachment J**  
**Mandatory Contract Provisions**

Provisions:

Any contract or subcontract funded by this Agreement must contain the applicable provisions outlined in Appendix II to 2 C.F.R. Part 200. It is the responsibility of the sub-recipient to include the required provisions. The Division provides the following list of sample provisions that may be required:



(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or

materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201).

(I) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(J) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award of \$100,000 or more must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any



other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(K) See §200.322 Procurement of recovered materials.

#### APPENDIX III TO PART 200—INDIRECT (F&A) COSTS IDENTIFICATION AND ASSIGNMENT, AND RATE DETERMINATION FOR INSTITUTIONS OF HIGHER EDUCATION (IHEs)

##### A. GENERAL

This appendix provides criteria for identifying and computing indirect (or indirect (F&A)) rates at IHEs (institutions). Indirect (F&A) costs are those that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular sponsored project, an instructional activity, or any other institutional activity. See subsection B.1, Definition of Facilities and Administration, for a discussion of the components of indirect (F&A) costs.

##### 1. Major Functions of an Institution

Refers to instruction, organized research, other sponsored activities and other institutional activities as defined in this section:

a. *Instruction* means the teaching and training activities of an institution. Except for research training as provided in subsection b, this term includes all teaching and training activities, whether they are offered for credits toward a degree or certificate or on a non-credit basis, and whether they are offered through regular academic departments or separate divisions, such as a summer school division or an extension division. Also considered part of this major function are departmental research, and, where agreed to, university research.

(1) *Sponsored instruction and training* means specific instructional or training activity established by grant, contract, or cooperative agreement. For purposes of the cost principles, this activity may be considered a major function even though an institution's accounting treatment may include it in the instruction function.

(2) *Departmental research* means research, development and scholarly activities that are not organized research and, consequently, are not separately budgeted and accounted for. Departmental research, for purposes of this document, is not considered as a major function, but as a part of the instruction function of the institution.

b. *Organized research* means all research and development activities of an institution that are separately budgeted and accounted for. It includes:

(1) *Sponsored research* means all research and development activities that are sponsored by Federal and non-Federal agencies and organizations. This term includes activities involving the training of individuals in research techniques (commonly called research training) where such activities utilize the same facilities as other research and development activities and where such activities are not included in the instruction function.

(2) *University research* means all research and development activities that are separately budgeted and accounted for by the institution under an internal application of institutional funds. University research, for purposes of this document, must be combined with sponsored research under the function of organized research.

c. *Other sponsored activities* means programs and projects financed by Federal and non-Federal agencies and organizations which involve the performance of work other than instruction and organized research. Examples of such programs and projects are health service projects and community service programs. However, when any of these activities are undertaken by the institution without outside support, they may be classified as other institutional activities.

d. *Other institutional activities* means all activities of an institution except for instruction, departmental research, organized research, and other sponsored activities, as defined in this section; indirect (F&A) cost activities identified in this Appendix paragraph B, Identification and assignment of indirect (F&A) costs; and specialized services facilities described in §200.468 Specialized service facilities of this Part.

Examples of other institutional activities include operation of residence halls, dining halls, hospitals and clinics, student unions, intercollegiate athletics, bookstores, faculty housing, student apartments, guest houses, chapels, theaters, public museums, and other similar auxiliary enterprises. This definition also includes any other categories of activities, costs of which are "unallowable" to Federal awards, unless otherwise indicated in an award.

##### 2. Criteria for Distribution

a. *Base period.* A base period for distribution of indirect (F&A) costs is the period during which the costs are incurred. The base period normally should coincide with the fiscal year established by the institution, but in any event the base period should be so selected as to avoid inequities in the distribution of costs.

b. *Need for cost groupings.* The overall objective of the indirect (F&A) cost allocation process is to distribute the indirect (F&A) costs described in Section B, Identification and assignment of indirect (F&A) costs, to

**FLORIDA DIVISION OF EMERGENCY MANAGEMENT**  
**CONTRACT OR MODIFICATION DEVELOPMENT REQUEST FORM**

☒ NEW CONTRACT *Complete Section 1 & Budget* PROJECT NUMBER: 4337-283-R  
☐ CONTRACT MODIFICATION #: \_\_\_\_\_ PROGRAM: HMGP  
 CONTRACT #: H0555

**SECTION 1: Contract Information** (☐ New or ☐ Existing)

Sub-Recipient: City of Palm Bay  
 Project Title: City of Palm Bay, Cimarron Circle, Acquisition and Demolition  
 FEID#: 59-6018984 DUNS #: 060236262  
**POC :** ☒ New (include POC form)  
 Name: Sandra Urban Title: Special Projects Manager  
 E-mail: Sandra.Urban@palmbayflorida.org  
 Address: 120 Malabar Road SE Palm Bay, Florida 32907  
 Phone #: 321-952-3400 x5252 Fax #: \_\_\_\_\_  
**Remittance Address:** ☐ Same as POC  
 Sub-Recipient: City of Palm Bay c/o Finance Administration  
 Address: 120 Malabar Road SE Palm Bay, Florida 32907  
 Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Global Match: ☐ Yes ☒ No (If yes, Match Project #): \_\_\_\_\_  
 Pre-Award Cost: ☐ Yes ☒ No (If yes – attach Pre-Award Form ) Date: \_\_\_\_\_  
 Authorized Start Date: \_\_\_\_\_ or ☒ Upon Execution  
 Date of Contract Execution: \_\_\_\_\_  
 Current Ending Date (POP): November 30, 2022

**SECTION 2: Contract Modification: (Type and Information)**

POP Extension: \_\_\_\_\_ ☐ Expired \_\_\_\_\_ Reinstated & Extend ☐ Not Expired  
 Budget: \_\_\_\_\_ ☐ Decrease ☐ Increase  
 Scope of Work: \_\_\_\_\_  
 Other: \_\_\_\_\_ ☐ PAS ☐ Pre-Award ☐ Attachments  
 Termination: \_\_\_\_\_ ☐ w/ Funds disbursed ☐ w/o Funds disbursed  
 Notes: \_\_\_\_\_

**New Ending Date of Agreement (POP):** \_\_\_\_\_

<b>BUDGET:</b>	<b>Current</b>	<b>Change</b>	<b>Revised</b>
Initial Agreement Amount:			
Project Total:	\$2,633,244.00		
Federal Share:	\$1,974,933.00		
Non-Federal Share:	\$658,311.00		
Contingency Costs:			
Project Total:	\$103,475.00		
Federal Share:	\$77,606.25		
Non-Federal Share:	\$25,868.75		
Total Project Cost:			
Project Total:	\$2,736,719.00		
Federal Share:	\$2,052,539.25		
Non-Federal Share:	\$684,179.75		

Project Manager's Signature Carmen Acosta Digitally signed by Carmen Acosta  
 DN: dc=org, dc=fleec, ou=DEM, Users, ou=Mitigation,  
 cn=Carmen Acosta,  
 email=Carmen.Acosta@flaem.myflorida.com  
 Date: 2020.09.04 13:07:41 -04'00' Date: 9/4/2020

## Program Administration by States

### Contract Modification Form for Hazard Mitigation Grant Program

Under the Sandy Recovery Improvement Act of 2013, Section 1104, which amends Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, FEMA was given authority to implement the provisions of the Program Administration by States (PAS) (Section 404(c)), for the Hazard Mitigation Grant Program (HMGP). The PAS allows states, who have met certain criteria, to have greater administrative responsibilities over the HMGP.

The purpose of this document is to identify project 4337-283-R as being covered under the PAS, as it relates to the modifications listed below. The Project Manager of the aforementioned project is allowed to exercise the following delegated responsibilities without an approval letter from FEMA:

(Check all that apply)

- ☒ Approve application time limit extensions for the Sub-Recipient with no impact to grant period of performance. States shall document these changes in quarterly reports and electronic data systems.
- ☒ Approve post-award scope of work modifications with no change to the project activity and no resulting need for additional funds.
- ☒ Approve post-award budget revisions using funds available as a result of cost underruns from other approved subgrants. These funds can be moved to approved subgrants with cost overruns. Funds can only be used within the same HMGP grant.
- ☒ Approve post-award Contingency funds revisions, re-budgeted to another direct cost category
- ☒ Approve funding of pre-award planning and project costs incurred by Sub-Recipient.

The Project Manager is still required to obtain all necessary documents for the specific modification being requested, as specified in the appropriate standard operation procedure. All changes to the project must be documented in the quarterly reporting process as well as on <https://floridamitigation.fleoc.org/> under the appropriate project number.

**\*\*This document should accompany the "Request for Contract Development" form when requesting a New Contract.**

Project Manager's Signature Carmen Acosta Date 09/10/20

Digitally signed by Carmen Acosta  
DN: dc=org, dc=fleoc, ou=DEM, Users,  
ou=Mitigation, cn=Carmen Acosta,  
email=Carmen.Acosta@em.myflorida.com  
Date: 2020.09.10 16:02:03 -04'00'

# FLORIDA DIVISION OF EMERGENCY MANAGEMENT MITIGATION SECTION

## TECHNICAL REVIEW FORM

Project Number: 4337-283-R Sub-Recipient: City of Palm Bay

Project Title: City of Palm Bay, Cimarron Circle, Acquisition and Demolition

Project Manager: Carmen Acosta

Date Forwarded to Technical Unit: 08/26/20

### Type of Review Requested:

Initial Review	<input checked="" type="checkbox"/>
Phase I Close-Out/Phase II Approval	<input type="checkbox"/>
Scope Revision/Change Order	<input type="checkbox"/>
Budget Change	<input type="checkbox"/>
Finale Review	<input type="checkbox"/>
Other: <u>Attachment A</u>	<input checked="" type="checkbox"/>

Please print:

<b>ENGINEERING:</b>	
---------------------	--

Project reviewed by the Engineer ☐ Attached report, ☐ Email Response

**Claudia Purser**

Digitally signed by Claudia Purser  
DN: cn=Claudia Purser, o=FDEM, ou=TechUnit / Engineering,  
email=claudia.purser@em.myflorida.com, c=US  
Date: 2020.09.03 18:01:10 -04'00'

Signature of Reviewing Engineer

Date

<b>ENVIRONMENTAL:</b>	
-----------------------	--

Project reviewed by the Environmental Specialist ☐ Attached report, ☐ Email Response

**Cary Helmuth**

Digitally signed by Cary Helmuth  
DN: cn=Cary Helmuth, o=Florida Division of Emergency Management,  
ou=Bureau of Mitigation, email=Cary.Helmuth@em.myflorida.com, c=US  
Date: 2020.08.27 11:28:17 -04'00'

Signature of Reviewing Environmental Specialist

Date

<b>Comments:</b>	
------------------	--

Date returned to the Project Manager:

**Carmen Acosta**

Digitally signed by Carmen Acosta  
DN: dc=org, dc=fleoc, ou=DEM\_Users,  
ou=Mitigation, cn=Carmen Acosta,  
email=Carmen.Acosta@em.myflorida.com  
Date: 2020.08.26 15:50:33 -04'00'

Signature of Planner/Project Manager





**FEMA**

August 21, 2020

Mr. Jared Moskowitz, Director  
Florida Division of Emergency Management  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Attention: Mr. Miles Anderson

Reference: Hazard Mitigation Grant Program (HMGP) Project #4337-0283-R  
City of Palm Bay, Cimarron Circle, Acquisition and Demolitions – Approval

Dear Mr. Moskowitz:

In accordance with the Program Administration by State (PAS) Operational Agreement for DR-4337-FL, the Federal Emergency Management Agency (FEMA) concurs with the State's approval of project 4337-0283-R for a total project cost of \$2,736,719.00 with a Federal Share of \$2,052,539.25 and a non-Federal share in the amount of \$684,179.75.

The following is the approved Scope of Work (SOW) for the above referenced project:

City of Palm Bay proposes to mitigate 13 single family residences located in Palm Bay, Florida 32905.

The scope of work for this project is to acquire and demolish the structures. Debris and slab removal will follow demolition. The properties would be converted to green space and deed-restricted in accordance with FEMA program requirements pursuant to 44 CFR 206.434 (e). The completed work shall comply with all applicable Federal, State and Local Rules and Regulations.

The project shall provide protection against a 100-year storm event.

The following residential structures will be acquired and demolished:

1. 1200 Cimarron Circle NE, Palm Bay, FL 32905
2. 1204 Cimarron Circle NE, Palm Bay, FL 32905
3. 1208 Cimarron Circle NE, Palm Bay, FL 32905
4. 1212 Cimarron Circle NE, Palm Bay, FL 32905
5. 1216 Cimarron Circle NE, Palm Bay, FL 32905
6. 1217 Cimarron Circle NE, Palm Bay, FL 32905
7. 1220 Cimarron Circle NE, Palm Bay, FL 32905

8. 1226 Cimarron Circle NE, Palm Bay, FL 32905
9. 1227 Cimarron Circle NE, Palm Bay, FL 32905
10. 1232 Cimarron Circle NE, Palm Bay, FL 32905
11. 1293 Cimarron Circle NE, Palm Bay, FL 32905
12. 1297 Cimarron Circle NE, Palm Bay, FL 32905
13. 1298 Cimarron Circle NE, Palm Bay, FL 32905

The grant Period of Performance (POP) for DR-4337-FL has been extended and will now terminate on February 28, 2024. All the activities specified in the scopes of work should be completed no later than this date. FEMA will not establish activity completion timeframes for individual sub-awards. Any future extensions of the POP must be submitted to FEMA 60 days prior to the expiration date.

This project must adhere to all program guidelines established in the Hazard Mitigation Assistance Guide dated February 27, 2015, which is the definitive policy document for the Federal Insurance and Mitigation Administration (FIMA) and in accordance with the PAS Operational Agreement between FEMA Region IV and Florida Department of Emergency Management for DR-4337. The Hazard Mitigation Grant Program for DR-4337 is also governed by the applicable FEMA-State Agreement for DR-4337.

#### **Special Conditions required on implementation of Projects:**

- NHPA: If human remains or intact archaeological deposits are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The subrecipient will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The subrecipient's contractor will provide immediate notice of such discoveries to the subrecipient. The subrecipient shall contact the Florida Division of Historic Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities; all work shall stop immediately, and the proper authorities notified in accordance with Florida Statutes, Section 872.05.

Source of Condition: National Historic Preservation Act (NHPA)

- NHPA: Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.

Source of Condition: National Historic Preservation Act (NHPA)

- NHPA: The subrecipient shall ensure that all debris is disposed of in a manner consistent with Florida Department of Environmental Protection (FDEP) regulations.

Source of Condition: National Historic Preservation Act (NHPA)

- RCRA: Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, subrecipient shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

Source of Condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

- RCRA: If any asbestos containing material, lead based paint, and/or other toxic materials are found during construction activities, the subrecipient must comply with all federal, state and local abatement and disposal requirements. Upon closeout, the subrecipient must provide Notice of Demolition or Asbestos Renovation forms and confirmation that any asbestos containing materials were taken to an authorized landfill for such materials.

-

Source of Condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

**Standard Conditions:**

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all Federal, State, and local requirements. Acceptance of Federal funding requires the recipient to comply with all Federal, State, and local laws. Failure to obtain all appropriate Federal, State, and local environmental permits and clearances may jeopardize Federal funding.
- The sub-recipient will monitor any ground disturbance and if potential archeological resources are discovered, will immediately cease construction in that area and notify both the State and FEMA.

The State HMGP Administrative Plan defines the procedure whereby the Governor's Authorized Representative (GAR) may advance portions of the approved Federal share to sub-recipients. If project costs exceed the amount originally funded and additional Federal funds are needed, the sub-recipient must contact the GAR. The GAR will evaluate requests for cost overruns and submit to the Regional Administrator with written documentation of cost overrun eligibility. Cost overruns shall meet Federal regulations as set forth in 44 CFR 206.438(b).

Quarterly Progress Reports for HMGP projects are required. Please include this HMGP project in your future quarterly reports. Note that 44 CFR 206.438(c) indicates the State must provide a Quarterly Progress Report to FEMA indicating the status and completion date for each project



funded. The report will include any problems or circumstances affecting completion dates, scope of work, or project cost that may result in non-compliance with the approved grant conditions.

Section 206.438(d) of 44 CFR requires the GAR to certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure is in compliance with the provisions of the FEMA-State Agreement. The State (Recipient) must comply with all applicable program guidance and regulations and the PAS Operational Agreement for DR-4337 before implementing changes to the approved project SOW.

The Obligation Report and Record of Environmental Consideration (REC) are enclosed for your records. The Management Report is available in NEMIS. The obligated funds are available for withdrawal from Payment Management System on sub-account 4337-DRFLP00002835.

If you have any further questions, please contact William Arwood at (404) 895-7341.

Sincerely,



Richard S. Flood, CFM, Chief  
Hazard Mitigation Assistance Branch  
Mitigation Division

**Enclosure**

Obligation Report  
Record of Environmental Consideration  
Duplication of Benefits Review

## HAZARD MITIGATION GRANT PROGRAM

**Obligation**

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4337	283 -R	0	679	1	457	FL	Statewide

Subrecipient: Palm Bay

Project Title : City of Palm Bay, Cimarron Circle, Acquisition and Demolition

Subrecipient FIPS Code: 009-54000

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$2,052,539.25	\$2,052,539.25	\$0.00	\$0.00

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$2,052,539.25	\$0.00	\$2,052,539.25	08/21/2020	Accept	2020

**Comments**

Date: 08/21/2020 User Id: ALUNGU2

Comment: - DR-4337-FL MA approves an obligation for eligible cost and activities to implement 4337-0283-R-DR-FL-HM, Application 679, City Palm Bay, Cimarron Circle, Acquisition and Demolition, located in Brevard, FL, Allocation # 113- \$2,052,539.25. Total Project Cost is \$2,736,719.00. LPN 8/21/2020

Date: 08/21/2020 User Id: DBURKETT

Comment: 4337-0283-R-DR-FL-HM Palm Bay Grant POP 2/28/2024 Application 679 City of Palm Bay, Cimarron Circle, Acquisition and Demolition Allocation 113 accelerated from the September Spend Plan LPN approved 8/21/2020 Federal share \$2,052,539.25 Supplement 457 approved HMO

**Authorization**

Preparer Name: ANCUTA LUNGU

Preparation Date: 08/21/2020

HMO Authorization Name: DEBORAH BURKETT

HMO Authorization Date: 08/21/2020

13:33:22

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project 4337-0283

Title: City of Palm Bay, Cimarron Circle, Acquisition and Demolition

## NEPA DETERMINATION

Non Compliant Flag: No	EA Draft Date:	EA Final Date:
EA Public Notice Date:	EA Fonsi	Level: CATEX
EIS Notice of Intent	EIS ROD Date:	

Comment Project Location: Cimarron Circle NE, Palm Bay, Brevard County, FL 32905

1. 1200 Cimarron Circle NE, Palm Bay, FL 32905
2. 1204 Cimarron Circle NE, Palm Bay, FL 32905
3. 1208 Cimarron Circle NE, Palm Bay, FL 32905
4. 1212 Cimarron Circle NE, Palm Bay, FL 32905
5. 1216 Cimarron Circle NE, Palm Bay, FL 32905
6. 1217 Cimarron Circle NE, Palm Bay, FL 32905
7. 1220 Cimarron Circle NE, Palm Bay, FL 32905
8. 1226 Cimarron Circle NE, Palm Bay, FL 32905
9. 1227 Cimarron Circle NE, Palm Bay, FL 32905
10. 1232 Cimarron Circle NE, Palm Bay, FL 32905
11. 1293 Cimarron Circle NE, Palm Bay, FL 32905
12. 1297 Cimarron Circle NE, Palm Bay, FL 32905
13. 1298 Cimarron Circle NE, Palm Bay, FL 32905

SOW: City of Palm Bay proposes to mitigate 13 single family residences located in Palm Bay, Florida 32905.

The scope of work for this project is to acquire and demolish the structures. Debris and slab removal will follow demolition. The properties would be converted to green space and deed-restricted in accordance with FEMA program requirements pursuant to 44 CFR 206.434 (e). The completed work shall comply with all applicable Federal, State and Local Rules and Regulations.

The project shall provide protection against a 100-year storm event. - kbom - 07/28/2020 14:00:58 GMT

## CATEX CATEGORIES

Catex Category Code	Description	Selected
*n3	(*n3) Federal Assistance for Property Acquisition and Demolition. Federal assistance for the acquisition of properties and the associated demolition and removal when the acquisition is from a willing seller, the assistance is solely for the purposes of financial compensation for the acquisition, and the land is deed restricted to open space, recreational, wildlife habitat, or wetland uses in perpetuity. The CATEX does not apply to subsurface uses of acquired properties, or acquired properties with encumbrances or easements authorizing current or future subsurface uses that are not allowable and compatible with open space. This CATEX covers actions associated with the determination of program eligibility. This CATEX does not cover Federal assistance actions that involve acquisition for the purpose of construction or development at a site in the acquired property. The use of eminent domain is explicitly excluded from the CATEX.	Yes

## EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

## ENVIRONMENTAL LAW / EXECUTIVE ORDER

13:33:22

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project 4337-0283

Title: City of Palm Bay, Cimarron Circle, Acquisition and Demolition

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	CWA: Per consultation with the USACE on 04/19/2019, there is No Permit Required. - kborn - 07/27/2020 19:18:55 GMT
Coastal Zone Management Act (CZMA)	Completed	Project is located in a coastal zone area and/or affects the coastal zone	CZMA: Per review of FDEP Map Direct Beaches and Coastal Systems (CCCL), accessed 07/27/2020. - kborn - 07/27/2020 19:33:08 GMT
	Completed	State administering agency does not require consistency review - Review concluded	
Executive Order 11988 - Floodplains	Completed	Located in floodplain or effects on floodplain/flood levels	EO 11988: Project is located in AE zone per Brevard County FIRM Panel # 12009C0613G dated 03/17/2014. Public Notice was published in the newspaper Florida Today on 05/07/2019; no comments were received regarding the public notice. See attached 8 Step. - kborn - 07/28/2020 12:54:24 GMT
	Completed	Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment	
	Completed	8 Step Process Complete - documentation attached - Review concluded	
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	EO 11990: Per review of USFWS National Wetlands Inventory (NWI), accessed 10/18/2018. - kborn - 07/28/2020 13:45:45 GMT
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	ESA: Per review of the USFWS Critical Habitat for Threatened & Endangered Species online mapper, accessed 10/18/2018. - kborn - 07/27/2020 19:14:34

13:33:22

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project 4337-0283

Title: City of Palm Bay, Cimarron Circle, Acquisition and Demolition

Environmental Law/ Executive Order	Status	Description	Comment GMT
	Completed	No effect to species or designated critical habitat (See comments for justification) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement (enter date in comments).	NHPA: Consultation letter was sent to SHPO, Alabama-Quassarte Tribal Town, Miccosukee Tribe of Indians of Florida, Muscogee (Creek) Nation, Poarch Band of Creek Indians, Seminole Nation of Oklahoma, and Seminole Tribe of Florida on 06/02/2020; the consultation ended 07/17/2020. Response received from SHPO, the Seminole Tribe of Florida, and Muscogee (Creek) Nation. See Attached. See project conditions. - kborn - 07/27/2020 18:41:01 GMT
	Completed	Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review	
	Completed	Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence attached) - Review concluded	
	Completed	Project affects only previously disturbed ground - Review concluded	
Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)	Completed	Review concluded	

13:33:22

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project 4337-0283

Title: City of Palm Bay, Cimarron Circle, Acquisition and Demolition

Environmental Law/ Executive Order	Status	Description	Comment
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

## CONDITIONS

## Special Conditions required on implementation of Projects:

NHPA: If human remains or intact archaeological deposits are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The applicant will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The applicant's contractor will provide immediate notice of such discoveries to the applicant. The applicant shall contact the Florida Division of Historic Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities; all work shall stop immediately, and the proper authorities notified in accordance with Florida Statutes, Section 872.05.

Source of condition: National Historic Preservation Act (NHPA)

Monitoring Required: No

NHPA: Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.

Source of condition: National Historic Preservation Act (NHPA)

Monitoring Required: No

NHPA: The applicant shall ensure that all debris is disposed of in a manner consistent with Florida Department of Environmental Protection (FDEP) regulations.

Source of condition: National Historic Preservation Act (NHPA)

Monitoring Required: No

RCRA: Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

Source of condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

Monitoring Required: No

RCRA: If any asbestos containing material, lead based paint, and/or other toxic materials are found during construction activities, the applicant must comply with all federal, state and local abatement and disposal requirements. Upon closeout, the applicant must provide Notice of Demolition or Asbestos Renovation forms and confirmation that any asbestos containing materials were taken to an authorized landfill for such materials.

Source of condition: Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)

Monitoring Required: No

## Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

**Project** 4337-0283

**Title:** City of Palm Bay, Cimarron Circle, Acquisition and Demolition

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If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

**FLORIDA DIVISION OF EMERGENCY MANAGEMENT**

**MITIGATION BUREAU**

**CORRESPONDENCE REVIEW FORM**

**TRANSMITTAL DATE:** 09/15/20

**PROJECT #:** 4337-283-R

**CONTRACT #:** H0555

**PROJECT MANAGER:** Carmen Acosta

**PHONE #:** 850-692-9458

**TOPIC:** 1<sup>st</sup> Review

City of Palm Bay - Cimarron Circle - Acquisition and Demolition

Project ID: 4337HM00283

Ref. #: 21-HM-4337-05-BF-H0555

**ROUTE IN NUMBER ORDER**

#	REQUIRED REVIEW / APPROVALS		DATE
	Developed by:		
1	Grant Specialist / Tracy O'Dell	THO	09/15/2020
		<b>RECOMMENDED</b>	
2	Project Manager / Carmen Acosta	CRAB	09/16/20
3	Cheraka Thomas /	CLT	09/17/2020
4	Quality Control 1 <sup>st</sup> Reviewer /	ERT	9/18/2020
	Quality Control 2 <sup>nd</sup> Reviewer /	RW	9/23/2020
5	Pamela Price / Finance Administrator	Ng for PP	09/28/2020
6	Amy Miller / Operation Consultant	ATM	10/01/2020
7	Kathleen Marshall / Program Administrator	KM	10/1/20

**IS THE CORRESPONDENCES YOU ARE REPLYING TO ENCLOSED?** ☐ YES ☐ NO

**COMMENTS:**

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**RETURN TO:** \_\_\_\_\_



## **CITY OF PALM BAY, FLORIDA**

### **REGULAR COUNCIL MEETING NO. 2018-17**

Held on Thursday, the 19<sup>th</sup> day of July 2018, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 7:00 P.M.

Richard Spellman, resident, gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

#### **ROLL CALL:**

<b>MAYOR:</b>	William Capote	Present
<b>DEPUTY MAYOR:</b>	Tres Holton	Present
<b>COUNCILMEMBER:</b>	Harry Santiago, Jr.	Present
<b>COUNCILMEMBER:</b>	Jeff Bailey	Present
<b>COUNCILMEMBER:</b>	Brian Anderson	Present
<b>CITY MANAGER:</b>	Gregg Lynk	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present
<b>CITY CLERK:</b>	Terese Jones	Present

#### **CITY STAFF:**

Present was Aaron Pool, Code Compliance Manager; Eddie Fontanin, Utilities Director; Jarvis Middleton, Public Works Director; Gregory Stone, Public Works Division Manager; Troy Davidson, Engineering Division Manager; Nancy Jewell, Community Development Administrator.

#### **ANNOUNCEMENTS:**

Deputy Mayor Holton announced the following vacancies and term expiring and solicited applications for same:

1. Two (2) vacancies on the Community Development Advisory Board (represents 'for-profit provider' and 'actively engage in home building' positions).++
2. One (1) term expiring on the Police and Firefighters Pension Board of Trustees (represents 'member elected by board').++
3. One (1) vacancy on the Code Enforcement Board (represent 'at-large' position).++

### **AGENDA REVISIONS:**

1. Councilman Bailey announced the addition of Item No. 11, under New Business, discussion of placing a referendum issue on the November 6, 2018, ballot related to Section 6.02, Special Assessments, of the City Charter.

2. Mr. Lynk announced the following agenda revisions:

a) Item No. 2, New Business – two (2) forms were added to the agenda packet (Assurances for Construction and Non-Construction Programs) pertaining to the Program Year 18/19 CDBG/HOME Action Plan;

b) Item No. 3, New Business – Resolution No. 2018-26, related to the prior year CDBG Action Plans, had been revised and distributed;

c) Item No. 6, New Business – the Legislative Memorandum, related to the Hazard Mitigation Grant Program, had been revised and distributed; and,

d) Item No. 8, New Business – the Legislative Memorandum pertaining to travel for the Procurement Department's had been revised and distributed.

Mr. Lynk advised of a short survey regarding the City's website redesign project and requested input from the community.

### **CONSENT AGENDA:**

All items of business marked with an asterisk were considered under Consent Agenda and enacted by the following motion:

Motion by Deputy Mayor Holton, seconded by Mr. Bailey, that the Consent Agenda be approved as presented with the removal of Item No. 3, Miscellaneous, under Procurements; and Item Nos. 1, 3, 4, 6, and 8, under New Business, from consent. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

### **RECOGNITIONS:**

**1. Ceremony to administer the oath of office to Fire Chief Leslie Hoog.** Deputy City Manager/Human Resources Director Ron Clare administered the oath to Chief Hoog.

**2. Juniors to Jobs graduation.** Jennifer Marrero, Human Resources Department, recognized the students.

## **PRESENTATIONS:**

**1. Robert Salonen, CAMID at Florida Institute of Technology – update.** Mr. Salonen provided an update on the CAMID Program. He advised of and explained the Virtual Integrated Technologies Applications Lab (VITAL), also known as 'The Palm Bay Room', which was currently under construction. He said that funding for VITAL was received from the City of Palm Bay. VITAL would be part of a 100,000 square foot facility located on Palm Bay Road close to Harris Technology Center. Mr. Salonen advised of other projects related to CAMID Program.

**2. Bob Barnes – Palm Bay Cares charity.** Mr. Barnes explained the purpose and need of the charity. He said that fourteen percent (14%) of families in Brevard County and eighteen percent (18%) in Palm Bay lived below poverty level. The qualifications for a student to participate in the free and reduced-price lunch program was based on their family's financial circumstances. One-half (1/2) of Brevard County students and over seventy-two (72%) of Palm Bay students were eligible for this program.

Mr. Barnes was seeking Council's support to assist in addressing poverty, health, education, homeless and other problems that were not improving, but getting worse in Palm Bay. The charity would not duplicate the efforts that were already being performed by other charities in the community, but simply provide additional funding and backing for those charities. He asked that Council publicly endorse Palm Bay Cares charity; assist in recruiting Palm Bay businesses and individuals to support the charity's efforts; inform all City suppliers, plus partners in the business and religious communities, of the City's approval; and find assistance to support funding for the first year to cover expenses until the charity was enabled to support other charities through fundraising. All monies donated in Palm Bay would remain in Palm Bay.

Council concurred to support the charity.

## **ADOPTION OF MINUTES:**

- \* 1. Regular Council Meeting No. 2018-10; May 3, 2018.
- \* 2. Regular Council Meeting No. 2018-11; May 17, 2018.

The minutes, considered under Consent Agenda, were approved as presented.

## **PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)**

Individuals commented on various issues.

1. Bill Battin, resident, asked that the property tax dollar bill display in Council Chambers be updated. He asked that it include not only ad valorem taxes, but special assessments, and possibly reflect the City's entire budget.
2. Gloria Cliff, resident, said that as Ferguson Street had been permanently closed, she requested that Halloran Street, Halsey Avenue, and Warwick Street be paved to allow residents to quickly evacuate in case of an emergency.
3. Katherine Wall, resident, requested a guardrail along Minton Road, between Malabar Road and Jupiter Boulevard.
4. David Kearns, resident, requested an ordinance that would prevent the hiring of any prospective employee that had issued a legal threat or proposed litigation during the job consideration process.
5. Erik Sandberg, resident, commented on Waste Management. He said a promise had been made by Waste Management for a workshop with City Council and asked the status.
6. Butch Orend, resident, questioned who was responsible for clearing trees, bushes and branches from the sidewalks. He was made aware that people could be trespassed on a former homeless campsite. He asked if it was a construction site and, if so, what was being built.

Mr. Bailey said that the dollar display should reflect the City's entire General Fund. He added that the Waste Management workshop was requested ten (10) months ago. He asked that it be scheduled as soon as possible. Mr. Lynk said the poll would commence next week and the workshop would be scheduled in August.

#### **PUBLIC HEARINGS:**

**♣1. Ordinance No. 2018-23, rezoning property located at the northwest corner of Gaynor Drive and Gantry Street, from SRE (Suburban Residential Estate Category) to PUD (Planned Unit Development), for a final Planned Unit Development (PUD) of a single-family residential development to be known as Bayridge PUD (39.75 acres)(Case No. PUD-9-2018, Bayridge West, LLC), final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. Chad Genoni, applicant, presented the request to Council.

Bill Battin, resident, said that the Planning and Zoning Board recommended that Council not proceed with this development at this time. All of the traffic from the subdivision would enter onto and exit from Gaynor Drive. He said that portions of Gaynor Drive were private property, yet drivers would use it as a public street. Mr. Battin presented pictures of the

property lines for the proposed subdivision and how it was located directly next to the roadway with no right-of-way. He felt there were major safety issues with the road and stormwater retention.

Mr. Bailey asked the properties shown by Mr. Battin were owned by the applicant or other parties. Mr. Battin said there were three (3) properties on Gaynor Drive in which the property lines came into the roadway. Mr. Bailey asked Code Compliance had been contacted for the overgrowth. Mr. Battin said it was all private property and there was no reason to contact Code Compliance. The overgrowth was on their property.

Mr. Poole went out to the area and took pictures of the intersections at the roadways. He said it was overgrown and that the Public Works Department had also been out to survey and cut the excess vegetation around the stop signs.

Erik Sandberg, resident, asked how water and sewer would get to that area. Mr. Fontanin said that, pursuant to the Palm Bay Code of Ordinances, the developer would have to pay for the services lines.

Motion by Mr. Bailey, seconded by Mr. Anderson, to adopt Ordinance No. 2018-23.

Mr. Anderson asked if there could be a condition for a construction traffic route. Mrs. Smith said it could not be a condition for approval of the request. Mr. Anderson withdrew his second to the motion. Mr. Santiago seconded the motion.

Mayor Capote felt the development would help the area as you cannot have improvements to an area unless you develop the area. Roadways could not be improved without having the construction of homes.

Mr. Santiago felt the development fit the area very well. He did not agree with fixing the roads first and then building later.

Mr. Anderson hoped that speed limit signs would be posted for the construction trucks.

Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**2. Ordinance No. 2018-25, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Citizens' Budget Advisory Board', by revising provisions related to meetings and the duties and responsibilities of the board, final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Mr. Santiago, seconded by Mr. Anderson, to adopt Ordinance No. 2018-25. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**3. Ordinance No. 2018-27, amending the Code of Ordinances, Chapter 110, Business Taxes, Subchapter 'Business Taxes; Tax Receipts; Receipts', in order to comply with Florida Statutes, final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Mr. Santiago, seconded by Mr. Anderson, to adopt Ordinance No. 2018-27. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**4. Resolution No. 2018-23, confirming the preliminary rate resolution for stormwater management services and continuing the imposition of stormwater service assessments and fees against certain real property.**

The City Attorney read the resolution in caption only. The public hearing was opened.

Mr. Stone provided a presentation regarding the stormwater assessment which gave an overview of ongoing and completed projects to date. He asked that Council continue with the assessment at a rate of \$177.13.

Mr. Santiago asked how many new accounts were included since the start of the assessment one year ago. Mr. Stone said it would be quantified by equivalent residential units (ERUs). He said that 815 ERUs were added which represented an additional \$144,500.

Deputy Mayor Holton said he had been approached by some outliers within the program and asked if there was a formal appeal process or how staff addressed those anomalies. Mr. Stone said that the outliers were difficult, and some were handled with a tiered, residential structure. He said that staff dealt with those on a case-by-case basis. Staff assisted everyone in ensuring that they only paid what they were due to pay.

Mr. Santiago calculated that with the newly added ERUs, the stormwater could be reduced by \$2.13. He asked if staff could continue to maintain the stormwater as is. Mr. Stone confirmed same. Mr. Stone answered further questions posed by councilmembers.

Residents spoke against the assessment due to the funding, lack of hardship exemptions, and that the assessment was not levied fairly. A resident asked that the item be considered later in the meeting after discussion of the road bond.

Mr. Stone said that hardships were researched by staff. As with the institutional exemptions, the hardships would have to be paid from funds not derived from the stormwater assessment. The hardships would have been hard to quantify. Staff knew that the institutional exemptions, through their use codes, would cost the City approximately \$300,000 per year. Various models were studied for the hardship exemptions but there was no way to know how many people would apply or how many would qualify. Mr. Stone explained the mitigation credits, cost to vacant properties, and credits to private communities for having their own stormwater retention.

The public hearing was closed.

Motion by Mr. Santiago, seconded by Deputy Mayor Holton, to adopt Resolution No. 2018-23 with a reduction of \$2.13 or a \$175 assessment rate.

Mr. Anderson did not agree with \$175. He felt it should be reduced to \$153.13 and include a hardship. He was willing to discuss the institutional exemptions.

Mayor Capote said no promises were made regarding hardship. He said that the hardship was mentioned as a component to approve the assessment. Mr. Santiago said that a \$25,000 tax exemption would be on the November ballot and would be a savings for homeowners. The City may lose up to \$3 million in revenue if that referendum passed. He would not agree to reducing the assessment lower than \$175.

Deputy Mayor Holton asked how much it would cost the General Fund to have a hardship. Mrs. Smith said a solid figure could not be provided. Deputy Mayor Holton asked if there were hardships for any other fees in the City. Mr. Lynk was unaware of any. Deputy Mayor Holton did not feel that reducing the amount would help the capital outlay. The goal was to fix the infrastructure. He was concerned about approving a number when it was arbitrary and capricious. He asked if Council would compromise with a rate of \$153.13 and a hardship up to a certain amount. Mr. Santiago said that the rate should remain at \$175 and then include a hardship.

Mr. Bailey would not support a rate of \$175. He wanted a rate even lower than the suggested \$153.15. The City implemented the assessment too quickly and infrastructure did not have to be resolved in five (5) years. There was also a road bond discussion pending later in the meeting.

Mr. Santiago said it was the City's duty to protect the infrastructure of the City and reminded everyone that there were still many other areas that had flooding problems. The matter was a public safety issue.

Motion failed with members voting as follows:

Mayor Capote	Nay
Deputy Mayor Holton	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Nay

Motion by Mr. Anderson to set the assessment rate at \$153.13, with a hardship cap of \$300,000. Mrs. Smith said that the hardship should not be included in the motion. It should be brought back for future consideration by Council. Mr. Anderson withdrew his motion.

Motion by Mr. Anderson, seconded by Mr. Santiago, to adopt Resolution No. 2018-23 at an annual rate of \$153.13.

Mr. Santiago did not feel that was a prudent rate with the infrastructure problems in the City. Deputy Mayor Holton said there was a three percent (3%) cap in the budget. He felt the motion was going in the wrong direction.

Mr. Anderson did not feel the City was going backwards when there were so many development projects recently approved by Council.

Mr. Santiago asked what would happen if the resolution was not approved. Mr. Lynk said there were strict deadlines and timelines with the Brevard County Tax Collector and the issue had to be addressed tonight. Mr. Santiago said he would vote in support only for the purpose of moving forward. He said that the rate should be reduced after the developments were in place.

Motion passed with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Holton	Nay
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

**5. Request by the City of Palm Bay to amend the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'District Regulations' and 'Off-Street Parking and Loading Requirements', by revising provisions related to off-street parking and providing for reference within RM-20 (Multiple-Family Residential District) zoning (Case No. T-14-2018). (RESCHEDULED TO P&Z – 08/01/18)**



## **PROCUREMENTS:**

### **Miscellaneous:**

- \* 1. 'Cooperative Purchase', fire pumper (Florida Sheriffs Association contract) – Fire Department (Sutphen Corporation - \$484,000, funded by CDBG program).**

Staff Recommendation: Approve the purchase of one custom Sutphen Monarch Fire Pumper and an apparatus equipment package, utilizing the Florida Sheriffs Association contract, from Sutphen Corporation (Dubin, Ohio) for a total amount of \$484,000 (\$453,500 (vehicle); \$30,500 (equipment package). The vehicle and equipment package would be fully-funded by the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program.

The item, considered under Consent Agenda, was approved as recommended by City staff.

- \* 2. 'Cooperative Purchase', fire pumper tanker (Houston-Galveston Area Council contract) – Fire Department (Deep South Fire Trucks, Inc. - \$272,000, funded by CDBG program).**

Staff Recommendation: Approve the purchase of one custom Kenworth Classic Series Pumper Tanker and equipment package, utilizing the Houston-Galveston Area Council contract, from Deep South Fire Trucks, Inc. (Seminary, Mississippi) for a total amount of \$272,000 (\$269,820 (tanker); \$2,180 (equipment package). The tanker and equipment package would be fully-funded by the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program.

The item, considered under Consent Agenda, was approved as recommended by City staff.

- 3. 'Cooperative Purchase', Caterpillar skid steer loader and hydraulic excavator for stormwater utility (Florida Sheriffs Association contract) – Public Works Department (Ring Power Corporation - \$335,611).**

Staff Recommendation: Approve the purchase a Caterpillar Skid Steer Loader and Hydraulic Excavator for the stormwater utility, utilizing the Florida Sheriffs Association contract, from Ring Power Corporation for a total amount of \$335,611.

Russell Dejaiffe, resident, asked if the replaced equipment would be considered surplus with no salvage value or put into general use within the Public Works Department. Mr. Middleton said this was brand new equipment used to get in and out of the canals.

Motion by Mr. Anderson, seconded by Deputy Mayor Holton, to approve the purchase as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

### **COMMITTEE AND COUNCIL REPORTS:**

Councilmembers provided updates on activities of various agencies and boards on which they served as members.

1. Mr. Anderson provided information on a proposed \$150 million General Obligation Bond to address roads. The bond would be for thirty (30) years and the annual tax levied on an average \$100,000 taxable value would be from \$224 to \$257, based on the market rates. He would present a resolution for Council's consideration at the next meeting. If approved, it would be placed on the November 2018 General Election ballot.

Mayor Capote requested figures for \$75 million, \$100 million and \$125 million. Mr. Anderson said that some portion of the bond could be dedicated toward stormwater. Mr. Bailey had calculations for \$50 million and was comfortable with that amount. He did not want to put too much on the residents at one time. Mayor Capote said that if the bond was approved on the ballot, then the City could reduce the stormwater assessment.

Mr. Santiago said the millage rates varied from 2.236 to 2.573 for the bond. He was concerned about that being added to the current millage rate. Mr. Anderson said that the bond would not affect the City's current millage rate or the 10-mil cap. Mr. Santiago agreed that placing a large bond on the ballot may not be palatable for the residents. However, a smaller bond would mean that every road may not get addressed.

Mr. Bailey wanted to know when the bond would be placed on the tax bills if it passed on the ballot. Mrs. Smith was unsure but would have the information when the resolution was presented to Council.

2. Mr. Bailey received a letter that staff was placing a cap of three (3) permits per day that could be submitted by an individual. Mr. Lynk said staff would not place a cap on permits.

3. Mr. Bailey said residents were receiving collection notices for past due stormwater bills. He had relayed the information to staff and hoped that the issue would be resolved quickly.

**NEW BUSINESS:**

**1. Resolution No. 2018-24, extending the commencement period for a conditional use granted to modify a binding site plan in order to construct a free-standing liquor store on property located south of and adjacent to Malabar Road, in the vicinity east of Emerson Drive and west of Holiday Park Boulevard, in CC (Community Commercial District) zoning (29.69 acres)(Case No. CU-25-2017, Wal-Mart Stores East, LP).**

The City Attorney read the resolution in caption only.

Bill Battin, resident, expressed concern with only one exit from the parking lot with a traffic light, and another exit from an existing restaurant located one hundred (100) feet west of the traffic light. He said there was a lot of traffic congestion in that area. Mr. Lynk said that as part of the site plan submittal, the applicant had to satisfy the requirements of the City.

Motion by Mr. Santiago, seconded by Mr. Bailey, to adopt Resolution No. 2018-24. Mr. Anderson had the same concerns as Mr. Battin and would not support the request.

Motion passed with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Holton	Nay
Councilman Santiago	Yea
Councilman Bailey	Yea
Councilman Anderson	Nay

**\* 2. Resolution No. 2018-25, adopting the Program Year 2018-2019 Community Development Block Grant and Home Investment Partnerships Program One-Year Action Plan.**

The City Attorney read the resolution in caption only. The resolution was approved under Consent Agenda.

**3. Resolution No. 2018-26, adopting substantial amendments to prior year Community Development Block Grant Action Plans and allocation of program income.**

The City Attorney read the resolution in caption only.

Bill Battin, resident, did not understand how the City could spend the funds on something other than what it was originally designated.

Ms. Jewell said the program provided for the eligibility of the purchase of commodities such as fire trucks, but not police vehicles. The regulations were very specific and fire protection and life-saving equipment could be purchased if used in an area of at least fifty-one percent (51%) low and moderate-income population.

Motion by Mr. Santiago, seconded by Deputy Mayor Holton, to adopt Resolution No. 2018-26. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**4. Resolution No. 2018-27, qualifying Project Rainbow as an eligible business under the City's Ad Valorem Tax Abatement Program.**

The City Attorney read the resolution in caption only.

Bill Battin, resident, did not agree with the City asking residents to pay more taxes, but providing tax breaks to companies.

Mr. Andy Anderson explained that this was the first step in the process for a project to qualify for the program. The program was implemented by the voters and would be placed on the ballot in November for continuation of the program.

Motion by Mr. Santiago, seconded by Mr. Bailey, to adopt Resolution No. 2018-27. Mr. Santiago explained the project and the benefits of it coming into the City. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**5. Ordinance No. 2018-24, amending the Code of Ordinances, by creating a new chapter titled "Lobbying", providing for the registration process of lobbyists. (Deputy Mayor Holton) (CONTINUED FROM RCM – 07/05/18)**

Deputy Mayor Holton presented the request to Council.

Kenny Johnson, resident, said the ordinance addressed transparency, but did not address the bribery that accompanied lobbying. He wanted elected officials to be held liable by providing public records between themselves and any lobbyists. Deputy Mayor Holton advised that Chapter 112, Florida Statutes, and the City's Resolution No. 2017-22, addressed ethics laws and an anti-corruption policy, respectively.

Thomas Gaume, resident, said that the ordinance was too broad and should be denied by Council. He said it did not adequately define a lobbyist and would turn a citizen into a lobbyist by restricting their First Amendment rights. He also felt it was placing a fee on

someone's First Amendment rights. Mr. Gaume said that Deputy Mayor Holton should recuse himself from discussing and voting on the issue as he was a registered lobbyist in the State of Florida.

Deputy Mayor Holton said he was not a registered lobbyist in Florida.

Motion by Deputy Mayor Holton, seconded by Mr. Anderson, to approve Ordinance No. 2018-24. Mr. Anderson and Mr. Santiago supported the request.

Mr. Bailey felt that the prohibition period within Section 6 should be longer, such as two (2) or four (4) years. Council concurred to amend the language to reflect two (2) years.

Motion by Deputy Mayor Holton, seconded by Mr. Anderson, to approve Ordinance No. 2018-24, with the amendment to Section 6, 'Lobbying by Former City Council Members, Board Members and Employees; Prohibition', as follows:

"A person who has been elected to the City Council or who is employed by the City in Management Groups I or II, as identified in the City's Personnel Policies and Administrative Code adopted by the City Council as amended from time to time shall not conduct lobbying activities for a period ~~one (1)~~ two (2) years after the termination of employment with the City, or within ~~one (1)~~ two (2) years from the last day of service to the City in any official capacity. The provisions of this subsection shall only apply to persons who become officers or employees of the City after the effective date of this section."

Mr. Bailey asked if there were any related costs. He was unsure as to how many individuals would actually register. After speaking with legal counsel, Mr. Bailey said that the ordinance would not affect those that came before City Council for land use changes, quasi-judicial issues and the like. Deputy Mayor Holton agreed that, initially, there would be only a few individuals to register, but as the community and commerce grew, more lobbyists would be involved with the City. He said that costs would be minimal in the City Clerk's Office as far as keeping hard copies and posting the information on the City's website.

Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**6. Consideration of submitting four (4) grant applications for the Federal Emergency Management Agency's Hazard Mitigation Grant Program for hardening Fire Stations, Cimarron Circle property acquisition, Ferguson Street culvert replacement, and Police Headquarters roof replacement.**

Staff Recommendation: Approve submission of the grant applications as requested.

Bill Battin, resident, asked what would happen if the grant was not approved for the Cimarron Circle property. Ms. Jewell said that residents in that area had approached the City requesting that the City acquire their properties. These property owners had repetitive loss and FEMA insurance claims for those losses due to chronic flooding. This was the first step in the process. If the grant was not approved, the City could not move forward. There was also a required match for these grants.

Motion by Mr. Santiago, seconded by Mr. Bailey, to approve submission of the grant applications as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**\* 7. Acknowledgement of the City's monthly financial report for May 2018.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

**8. Consideration of travel and training for specified City employees.**

Staff Recommendation: Approve the travel and training as specified.

Motion by Mr. Santiago, seconded by Mr. Bailey, to approve the travel and training as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Holton, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**9. Consideration of 2018 Certification of Taxable Value; proposed millage; scheduling dates for public hearings.**

Staff Recommendation: Authorize the City Manager to advertise the Fiscal Year 2018/2019 proposed operating millage up to 8.4500 mills; schedule the first Public Hearing for Tuesday, September 4, 2018, at 6:30 P.M.; and the second Public Hearing for Tuesday, September 18, 2018, at 6:30 P.M.

Motion by Deputy Mayor Holton, seconded by Mr. Anderson, to approve the proposed operating millage up to 8.4500 mills and schedule the public hearings as requested.

Mr. Bailey requested the percentage of the tax increase for the next budget meeting.

Motion passed with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Holton	Yea
Councilman Santiago	Yea

Councilman Bailey	Nay
Councilman Anderson	Yea

**10. Ordinance No. 2018-26, establishing a temporary moratorium prohibiting applications for development for properties identified as the Downtown District within the Bayfront Community Redevelopment District. (CONTINUED FROM RCM – 07/05/18; RESCHEDULED TO P&Z – 08/01/18)**

**11. Discussion of placing a referendum issue on the November 6, 2018, ballot related to Section 6.02, Special Assessments, of the City Charter. (Councilman Bailey)**

Mr. Bailey presented the item to City Council. He advised that he would be placing an ordinance on the next agenda requesting that the petition language related to special assessments be placed on the November ballot. He said that deadlines had to be met which was why he added the item to tonight's agenda. It would save money to place it on the general election ballot versus having a special election. He was made aware that over 7,000 signatures had been collected for the petition, but that was insufficient to meet the deadline for the general election.

Thomas Gaume, resident and member of the petition committee, said the committee would continue to move forward with collecting the signatures. He did not care if it was presented at a general or special election.

Daniel Acosta, resident, said that the petition committee should have to meet the requirements as outlined in the City Charter. Council should not be placing the item on the ballot for them.

Katherine Wall, resident, said the Charter amendment language was very confusing and the voters did not understand it. She felt the rights to approve a special assessment should be given back to the people.

Mr. Bailey said the discussion was not whether you agreed with the petition, but whether petition would succeed. He said there was a lot of progress from the petitioners and it would be placed on the ballot. The idea was to place it on the general ballot and save a lot of money or wait a few months, have a special election, and pay a hefty price from the General Fund.

Deputy Mayor Holton said there two (2) mechanisms in the Charter which dictated exactly how to amend the Charter: a) through the petition process; and b) by Charter Review Commission. He said if Council, at its discretion, could place an item on the ballot to amend the Charter, then there was no purpose of a Charter Review Commission. He added that the deadline to submit the petition was ninety-days (90) days prior to the

general election, which would be August 6<sup>th</sup>. Mrs. Jones advised that the ninety-day (90) deadline would be August 8<sup>th</sup> and ballot items were due to the Supervisor of Elections by August 20<sup>th</sup>.

Deputy Mayor Holton said Council could not assume that all of the signatures would be collected in time for the general election. There was a process in the City Charter for a reason. Council did not know if any of the signatures were even valid and would have to be verified by the Supervisor of Elections. He said that Council did not know if certain tactics were involved and lies being told by those collecting signatures which may require an injunction or investigation by the City. Deputy Mayor Holton said he was sent an audio file of petition collectors at a First Friday event where they were lying to an individual to get them to sign the petition. They were using tactics that he found atrocious. Mr. Bailey asked for a copy of the audio file. Deputy Mayor Holton would provide same and said that Council and the general public needed to hear it. He said if it continued moving forward in this manner, it was very inappropriate. The petition had not been received and had not been confirmed to be legitimate. Mr. Bailey asked when the audio file had been received. Deputy Mayor Holton said he recently received it and the petitioners were Katherine Wall and Toni Morris.

Mr. Bailey said that Council had added language to the ballot that did not go through the Charter Review Commission or from a petition back in 2016.

Mr. Anderson said the discussion was just if there was consensus to bring forth an ordinance. He had a lot of concerns. There may be land owners that were pushing this forward, but it may never get where it needed to be. He felt the ballot language in 2016 was clear to give the City Council the power to assess the residents.

Mr. Santiago agreed with Mr. Anderson's comment. The Charter Review Commission prepared the language for the ballot, not City Council. It was incumbent on the petitioners to finish the process and submit it accordingly. He did not agree with placing it on the ballot just because a petition had been circulated.

Mayor Capote asked how many signatures were needed for the petition. Mrs. Jones advised it was 7,368. Mayor Capote understood there would be less cost to place it on the general ballot but felt the petitioners should get the required signatures and have them verified by the Supervisor of Elections.

Mr. Bailey said he still wanted to move forward with the ordinance and the special meeting. Mr. Santiago said Mr. Bailey could not do so without the consent of Council. Mrs. Jones clarified that Council's Policies and Procedures stated that the request had to be announced for placement on a future agenda. Council approval was not required for same.



There was further discussion on placing the item on the ballot. Mr. Bailey said that if the majority of Council were not in favor of his request, he would not proceed with the ordinance or additional meeting. Councilmembers did not support the request.

**ADMINISTRATIVE AND LEGAL REPORTS:**

There were no reports.

**PUBLIC COMMENTS/RESPONSES:**

Individuals commented on various issues.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 12:49 P.M. on Friday, July 20, 2018.

ATTEST:

  
\_\_\_\_\_  
Terese M. Jones, CITY CLERK

  
\_\_\_\_\_  
William Capote, MAYOR

- \* Identifies items considered under the heading of Consent Agenda.
- ♣ Indicates quasi-judicial proceeding.
- ☞ Indicates item was considered out of sequence or added to the agenda.



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Frank Watanabe, Public Works Director, City Engineer

**DATE:** 11/5/2020

**RE:** Consideration of a non-exclusive easement request from Florida Power and Light for existing, and the extension of, overhead power lines and poles at Liberty Park for the Gulfport Key Subdivision.

Florida Power & Light (FPL) is requesting a Non-Exclusive Easement for existing and extension of overhead power lines and poles. The Easement will extend across the Southerly 10 feet of Liberty Park. There will also be an additional Easement to the North to provide for existing overhead power lines and poles that service the Fire Headquarters. The purpose for the requested Easement is to extend power to the Gulfport Key Subdivision and create the Easement where existing FPL facilities exist.

**REQUESTING DEPARTMENT:**

Public Works

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Motion to approve the FPL Easement request across Liberty Park to provide service to the Gulfport Key Subdivision.

**ATTACHMENTS:**

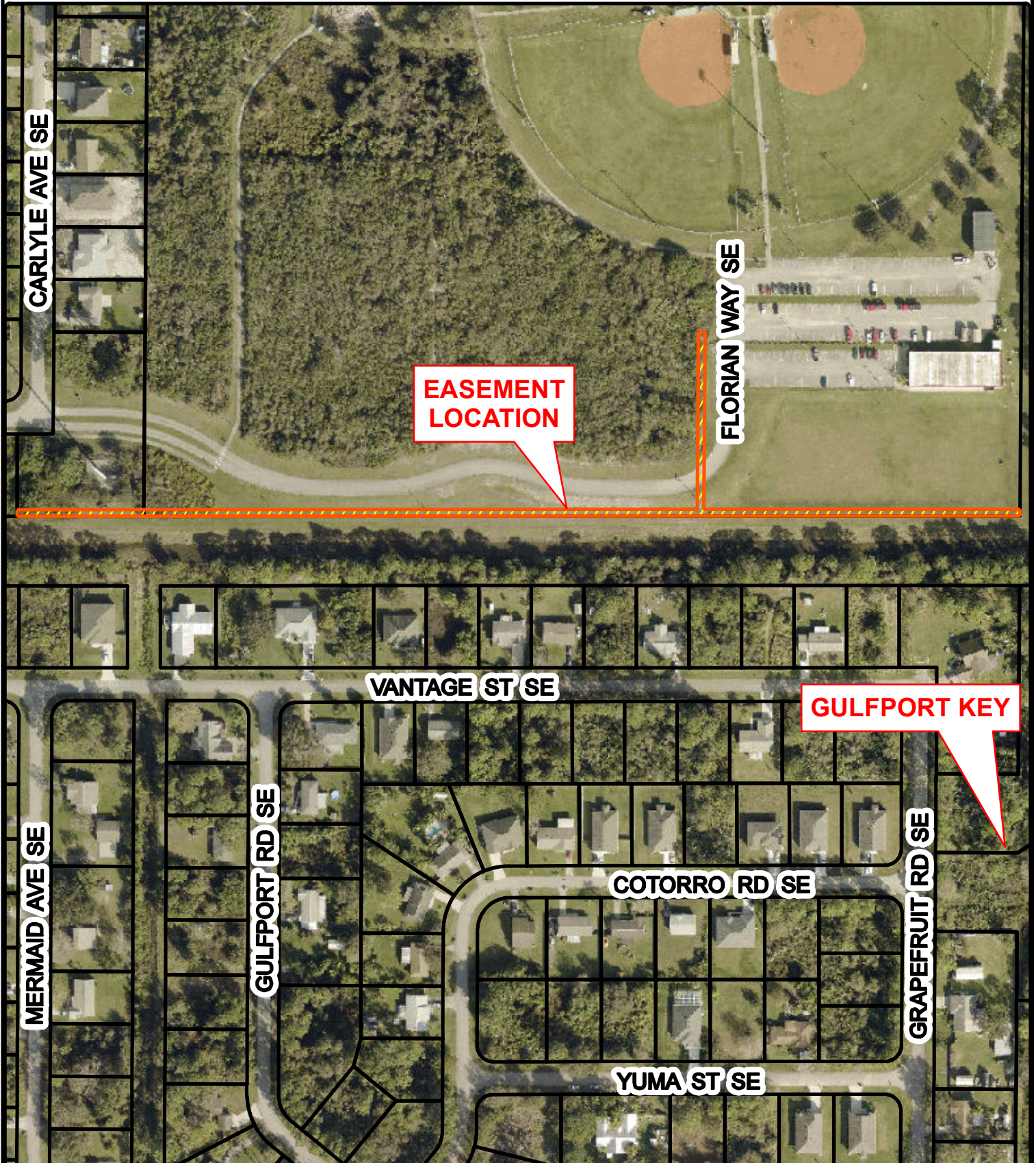
**Description**

FPL Easement at Liberty Park

FPL Easement Deed at Liberty Park



# LOCATION MAP



Map is for illustrative purposes only!  
Not to be construed as binding or a survey.  
Map created by the City of Palm Bay  
Public Works Department (RSD), on October 28, 2020.

**PROPOSED  
FP&L EASEMENT**

0 50 100 200  
Feet  
1 inch = 200 feet



Work Request No. 9578175

Sec. 08, Twp 29 S, Rge 37 E

Parcel I.D. 29 37-08-00-2  
& 29-37-08-GL-C  
(Maintained by County Appraiser)

## EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Rudy Jara  
Co. Name: Florida Power & Light Co.  
Address: 9001 Ellis Road  
Melbourne, FL 32904

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on \_\_\_\_\_, 20\_\_.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
(Witness' Signature)

Print Name: \_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness' Signature)

Print Name: \_\_\_\_\_  
(Witness)

Entity name:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Address: \_\_\_\_\_

STATE OF \_\_\_\_\_ AND COUNTY OF \_\_\_\_\_. The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_ a \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification, and who did (did not) take an oath.  
(Type of Identification)

My Commission Expires:

\_\_\_\_\_  
Notary Public, Signature

Print Name \_\_\_\_\_

# **Exhibit "A"**

## **Legal Description(s):**

### **Parcel 1**

The South 10 ft. of Tract C, Port Malabar, Unit Eleven, as recorded in Plat Book 15, Pages 34 to 42, Public Records of Brevard County, Florida.

### **Parcel 2**

A 10.00 ft. wide easement being part of Lots 19 and 20, Section 8, Township 29 South, Range 37 East, Florida Indian River Land Company Subdivision as recorded in Brevard County Plat Book 1, Page 165, and lying within 5.00 ft. on both sides of the following described Centerline of Easement, to wit:

Commence at the S.E. corner of Tract C, Port Malabar, Unit Eleven, as recorded in Plat Book 15, Pages 34 to 42, Public Records of Brevard County, Florida; thence run N.0 degrees 17 minutes 10 seconds E. along the east line of said Tract C a distance of 5.00 ft. to the Point of Beginning of the herein-described Centerline of Easement; thence N.88 degrees 52 minutes 10 seconds E. a distance of 848.89 ft.; thence S.89 degrees 23 minutes 55 seconds a distance of 485.50 ft. to a point on the west line of a 50 ft. Drainage Right of Way as shown on the aforesaid plat of Port Malabar, Unit Eleven, said point being the Point of Terminus of said Centerline of Easement.

### **Parcel 3**

A 10.00 ft. wide easement being part of Lot 19, Section 8, Township 29 South, Range 37 East, Florida Indian River Land Company Subdivision as recorded in Brevard County Plat Book 1, Page 165, and lying within 5.00 ft. on both sides of the following described Centerline of Easement, to wit:

Commence at the S.E. corner of Tract C, Port Malabar, Unit Eleven, as recorded in Plat Book 15, Pages 34 to 42, Public Records of Brevard County, Florida; thence run N.89 degrees 53 minutes 16 seconds E. along the north Right of Way Line of Melbourne Tillman Drainage District Canal No. 47 a distance of 848.00 ft. to the Point of Beginning of the herein-described Centerline of Easement; thence N.1 degree 08 minutes 07 seconds E. a distance of 280.00 ft. to the Point of Terminus of said Centerline of Easement.



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Christopher A. Litte, P.E.; Yvonne McDonald

**DATE:** 11/5/2020

**RE:** Consideration of the appropriation of funds for engineering services for Pace Drive water main looping (\$275,000).

The proposed extension of water service by Lennar Homes, LLC, along Pace Drive NW from St. Johns Heritage Parkway NW to the entrance of the Palm Vista Everlands subdivision, will create a water main dead end approximately 800 linear feet to the east of St. Johns Heritage Parkway. The installation of 2,000 linear feet of up to 12" pipe by the Utilities Department is necessary along Pace Drive NW from the entrance of the Palm Vista Everlands Subdivision to the Melbourne-Tillman Water Control District C-59 canal. This installation will create a loop in the water main, which will help maintain system pressures and disinfection residuals in the area. This will ensure the Utilities Department will provide the proper level of service and water quality to the customers of the system.

The Pace Drive water main extension is identified as Project 45 in the Utilities Department's 2017 Water Master Plan. The project was identified as a long-term need but has been escalated due the amount of development occurring in proximity to Pace Drive and a lack of development to the north of Pace Drive. The Utilities Department looping project would occur following the developer's (Lennar) extension of services north on the St. John's Heritage Parkway and onto a portion of Emerson, as shown in the attached map.

To coincide with the timing of the water line extension by the developer, the design of the Pace Drive water main looping project will be completed in FY 21 with construction occurring once the Developer completes their portion of the main line extension. The cost for engineering services for the project is estimated at \$45,000 with construction estimated at \$230,000. Funding is available in the Main Line Extension Fee Fund.

**REQUESTING DEPARTMENT:**  
Utilities, Finance

**FISCAL IMPACT:**

Total estimated cost for engineering services is \$45,000.00 and construction is estimated at \$230,000.00. A budget amendment will be submitted to cover the project in FY 21. Pending approval of the budget amendment, funds will be available in the Utilities Department's Main Line Extension Fee Fund 425-8021-533-6324/Project #21WS23.

**RECOMMENDATION:**

Motion to approve the appropriation of funds in the amount of \$275,000.00 on the next scheduled FY 21 budget amendment.

**ATTACHMENTS:**

**Description**

**Project Map - Pace Drive WM Looping**









## **LEGISLATIVE MEMORANDUM**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Fred Poppe, Director of Parks and Recreation

**DATE:** 11/5/2020

**RE:** Consideration of utilizing unspent contingency for improvements at the Palm Bay Aquatic Center (\$65,112).

On May 21, 2020 the City Council approved a Sole Source Contract with Oak Wells Aquatics, a certified Myrtha Pool Installer to repair the PBAC for a cost of \$651,124.80, including a contingency of \$65,112.48. Oak Wells has been able to complete all tasks including 3 change orders within the budgeted amount of \$651,124.80. The contract as a Sole Source only addressed those issues relating to the structure and operating systems of the Pool. Using available funding, Parks and Recreation expended \$36,244.26 in additional repairs and items needed for the operation of the Aquatic Center, including: flange covers, ADA chair lift, chairs and loungers, recycled boards for picnic tables, racing lines, pace clock, water cannon, and lifeguard chairs.

There are additional improvements recommended for the Aquatic Center, and staff is requesting City Council authorization to allocate the unspent contingency amount of \$65,112.48 for the following: starting blocks \$10,500, netting for slide \$2,400, soffit \$3,500, gutters and down spouts \$8,400, indoor and outdoor LED lighting \$13,300, and an events pavilion for \$27,000.

Additionally the Acting City Manager will be requesting \$130,000 in the upcoming Budget Amendment for removal of the old slide infrastructure and replacement with a new unit.

**REQUESTING DEPARTMENT:**  
Parks & Recreation

**FISCAL IMPACT:**  
The contingency fund of \$65,112.48, has already been allocated in account #001-4032-572-6301 for project # 20PR01.

**RECOMMENDATION:**  
Motion to approve the use of the unused contingency fund in the amount of \$65,112.48 for additional improvements at the Palm Bay Aquatic Center.



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley, AICP, Growth Management Director

**DATE:** 11/5/2020

**RE:** Ordinance 2020-67, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'General Provisions' and 'Planned Unit Development (PUD)', by establishing language that will permit tiny homes on wheels and revising provisions contained therein (Case T-21-2020, City of Palm Bay), final reading. (Deputy Mayor Johnson)

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

The City of Palm Bay (Deputy Mayor Kenny Johnson) has submitted a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.006 (Definitions), to modify the definitions of mobile home dwellings and single-family dwellings; and to create a new definition for a Tiny Home on Wheels (THOW). The amendment seeks to modify Section 185.060 (Definitions) to permit THOWs within Small Planned Unit Developments (SPUDs) and modifies Section 185.062 by deleting the words "prior to the effective date of this section." The rationale provided for the subject proposal was to create more housing choices and potentially make housing more affordable by allowing THOWs in the City of Palm Bay. The minimum living area for a THOW is 120 square feet.

A THOW will only be allowed to locate in a SPUD, which had a Multiple-Family Residential (MFR) land use. THOWs shall be anchored to the ground or placed on a foundation, skirted, and connected to utilities. All construction will comply with the American National Standards Institute (ANSI) or the Code of Federal Regulations (CFR), based on square footage.

Given the potentially wide variety of THOWs, City Council may want to consider additional architectural standards that would allow for more resemblance to conventional homes.

Further, the amendment will allow SPUDs to locate on future Multiple-Family Residential land use sites.

A clarifying change to the utilities language in Section 185.062 (D) has been added. By definition, a THOW must be connected to the public utility system. However, that requirement does not obligate the City to provide public utilities.

**REQUESTING DEPARTMENT:**

Growth Management

**RECOMMENDATION:**

Request for City Council consideration to allow of Tiny Homes on Wheels (THOWs) is a policy decision that needs to be addressed. The City Council should consider the definitional changes that are required to make the use permissible, and could also adopt additional requirements as noted on page 3 of the staff report, if so desired, to enhance the appearance of the units and the communities where they will locate.

**Planning and Zoning Board Recommendation:**

Unanimous approval of the request.

**ATTACHMENTS:****Description**

Case T-21-2020

Board minutes

Ordinance 2020-67



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

[landdevelopmentweb@palmbayflorida.org](mailto:landdevelopmentweb@palmbayflorida.org)

### Prepared by

Laurence Bradley, AICP, Growth Management Director

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**CASE NUMBER**

T-21-2020

**PLANNING & ZONING BOARD HEARING DATE**

September 2, 2020

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**PROPERTY OWNER & APPLICANT**

City of Palm Bay, Growth Management  
Department

**PROPERTY LOCATION/ADDRESS**

Not applicable

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**SUMMARY OF REQUEST**

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, to establish language that will permit tiny homes on wheels and modification to the small planned unit developments.

**Existing Zoning**

Not applicable

**Existing Land Use**

Not applicable

**Site Improvements**

Not applicable

**Site Acreage**

Not applicable

**APPLICABILITY**

Citywide

**COMPREHENSIVE PLAN  
COMPATIBILITY**

Not specifically addressed

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**BACKGROUND:**

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.006 (Definitions), to modify the definition of Dwelling, Mobile Home; to modify the definition of Dwelling, Single-Family; and to create a new definition for a Tiny Home on Wheels (THOW). Also, the amendment seeks to modify Section 185.060 (Definitions) to modify the definition of Small Planned Unit Development (SPUD) to allow THOWs, and further to modify Section 185.062 to delete the words “prior to the effective date of this section.”

The Growth Management Department, acting upon a request by a member of the City Council, has submitted this proposed text amendment. This proposed text amendment will allow Tiny Homes on Wheels (THOWs) to be developed as part of Small Planned Unit Developments (SPUDs)

The rationale provided for this amendment is to create more housing choices and potentially make housing more affordable by allowing THOWs in the City of Palm Bay.

Proposed language is attached for this amendment in legislative style with additions between >>arrow<< symbols and deletions in ~~striketrough~~ format.

**ANALYSIS:**

The first change in this amendment is a modification to the definition of Dwelling, Mobile Home. This change is being made to recognize that the Department of Transportation does not license Mobile Homes. Rather than call out a specific department, which could change in the future, the proposed wording using “State of Florida” acknowledges that Mobile Homes are licensed by the state but not the Department of Transportation.

The second change is a modification to the definition Dwelling, Single-Family to allow Tiny Homes on Wheels (THOWs) which are anchored to the ground or placed on a foundation with skirting and connected to City of Palm Bay water and sewer. This type of home may be considered a Single-Family Dwelling. While this may seem contrary to certain definitions in Florida State Statutes, which consider this to be a Mobile Home, based upon discussions and documents reviewed by the City Attorney’s office, the City Council has the ability to define locally what is or is not a Single-Family Dwelling. It should be noted that for a THOW to be considered as a Single-Family Dwelling it must meet the definitional criteria. If a THOW was not anchored to the ground or placed on a foundation, and not skirted, it would be considered a Mobile Home. Plus, for a THOW to be considered as a Single-Family Dwelling it must be connected to City water and sewer.

The minimum living area is 120 square feet for a THOW. THOWs which are 400 square feet or less must be constructed to the American National Standards Institute (ANSI) Sec. A119.5. THOWs over 400 square feet must comply with the Code of Federal Regulations (CFR) – 24 CFR Part 3280 – Manufactured Home Construction and Safety

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The minimum living area is 120 square feet for a THOW. THOWs which are 400 square feet or less must be constructed to the American National Standards Institute (ANSI) Sec. A119.5. THOWs over 400 square feet must comply with the Code of Federal Regulations (CFR) – 24 CFR Part 3280 – Manufactured Home Construction and Safety Standards. 24 CFR 2380 is administered by the Department of Housing and Urban Development (HUD). It should be further noted the proposed definition only allows THOWs to be located in Small Planned Unit Developments (SPUDs).

Small Planned Unit Developments (SPUDs) are a subset of Planned Unit Developments. A change in the definition of a SPUD will allow THOWs to be used with a SPUD. It should be noted that some of the requirements of a SPUD are different than a regular PUD. Some of the key differences are that SPUDs can be developed with just 1 acre of land, while PUDs require a minimum of 5 acres. Also, SPUDs have a maximum dwelling unit size of 800 square feet and PUDs have an 800 square foot minimum living area for single-family units. SPUDs have reduced parking and open space requirements, but they must be connected to City water and sewer. One final requirement is that a SPUD must have a designation on the Future Land Use (FLU) map of Multiple-Family Residential (MFR). MFR has a maximum density of 20 units per acre. Also, MFR allows for both Single-Family and Multi-Family dwellings.

The last text change in this application is a deletion of the words “prior to the effective date of this section.” This wording was originally added to the SPUD to identify that SPUDs could only be located on parcels with a pre-existing FLU of MFR. Since SPUDs were first adopted in January 2020, it has been determined that the City Council should have the ability to change the FLU designation to MFR, which would allow SPUDs in areas which currently are not designated as MFR.

The basic effect of this amendment is to allow THOWs in SPUDs. As written, THOWs would only be allowed in SPUDs which are created through same process as all Planned Unit Developments (PUDs).

Other than tie-downs, foundations and utility connections, THOWs will not be regulated by the Florida Building Code, but rather through ANSI and HUD standards. These units will still need to be registered as motor vehicles. As written their placement would be limited to SPUDs. Future expansion of THOWs beyond SPUDs is something that should be carefully considered should there be requests to allow these units in other areas. Allowing THOWs in the middle of single-family neighborhoods has the potential to create additional concerns for city residents about aesthetics and property values.

Given the potentially wide variety of THOWs that could be utilized. The Council may want to consider additional architectural standards for THOWs that would allow them to more resemble conventional built homes. Such standards could include: requirements for exterior finishes other than metal, such as wood siding or other materials; pitched roofs and porches could also be considered. THOW developments could also have additional open space or landscaping requirements to enhance community character. Shared parking areas could also be considered.

Locally, both Brevard County and the City of Rockledge have adopted regulations which allow for THOWs. However, based upon recent contacts with these agencies to date neither of them have seen any THOWs in their respective jurisdictions.

#### **STAFF RECOMMENDATION:**

THOWs in the City is a policy decision that the City Council will need to address. The Council should consider the definitional changes that are required to make this use permissible. Also, the Council could adopt additional requirements, if so desired, to enhance the appearance of these units and the communities where they will be located.

## TITLE XVII: LAND DEVELOPMENT CODE

### CHAPTER 185: ZONING CODE

#### GENERAL PROVISIONS

##### § 185.006 DEFINITIONS.

**DWELLING, MOBILE HOME.** A detached residential dwelling unit over eight (8) feet in width, licensed by the >>State of Florida<< ~~Department of Transportation~~, designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and the like. A “travel trailer” is not to be considered as a mobile home.

**DWELLING, SINGLE-FAMILY.** A detached dwelling unit other than a mobile home, designed for and occupied by one (1) family only. >>A Tiny Home on Wheels (THOW) that is anchored to the ground or placed on a foundation with skirting and connected to the City of Palm Bay water and sewer distribution system may be considered as a Single-Family Dwelling.<<

**MOBILE HOME.** See dwelling, mobile home.

>>**TINY HOME ON WHEELS (THOW).** A dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation. A Tiny Home on Wheels (THOW) is considered a Single-Family residential structure when anchored to the ground or placed on a foundation with skirting and connected to the City of Palm Bay water and sewer distribution system. A THOW must have a minimum living area of one hundred and twenty (120) square feet. A THOW must be certified to meet ANSI A119.5 standards. A THOW exceeding 400 square feet shall meet the Federal Manufactured Home Construction and Safety Standards and shall have a United States Department of Housing and Urban Development label. A THOW shall only be permitted in a Small Planned Unit Development (SPUD).<<

**TRAVEL TRAILER or MOBILE CAMPER.** A self-powered or nonself-powered vehicle eight (8) feet or under in width and no more than thirty-five (35) feet in length capable of being towed by an ordinary vehicle upon which it is constructed, whose primary use is temporary lodging while traveling or camping and is not used for habitation except in designated areas while within the corporate limits of the city.



## **PLANNED UNIT DEVELOPMENT (PUD)**

### **§ 185.060 DEFINITIONS.**

***SMALL PLANNED UNIT DEVELOPMENT (SPUD).*** An area of land developed as a single entity, or in approved stages in conformity with a final development plan by a developer or group of developers acting jointly, which is master planned to provide for smaller sized (under 800 square feet) single or two-family structures and common open space. >>A SPUD may include Tiny Homes on Wheels (THOW), as defined in §185.006.<< Connection to public sanitary sewer and public water required.

### **§ 185.062 PERMITTED USES.**

(D) *Small developments.* A SPUD consists of single-family or two-family structures in collective land ownership, such as a condominium or on individual-owned lots. Each dwelling unit shall not exceed 800 square feet of finished living area. SPUDs shall only be located in areas that have future land use designation of multiple family residential use ~~prior to the effective date of this section~~. SPUDs shall not be developed using Mobile Homes. SPUDs must be connected to the City of Palm Bay water and sewer distribution system.



**LAND DEVELOPMENT DIVISION**

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042  
Landdevelopmentweb@palmbayflorida.org

**CODE TEXTUAL AMENDMENT APPLICATION**

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

**ORDINANCE SECTION(S) PROPOSED TO BE CHANGED:**

Sections 185.006, 185.060 and 185.062

**PROPOSED LANGUAGE (attach addendum if necessary):**

See attached

**JUSTIFICATION FOR PROPOSED CHANGE (attach other documents if necessary)**

Per City Council direction, to establish language that will permit tiny homes on wheels and modification to the small planned unit developments.

CITY OF PALM BAY, FLORIDA  
CODE TEXTUAL AMENDMENT APPLICATION  
PAGE 2 OF 2

THE APPLICATION FEE MUST BE SUBMITTED WITH APPLICATION TO PROCESS THIS REQUEST:

☐

**\*\$1,500.00 Application Fee. Make Check payable to "City of Palm Bay."**

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing code textual amendment application and that the facts stated in it are true.

Signature of Applicant Laurence Bradley Digitally signed by Laurence Bradley  
DN: dc=org, dc=palmbayflorida, ou=Community  
Planning & Economic Development, ou=Land  
Development, cn=Laurence Bradley  
Date: 2020.08.25 10:08:20 -0400 Date \_\_\_\_\_

Printed Name of Applicant Laurence Bradley, AICP, Growth Management Director

Full Address 120 Malabar Road SE, Palm Bay, FL 32907

Telephone (321) 733-3042 Email laurence.bradley@palmbayflorida.org

PERSON TO BE NOTIFIED (If different from above):

Printed Name \_\_\_\_\_

Full Address \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

**\*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

**CITY OF PALM BAY, FLORIDA**  
**PLANNING AND ZONING BOARD/**  
**LOCAL PLANNING AGENCY**  
**REGULAR MEETING 2020-10**

Held on Wednesday, September 2, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this public meeting included media technology communications (teleconference/video conference).

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Ms. Leeta Jordan led the Pledge of Allegiance to the Flag.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Philip Weinberg	Present	
<b>VICE CHAIRPERSON:</b>	Leeta Jordan	Present	
<b>MEMBER:</b>	Donald Boerema	Present	
<b>MEMBER:</b>	Donny Felix	Present	(Late)
<b>MEMBER:</b>	Richard Hill	Present	
<b>MEMBER:</b>	Khalilah Maragh	Present	
<b>MEMBER:</b>	Rainer Warner	Absent	(Excused)
<b>NON-VOTING MEMBER:</b>	David Karaffa	Present	
	(School Board Appointee)		

Mr. Warner's absence was excused.

**CITY STAFF:** Present were Mr. Laurence Bradley, Growth Management Director; Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Senior Planner; Ms. Chandra Powell, Recording Secretary; Mr. Rodney Edwards, Assistant City Attorney.

A vote was called on the motion by Mr. Hill, seconded by Mr. Boerema to submit Case CP-8-2020 to City Council for approval of a small-scale Comprehensive Plan Future Land Use Map amendment from Recreation and Open Space Use to Single Family Residential Use. Staff recommended Case CP-8-2020 for approval, subject to the staff comments. The motion carried with members voting unanimously.

5. **T-21-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT)**

Mr. Bradley presented the staff report for a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, to establish language that will permit tiny homes on wheels and modification to the small planned unit developments. Tiny Homes on Wheels (THOWs) was a policy decision that the board and City Council will need to address. The board and City Council should consider the definitional changes to make the use permissible, and could also adopt additional requirements, if so desired, to enhance the appearance of the units and the communities where they will locate. The subject proposal was at the request of City Council.

Ms. Maragh inquired whether the proposed amendment was based on best practices or other municipalities that had implemented THOWs. Mr. Bradley explained that the amendments were the minimum necessary to permit THOWs within Small Unit Developments (SPUDs).

Ms. Jordan questioned whether the proposal would permit SPUDs to occur throughout the City. Mr. Bradley explained that SPUDs were currently restricted to properties with an existing future land use designation of Multiple Family Residential Use. The subject amendment would allow SPUDs to locate on properties where the land use designations were changed through the public hearing process in the future to Multiple Family Residential Use.

Ms. Jordan asked if THOWs must hook into water and sewer, and if one unit would be permitted on a single-family lot. Mr. Bradley confirmed that the units would be required to hook up to water and sewer, and that a single THOW could locate on a single-family lot if the site was within a SPUD.

Ms. Maragh asked about the staff report's reference to Brevard County and the City of Rockledge and if other municipalities were researched. Mr. Bradley stated that the two municipalities were the only communities in the region that had THOW ordinances, but neither had received any THOW requests.

The floor was opened for public comments.

Mr. Bruce Moia, P.E. (president of MBV Engineering, Inc.) spoke in favor of the request. He stated that he was instrumental in getting the amendment brought forward. He had an upscale THOW project that was ready for submittal. The amendment was well written, and the SPUD designations would permit the board and City Council to review the developments. Ms. Maragh inquired if the mentioned THOW development would entirely be on wheels. Mr. Moia said that wheels, skirting, landscaping, and other options would be considered for a proposed well-done community with amenities.

Mr. Weinberg noted that THOWs were required to have tie-downs, foundations, and utility connections.

The floor was closed for public comments, and there was no correspondence in the file.

Mr. Weinberg stated that he had no problem with the ordinance because of the required tie-downs, foundations, and utility connections. The City could determine architectural standards.

Motion by Mr. Hill, seconded by Ms. Maragh to submit Case T-21-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, to establish language that will permit tiny homes on wheels and modification to the small planned unit developments. The motion carried with members voting unanimously.

## ORDINANCE 2020-67

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 185, ZONING CODE, SUBCHAPTERS 'GENERAL PROVISIONS' AND 'PLANNED UNIT DEVELOPMENT (PUD)', BY ESTABLISHING LANGUAGE THAT WILL PERMIT TINY HOMES ON WHEELS AND REVISING PROVISIONS CONTAINED THEREIN; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Zoning Code, Subchapter 'General Provisions', Section 185.006, Definitions, is hereby amended and shall henceforth read as follows:

"Section 185.006 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

\* \* \*

**DWELLING, MOBILE HOME.** A detached residential dwelling unit over eight (8) feet in width, licensed by the >>State of Florida<< Department of Transportation, designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and the like. A "travel trailer" is not to be considered as a mobile home.

\* \* \*

**DWELLING, SINGLE-FAMILY.** A detached dwelling unit other than a mobile home, designed for and occupied by one (1) family only. >>A Tiny Home on Wheels (THOW) that is anchored to the ground or placed on a foundation with skirting and connected to the City of Palm Bay water and sewer distribution system may be considered as a Single-Family Dwelling.<<

\* \* \*

**TERRACE.** A hard, semi-hard, or improved surfaced area directly adjacent to a principal building at or within three (3) feet of the finished grade and not covered by a permanent roof.

>>**TINY HOME ON WHEELS (THOW).** A dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation. A Tiny Home on Wheels (THOW) is considered a Single-Family residential structure when anchored to the ground or placed on a foundation with skirting and connected to the City of Palm Bay water and sewer distribution system. A THOW must have a minimum living area of one hundred and twenty (120) square feet. A THOW must be certified to meet ANSI A119.5 standards. A THOW exceeding 400 square feet shall meet the Federal Manufactured Home Construction and Safety Standards and shall have a United States Department of Housing and Urban Development label. A THOW shall only be permitted in a Small Planned Unit Development (SPUD).<<

**SECTION 2.** The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Zoning Code, Subchapter 'Planned Unit Development (PUD)', Section 185.060, Definitions, is hereby amended and shall henceforth read as follows:

"Section 185.060 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

\* \* \*

**SMALL PLANNED UNIT DEVELOPMENT (SPUD).** An area of land developed as a single entity, or in approved stages in conformity with a final development plan by a developer or group of developers acting jointly, which is



master planned to provide for smaller sized (under 800 square feet) single or two-family structures and common open space. >>A SPUD may include Tiny Homes on Wheels (THOW), as defined in Section 185.006.<< Connection to public sanitary sewer and public water required >>, if readily available as defined by the Mandatory Connection section of the Utility Code, §200.11(N) or upon approval of the Utilities Director after a consideration of (1) distance of development to connection and (2) potential detriment to the system<<.

\* \* \*

**SECTION 3.** The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Zoning Code, Subchapter 'Planned Unit Development (PUD)', Section 185.062, Permitted Uses, is hereby amended and shall henceforth read as follows:

"Section 185.062 PERMITTED USES.

Uses permitted in the planned unit development may include and shall be limited to the following and contain a minimum of five (5) acres, except for a Small Planned Unit Development (SPUD) which shall contain a minimum of one (1) acre:

\* \* \*

(D) *Small developments.* A SPUD consists of single-family or two-family structures in collective land ownership, such as a condominium or on individual-owned lots. Each dwelling unit shall not exceed 800 square feet of finished living area. SPUDs shall only be located in areas that had a future land use designation of multiple family residential use, prior to the effective date of this section. SPUDs shall not be developed using Mobile Homes. SPUDs must be connected to the City of Palm Bay water and sewer distribution system, if readily available as defined by the Mandatory Connection section of the Utility Code, §200.11(N) or upon approval of the Utilities Director after a consideration of (1) distance of development to connection and (2) potential detriment to the system. >>The City reserves the right to deny extension of public utilities. The decision to extend public sanitary sewer and public water shall be made upon the recommendation of the Utilities Director or designee. The Utilities Director shall base the recommendation to extend services on:

(1) The factors included in the Mandatory Connection section of the Utility Code, §200.11(N) Palm Bay Code of Ordinances,

(2) The distance between the property and the next available connection and

(3) Any detriment to the public utility system that will be caused by allowing the property to connect.<<”

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 5.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 6.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 7.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020- , held on , 2020; and  
read in title only and duly enacted at Meeting 2020- , held on , 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

Applicant: City of Palm Bay  
Case: T-21-2020

***Strikethrough words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Juliet Misconi, Chief Procurement Officer

**DATE:** 11/5/2020

**RE:** Ordinance 2020-71, amending the Code of Ordinances, Chapter 38, Procurement, by repealing Section 38.18, Local Business Price Preference, in its entirety, final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

The only modification to this memo from the October 15, 2020 Council Agenda is the addition of other solicitations which will still have Local Preference.

On September 22, 2020, City Council held a Council Workshop to discuss the Procurement Department Code of Ordinances, Chapter 38. During the Workshop, Staff presented several options for consideration regarding Local Business Price Preference. Following Council direction, this proposed change rescinds Local Preference upon the enactment date for all solicitations issued after the enactment date. Solicitations issued ("on the street"), under evaluation, or pending award would still have Local Preference provisions unless otherwise prohibited by the Ordinance (i.e. would not be applied to bids which exceed \$1 million). Procurement Staff anticipates the following solicitations will be on the street or under evaluation before the planned second reading on November 5, 2020. This list represents only the IFB's (Invitation for Bids) or RFP's (Request for Proposal) which are anticipated to be less than \$1 million (and more than \$100,00 for IFBs), are not federally funded, are not 50% or more state funded, and thus contain Local Business Price Preference based on the current Ordinance or, in the case of RFP's, the current Procurement Manual adopted via Resolution:

1. IFB 05-0-2021, Malabar Road Drainage Pipe Repairs, bids due 10/27/2020
2. RFP 03-0-2021, Broker of Record – Benefits Consultant, proposals due 11/3/2020
3. RFP 06-0-2021, Residential Broker Services, proposals due 11/10/2020
4. IFB 12-0-2021, Pipe Connect to Fire Station Pond, bids due 11/17/2020
5. RFP 13-0-2021, Operation and Management of the Paintball Park, proposals due 11/17/2020
6. IFB 10-0-2021, Light Duty Pick-up Trucks, due 11/12/2020

As discussed at the Workshop, Procurement has developed initiatives to serve the local and small business community and is actively pursuing them. The portions of the presentation from the Workshop related to Local Preference are attached.

In addition, the Procurement Administrative Codes will contain provisions for breaking “tie” bids or “tie” RFPs by Local Vendor presence, all other things being equal. Tie Bid language currently contained in the Procurement Manual:

If two (2) or more bids received are for the exact same total amount or unit price, quality and service being equal, the IFB shall be awarded in the following order:

- 1) Drug-Free Workplace: A bidder that verifies that it has a bona-fide drug-free work workplace in accordance with §287.087, Florida Statutes. Said bidder must have included a Drug-Free Workplace form with their bid.
- 2) Tie bids for printing shall be awarded in accordance with §283.35, Florida Statutes.
- 3) Local Vendor: By selecting the local bidder over a non-local bidder; for purposes of this section, a local bidder shall be defined by the following:
  - a) First, whether the bidder has a principle place of business within Palm Bay, Florida.
  - b) Second, whether the bidder has a principle place of business within Brevard County, Florida.
- 4) If both/all bidders involved in the tie are the same class of local bidders, the award shall be given by drawing lots.

**REQUESTING DEPARTMENT:**

Procurement

**FISCAL IMPACT:**

None

**RECOMMENDATION:**

Motion to approve the removal of Local Business Price Preference from the Procurement Department Code of Ordinance, Chapter 38.18.

**ATTACHMENTS:**

**Description**

Procurement Workshop presentation, slides 24-31  
Ordinance 2020-71



# PROCUREMENT WORKSHOP

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SEPTEMBER 22, 2020

# LOCAL PREFERENCE: CURRENT STATE

- Mathematical calculation on bids over \$100k but under \$1 million
- Based on four “classes of business” (Class D is any business not Class A, B, C)
- Two tiers: \$100k to \$500k; over \$500k to \$1 million
- Prohibitions: Federal funds, grant funds, over budget, emergency, sole source, cooperative or piggyback, non-responsive/responsible businesses
- Also have an RFP preference which is in the Manual but not in the Code

CLASS	DESCRIPTION	BID PREF. Tier 1	BID PREF. Tier 2	RFP PREF.
Class A	Non-residential zone, full-time employees, within City limits AND maintain staffing level for proposed work of 50% City residents	5%	3%	10%
Class B	Non-residential zone, full-time employees, within City limits OR outside of City and maintain staffing level for proposed work of 50% of City residents	3%	2%	7.5%
Class C	Non-residential zone, full-time employees, within Brevard County	1.5%	1%	5%



# LOCAL PREFERENCE BID EXAMPLES

## Bid with a Budget of \$500,000

	Local Vendor A	Local Vendor B	Local Vendor C	Non-Local D
Preference	5%	3%	1.5%	None
Bid	\$499,000	<b>\$488,000 - Award</b>	\$481,000	\$475,000 – Low Bid
Tabulation comp	\$474,050	\$473,360	\$473,785	\$475,000

Class B vendor wins. Could be Palm Bay business OR business anywhere with 50% staff residents. **Important note: City still pays \$488,000.**

## Bid with a Budget of \$998,000

	Local Vendor A	Local Vendor B	Local Vendor C	Non-Local D
Preference	3%	2%	1%	None
Bid	<b>\$995,000 - Award</b>	\$997,000	\$978,000	\$967,000 – Low Bid
Tabulation comp	\$965,150	\$977,060	\$968,220	\$967,000

Class A vendor wins. Must be Palm Bay business with 50% staff residents. **Important note: City still pays \$995,000.**



ETHICS



IMPARTIALITY



ACCOUNTABILITY



PROFESSIONALISM



SERVICE



TRANSPARENCY







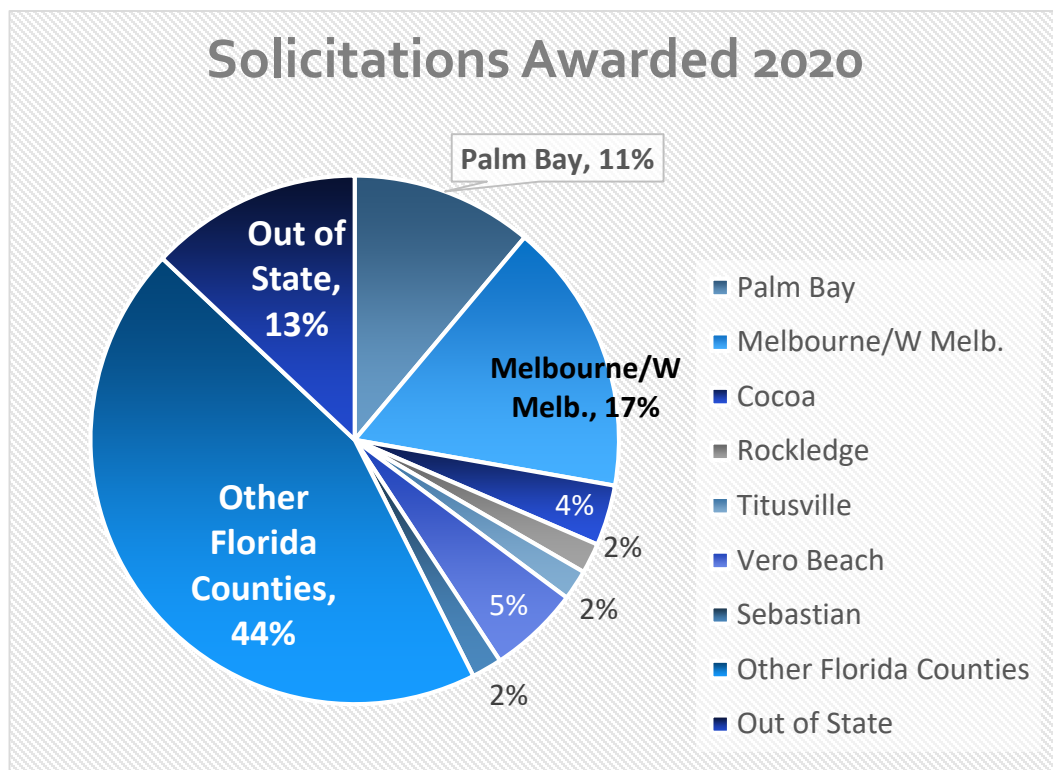
# CHALLENGES WITH CURRENT BID PREFERENCE

- Popular: Procurement development of Great Recession
- 65% of municipalities surveyed have a Local Preference
- NIGP Position Paper: Does not support for bids. If Gov't requires, only supports for "best value" (RFP/RFQ)
- Brevard County unanimously rescinded LP Policy (Bid, RFP, and RFQ) in 2018
- City of Tucson sued (and lost) over LP; allowed program to sunset
- Reciprocal preference
- Not working; has not impacted a bid outcome in last 2 fiscal years
- Potential for
  - Increased cost
  - Limited competition
- Conflict within Ordinance? IFB award is to lowest most responsive and responsible bidder
- Prohibited on Federally funded procurements & 50% or more State funded
- Audit challenge:
  - What counts as 50% of Staff and how do you verify long-term?
  - Potential for abuse



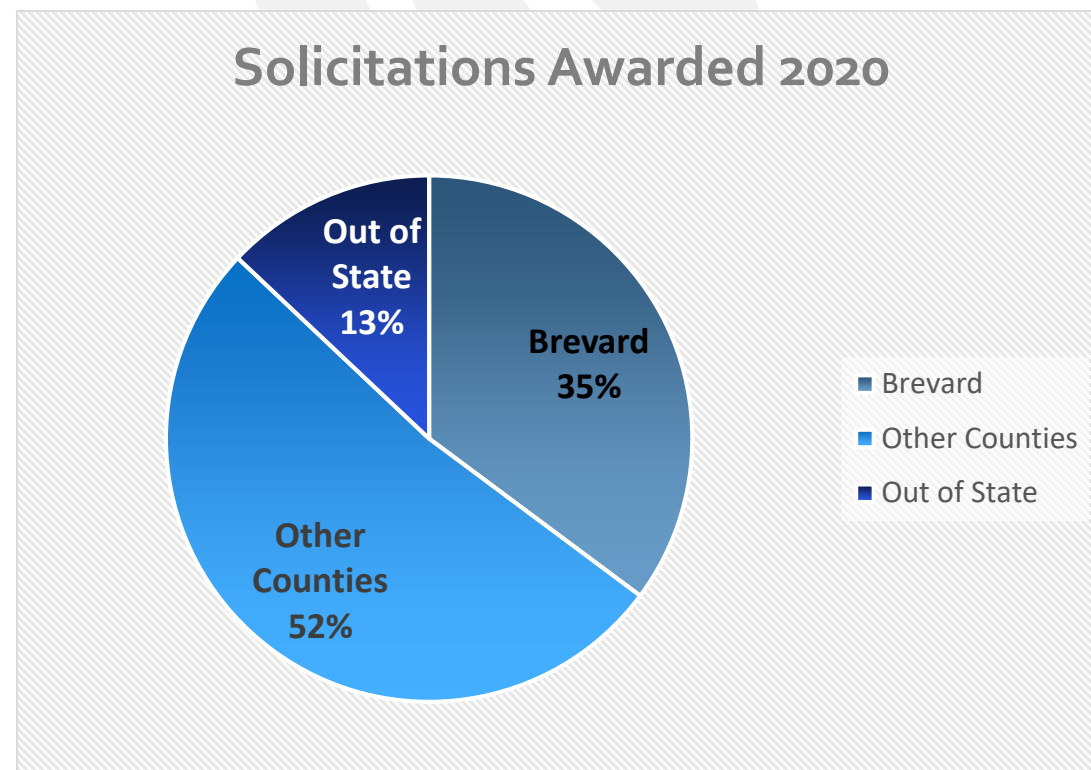
# HOW MANY SOLICITATIONS ARE AWARDED LOCALLY?

## Breakdown by City: Brevard & Indian River



Palm Bay	6	Indian River	4
Melbourne/WM	9	FL counties, other	24
Brevard, other	4	Out of state	7

## Breakdown by County: Brevard vs. Florida vs. Out of State



- 35% of solicitations were awarded to companies in Brevard County
- 88% of solicitations were awarded to Florida companies



# PROPOSED LOCAL PREFERENCE REVISIONS

Codify RFP	<ul style="list-style-type: none"><li>• RFP belongs in Ordinance, not Admin Code</li><li>• Council direction, not Staff direction</li></ul>
Reduce Classes	<ul style="list-style-type: none"><li>• Class A – Palm Bay – 10%</li><li>• Class B – Brevard – 5%</li></ul>
Eliminate Budget Cap	<ul style="list-style-type: none"><li>• Problematic for term or T&amp;M contracts, where budget is historic estimate only, actual use unknown</li><li>• If project over budget, dept. often asks Council for additional funds</li></ul>
Add RFQ Preference	<ul style="list-style-type: none"><li>• NIGP: If gov’t desires preference, “Local Procurement preferences are reflected as one of the many criteria in a ‘best value’ evaluation and award.”</li></ul>
Keep Best Practices	<ul style="list-style-type: none"><li>• Business Requirements: Non-residential zone; no fines, liens, violations</li><li>• \$1,000,000 cap for RFP (no cap for RFQ as price not a factor)</li><li>• Not used if funding source prohibits (Federal, some Grants, Cooperatives)</li></ul>
Eliminate Bid Preference	<ul style="list-style-type: none"><li>• Bids should be awarded to the lowest most responsive, responsible bidder</li><li>• Procurement Department has plans for many other outreach activities!</li></ul>



# RFP PREFERENCE REAL-LIFE EXAMPLE

Local Preference Class		Class "D" Vendor	Class "D" Vendor	Class "C" Vendor
		\$110,429.72	\$211,832.92	\$127,331.10
		J.P. Morgan Securities, LLC	Jefferies, LLC	Raymond James & Associates, Inc
		Phone / Fax	Phone / Fax	Phone / Fax
CRITERIA	POSSIBLE POINTS	450 S. Orange Avenue, 10th Floor, <b>Orlando, FL 32801</b>	200 S. Orange Ave, Suite 1440, Orlando, FL 32801	202 N Harbor City Blvd, Suite 200 <b>Melbourne, FL 32935</b>
Relevant Firm Experience	20	18.67	17.33	17.33
Experience of Personnel	20	17.33	18.67	16.00
Marketing & Distribution	20	16.00	17.33	18.67
Ability & Willingness to Commit Capital	15	13.00	14.00	12.00
Additional Informatio	5	4.00	4.67	4.67
SUBTOTAL (1) NON-PRICE FACTORS	80	69.00	72.00	68.67
Cost	20	20.00	10.43	17.35
SUBTOTAL (2) POINTS	100	<b>89.00</b>	<b>82.43</b>	<b>86.01</b>
Location	10%	<b>0%</b>	<b>0%</b>	<b>5%</b>
Additional Points		<b>0.00</b>	<b>0.00</b>	<b>4.30</b>
TOTAL SCORE		<b>89.00</b>	<b>82.43</b>	<b>90.31</b>

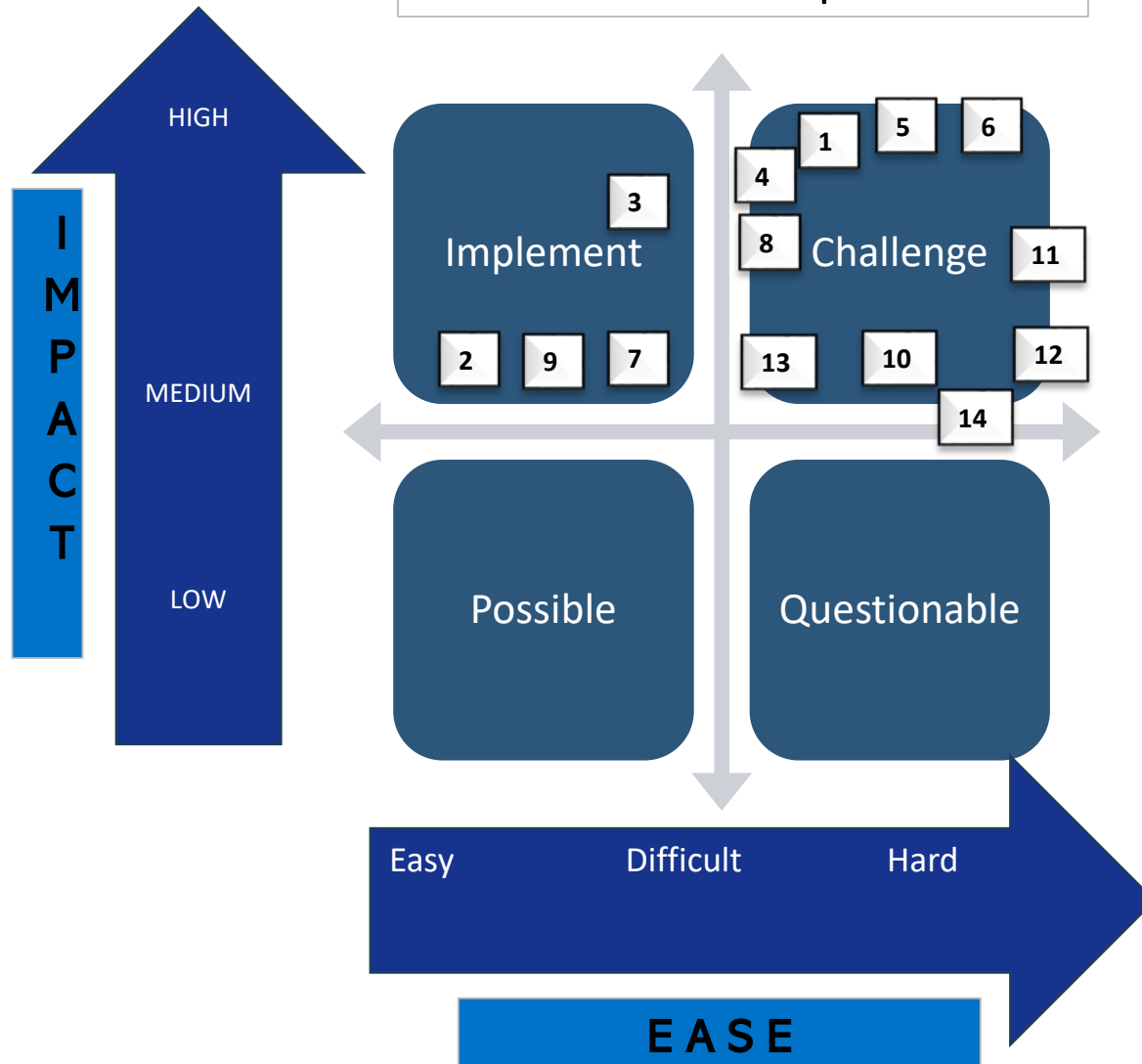
# RFQ PREFERENCE PROPOSED EXAMPLE

		Vendor 123	Vendor 456	Vendor 789	Vendor XYZ
		Palm Bay, FL	Melbourne, FL	Orlando, FL	Melbourne, FL
EVALUATION CRITERIA	POSSIBLE POINTS				
Technical Experience	50	41.00	35.00	45.00	47.30
Professional Competence	50	41.00	49.00	45.00	38.50
	<b>SUBTOTAL</b>	<b>82.00</b>	<b>84.00</b>	<b>90.00</b>	<b>85.80</b>
	Prelim Ranking	4	3	1	2
		Class A	Class B	None	Class B
Location	10%	10%	5%	0%	5%
Additional Points		8.20	4.20	0.00	4.29
SUBTOTAL POINTS	<b>NEW SUBTOTAL</b>	<b>90.2</b>	<b>88.20</b>	<b>90.00</b>	<b>90.09</b>
	<b>Final Ranking</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>2</b>

**Important Note:** The City's process, per F.S. 287.055, is a two-step process. The second step is to have **orals with *at least* the top 3 ranked firms**. After orals, **initial written scores (above) drop off**.



## Ease vs. Impact



✓	1	Vendorlink Launch
✓	2	Email Quotes
✓	3	Virtual Pre-Bid Meetings
✓	4	Vendorlink Training – City Staff
	5	Vendorlink – Single Quote Portal
	6	Vendor Open House
	7	“Doing Business RFP” Webinar
	8	“Doing Business” Overall Webinar
	9	Chamber Guest Speaker
	10	Ordinance/Admin Code Update
	11	SPA & Insurance Process Improve
	12	Increase Informal Quote Level
	13	“Doing Business” Video Clips
✓	14	Construction Bid Template Update

# Local & Small Business Participation

## **ORDINANCE 2020-71**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE III, ADMINISTRATION, CHAPTER 38, PROCUREMENT DEPARTMENT, BY REPEALING SECTION 38.18, LOCAL BUSINESS PRICE PREFERENCE, IN ITS ENTIRETY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR DELETION FROM THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:**

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title III, Administration, Chapter 38, Procurement Department, Section 38.18, Local Business Price Preference, is hereby repealed in its entirety:

~~"Section 38.18—LOCAL BUSINESS PRICE PREFERENCE.~~

~~(A)—Definitions.~~

~~(1)—The term CLASS A BUSINESS shall mean any business that has established and agreed to maintain a permanent place of business located in a non-residential zone, staffed with full-time employees within the limits of the City of Palm Bay, AND shall maintain a staffing level for the proposed work of at least fifty percent (50%) who are residents of the City.~~

~~(2)—The term CLASS B BUSINESS shall mean any business that has established and agreed to maintain a permanent place of business located in a non-residential zone, staffed with full-time employees within the limits of the City of Palm Bay, OR shall maintain a staffing level for the proposed work of at least fifty percent (50%) who are residents of the City.~~

~~(3)—The term CLASS C BUSINESS shall mean any business that has established and agreed to maintain a permanent place of business located in a non-residential zone, staffed with full-time employees within the limits of Brevard County.~~

~~(4) The term CLASS D BUSINESS shall mean any business that does not qualify as a Class A, Class B, or Class C business.~~

~~(B) Conditions. Notwithstanding subsection (A) above:~~

~~(1) A business can only qualify for one (1) class preference level.~~

~~(2) A business with outstanding liens, fines or violations with the City shall not be eligible to qualify for Class A, Class B, or Class C status.~~

~~(3) A business that operates through the use of a post office box, mail house or a residential/home address shall not be eligible to qualify as either a Class A or Class B business with respect to the business's location.~~

~~(C) Price preference. For those purchases of goods and services in excess of the mandatory City Council approval amount via Invitation to Bid local vendors shall receive the following price preferences:~~

~~(1) For awards up to and including five hundred thousand dollars (\$500,000.00):~~

~~(a) Class A business - five percent (5%) price preference;~~

~~(b) Class B business - three percent (3%) price preference;~~

~~(c) Class C business - one and one-half percent (1.5%) price preference.~~

~~(2) For awards greater than five hundred thousand dollars (\$500,000.00) up to and including one million dollars (\$1,000,000.00):~~

~~(a) Class A business - three percent (3%) price preference;~~

~~(b) Class B business - two percent (2%) price preference;~~

~~(c) Class C business - one percent (1%) price preference.~~

~~(D) Exceptions. Notwithstanding anything contained in this section to the contrary, the local preference provided for in this section shall not be applied in any one (1) or more of the following circumstances:~~

~~(1) The business submits a response that exceeds the projected budget cost;~~

~~(2) The price bid is in excess of one million dollars (\$1,000,000.00);~~

~~(3) State statute, federal law, or applicable county ordinance prohibits the use of local preferences;~~



~~(4) The work is funded in whole or in part by another governmental entity, and their laws, rules, regulations, grant, or policies prohibit the use of local preferences;~~

~~(5) Emergency purchases;~~

~~(6) Sole source purchases;~~

~~(7) Cooperative purchasing agreements or utilization of other agency contracts;~~

~~(8) The Chief Procurement Officer, City Manager or City Council has determined that the business is not responsive, not responsible, or otherwise unqualified to perform the work."~~

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the City of Palm Bay Code of Ordinances be revised to delete the language as specified above.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020; and read in title only and duly enacted at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_



## LEGISLATIVE MEMORANDUM

**TO: Honorable Mayor and Members of the City Council**

**FROM: Suzanne Sherman, Acting City Manager**

**THRU: Juliet Misconi, Chief Procurement Officer**

**DATE: 11/5/2020**

**RE: Ordinance 2020-72, amending the Code of Ordinances, Chapter 38, Procurement, by modifying provisions contained therein, final reading.**

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting. No provisions were modified by Council at the first reading on October 15, 2020.

On September 22, 2020, City Council held a Council Workshop to discuss the Procurement Department Code of Ordinances, Chapter 38. During the Workshop, Staff presented information on numerous Procurement related topics. Following Council direction, the revised Ordinance contains many improvements. The portions of the presentation from the Workshop related to the modifications below are attached.

### Mandatory Council Approval Threshold:

Following Council's direction at the Workshop, the Ordinance includes the following addition to the Mandatory Council Approval section:

(E) The Chief Procurement Officer will prepare a report for Council acknowledgement of competitive solicitations issued by the Procurement Department and awarded in accordance with the Procurement Administrative Codes which are under the mandatory City Council approval amount. Reporting requirements will be further delineated in the Procurement Administrative Codes.

Procurement's volume for awards is mainly in the second and third quarters of the Fiscal Year. Solicitations ramp up in January and Staff tries to complete procurement projects by the summer so that contracts are fulfilled before the close of the Fiscal Year. As such, Staff is projecting a quarterly report for Council's acknowledgement.

### Exemptions:

As discussed at the Workshop, Staff is proposing deleting several procurement exemptions, including claims adjusting services, retail marina resale, and property recovered from worker's comp and liability claims. Staff is also proposing deleting the exemption for insurance related services, an audit finding. In addition, Staff is proposing adding in exemptions for service animals (police canines), piggyback purchases, and the housing program owner rehab. Staff is also proposing adding a waiver of the Procurement process (Special Procurements) in very limited circumstances and requiring that such waivers come before Council in a public meeting at a low dollar threshold (\$25,000).

### Change Orders:

Construction Change Orders and other one-time purchase Amendments require Council approval at 10% or \$100,000, whichever is lower. For the purpose of calculating 10%, the threshold is cumulative. Procurement already adheres to this process, as the cumulative requirement is contained in the Manual, not the Ordinance. It's important to note the threshold is 10% (cumulatively) or \$100,000, whichever is lower because that creates a tiered approach based on contract value and ensures high dollar changes come back before Council. For example:

\$300,000 contract:

CO 1: \$25,000

CO 2: \$5,010 – goes to Council, exceeds 10% cumulatively

\$1 million contract:

CO 1: \$15,000

CO 2: \$86,000 – goes to Council, exceeds 10% cumulatively

\$5 million contract:

CO 1: \$101,000 – Goes to Council, over \$100k (though only 2% of the contract value)

### General Clarifications and Improvements

Finally, the Ordinance contains other improvements and clarifications, such as:

- Award approval below \$100,000 is determined and delegated by the City Manager via Procurement Administrative Codes instead of the Chief Procurement Officer via Procurement Manual;
- Vendors' ability to address Council during consideration of award to their company is specifically listed as an exclusion to the Ex Parte Communication;
- Additional definitions for amendment, construction change order, continuing contract, standardization, and term contract;
- Various clarifications to procurement processes: piggybacking; CCNA continuing contracts; initial contract term as metric for multi-year initial contracts; amendments to term (indefinite) contracts; multi-step competitive procurements; and vendor protests appealed to Council;
- General clean up, like moving definitions to the front, moving all violations to one section, deleting duplicative statements, and removing processes from the P3 section that are not required by Florida Statute.

### Effective Date

The above modifications to Chapter 38 add transparency and accountability to the Procurement operation, while maintaining efficiency of operations. The largest change is converting the Procurement Manual to a Procurement Administrative Code. Even without the exhibits, the current Procurement Manual is 96 pages long. To ensure that this important document is properly converted, incorporating all changes to the Ordinance and other improvements designed to maintain the integrity of the process and enhance service, Staff is requesting that this Ordinance's enactment date be January 1, 2021.

Revisions to Chapter 38.18, Local Business Price Preference, may impact Procurement methodology and require a firm "cut over" date. As discussed at the Workshop, Local Preference is a Council decision, not a Staff decision. As such, modifications to that section of Chapter 38 are being considered under a separate Ordinance and have an effective date upon enactment.

**REQUESTING DEPARTMENT:**

Procurement

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Motion to approve modifications of Procurement Department Code of Ordinance, Chapter 38.

**ATTACHMENTS:**

**Description**

**Procurement Workshop presentation, slides 6-23**  
**Ordinance 2020-72**



# PROCUREMENT WORKSHOP

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SEPTEMBER 22, 2020

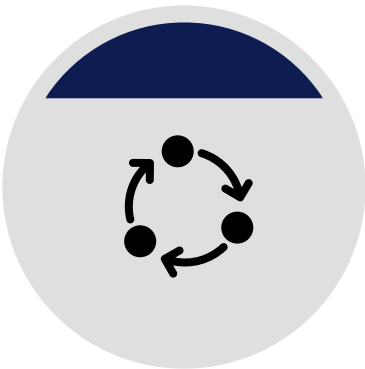


# PATH FORWARD



## CURRENT ORDINANCE

- ❖ Effective 10/1/2016
- ❖ Outside consultant and outside Legal
- ❖ Department interviews
- ❖ Workshop July 2016
- ❖ Two readings – Ordinance and Manual



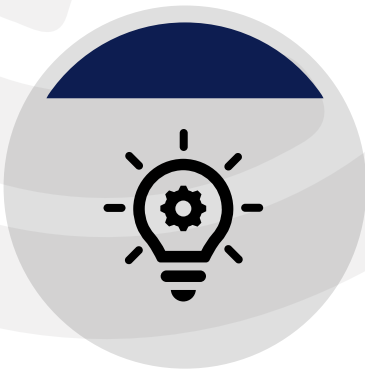
## CONTINUOUS PROCESS IMPROVEMENT

- ❖ CPI is always needed on a new process
- ❖ Procurement Training annually
- ❖ Feedback from Departments and Management
- ❖ Direction at City Council



## AUDIT FINDINGS

- ❖ Audit Finding 4- review the thresholds at a Council Workshop
- ❖ Audit Finding 6 – discuss exclusions from the Procurement process



## REVISED ORDINANCE AND ADMIN CODE

- ❖ Council direction will shape Ordinance revision
- ❖ Council direction will shape the Procurement Admin Code
- ❖ Admin Code will set policies and procedures for expenditure of City funds

# AUDIT FINDING 4 – PROCUREMENT AUTHORITY

- **Finding 4:** The City Council's purchasing threshold of \$100,000 appeared excessive when compared to the purchasing thresholds at comparably sized municipalities, and the change in the purchasing threshold from \$25,000 to \$100,000 was not openly discussed at City Council workshops or other public meetings.
- **AG Recommendation:** The City should document the reasonableness of the delegated purchasing authority threshold based on an analysis that primarily considers the volume of the City's high-dollar purchases, along with consideration of the thresholds of similar Florida municipalities, and adjust the threshold as appropriate. In addition, significant topics impacting City operations, such as changes to the purchasing threshold, should be openly discussed at City Council workshops or public meetings.







# THRESHOLD CHANGE TIMELINE

**Important Note:** \$100k threshold increase change presented to Council five times, was voted on four separate times, and adopted twice.



# RESEARCH CONDUCTED

- ❑ FL of Cities December 2019 population data
- ❑ 412 cities in Florida, ranked #16 in population based on August estimate of 119,377
- ❑ Examined cities with populations of 60,000 or more (47)
  - ❑ AG looked at 14 cities
- ❑ Looked at competitive solicitations from last 2 years – what went to Council and what was approved by CPO
- ❑ Table shows top 31 largest cities: 15 cities larger than Palm Bay and 15 smaller, by population

Fort Myers	81,868	Lakeland	105,586	Pembroke Pines	165,352	Jacksonville	907,093
Melbourne	82,040	Pompano Beach	110,371	Cape Coral	180,204	Note: Data is based on FLC 12/2019 population report and CoPB Growth Management's 8/2020 Palm Bay pop estimate.	
Largo	83,526	West Palm Beach	112,906	Fort Lauderdale	182,827		
Palm Coast	84,575	Miami Gardens	113,628	Port St. Lucie	185,843		
Plantation	89,595	Clearwater	115,589	Tallahassee	192,381		
Deltona	91,007	Palm Bay	119,377	Hialeah	238,906		
Miami Beach	92,502	Coral Springs	128,757	St. Petersburg	266,076		
Sunrise	92,663	Gainesville	131,217	Orlando	285,099		
Boca Raton	93,417	Miramar	137,107	Tampa	378,531		
Davie	103,171	Hollywood	149,028	Miami	481,333		





# BUDGETARY CONTROLS



- **ALL** purchases are made with **Budgeted Funds**
- **All Budgeted Funds are PREVIOUSLY APPROVED by Council**
  - Budget Adoption
  - Budget Amendment
  - Budgetary Appropriation Memo
  - Dual-action Award Memo



- **Every purchase requisition** is routed through **Department, Finance, and Budget** before Procurement reviews for PO creation
- Additional payment methodologies – check requisition and P-card – have **approval routing, limits and controls** to ensure funds are budgeted
- Council approval calculated on **initial contract term**, not annual value





**RECOMMENDATION:  
KEEP COUNCIL LIMIT AT \$100K  
ALLOW CITY MANAGER TO DETERMINE BELOW  
\$100K**

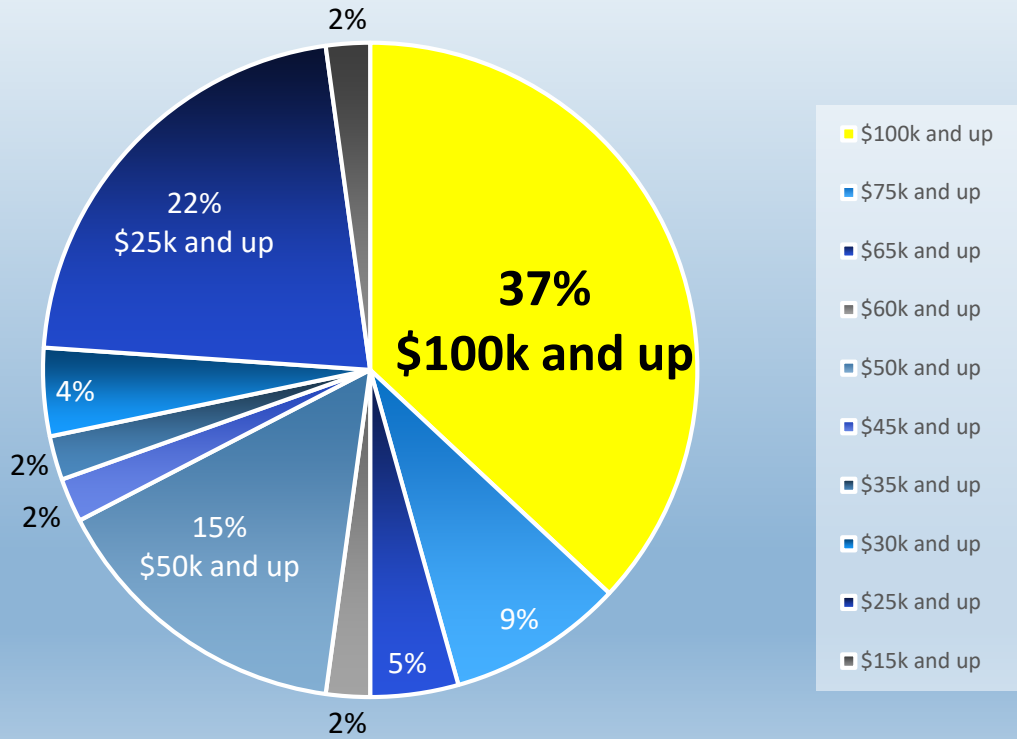


- **Data supports that \$100k is appropriate for a growing City of our size (see next slides)**
- **Major solicitations are approved by Council at 100k**
- **Ordinance should identify Council approval threshold; Administrative Code, approved by City Manager, should dictate approval levels below Council threshold**
- **Lower threshold increases the number of Council Agenda items for consideration and will extend the Procurement process**

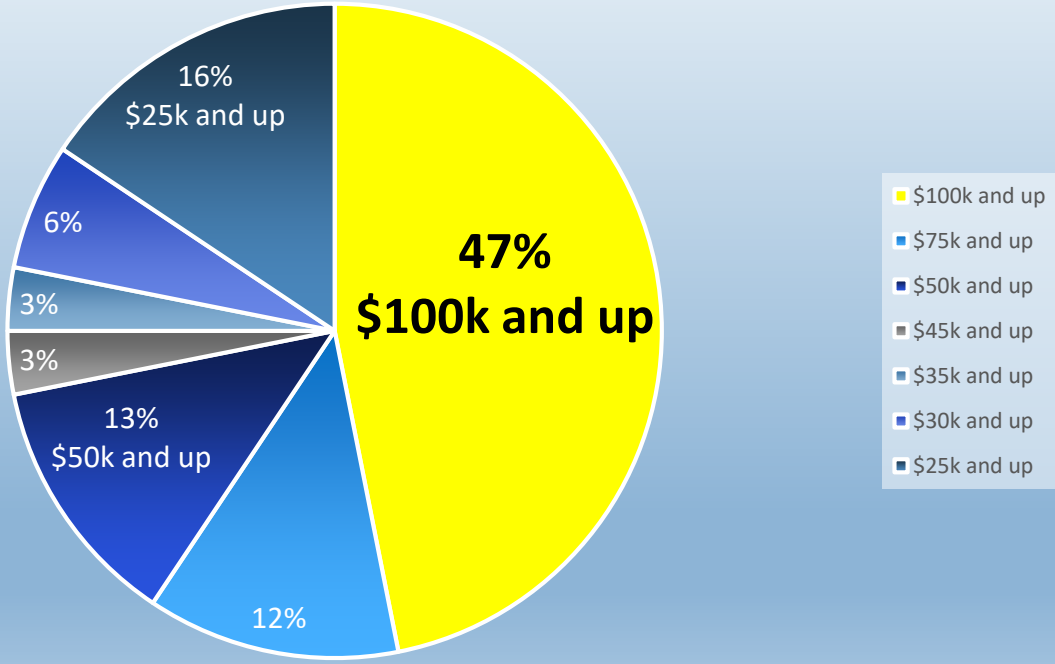


# LEGISLATIVE BODY APPROVAL LEVELS

All Cities with Populations with 60,000 or higher



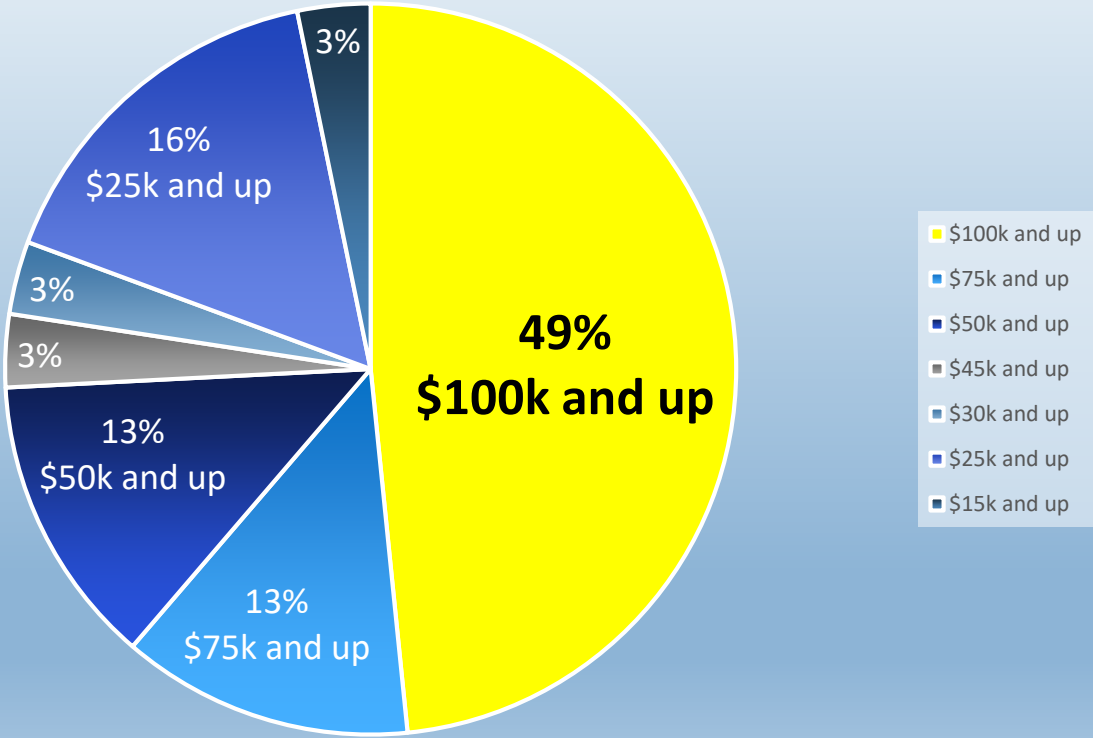
All Cities with Population 75,000 or higher



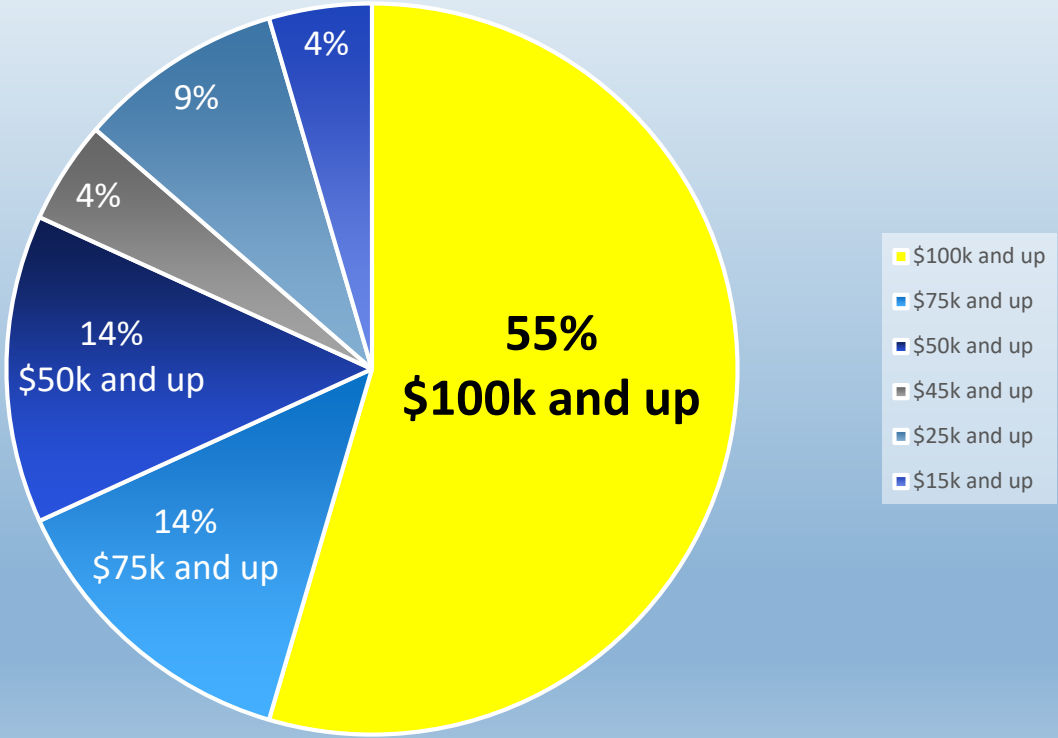


# LEGISLATIVE BODY APPROVAL LEVELS

Top 31 Cities by Population



All Cities with Populations 100,000 or more





# SOLICITATIONS AWARDED BY COUNCIL - FY 2019

TITLE	AMOUNT	TITLE	AMOUNT	TITLE	AMOUNT
NRWTP TREATMENT UNIT #1 REHAB	\$ 1,525,997.00	CULVERT REPLACEMENT, HARPER, GARVEY	\$ 530,925.00	CULVERT PIPE REPLACEMENT - UNITS 11 & 15	\$ 277,114.00
NRWWTP DIW RESERVOIR POND LINER REPLACEMENT	\$ 653,000.00	Group Term, Life STD & LTD Insurances	\$ 691,992.00	BULK PEBBLE QUICKLIME	\$ 372,876.00
DITCH MAINTENANCE SERVICE @ 12 LOCATIONS	\$ 514,451.00	Mowing - City Parks	\$ 140,135.58	UNDERWRITING SERVICES	As needed
FIRE HYDRANT SANDBLASTING & PAINTING	\$ 252,000.00	UNIT 31 CULVERT PIPE REPLACEMENT	\$ 898,263.44	CULVERT PIPE REPLACEMENT - UNITS 23 & 56	\$ 567,489.00
JANITORIAL SERVICES	\$ 171,437.00	UNIT 32 CULVERT PIPE REPLACEMENT	\$ 632,942.00	CULVERT PIPE REPLACEMENT - UNITS 11 & 15	\$ 277,114.00
INSTRUMENTATION REPAIRS, MAINT. & CALIBRATION	\$ 100,000.00	US-1 Sanitary Sewer Carrier Pipe and Manhole	\$ 337,875.00	Blue = Usage varies	Gray = One-time
TRAFFIC SIGN MATERIAL (CO-OP)	\$ 208,000.00	NRWWTP R&R IMPROVEMENTS	\$ 1,683,700.00	<b><i>TOTAL:</i></b> <b><i>\$25,432,240</i></b>	
EMERGENCY GENERATORS – PM & REPAIR	\$ 176,665.00	Unimproved & Improved Lots Mowing	\$ 103,250.00		
MALABAR RD PD & E STUDY	\$ 1,354,666.35	UNIT 41 & ELDRON PAVING	\$ 3,145,838.99		
UNIT 42 PIPE REPLACEMENT, PHASE II	\$ 554,641.00	CULVERT PIPE REPLACEMENT - PHASE III	\$ 324,161.00		



# SOLICITATIONS AWARDED BY CPO - FY 2019

TITLE	AMOUNT	TITLE	AMOUNT	TITLE	AMOUNT
PD LEASE VEHICLES - RE-QUOTE	\$ 27,620.00	Overhead Door Preventative Maintenance & Repair	\$ 33,000.00	WESTOAKS PARK PLAYGROUND	\$ 89,996.39
AQUATIC WEED CONTROL	\$ 21,441.00	PBAC Assessment & Renovations Consultant Svcs	\$ 33,440.00	MOVIE EQUIPMENT	\$ 24,399.13
TEMPORARY PLANNERS I & II	\$ 90,000.00	SPENT LIME REMOVAL	\$ 65,000.00	Survey Equipment	\$ 31,597.63
LABORATORY TESTING & RELATED SERVICES	\$ 56,000.00	LUBE OIL - REQUOTE	\$ 60,318.75	CHERRY HILLS MANHOLE REPLACEMENT	\$ 98,900.00
AUTO BODY REPAIRS	\$ 80,470.00	HVAC Maintenance - City Hall Complex	\$ 63,085.00	Tank Inspection and Cleaning Service	\$ 14,865.00
CONCRETE FLOWABLE FILL	As needed	Pest Control Services	\$ 15,264.00	SRWTP Feed Line Restoration	\$ 65,645.00
SEWER LINE CLEANING SERVICES	\$ 37,500.00	Access Control Continuing Services	\$ 25,000.00	Trailer Mounted Valve Exerciser - Re-Quote	\$ 39,170.00
Parks Chemicals	\$ 72,700.00	Mowing - City BLDGS	\$ 49,395.45	HALON SYSTEM REPLACEMENT - PD	\$ 83,188.00
POLICE UNIFORMS	\$ 58,550.00	CHYRSLER SERVICE & REPAIR (RE-QUOTE)	\$ 15,000.00	Blue = Usage Varies	Gray = One-time
PD LEASE VEHICLES	\$ 54,807.00			<b>TOTAL: \$1,306,352</b>	





# SOLICITATIONS AWARDED BY COUNCIL - FY 2020 (PAGE 1)

TITLE	AMOUNT	TITLE	AMOUNT	TITLE	AMOUNT
North Regional Deep Injection Well Acidization	\$ 120,950.00	SRTS SIDEWALK CONSTRUCTION - FDOT LAP	\$ 2,185,979.00	Biosolids Transportation & Disposal	\$ 159,500.00
<b>Solid Waste Services</b>	<b>\$ 16,850,775.96</b>	DNA	\$ 52,120.00	Continuing Consulting Engineering Services - Utilities	\$ 600,000.00
Firefighter Physical Exams	\$ 63,300.00	<b>TAX EXEMPT LEASE PURCHASE FINANCING</b>	<b>\$ 2,069,171.95</b>	Greater PB Senior Center Renovations	\$ 400,609.00
Culvert Pipe Replacement - Unit 18	\$ 150,127.00	COMMERCIAL BROKERAGE SERVICES	As needed	EQUIPMENT RENTAL (CO-OP)	\$ 107,317.00
NRWRF Nutrient Removal Facilities	\$ 3,367,000.00	DITCH MAINTENANCE SERVICES	\$ 407,527.96	<b>DENTAL BENEFITS</b>	<b>\$ 410,854.00</b>
NRWTP Elevated Walkway Rehabilitation	\$ 377,000.00	ROAD BOND PAVING - UNIT 42 & GARVEY	\$ 7,544,652.43	<b>MEDICAL ASO &amp; STOP LOSS INSURANCE</b>	<b>\$ 11,973,187.00</b>
NRWTP Rehabilitation	\$ 2,156,000.00	Electrical Supply Catalog Bid	\$ 120,000.00	AUTOMATIC CHEST COMPRESSION DENCES - GRANT	\$ 116,626.70
NRWRF Reclaimed Water High Service Pump Area Improvements	\$ 557,000.00	Road Bond Paving Units 11, 15, 18, 23 & 56	\$ 10,010,151.05	FINANCIAL ADVISORY SERVICES	As needed
Brass Fittings (Ford Brand Only)	\$ 150,000.00	Culvert Pipe Replacement - Waterbury and Freehold	\$ 696,863.10	SJHP PHASE I & II BABCOCK LEFT TURN LANE	\$ 292,296.65
Lift Station 93 Rehab	\$ 106,966.00	Culvert Pipe Replacement - Jacobin	\$ 296,997.50	Blue = Usage Varies	Gray = One-Time



# SOLICITATIONS AWARDED BY COUNCIL - FY 2020 (PAGE 2)

TITLE	AMOUNT	TITLE	EST. AMOUNT	TITLE	EST. AMOUNT
Purchase and Delivery of Liquid Sodium Hypochlorite	\$ 175,576.00	Hardening Wind Retrofit of Fire Stations 2,3 & 4 (Rebid)	\$ 193,000.00	ROAD BOND PAVING - UNITS 24 & 25	\$ 14,269,980.38
TYPE 6 BRUSH TRUCK - CDBG FUNDS	\$ 113,334.00	SRWRF - NEW PLANT CONSTRUCTION	\$ 27,024,000.00	ROAD BOND PAVING - UNIT 46	\$ 2,591,723.00
MOBILE WATER SUPPLY TRUCK - CDBG FUNDS	\$ 254,754.00	FRED POPPE SEWER UPGRADE	\$ 359,717.94	Projected Additional Award Amount: \$60,991,421	
CULVERT PIPE REPLACEMENT 24 & 25	\$ 677,763.50	STATE LOBBYING SERVICES	\$ 60,000.00		
MOWING - CITY PARKS	\$ 163,217.73	SRWTP EXPANSION WELL SRO - 4	\$ 395,000.00	Projected Total Award for FY 2020 by Council: \$126,811,237.69	
COMP PLAN UPDATE	\$ 290,995.00	SRWTP EXPANSION 4 MGD TO 6 MDG	\$ 14,198,000.00		
ROAD BOND PAVING - PORT MALABAR	\$ 1,108,280.80	Tax Exempt Bank Loan - Refunding Public Tax Bond	Not Applicable		
ROAD BOND PAVING - EMERSON DRIVE	\$ 1,121,189.82	NRWWTP Clarifier No. 2	\$ 1,900,000.00		
Total Awarded as of 9/22/2020: \$65,248,083		Tax Exempt Bank Loan - Utility System - SRWTP Expansion	Not Applicable	Important Note: Award amount not always the same as expenditure amount. (Solid Waste, Health Insurance, Dental)	
		Blue = Time and Materials			
				Yellow = Not yet awarded, est. listed	Gray = One-Time



# SOLICITATIONS AWARDED BY CPO - FY 2020

TITLE	AMOUNT	TITLE	AMOUNT
Light Vehicle Transmission Services Re-Quote	\$ 43,270.00	Aluminized Corrugated Pipe	\$ 20,000.00
Concrete Flowable Fill	\$ 52,000.00	Fire Station #5 Fireline	\$ 68,415.50
Sod - Delivered & Picked Up	\$ 53,000.00	FIRE STATION #5 PLUMBING REMODEL (RE-QUOTE)	\$ 48,700.00
SRWTP Deep Injection Well Mechanical Integrity Testing	\$ 16,500.00	OCCUPATIONAL PHYSICAL EXAMS ASSOCIATED DRUG SCREENING	\$ 38,875.00
FIRE ALARM MONITORING, MAINTENANCE & TESTING	\$ 5,452.80	FIRE APPARATUS EQUIPMENT	\$ 50,929.48
JUNIORS TO JOBS YOUTH SUMMER EMPLOYMENT PROGRAM PAYROLL AGENCY	\$ 34,411.74	LIFT STATION 43 REHABILITATION (RE-BID)	\$ 55,853.70
RO Membrane Scale Inhibitor (Antiscalant) re-bid	\$ 36,450.00	Blue = Usage Varies	Gray = One-Time
Wide Range Couplings - Hymax Only	\$ 27,145.00	<b><i>TOTAL: \$615,003.22</i></b>  <b><i>Note: Of the 16 solicitations awarded, only 5 are over \$50k. None are over \$75k</i></b>	
Mowing and Related Equipment	\$ 45,000.00		
Services Saddles, Repair Clamps, Ext Range Couplings (Romac Only)	\$ 19,000.00		

# THRESHOLD LEVEL IS SOUND

- Largest, most complex solicitations already come to Council at \$100k
- **\$100k is the most common Legislative Approval threshold for an agency our size**
- Most awards approved below Council threshold are for time and material contracts
- **All awards at ALL levels are with Council-approved, budgeted funds**
- Multi-year initial term contracts usually reviewed by Council
- What can we improve? **Approvals below Council threshold determined by the City Manger via Administrative Code**, who can choose to delegate to CPO, in her purview



# AUDIT FINDING 6 – INSURANCE PROCUREMENT & EXEMPTIONS

- **Finding 6:** On January 1, 2018, the City implemented a self-funded health insurance program and, after direct negotiations, entered into an administrative services only (ASO) agreement with an administrator, approved by the OIR, to administer the City health self-insurance program. According to City personnel, the City elected not to competitively procure the ASO services based on discussions with upper management, Purchasing Department personnel, and personnel from other departments who purchase goods and services through the Purchasing Department.
- **AG Recommendation:** The City should periodically negotiate ASO services with multiple potential administrators to ensure that such services are obtained at the lowest cost consistent with desired quality. In addition, all significant decisions impacting City operations, such as decisions to exclude insurance-related services from competitive procurement, should be openly discussed at City Council workshops or public meetings, and the factors considered by decision makers should be documented.
- **Important Note:** Despite the exemption in the current Ordinance, **the City did competitively solicit and award Health ASO & Stop Loss Insurance services this Fiscal Year.**





# PROPOSED EXEMPTION CHANGES

## Clarifications

- Combined “Items purchased for resale” with “accessories, apparel, and equipment” (prev. under Retail Marina)
- Medical Services - provided example, “such as Medical Director service for Fire Rescue”
- Maintenance and Support of existing equipment, example: Software maintenance, warranty/OEM parts, etc.
- Direct Material Purchases aka Owner Direct Purchases (what we call it in our bid document)

## Deletions

- Under Professional Services for WC claims, delete “Claim adjusting services”
- Delete duplicate only – Licenses and permits
- **Delete Insurance related services – AUDIT FINDNG**
- Delete Property recovered by the City from WC & liability claims
- Delete Retail marina accessories, apparel, equipment for resale at City-owned marina

## Additions

- **Service animals to include police canines** – highly specialized, limited supplier pool, “low quote” not the basis
- **Piggyback Purchases** – contained elsewhere in Ordinance, clarifying that it exempts from **our** process but still competitively solicited
- **CDBG Rehab where Owner selects Contractor** – deleted in 10/1/2016 version and replaced with Homes for Warriors, which was also later deleted. Needs to be reinstated officially. Still competitive, just not our procurement process.







# SPECIAL PROCUREMENTS

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Waiver of competitive procurement process

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Language from ABA model procurement code

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Council Approval \$25,000

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Must be noticed at public Council Meeting

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Must have CM and CPO concurrence

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Competition when practical

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Written justification required

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92% of Cities surveyed have this capability





# SUMMARY: PROPOSED ORDINANCE CHANGES

## Improvements

- City Manager approval under \$100k instead of CPO
- Change Order threshold of 10% cumulative
- Differentiate construction change order from term contract change orders
- Piggyback verification expansion
- **Local Preference**
- Potential vendors can address Council @ Pub Mtg, is not Ex Parte

## Clarifications

- Exemptions over \$100k require Council Approval
- Clarify that initial contract term is Council threshold
- Add Council Task Order threshold of \$100k
- CCNA Continuing Contract requirements
- Multi-step competitive solicitations
- Protest appeal to Council

## Clean up

- Manual becomes Admin Code
- Move Definitions to the front
- Move all Unauthorized Purchase violations to one place
- Add Piggyback to Exemptions
- Delete duplicate Exemption (license/permit)
- Delete duplicate statements
- P3 – remove processes not required by Statute

## New Definitions

- Amendment
- Construction Change Order
- Continuing Contract
- Standardization
- Term Contract
- Clarify vague Exemptions
- Add needed Exemptions (CDBG, canines)
- Add Special Procurements



## **ORDINANCE 2020-72**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE III, ADMINISTRATION, CHAPTER 38, PROCUREMENT DEPARTMENT, BY MODIFYING PROVISIONS CONTAINED THEREIN; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:**

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title III, Administration, Chapter 38, Procurement Department, is hereby amended and shall henceforth read as follows:

### **“CHAPTER 38: PROCUREMENT DEPARTMENT**

**\* \* \***

#### **Section 38.04 APPLICABLE LAWS.**

(A) The City shall comply with all applicable Federal laws and State statutes.

(B) The principles of law and equity, including the Uniform Commercial Code, Fla. Stat. Ch. 671-680, the appropriate portions of law relative to standards of conduct and ethics, Fla. Stat. Part III, Ch. 112, and laws relative to contract, agency, fraud, misrepresentation, duress, coercion, and mistake shall supplement the provisions of this Ordinance and the Procurement >>Administrative Codes<< Manual.

(C) All procurement information and processes shall be in accordance with the Florida Public Records Law, Fla. Stat. Ch. 119, and the Florida Sunshine Law, Fla. Stat. Ch. 286.

(D) Nothing in this ordinance shall prevent the City from complying with the terms of any grant, bequest or gift that is otherwise consistent with the law.

### **Section 38.05 REQUIREMENT OF GOOD FAITH.**

The provisions of this Ordinance require that all parties involved in the development, performance, or administration of City procurements and contracts shall act in good faith.

### **Section 38.07 >>6<< DEFINITION OF TERMS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AGREEMENT. All types of contracts, included in the course of dealing, performing, and usage of trade. See "Contract" for additional information.

>>AMENDMENT. Any written alteration issued to modify or amend a contract or purchase order in specifications, delivery point, frequency of delivery, period of performance, price, quantity, or other provisions of the contract or agreement, accomplished by mutual agreement of the parties to the contract.<<

\* \* \*

>>CONSTRUCTION CHANGE ORDER. A written bilateral (agreed to by all parties) or unilateral (government orders a contract change without the consent of the contractor) alteration that is used to modify or amend a contract and that directs the contractor to make changes to the contracted scope of work or specifications. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not covered by the drawings, plans, or specifications of the project.<<

CONSTRUCTION MANAGER (CM). The firm that replaces the general contractor and works for a fee with the City and the architect or designer through the design phase to contain the budget and schedule. The Construction Manager shall provide a guaranteed maximum price (GMP), and bids the work out to local trade sub-contractors. The Construction Manager mobilizes the site and manages the trade sub-contractors for quality and schedule.

\* \* \*

>>CONTINUING CONTRACT. A type of contract, as defined in Fla. Stat. § 287.055, for professional services between the City and a firm whereby the firm provides professional services to the City for projects in which the estimated construction cost of each individual project under the contract does not exceed the amount as currently specified in Fla. Stat., or for study activity if the fee for professional services for each individual study under the contract does not exceed

the amount as currently specified in Fla. Stat., or for work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed term or with no time limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another.<<

\* \* \*

COOPERATIVE PURCHASING. The action taken when two (2) or more entities combine their requirements to obtain advantages of volume purchases including administrative savings and other benefits. A variety of arrangements whereby two (2) or more public purchasing units purchase from the same supplier or multiple suppliers using a single IFB or RFP. Cooperative purchasing efforts may result in contracts that other entities may "piggyback".

\* \* \*

EX PARTE COMMUNICATION. Any oral or written communication relative to a solicitation, evaluation, award or contract controversy that occurs outside of an advertised public meeting or occurs with someone other than the Chief Procurement Officer, subject to the exclusions identified in § 38.20>>22<< of this Ordinance.

FIRM. Any company, corporation, partnership, individual, sole proprietorship, joint-stock company, joint venture, governmental body or similar legal entity.

GOODS. Anything purchased other than services or real property.

INTERNAL PROCEDURES OF PROCUREMENT. Those appropriately promulgated directives having general or particular applicability designed to implement or interpret this Ordinance, or describing organization, procedure, processes, or practice requirements as prescribed by the >>City Manager or<< Chief Procurement Officer. Such directives shall be included in the City's Procurement >>Administrative Codes<< Manual.

INVITATION FOR BIDS (IFB). The solicitation document used for soliciting competitive sealed bids for goods or services.

INVITATION TO NEGOTIATE (ITN). All solicitation documents, regardless of medium, whether attached to or incorporated by reference in solicitations for responses from firms which invites proposals from interested and qualified firms so the City may enter into concurrent negotiations with the firm or firms determined most capable of providing the required goods and services.

LEGALLY SUFFICIENT. The designation that a public contract or document on its face is legal, valid and binding.

MANDATORY CITY COUNCIL APPROVAL AMOUNT. The minimum purchasing amount at which City Council approval is required. The mandatory City Council approval amount shall be equal to or greater than one hundred thousand dollars (\$100,000.00) total expenditure for the initial contract term. ~~Such purchases must be approved by the City Council prior to execution of the contract or purchase order. City Council approval of an award recommendation does not constitute a binding contract with the recommended vendor until execution of a purchase order or contract by the City. Purchases for items delineated per § 38.06(E) of this Ordinance shall be exempt from the mandatory City Council approval amount and shall be acquired at reasonable prices from qualified sources. The mandatory City Council approval amount for change orders and contract modifications shall be ten percent (10%) or one hundred thousand dollars (\$100,000.00) whichever is lower.~~ Purchases not exceeding the mandatory City Council approval amount shall be made in accordance with the Procurement ~~>>Administrative Codes<< Manual.~~

MAY, SHOULD and CAN mean the permissive.

PROCUREMENT. All functions pertaining to buying, purchasing, renting, leasing, contracting for, or otherwise acquiring any goods, supplies, services, professional services, capital improvement and construction projects, including description of requirements, solicitation and selection of sources, negotiations, preparation, award and execution of contracts and orders. PROCUREMENT may also include the combined functions of purchasing, inventory control, ~~traffic and transportation,~~ receiving, inspection, storekeeping, salvage and disposal operations.

PROCUREMENT ~~>>ADMINISTRATIVE CODES<< MANUAL.~~ The administrative regulations and the internal procurement procedures ~~and >>that<<~~ describes rules, regulations, policies and procedures as ~~adopted by Resolution >>approved<<~~ by the ~~City Council >>City Manager<<~~ to be followed by the Procurement Department and the departments it serves.

PROFESSIONAL SERVICES. Services, the value of which is substantially measured by the professional competence of the person performing them, and which are not susceptible to realistic competition by cost of services alone, rendered by members of a recognized profession or possessing a special skill. Such services are generally acquired to obtain information, advice, training,

or direct assistance. Professional services shall include, but not be limited to, services customarily rendered by architects, landscape architects, engineers, surveyors, mappers, certified public accountants, financial experts, attorneys, information technology firms, >>insurance related services,<< planning, legislative, and management consultants.

\* \* \*

REQUEST FOR INFORMATION (RFI). A non-binding method whereby the City publishes via newspaper, internet, or direct mail its need for input from interested parties for an upcoming solicitation. A procurement practice used to obtain >>scopes of work, specifications,<< comments, feedback or reactions from potential suppliers (contractors) >>; often occurs<< prior to the issuing of a solicitation. ~~Generally price or cost is not required.~~ Feedback may include best practices, industry standards, technology options, preferred timeframes, >>budgetary cost,<< etc.

\* \* \*

RESPONSIVE. Refers to a person or firm who has submitted a bid, proposal, offer, quote, or response which conforms in all material respects to the competitive solicitation documents and all of its requirements at the time of opening the responses. >>Determination of whether an omission, error or failure to conform is material is at the sole discretion of the City.<<

\* \* \*

SMALL PURCHASE. Any purchase not exceeding a given upper monetary limit, as established by the Procurement >>Administrative Codes<< Manual.

\* \* \*

>>STANDARDIZATION. The adoption of a single product, brand, or group of products to be used by the City. Standardization can be achieved through the competitive solicitation process, the sole source process, the Request for Information (RFI) process, or other process as detailed in the Procurement Administrative Codes and approved by City Council when standardization results in an initial expenditure within the Mandatory Council Approval amount.<<

SUPPLIES. All tangible items purchased and consumed by the City.

SUSPENSION. The temporary prohibition of a vendor or contractor to do business with the City for a period not to exceed two (2) years.

**>>TASK ORDER.** A contract order against an indefinite delivery/indefinite quantity contract for professional services that provides for the issuance of orders for professional services during the contract period.<<

**>>TERM CONTRACT.** A type of contract in which a source of supply is established for a specified period for specified services or supplies, but with no commitment to purchase a particular quantity; usually characterized by an estimated or minimum quantity, with the possibility of additional requirements beyond the minimum, all at a predetermined unit price. Sometimes referred to as a time and material contract.<<

**UNAUTHORIZED PURCHASE.** Any item(s) or service(s) that is:

(1) Purchased prior to receiving an executed contract or purchase order, or

(2) Purchased without sufficient funds as determined by the Finance Department, or

(3) Purchased in the following manner:

(a) Obtaining items under contract from suppliers other than those holding City contracts for those specific items, or

(b) Providing the Procurement Department false information such as false bids/ quotes, or

(c) An "add-on" to a previously approved contract or purchase order without first obtaining approval from the Procurement Department, or

(d) Splitting orders of the same or like materials/requirements into two or more individual purchases with the intention of circumventing the competitive solicitation requirements.

\* \* \*

## **Section 38.06 >>7<< APPLICATION AND EXCLUSIONS.**

(A) Emergency purchases. A City officer or employee may make an emergency purchase, as defined in § 38.07, which is subsequently approved by the City Manager upon justification in writing, stating the reasons the emergency would affect life, safety, health, or the convenience of citizens. See § 38.12(F)(3) of this chapter Procurement Ordinance for additional information.

~~(B) Requisition purchase authorization. Except in cases of emergency, no request and process of any requisition for any order shall be made if there are insufficient unencumbered funds in the appropriate account to be charged, and the City's finance section shall not pay any request when there are insufficient unencumbered appropriation balances, in excess of all unpaid obligations, to defray the amount of such order in the accounts of the client agencies concerned.~~

~~(C) Prohibition against subdivision. No contract or purchase shall be subdivided to avoid the requirements of this Ordinance and/or the Procurement Manual.~~

(D) ~~Competitive solicitation and selection~~ >>Application<<. The competitive selection process provisions of this Ordinance shall apply to every purchase by the City Council and the departments which are under the control of the City Council, irrespective of their funding source, including State and Federal assistance monies and grants, except as otherwise specified in ~~this~~ >>City<< Ordinance, >>City Charter,<< or by Federal, State or local laws or grant terms and conditions. In cases where state or federal funds are being used to fund a project or program, the guidelines contained therein for procurement shall be followed, in addition to the City's requirements.

(E) Exclusions. The competitive solicitation and selection processes stipulated in this Ordinance shall not apply to the following:

\* \* \*

(9) Items purchased for resale >>, to include accessories, apparel and equipment<<

\* \* \*

(17) Professional services, including:

(a) Court reporter services

(b) Medical services >>, such as Medical Director service for Fire Rescue<<

\* \* \*

(i) Professional services when utilized by the City in the settlement and administration of workers' compensation and liability claims, such as:

1. Private investigators

2. Expert witnesses

~~3. Claim adjusting services~~

However, no court reporter services, legal services, expert witnesses, or professional services when utilized by the City in the settlement and administration of workers' compensation and liability claims, such as private investigators ~~or claim adjusting services~~ may be procured without the approval of the City Attorney or his or her designee.

(18) Maintenance and support of existing software/hardware, equipment, machinery, vehicles, and other City-owned items ~~>>, such as annual maintenance agreements for City-owned software, or warranty or OEM parts and repairs with availability restricted by the manufacturer<<~~

(19) Direct material purchases ~~>>also called Owner Direct Purchases<<~~, such as purchases of materials, equipment, prefabricated elements and components, appliances, furniture, fixtures, and other goods, pursuant to a program contained in a construction contract that has been awarded in accordance with any provision of this Ordinance, whereby the City makes such purchases directly from a vendor ~~>>, subcontractor or material supplier<<~~ by using a City purchase order

(20) Services provided by institutions of higher learning, not-for-profit organizations, non-profit organizations, state sponsored institutions, and other governmental and public agencies

(21) Cooperative purchases from contracts established by local, state, or national cooperative purchasing organizations, Federal GSA, and State of Florida term contracts

~~>>(22) Piggyback purchases utilizing contracts and agreements entered into by another governmental or public entity and a provider of supplies or services required by the City, if the Chief Procurement determines that it is practicable and advantageous for the City to employ this method of purchase<<~~

(22 ~~>>3<<~~) Petty cash purchases and reimbursements

(23 ~~>>4<<~~) Purchasing card (P-Card) purchases

~~(24) Licenses and permits~~

~~(25) Insurance-related services including, but not limited to insurance consulting, self-funding, and claims administration~~

(26 ~~>>5<<~~) Employment contracts



~~(27) Property recovered by the City in the settlement and administration of workers' compensation and liability claims~~

(28 >>6<<) Works of art for public places

(29 >>7<<) City sponsored events at hotels, motels, restaurants and similar facilities

(30 >>28<<) Products purchased from the blind, and other severely impaired persons (RESPECT) in accordance with Fla. Stat. §§ 413.032, 413.033 and 413.036

(31 >>29<<) Products purchased from the Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE), in accordance with Fla. Stat. § 946.515

(32 >>30<<) Goods and/or services given, or accepted by the City via grant, >>donation,<< gift, or bequest

(33 >>31<<) Publications from publishers or exclusive distributors of such publications

(34 >>32<<) Patented materials

(35 >>33<<) Processed media: >>books,<< movies, slides, videos, and other from processor, producer or exclusive distributor

(36 >>34<<) Naming rights or sponsorships

(37 >>35<<) ~~Retail marina accessories, apparel, equipment or any other marina-related merchandise for resale by any city-owned marina retail shop~~  
>>Contracts for Private Property expending Community Development Block Grant (CDBG), Neighborhood Stabilization (NSP), HOME Incentive Partnership, or State Housing Initiative Partner (SHIP) funds, or other similar programs: Contracts for contractual services for the rehabilitation of private property that are funded from CDBG, NSP, HOME Incentive Partnership, or SHIP funds or other similar programs, so long as these expenditures are in compliance with the program requirements of Housing and Urban Development (HUD), the Code of Federal Regulations (CFR), City policies and guidelines, and Council-approved program documents<<

>>35. Service animals to include police canines<<

>>(F) Special Procurements and Waiver of the Procurement Process. Notwithstanding any other provision of this Ordinance, the City Council, with recommendation of the City Manager and Chief Procurement Officer, may initiate

a procurement above \$25,000 where the City Manager and Chief Procurement Officer determine that an unusual or unique situation exists that makes the application of all requirements of competitive bidding or competitive proposals contrary to the public interest. A written determination of the basis for the procurement and for the selection of the vendor shall be included in the Legislative Memorandum describing all such determinations prior to Council action.<<

(F >>G<<) With respect to the excluded >>and special procurement<< items above, the City will make its best efforts to acquire these items and services at reasonable prices from qualified or specified sources.

**>>Section 38.08 MANDATORY CITY COUNCIL APPROVAL REQUIREMENTS.**

The Mandatory City Council approval amount is defined as the minimum purchasing amount at which City Council approval is required. Such purchases must be approved by the City Council prior to execution of the contract or purchase order.

(A) City Council approval of an award recommendation does not constitute a binding contract with the recommended vendor until execution of a purchase order or contract by the City.

(B) Council approval is required for all the following circumstances prior to execution of the contract or purchase order:

(1) Council Approval for purchases or award of contracts solicited via competitive solicitation equal to or greater than one hundred thousand dollars (\$100,000.00) total expenditure for the initial contract term;

(2) Council Approval for purchases or award of contracts for items delineated as Exclusions per § 38.07(E) of this Ordinance equal to or greater than one hundred thousand dollars (\$100,000.00) total expenditure for the initial contract term;

(3) Council Approval for purchases or award of contracts for items delineated as Special Procurements per § 38.07(F) of this Ordinance equal to or greater than \$25,000 total expenditure for the initial contract term;

(4) Council Approval for Construction Change Orders to construction contracts originally awarded for one hundred thousand dollars (\$100,000.00) or more shall be ten percent (10%) or one hundred thousand dollars (\$100,000.00) whichever is lower. For calculation purposes, the ten percent (10%) threshold amount is cumulative.

(5) Council Approval for Task Orders against continuing contracts issued for Professional Services equal to or greater than one hundred thousand dollars (\$100,000.00);

(6) Council Approval for Amendments to contracts and task orders originally awarded for one hundred thousand dollars (\$100,000.00) or more shall be ten percent (10%) or one hundred thousand dollars (\$100,000.00) whichever is lower, except as provided in § 38.08(C). For calculation purposes, the ten percent (10%) threshold amount is cumulative.

(C) Contract Duration and Term Contracts:

(1) For calculation purposes, initial contract term is the duration first agreed to by both parties, prior to renewal options. This is typically one year, but in the case of longer initial term (i.e. two-year initial terms), value is calculated by adding the values of the years comprising the initial term.

(2) Contract Amendments to Term Contracts do not require City Council approval and shall be made in accordance with the Procurement Administrative Codes.

(D) Purchases, awards, construction change orders, and contract amendments not exceeding the mandatory City Council approval amount shall be made in accordance with the Procurement Administrative Codes.<<

(E) The Chief Procurement Officer will prepare a report for Council acknowledgement of competitive solicitations issued by the Procurement Department and awarded in accordance with the Procurement Administrative Codes which are under the mandatory City Council approval amount. Reporting requirements will be further delineated in the Procurement Administrative Codes.<<

**Section 38.08 >>9<< ORGANIZATION.**

>>(A) City Manager. In accordance with the provisions of this Ordinance and City Ordinance Chapter 30, all rights, powers, duties and authority relating to the purchase and contracting of goods and services for the City Council, including the authority to approve all purchases and sign those agreements, contracts, change orders, and purchase orders for the purchase of goods and services governed by, and within the limits of this Ordinance, provided they are in conformance with the Procurement Administrative Codes, the law, and all applicable rules and regulations, are vested in the City Manager. The City Manager

may delegate this authority through the promulgation of the Procurement Administrative Codes.

(B) The City Manager shall have the authority, duties, authorizations, and accountabilities to:

(1) Appoint the Chief Procurement Officer;

(2) Approve the Procurement Administrative Codes including the competitive threshold amounts contained therein;

(3) Delegate the approval authority level and delegation authority of the Chief Procurement Officer;

(4) Award competitive solicitations and sign, on behalf of the City, contractual agreements, purchase orders, task orders, and change orders for the purchase of goods and/or services required by the City of less than the Mandatory City Council approval amount;

(5) Sign all contractual agreements, purchase orders, task orders, and change orders, for the purchase of goods and/or services required on behalf of the City that exceed the mandatory City Council approval amount after award approval by the City Council;<<

(A >>C<<) Procurement Department. The Procurement Department shall oversee and conduct all of the City's procurement and contracting for supplies, goods, equipment, contractual services, professional and consultant services, capital improvements and construction and/or any combination of goods and services.

(B >>D<<) Chief Procurement Officer. In accordance with the provisions of this Ordinance, the Chief Procurement Officer shall serve as the principal officer for the contracting and/or purchase of goods and services. >>The City Manager may delegate<< All rights, powers, duties and authority relating to the purchase and contracting of goods and services for the City Council, including the authority to approve all purchases and sign those agreements, contracts, change orders, and purchase orders for the purchase of goods and services governed by, and within the limits of this Ordinance, provided they are in conformance with the Procurement >>Administrative Codes<< Manual, the law, and all applicable rules and regulations, are vested in the Chief Procurement Officer.

(C >>E<<) ~~Duties, responsibilities, authorizations, and accountabilities.~~  
The Chief Procurement Officer shall have the following duties, responsibilities, authorizations, and accountabilities:

- (1) Administer the central procurement and contracting function for the City;
- (2) Determine conditions and procedures for >>further<< delegation(s) of purchase authority >>to Procurement Staff and other Department Heads within the authority delegated to the Chief Procurement Officer by the City Manager<<;
- (3) Determine the conditions and procedures for the use of source selection methods authorized by this Ordinance, including determination of sole source and emergency purchases;
- (4) Maintain, or arrange for maintenance of, a current vendor database of possible sources of supply for all goods and services purchased by the City;
- (5) Provide for the establishment/ promulgation of a Procurement >>Administrative Codes<< Manual. Such procedures and processes shall be in compliance with this Ordinance, and may not conflict with the thresholds or approval requirements set forth in this Ordinance. The Procurement >>Administrative Codes, as approved by the City Manager<< Manual shall define the minimum threshold amounts at which competitive quotes and other competitive solicitations under the mandatory City Council approval amount shall be required by the City;
- (6) >>As permitted within the Procurement Administrative Codes, award<< Award all competitive solicitations and sign, on behalf of the City, all contractual agreements, purchase orders, task orders, and change orders for the purchase of goods and/or services required by the City of less than the mandatory City Council approval amount and as otherwise stipulated in this Ordinance;
- (7) >>As permitted within the Procurement Administrative Codes, award, and sign<< Sign all contractual agreements, purchase orders, task orders, and change orders, for the purchase of goods and/or services required on behalf of the City, exceeding >>that exceed<< the mandatory City Council approval amount after award approval by the City Council, and as otherwise stipulated in this Ordinance;

\* \* \*

**Section 38.09 >>10<< DELEGATION OF AUTHORITY BY >>CHIEF PROCUREMENT OFFICER<< CPO TO CITY STAFF.**

The Chief Procurement Officer may delegate rights, powers, and authority vested in him or her >>through the Procurement Administrative Codes<< to subordinate Procurement Department employees, or other City staff, when deemed necessary by the Chief Procurement Officer, provided such staff shall comply with all applicable laws, rules and procedures established by the City.

**Section 38.10 >>11<< UNAUTHORIZED PURCHASES >>AND PROHIBITIONS<<.**

(A) It shall be unlawful for any city officer or employee to make an unauthorized purchase as defined in § 38.07 >>herein<<. Except in cases of emergency as specified herein, no officer of the City shall issue any oral or written purchase order, contract, or conduct open market purchases in any manner unless specifically authorized by this Ordinance.

(B) The City shall not be bound by any purchase order or contract made contrary to the provisions hereof.

>>(C) An unauthorized purchase includes any item(s) or service(s) that is:

(1) Purchase prior to receiving an executed contract or purchase order, or

(2) Purchased without sufficient funds as determined by the Finance Department, or

(3) Purchased in the following manner:

(a) Obtaining items under contract from suppliers other than those holding exclusive City contracts for those specific items, or

(b) Providing the Procurement Department false information such as false bids/ quotes, or

(c) An "add-on" to a previously approved contract or purchase order without first obtaining approval from the Procurement Department, or

(d) Splitting orders of the same or like materials/requirements into two or more individual purchases with the intention of circumventing the competitive solicitation requirements.

(D) Requisition-purchase authorization. Except in cases of emergency, no purchase shall be made if there are insufficient unencumbered funds in the appropriate account to be charged.

(E) Prohibition against subdivision. No contract or purchase shall be subdivided to avoid the requirements of this Ordinance and/or the Procurement Administrative Codes.<<

**Section 38.44 >>12<< SOURCE SELECTION AND BEST VALUE.**

\* \* \*

**Section 38.42 >>13<< METHODS OF PROCUREMENT.**

The Chief Procurement Officer shall determine the appropriate method of source selection for each procurement method, among the following:

(A) Competitive Sealed Bid Process.

(1) Invitation for Bids. The Invitation for Bids (IFB) process shall be the preferred method of procurement and shall be awarded to the lowest responsive and responsible bidder. The IFB solicitation document shall include the specifications and all contractual terms and conditions applicable to the procurement.

(2) Public notice of the IFB shall be published on the City's website for a reasonable period prior to bid opening. For construction projects, advertisements will be processed in compliance with Fla. Stat. § 255.025, where applicable >>, and will include the location of the bid opening<<. The public notice shall state the place, due date/time >>date and time<< for delivery/receipt, and the location of the bid opening. Bids received after the time and date specified in the IFB document shall not be opened, and shall not be accepted for consideration. IFBs may include pricing for the life cycle cost of items and shall be awarded to the lowest responsive and responsible bidder, considering all pertinent qualifications of the recommended awardee.

~~(3) The Chief Procurement Officer shall have the authority to reject all bids when all bids exceed the budgeted amount, and the City Council does not make additional funds available. The Chief Procurement Officer shall re-advertise a revised IFB after making any necessary change in the project plans to bring the cost within the limits of the funds available.~~

(4 >>3<<) The Chief Procurement Officer shall have the authority to accept or reject any portions of bids or all bids; to waive informalities and/or minor irregularities, >>; and to<< or cancel and resolicit the requirement at any time prior to execution of a purchase order or contract for the solicitation.

(5 >>4<<) The competitive sealed bid process shall be further delineated in the Procurement >>Administrative Codes<< Manual and the City's IFB solicitation document.

(B) Competitive Sealed Proposal Process.

\* \* \*

(2) Public notice of the RFP shall be published on the City's website for a reasonable period prior to RFP opening, but at a minimum of fourteen (14) calendar days. The public notice shall state the place, due date/time >>date and time<< for delivery/receipt, and the location of the public acknowledgement of receipt. Proposals received after the time and date specified in the RFP document shall not be opened, and shall not be accepted for consideration.

(3) The Chief Procurement Officer shall have the authority to accept or reject any portions of proposals or all proposals; to waive informalities and/or minor irregularities, or >>; and<< cancel and resolicit the requirement at any time prior to execution of a purchase order or contract for the solicitation.

(4) The RFP process shall be further delineated in the Procurement >>Administrative Codes<< Manual and the City's RFP solicitation document.

(C) Request for Qualifications (RFQ) Process.

(1) >>When it is determined by the Chief Procurement Officer to be the best method of procurement and for the procurement of services in accordance with Fla. Stat. § 287.055 for<< The services of professional architects, engineers, landscape architect, surveyors, and mapping services shall be acquired in accordance with Fla. Stat. § 287.055 and as further delineated in the Procurement Manual >>, the City may utilize the competitive qualification process. A Request for Qualifications (RFQ) shall be used as the solicitation document<<.

(2) Continuing contracts for these services may be solicited and entered into on a rotational basis between at least three firms, in accordance with Fla. Stat. § 287.055(2)(g), and as further delineated in the Procurement >>Administrative Codes<< Manual. The master contracts may have an expiration date, but in accordance with Fla. Stat. § 287.055(2)(g) may have no time limitation except that the master contract shall provide a termination clause. Services shall be authorized via issuance of Task Orders.

(3) Public notice of the RFQ shall be published on the City's website for a reasonable period prior to bid >>RFQ<< opening. The public notice shall state the place, due date/time >>date and time<< for delivery/receipt, and the



~~location of the public acknowledgement of receipt.~~ >>Submittals received after the date and time specified in the RFQ document shall not be opened and shall not be accepted for consideration.<<

~~(4) Submittals received after the date and time specified in the RFQ document shall not be opened and shall not be accepted for consideration.~~

(5 >>4<<) The Chief Procurement Officer shall have the authority to accept or reject any portions of submittals or all submittals; to waive informalities and/or minor irregularities, ~~or >>; and<<~~ cancel and resolicit the requirement at any time prior to execution of a purchase order or contract for the solicitation.

(6 >>5<<) The RFQ process shall be >>completed in accordance with Fla. Stat. § 287.055 and<< further delineated in the Procurement >>Administrative Codes<< Manual and the City's RFQ solicitation document.

(D) Competitive Negotiations Process.

(1) When the Chief Procurement Officer determines that the use of ~~concurrent~~ competitive negotiations would be advantageous to the City, the competitive negotiations process may be used. An Invitation to Negotiate (ITN) shall be the solicitation document.

(2) The goal of an ITN is to obtain proposals from interested and qualified firms so that the City may enter into ~~simultaneous~~ negotiations with the firm or firms determined most capable of providing the required supplies and services.

(3) The ITN document will supply the firms with information necessary to understand the need; however, the terms, scope of work, price, method of delivery, conditions of performance, and approaches of the project may be open to consideration and negotiations, including simultaneous negotiations with the most qualified firms.

(4) ITNs may not be used for procuring professional services addressed by Fla. Stat. § 287.055 (CCNA).

(5) Public notice of the ITN shall be published on the City's website for a reasonable period prior to the due date/time but at a minimum of fourteen (14) calendar days. The public notice shall state the place, due ~~date/time~~ >>date and time<< for delivery/receipt, ~~and the location of the public acknowledgement of receipt.~~ >>Submittals received after the designated time and date shall not be opened and shall not be accepted for consideration.<<

~~(6) Submittals received after the designated time and date shall not be opened and shall not be accepted for consideration.~~

(7 >>6<<) The Chief Procurement Officer shall have the authority to accept or reject any portions of submittals or all submittals; to waive informalities and/or minor irregularities, ~~or >>; and<<~~ and resolicit the requirement at any time prior to execution of a purchase order or contract for the solicitation.

(8 >>7<<) The competitive negotiations process shall be further delineated in the Procurement >>Administrative Codes<< Manual and the ITN solicitation document.

(E) Multi-Step Competitive Solicitation / Request for Information (RFI) Process.

(1) When it is considered impractical to initially prepare a purchase description to support an award based on price or detailed scope of work, any competitive solicitation may be preceded by a Request for Information (RFI) requesting the submission of ~~unpriced submittals~~ >>information<<, which will provide input for the specifications or scope of work to be included in a subsequent competitive solicitation.

(2) The RFI process shall be further delineated in the Procurement >>Administrative Codes<< Manual and the RFI document.

>>(3) As determined by the Chief Procurement Officer, the Multi-Step Competitive Solicitation can also be used for source selection by combining the elements of both competitive sealed bids and sealed proposals. The Multi-Step process shall be further delineated in the Procurement Administrative Codes and the solicitation document.<<

(F) Alternative source selection.

(1) Small purchases. Any purchase for an amount less than the mandatory City Council approval amount shall be made in accordance with those procedures promulgated in the Procurement >>Administrative Codes<< Manual, provided, however, no purchase shall be artificially divided so as to constitute a small purchase under this section.

(2) Sole source purchases.

\* \* \*

(c) The sole source process shall be further delineated in the Procurement >>Administrative Codes<< Manual.

(3) Emergency purchases. The >>City Manager or<< Chief Procurement Officer >>, if delegated in the Procurement Administrative Codes,<< may make or authorize emergency purchases as defined herein.

\* \* \*

(d) The emergency purchase process shall be further delineated in the Procurement >>Administrative Codes<< Manual.

(4) Cooperative purchases >>and Piggyback purchases<<.

\* \* \*

(c) The ability to utilize cooperative contracts shall not be restricted by nonparticipation in the estimated quantities of the City's needs, nor inaccurate estimates of usage by the City prior to award of the cooperative contract. >>Any such contracts equal to or in excess of one hundred thousand dollars (\$100,000) shall go to the City Council for approval.<<

(d) The City may utilize (piggyback) a contract entered into by another governmental or public entity and a provider of supplies or services required by the City, if the Chief Procurement Officer determines that it is practicable and advantageous for the City to employ this method of purchase, and such contracts specify that they are cooperative procurements at the time of solicitation >>or the governmental entity Procurement official otherwise agrees to the use of such contract in writing<<. Any such contracts equal to or in excess of one hundred thousand dollars (\$100,000) shall go to the City Council for approval.

(e) Other governmental agencies are authorized to utilize the City's contracts.

(f) City departments may utilize (piggybacking) a contract established for another City department, provided such usage is in accordance with the same terms, conditions and pricing.

(g) The cooperative purchasing process shall be further delineated in the Procurement >>Administrative Codes<< Manual.

(5) Design-build services.

(a) The City may use a >>design criteria professional as defined in Fla. Stat. § 287.055<< ~~design-build consultant contracted through a competitive solicitation process~~ to prepare a design-criteria package.

(b) The design-build process shall be further delineated in the Procurement >>Administrative Codes<< Manual.

(6) Capital improvement and construction services. The contracting and purchase of construction services shall be acquired in accordance with the competitive sealed bidding process >>or, when determined to be in the City's best interest by the Chief Procurement Officer, the competitive sealed proposal process<<. Performance bonds and payment bonds shall be in the maximum amounts stipulated in Fla. Stat. § 255.05. The capital improvement and construction contracting process shall be further delineated in the Procurement >>Administrative Codes<< Manual and the IFB >>solicitation<< document.

(7) Construction Management at Risk Services (CM@R). The procuring of CM@R >>Construction Management at Risk<< service shall be acquired in accordance with the Request for Qualifications process. The CM@Risk >>Construction Management at Risk<< shall be further delineated in the Procurement >>Administrative Codes<< Manual and the RFQ document.

(8) Negotiated purchases. Negotiation of contracts and pricing via any method of selection process identified herein, shall be by means promulgated in the Procurement >>Administrative Codes<< Manual.

~~(G) Public-private partnerships. The procurement of personal property and services for public-private partnerships (P3) shall be in accordance with Fla. Stat. § 255.065.~~

~~(1) Definitions.~~

~~CITY. The City of Palm Bay, Florida.~~

~~CONCEPTUAL PROPOSAL. An unsolicited proposal that includes conceptual information sufficient for the City to determine whether the proposed ideas are attractive enough to justify investment of City resources to undertake a process that may lead to formation of a contract to implement the ideas.~~

~~DETAILED PROPOSAL. A proposal (solicited or unsolicited) that contains detail beyond a conceptual level sufficient for the City to compare the proposal competitively to others.~~

~~P3. A public-private partnership, which is an agreement between the City and a private entity that allows for greater private sector participation in the delivery of a City-qualifying project.~~

~~P3 STATUTE. Chapter 2013-223, Laws of Florida, section 2, as codified in Florida Statutes, as amended by Chapter 2016-153 and 2016-154, Laws of Florida.~~

~~PRIVATE ENTITY. Any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other private business entity.~~

~~PROPOSAL REVIEW FEE. The fee paid by the private entity submitting an unsolicited proposal or by the private entity submitting a detailed proposal that competes with an unsolicited proposal.~~

~~QUALIFYING PROJECT. A facility or project that serves a public purpose, or a facility or infrastructure that is used or will be used by the public or in support of a public purpose or activity, as defined in the P3 Statute.~~

~~SOLICITATION. City-initiated procurement process seeking offers (bids, proposals, or otherwise) for City projects, which may include processes authorized by (1) the Procurement Ordinance of the City of Palm Bay; (2) Fla. Stat. §§ 255.20 or 287.055, or (3) any other law or the City's home rule powers.~~

~~UNSOLICITED PROPOSAL. A conceptual proposal or a detailed proposal that a private entity submits to the City on its own initiative, and not in response to a solicitation.~~

~~(2) Conceptual proposal.~~

~~(a) A private entity may submit a conceptual proposal to the City, to gauge the City's potential interest in pursuing the proposed project as a P3. A conceptual proposal is not required. A private entity may forego submitting a conceptual proposal and submit an unsolicited detailed proposal.~~

~~(b) A private entity must tender a proposal review fee of five thousand dollars (\$5,000) with its conceptual proposal. The City will not review a conceptual proposal that is not accompanied by the payment of this fee.~~

~~(c) A conceptual proposal must contain information sufficient to inform the City about (1) the overall character of the proposed qualifying project, (2) the general experience of the private entity, and (3) the general strategies to ensure successful project delivery.~~

~~(d) Within ten (10) business days after receipt of the conceptual proposal, the City will either (1) summarily reject the conceptual proposal and return the proposal review fee or (2) accept the conceptual proposal for substantive review and notify the private entity of the anticipated time required for the City to complete the review of the conceptual proposal.~~

(e) If the City decides to accept the conceptual proposal for substantive review, the City will preliminarily assess whether: (1) the proposed project is a qualifying project; (2) the proposed project delivery model offers advantages over traditional models, for example, lower cost, shorter schedule, increased investment, etc.; (3) the proposed project is reasonably likely to satisfy the criteria established by the P3 Statute.

(f) Upon completion of review of the conceptual proposal, the city will notify the private entity in writing of the City's position regarding the proposed project. The City may:

1. Decide not to pursue the proposed project;
2. Decide to pursue the proposed project, or a similar project, using other procurement methods (in which, if open to private companies, the private entity may compete if otherwise qualified); or
3. Decide to continue considering the proposed project under the P3 Statute and request the private entity to submit a detailed proposal (which request shall not constitute a formal solicitation).

(g) The City's disposition of a conceptual proposal does not limit its discretion or authority with respect to future projects, whether solicited or unsolicited.

(3) Unsolicited detailed proposals.

(a) A private entity may submit an unsolicited detailed proposal to the City, to initiate the City's consideration of whether to deem the proposed project as a qualifying project and whether to pursue it further under the P3 Statute. The City is not obligated to pursue a project under the P3 Statute, even if the project satisfies the statutory definition of a qualifying project.

(b) A private entity must tender a proposal review fee of twenty five thousand dollars (\$25,000) with its detailed proposal, unless the private entity has already paid a fee for review of a substantially similar conceptual proposal, in which case the proposal review fee is twenty thousand dollars (\$20,000). The City will not review a detailed proposal that is not accompanied by the payment of this fee. The proposal review fee is non-refundable.

(c) A detailed proposal must contain information sufficient to inform the City about: the detailed quality and character of the proposed qualifying project; the detailed experience and capacity of the private entity; and the detailed

financial and implementation strategies to ensure successful project delivery. This information should include the following:

1. A description of the private entity, including name, address, type of organization, and legal structure.

2. Name and complete contact information of the primary point of contact for the detailed proposal.

3. Names and experience of proposed key project personnel.

4. Type of support needed, if any, from the City, for example, facilities, equipment, materials, personnel, financial resources, etc.

5. Identification of any proprietary data used and the manner in which it is used.

6. Identification of any outside entities or professionals the private entity has or intends to consult with respect to the project.

7. The names of any other federal, state, or local agencies receiving the same proposal.

8. A complete discussion of the objective of the project, the method of approach, the nature of the anticipated results, and the characteristics that make it a qualifying project worthy of pursuit by the City.

9. A detailed overview of the proposed business arrangements, including the plan for the development, financing, and operation of the project.

10. A preliminary project schedule.

11. A detailed financial analysis of the proposed project.

12. Specification as to when the pricing or terms of the proposal will expire.

(d) Within ninety (90) business days after receipt of the detailed proposal, the City will notify the private entity in writing of the City's decision either to reject the detailed proposal or to accept the detailed proposal for competitive review. During this period, the City may meet with the private entity to gain a deeper understanding of the detailed proposal, and the City may request that the private entity submit additional information. These meetings will be

preliminary in nature, and will not include or constitute substantive negotiation of agreement terms. In considering whether to accept the detailed proposal for competitive review, the City will assess whether: (1) the proposed project is a qualifying project; (2) the proposed project delivery model offers advantages over traditional models, for example, lower cost, shorter schedule, increased investment, etc.; (3) the proposed project is reasonably likely to satisfy the criteria established by the P3 Statute. The City may determine that it requires more than ninety (90) days to complete its review of the detailed proposal and this assessment, in which case it will notify the private entity in writing of how much time will be required.

(e) An unsolicited proposal may be rejected by the City at any time. The City has complete discretion and authority to reject any unsolicited proposal it receives.

(f) If the City decides to accept an unsolicited proposal for competitive review, the City will provide written notice of its decision, and a copy of the unsolicited proposal, to affected local jurisdictions in accordance with subsection (7) of the P3 Statute.

(g) If the City decides to accept an unsolicited proposal for competitive review, the City will advertise the potential opportunity and accept competing detailed proposals.

1. The advertisement will include: a general description of the qualifying project; an invitation to submit a competing detailed proposal for the qualifying project with or without a proposal review fee, which may propose the identical project, a functionally equivalent project, or an alternative project that achieves the same purpose or uses the same City resources as the proposed project; information about how to obtain more detailed information; and a due date for responding, which ordinarily will be forty five (45) days after initial publication, but which may be up to one hundred twenty (120) days as the circumstances warrant.

2. The City will advertise the potential opportunity in the Florida Administrative Register at least once a week for three consecutive weeks; in a newspaper of general circulation within the City at least once a week for three weeks prior to the due date for competing proposals; on the City's website in the same manner as competitive solicitations; and at City Hall in the same manner as other public notices issued by the City.

(4) Solicited detailed proposals.



(a) The City may on its own initiative determine to issue a solicitation inviting private entities to submit detailed proposals for any opportunity that the City has identified as a qualifying project.

(b) Any solicitation that the City issues under the authority of the P3 Statute will identify the P3 Statute and the City's related Code sections as the governing procurement process. The solicitation documents will specify information necessary for interested parties to understand and respond to the solicitation.

(c) If a solicited qualifying project includes design work, the solicitation will include a design criteria package prepared by an architect, landscape architect, or engineer licensed in this state, in accordance with Fla. Stat. § 255.065(3)(c). The design criteria package will be sufficient to allow private entities to prepare a bid or a response. The licensed design professional who prepares the design criteria package will remain in the service of the City until the qualifying project is completed.

(d) The City is not obligated to proceed under the P3 Statute when soliciting proposals, and may follow any legally available procurement process, regardless of whether the project qualifies as a qualifying project and regardless of whether the ultimate transaction may be characterized as a P3.

(5) Competitive review and negotiation of detailed proposals.

(a) Whether received in response to a solicitation under the P3 Statute or in response to an advertisement concerning an unsolicited proposal, within ten (10) days after the receipt of all competing detailed proposals the City will designate a negotiation team to conduct negotiations concerning the qualifying project. The negotiation team will consist of at least three (3) persons, including one City employee, who collectively have knowledge and experience in contract negotiations, the subject matter related to the qualifying project, public procurement, and project management. No person with a financial interest in the outcome of the negotiation team's efforts or in the qualifying project may participate on the negotiation team.

(b) The negotiation team's meetings are temporarily exempt from the Sunshine Law as provided in Fla. Stat. (2014) § 286.0113(2), and Fla. Stat. (2016) § 255.065(15). The City will record and preserve as required by law any exempt portion of a negotiation team meeting.

(c) The negotiation team may rely on subject matter experts and staff for information gathering and administrative work, but the negotiation team alone will possess and exercise authority for all recommendations concerning the detailed proposals.

(d) The negotiation team will initially review the detailed proposals and determine whether to allow oral presentations for the purpose of gaining deeper understanding of the detailed proposals. The negotiation team is not required to allow oral presentations. Any oral presentations will be limited to reviewing and discussing information contained in the detailed proposals, and will not include or constitute substantive negotiations related to any detailed proposal or the qualifying project.

(e) Within thirty (30) days after its appointment, or after the final oral presentation, whichever is later, the negotiation team will rank the detailed proposals in order of preference. The negotiation team may meet as often as it deems necessary before ranking, in order to discuss details and strategies related to the detailed proposals and the qualifying project. The negotiation team will strive for consensus, but a majority of the team may establish the ranking. The negotiation team may use any reasonable method to rank the detailed proposals, and is not required to numerically score them. In ranking the detailed proposals, the negotiation team members will consider the private entity team members' professional qualifications and experience, the proposed general business terms, innovative project delivery terms (including finance, design, construction, maintenance, and operation, as applicable to the particular circumstance), and any other factors indicated in the advertisement or solicitation.

(f) Following its ranking of detailed proposals, the negotiation team will commence negotiations with the private entity responsible for the top-ranked proposal. The negotiation team will then conduct negotiations in accordance with the P3 Statute.

(g) In its discretion, the negotiation team may recommend that the City and the private entity enter into an interim agreement as described in the P3 Statute. The negotiation team is not authorized to enter into or otherwise bind the City to an interim agreement. Any recommendation to enter into an interim agreement will be brought to the City Council for consideration. Only the City Council is authorized to approve an interim agreement.

(h) The negotiation team may recommend that the City and the private entity enter into a comprehensive agreement as described in the P3

Statute. The negotiation team is not authorized to enter into or otherwise bind the City to a comprehensive agreement. Any recommendation to enter into a comprehensive agreement will be brought to the City Council for consideration. Only the City Council is authorized to approve a comprehensive agreement.

(i) In deciding whether to enter into a comprehensive agreement, the City Council will consider and determine all reasonable factors, including but not limited to:

1. Whether the proposed project is a qualifying project.

2. Whether the qualifying project is in the public's best interest.

3. Whether the qualifying project involves a facility that is owned by the City or for a facility for which ownership will be conveyed to the City.

4. Whether the comprehensive agreement has adequate safeguards in place to ensure that additional costs or service disruptions are not imposed on the public in the event of material default by the private entity or cancellation of the qualifying project by the City.

5. Whether the comprehensive agreement has adequate safeguards in place to ensure that the City or the private entity has the opportunity to add capacity to the qualifying project or other facilities serving similar predominantly public purposes.

6. Whether the qualifying project will be owned by the City upon completion or termination of the project and payment of amounts financed.

7. Whether there is a public need for or benefit derived from the qualifying project.

8. Whether the estimated cost of the qualifying project is reasonable in relation to similar facilities.

9. Whether the comprehensive agreement will result in the timely acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of the qualifying project.

**>>Section 38.14 PUBLIC-PRIVATE PARTNERSHIPS.**

Public-private partnerships. The procurement of personal property and services for public-private partnerships (P3) shall be in accordance with Fla. Stat. § 255.065.

(A) Definitions.

(1) **CONCEPTUAL PROPOSAL.** An unsolicited proposal that includes conceptual information sufficient for the City to determine whether the proposed ideas are attractive enough to justify investment of City resources to undertake a process that may lead to formation of a contract to implement the ideas.

(2) **DETAILED PROPOSAL.** A proposal (solicited or unsolicited) that contains detail beyond a conceptual level sufficient for the City to compare the proposal competitively to others.

(3) **P3.** A public-private partnership, which is an agreement between the City and a private entity that allows for greater private sector participation in the delivery of a City qualifying project.

(4) **PRIVATE ENTITY.** Any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other private business entity.

(5) **PROPOSAL REVIEW FEE.** The fee paid by the private entity submitting an unsolicited proposal or by the private entity submitting a detailed proposal that competes with an unsolicited proposal.

(6) **QUALIFYING PROJECT.** A facility or project that serves a public purpose, or a facility or infrastructure that is used or will be used by the public or in support of a public purpose or activity, as defined in the P3 Statute.

(7) **SOLICITATION.** City-initiated procurement process seeking offers (bids, proposals, or otherwise) for City projects, which may include processes authorized by (1) the Procurement Ordinance of the City of Palm Bay; (2) Fla. Stat. §§ 255.20 or 287.055, or (3) any other law or the City's home rule powers.

(8) **UNSOLICITED PROPOSAL.** A conceptual proposal or a detailed proposal that a private entity submits to the City on its own initiative, and not in response to a solicitation.

(B) Conceptual proposal.

(1) A private entity may submit a conceptual proposal to the City, to gauge the City's potential interest in pursuing the proposed project as a P3. A conceptual proposal is not required. A private entity may forego submitting a conceptual proposal and submit an unsolicited detailed proposal.

(2) A private entity must tender a proposal review fee of five thousand dollars (\$5,000) with its conceptual proposal. The City will not review a conceptual proposal that is not accompanied by the payment of this fee.

(3) A conceptual proposal must contain information sufficient to inform the City about (1) the overall character of the proposed qualifying project, (2) the general experience of the private entity, and (3) the general strategies to ensure successful project delivery.

(4) Within ten (10) business days after receipt of the conceptual proposal, the City will either (1) summarily reject the conceptual proposal and return the proposal review fee or (2) accept the conceptual proposal for substantive review and notify the private entity of the anticipated time required for the City to complete the review of the conceptual proposal.

(5) If the City decides to accept the conceptual proposal for substantive review, the City will preliminarily assess whether: (1) the proposed project is a qualifying project; (2) the proposed project delivery model offers advantages over traditional models, for example, lower cost, shorter schedule, increased investment, etc.; (3) the proposed project is reasonably likely to satisfy the criteria established by the P3 Statute.

(6) Upon completion of review of the conceptual proposal, the city will notify the private entity in writing of the City's position regarding the proposed project. The City may:

(a) Decide not to pursue the proposed project;

(b) Decide to pursue the proposed project, or a similar project, using other procurement methods (in which, if open to private companies, the private entity may compete if otherwise qualified); or

(c) Decide to continue considering the proposed project under the P3 Statute and request the private entity to submit a detailed proposal (which request shall not constitute a formal solicitation).

(7) The City's disposition of a conceptual proposal does not limit its discretion or authority with respect to future projects, whether solicited or unsolicited.

(C) Unsolicited detailed proposals.

(1) A private entity may submit an unsolicited detailed proposal to the City, to initiate the City's consideration of whether to deem the proposed project as a qualifying project and whether to pursue it further under the P3 Statute. The City is not obligated to pursue a project under the P3 Statute, even if the project satisfies the statutory definition of a qualifying project.

(2) A private entity must tender a proposal review fee of twenty-five thousand dollars (\$25,000) with its detailed proposal, unless the private entity has already paid a fee for review of a substantially similar conceptual proposal, in which case the proposal review fee is twenty thousand dollars (\$20,000). The City will not review a detailed proposal that is not accompanied by the payment of this fee. The proposal review fee is non-refundable.

(3) A detailed proposal must contain information sufficient to inform the City about: the detailed quality and character of the proposed qualifying project; the detailed experience and capacity of the private entity; and the detailed financial and implementation strategies to ensure successful project delivery. This information should include the following:

(a) A description of the private entity, including name, address, type of organization, and legal structure.

(b) Name and complete contact information of the primary point of contact for the detailed proposal.

(c) Names and experience of proposed key project personnel.

(d) Type of support needed, if any, from the City, for example, facilities, equipment, materials, personnel, financial resources, etc.

(e) Identification of any proprietary data used and the manner in which it is used.

(f) Identification of any outside entities or professionals the private entity has or intends to consult with respect to the project.

(g) The names of any other federal, state, or local agencies receiving the same proposal.

(h) A complete discussion of the objective of the project, the method of approach, the nature of the anticipated results, and the characteristics that make it a qualifying project worthy of pursuit by the City.

(i) A detailed overview of the proposed business arrangements, including the plan for the development, financing, and operation of the project.

(j) A preliminary project schedule.

(k) A detailed financial analysis of the proposed project.

(l) Specification as to when the pricing or terms of the proposal will expire.

(4) Within ninety (90) business days after receipt of the detailed proposal, the City will notify the private entity in writing of the City's decision either to reject the detailed proposal or to accept the detailed proposal for competitive review. During this period, the City may meet with the private entity to gain a deeper understanding of the detailed proposal, and the City may request that the private entity submit additional information. These meetings will be preliminary in nature, and will not include or constitute substantive negotiation of agreement terms. In considering whether to accept the detailed proposal for competitive review, the City will assess whether: (1) the proposed project is a qualifying project; (2) the proposed project delivery model offers advantages over traditional models, for example, lower cost, shorter schedule, increased investment, etc.; (3) the proposed project is reasonably likely to satisfy the criteria established by the P3 Statute. The City may determine that it requires more than ninety (90) days to complete its review of the detailed proposal and this assessment, in which case it will notify the private entity in writing of how much time will be required.

(5) An unsolicited proposal may be rejected by the City at any time. The City has complete discretion and authority to reject any unsolicited proposal it receives.

(6) If the City decides to accept an unsolicited proposal for competitive review, the City will follow the procedural notice requirements as provided for in the P3 Statute, including notice to affected local jurisdictions.

(7) If the City decides to accept an unsolicited proposal for competitive review, the City will advertise the potential opportunity and accept competing detailed proposals as required in the P3 Statute.

(a) The advertisement will include: a general description of the qualifying project; an invitation to submit a competing detailed proposal for the qualifying project with or without a proposal review fee (if required), which may propose the identical project, a functionally equivalent project, or an alternative

project that achieves the same purpose or uses the same City resources as the proposed project; information about how to obtain more detailed information; and a due date for responding as defined in the P3 Statute, which may be up to one hundred twenty (120) days as the circumstances warrant.

(b) The City will advertise the potential opportunity in the Florida Administrative Register at least once a week for two consecutive weeks; in a newspaper of general circulation within the City at least once a week for two weeks prior to the due date for competing proposals; and on the City's website in the same manner as competitive solicitations.

(D) Solicited detailed proposals.

(1) The City may on its own initiative determine to issue a solicitation inviting private entities to submit detailed proposals for any opportunity that the City has identified as a qualifying project.

(2) Any solicitation that the City issues under the authority of the P3 Statute will identify the P3 Statute and the City's related Code sections as the governing procurement process. The solicitation documents will specify information necessary for interested parties to understand and respond to the solicitation.

(3) If a solicited qualifying project includes design work, the solicitation will include a design criteria package prepared by an architect, landscape architect, or engineer licensed in this state, in accordance with Fla. Stat. § 255.065(3)(c). The design criteria package will be sufficient to allow private entities to prepare a bid or a response. The licensed design professional who prepares the design criteria package will remain in the service of the City until the qualifying project is completed.

(4) The City is not obligated to proceed under the P3 Statute when soliciting proposals, and may follow any legally available procurement process, regardless of whether the project qualifies as a qualifying project and regardless of whether the ultimate transaction may be characterized as a P3.

(E) Competitive review and negotiation of detailed proposals.

(1) Whether received in response to a solicitation under the P3 Statute or in response to an advertisement concerning an unsolicited proposal, the City will designate a negotiation team to conduct negotiations concerning the qualifying project. No person with a financial interest in the outcome of the



negotiation team's efforts or in the qualifying project may participate on the negotiation team.

(2) The negotiation team's meetings are temporarily exempt from the Sunshine Law as provided in Fla. Stat. § 286.0113(2), and Fla. Stat. § 255.065(15). The City will record and preserve as required by law any exempt portion of a negotiation team meeting.

(3) The negotiation team will conduct negotiations in accordance with the P3 Statute.

(4) In its discretion, the negotiation team may recommend that the City and the private entity enter into an interim agreement as described in the P3 Statute. The negotiation team is not authorized to enter into or otherwise bind the City to an interim agreement. Any recommendation to enter into an interim agreement will be brought to the City Council for consideration. Only the City Council is authorized to approve an interim agreement.

(5) The negotiation team may recommend that the City and the private entity enter into a comprehensive agreement as described in the P3 Statute. The negotiation team is not authorized to enter into or otherwise bind the City to a comprehensive agreement. Any recommendation to enter into a comprehensive agreement will be brought to the City Council for consideration. Only the City Council is authorized to approve a comprehensive agreement.

(6) In deciding whether to enter into a comprehensive agreement, the City Council will consider and determine all reasonable factors, including but not limited to:

(a) Whether the proposed project is a qualifying project.

(b) Whether the qualifying project is in the public's best interest.

(c) Whether the qualifying project involves a facility that is owned by the City or for a facility for which ownership will be conveyed to the City.

(d) Whether the comprehensive agreement has adequate safeguards in place to ensure that additional costs or service disruptions are not imposed on the public in the event of material default by the private entity or cancellation of the qualifying project by the City.

(e) Whether the comprehensive agreement has adequate safeguards in place to ensure that the City or the private entity has the opportunity to add capacity to the qualifying project or other facilities serving similar predominantly public purposes.

(f) Whether the qualifying project will be owned by the City upon completion or termination of the project and payment of amounts financed.

(g) Whether there is a public need for or benefit derived from the qualifying project.

(h) Whether the estimated cost of the qualifying project is reasonable in relation to similar facilities.

(i) Whether the comprehensive agreement will result in the timely acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of the qualifying project.<<

#### **Section 38.13 >>15<< DISPUTE RESOLUTION AND PROTESTS.**

(A) Any actual or prospective bidder or proposer who is allegedly aggrieved in connection with ~~the~~ >>a formal<< solicitation >>issued by the City and<< or pending award ~~of a formal contract~~ in the amount of one hundred thousand dollars (\$100,000) or more, ~~the aggrieved bidder or proposer~~ may submit a written protest to the Chief Procurement Officer which ~~will~~ >>may<< be heard before the City Council >>, provided such bidder or proposer may have been awarded the contract but for the aggrieved action<<.

(B) A formal written protest must be submitted no later than 5:00 p.m., local time, within five (5) business days after posting of the award recommendation.

(C) The calculation of days shall exclude Saturdays, Sundays, and holidays observed by the City. The day of the award recommendation posting shall ~~not~~ be included in the calculation. Service of a protest by mail or courier shall not expand the time period allowed for delivery of a protest.

\* \* \*

>>(E) Any grounds not stated in the protest shall be deemed waived.<<

(E >>F<<) Protest ~~bond~~/fee: The formal protest must be accompanied by a protest application fee/~~protest bond~~ in the amount of five percent (5%) of the total amount of the recommended purchase award; or if no dollar amount is included in the purchase award recommendation, a protest application fee/protest bond must be in the amount of one thousand five hundred dollars (\$1,500.00). The maximum

(cap) amount of the protest application fee/~~protest bond~~ for any protest shall be five thousand dollars (\$5,000.00). The protest application fee/~~protest bond~~ must be in the form of a cashier's check, certified check, or an attorney's trust account check payable to the City of Palm Bay. Cash is not acceptable.

(~~F~~ >>G<<) The written protest may not challenge the relative weight of the evaluation criteria or any formula for assigning points in a competitive solicitation.

(G >>H<<) The protestant shall mail a copy of the formal written protest to the firm or firms recommended for award, and shall provide the Chief Procurement Officer with evidence of such mailing.

(H >>I<<) A written protest is considered filed with the City when it is received by the office of the Chief Procurement Officer within the timeframe specified above.

(I >>J<<) Failure to file a written protest within the time period specified shall result in relinquishment of all rights of protest by the vendor and abrogation of any further protest proceedings.

(J >>K<<) The protest procedures herein shall be the sole remedy for challenging a competitive solicitation. Any and all costs incurred by a protesting party in connection with a protest pursuant to this Ordinance shall be the sole responsibility of the protesting party.

(K >>L<<) Bidders and proposers are prohibited from attempts to influence, persuade or promote through any other channels or means. Such attempts shall be cause for suspension in accordance with § 38.14 of this Ordinance.

(~~L~~ >>M<<) The Chief Procurement Officer >>, in consultation with the City Manager and City Attorney,<< shall attempt to resolve the protest in a fair and equitable manner. The judicial rules of evidence shall not apply and the Chief Procurement Officer shall base his or her decision on such information presented in the course of the proceeding upon which reasonable persons rely in the conduct of their affairs. The Chief Procurement Officer shall render a written decision to the protestant via certified U. S. mail.

(M >>N<<) The protestant may appeal such decision, ~~in writing to the City Council~~ >>to City Council by delivering written notice to the Chief Procurement Officer<< within three (3) business days of the vendor's receipt of the written decision by the Chief Procurement Officer.

>>(O) Upon receipt of a timely notice of appeal, the Chief Procurement Officer will request that the City Manager schedule the protest for consideration by the City Council, which may affirm, reverse, or modify the Chief Procurement Officer's decision.<<

(N >>P<<) The Chief Procurement Officer's consideration of a timely protest shall stay the award process with the exception of § 38.13(O >>Q<<) herein.

(O >>Q<<) The ~~Chief Procurement Officer~~ >>City Manager<< may make a ~~determination~~ >>recommendation<< that the contract as originally recommended to be awarded shall be awarded without delay ~~is~~ >>as<< necessary to protect substantial interests of the City. In that case, the City Council may, in its sole discretion, dismiss the appeal or reject all bids and proposals, which will render it moot.

(P >>R<<) Nothing in this section is intended to affect the existing powers of the City Council to settle actions pending before the Courts. In the event of a court upholding the protestant's claim, the court awarded damages on behalf of the protestant shall be solely limited to bid/proposal preparation costs, and reimbursement of the amount of the protest application fee/protest bond as stipulated herein.

(Q >>S<<) The dispute resolution and protest process may be further delineated in the Procurement >>Administrative Codes<< Manual.

#### **Section 38.14 >>16<< SUSPENSION AND DEBARMENT.**

(A) Authority. The Chief Procurement Officer may suspend or debar, for cause, the right of a vendor to be included on a vendor database and any bid or response from that vendor shall be rejected; provided however, the City Council shall have the power to waive or lift such suspension or debarment.

(B) Suspension. A vendor may be suspended for a period not to exceed two (2) years as determined by the Chief Procurement Officer based upon the following:

(1) Vendor has >>been<< terminated >>for cause<<, defaulted, failed to perform, or failed to fully comply with the conditions, time frames, performance, specifications, drawings, or terms of a contract with the City; or

(2) Vendor has provided an item(s) which failed testing ~~[see § 38.15(C)]~~.

\* \* \*

(C) Debarment. A vendor may be permanently debarred for the following:

(1) Termination ~~>>for cause<<~~, default, failure to perform, or fully comply with the conditions, time frames, performance, specifications, drawings, or terms of a contract with the City two (2) times within any ten (10) year period; or

(2) Conviction by, or judgment obtained, in a court of competent jurisdiction for those offenses in connection with the vendor's commercial enterprise stated in § 38.14 ~~>>16<<~~(B) of this Ordinance. If the conviction or judgment is reversed through the appellate process, the debarment shall be removed upon written notification and proof of final court disposition; or

(3) Conviction of a public entity crime as defined by Fla. Stat. § 287.133, shall result in debarment to transact business with the City to the extent as specified therein.

(4) Permanent debarment by another federal, state or local governmental agency.

(D) Process. After the Chief Procurement Officer has determined he or she has cause to suspend or debar a vendor, he or she shall notify the vendor in writing of the debarment or the period of suspension and the reasons for the action taken. The suspension or debarment shall be final and conclusive unless the suspended or debarred vendor initiates written protest proceedings pursuant to § 38.13 ~~>>15<<~~ of this Ordinance within five (5) business days after the date of notification.

**Section 38.15 ~~>>17<<~~ INSPECTION, TESTS AND RIGHT TO AUDIT.**

(A) The Chief Procurement Officer may inspect, or arrange for the inspection of all deliveries of supplies, materials, equipment or contractual services to determine conformance with specifications or the scope of work set forth in the purchase order or contract.

\* \* \*

(D) The City reserves the right to audit a vendor's records as such records relate to purchases between the City and the vendor. Records should be maintained in accordance with law, but in no event less than ~~three (3) >>five (5)<<~~ years from the date of final payment.

**Section 38.16 ~~>>18<<~~ SURPLUS PROPERTY.**

(A) The Chief Procurement Officer shall prepare a list of surplus items which have become excess to a department's needs, obsolete, unusable, or scrapped.

\* \* \*

**Section 38.17 >>19<< EQUAL OPPORTUNITY FOR MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES.**

(A) >>The City shall use its best efforts to encourage businesses located within the City of Palm Bay to participate in City solicitations and to encourage businesses to locate within the City of Palm Bay.<<

>>(B)<< The City shall use its best efforts to ensure that minority and women-owned businesses shall have an equitable opportunity to participate in the City's procurement process and that no business shall be excluded from participation in, denied benefits of, or otherwise discriminated against in connection with the award and performance of any contracts with the City on the grounds of race, color, national origin, gender, or physical impairment.

(B >>C<<) The City, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, the Florida Civil Rights Act of 1992, as amended, and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, gender, age, national origin, religion, and disability or handicap.

(E >>D<<) The City strongly supports >>local,<< disadvantaged, small, minority and woman owned businesses having full opportunity to submit bids and proposals in response to solicitation documents issued by the City and commits that bidders and proposers will not be discriminated against on the basis of gender, race, color, national origin, religion, disability, or other protected status.

**Section 38.19 >>20<< ETHICS, STANDARDS OF CONDUCT AND CONFLICT OF INTEREST.**

\* \* \*

(D) All contracts entered into under this chapter >>previously approved by Council<< shall be placed on the City Council agenda for approval of assignments in order to provide notice to its members and the opportunity to declare a voting conflict pursuant to Fla. Stat. § 112.3143.

**Section 38.20 >>21<< EX PARTE COMMUNICATION PROHIBITED.**

\* \* \*

(B) Exclusions. This requirement shall not prohibit:

\* \* \*

(9) >>Addressing the City Council during the designated agenda item public comment portion of a meeting where the Council is considering award or permission to negotiate on solicitation that a bidder or proposer submitted on.<<

>>(C)<< Violation of this provision shall be grounds to: disqualify the violator from the award of the purchase, void any award to or contract with the violator, and/or temporarily suspend or permanently debar the violator from future contracts with the City.”

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020- , held on , 2020; and  
read in title only and duly enacted at Meeting 2020- , held on , 2020.

---

William Capote, MAYOR

ATTEST:

---

Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

***Strikethrough words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***





## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Frank Watanabe, Public Works Director/City Engineer

**DATE:** 11/5/2020

**RE:** Ordinance 2020-73, vacating a portion of the rear public utility and drainage easement located within Lot 13, Block 407, Port Malabar Unit 10 (Case VE-13-2020, Brian Murphy), final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

Brian Murphy has submitted an application to vacate the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easements, thereof containing 680 square feet, more or less of Lot 13, Block 407, Port Malabar Unit 10, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10-19, of the Public Records of Brevard County, Florida, for an inground pool and screen enclosure.

**REQUESTING DEPARTMENT:**

Public Works

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Motion to approve the Request for Consideration per the recommendation section on Staff Report.

**ATTACHMENTS:**

**Description**

Staff Report VE-13-2020

Ordinance 2020-73

# **PUBLIC WORKS DEPARTMENT STAFF REPORT**

## **REQUEST TO VACATE EASEMENT**

**PROPOSAL:** To vacate the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easement, thereof containing 680 square feet more or less of Lot 13, Block 407, Port Malabar Unit 10, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10-19, of the Public Records of Brevard County, Florida, for an inground pool and screen enclosure.

**LOCATION:** 306 Bali Street SE  
(Lot 13, Block 407, Port Malabar Unit 10)

**APPLICANT:** Brian Murphy

## **SITE DATA**

**PRESENT ZONING:** RS-2 – Single-Family Residential

**AREA OF VACATING:** 680 square feet, more or less

<b>ADJACENT ZONING</b>	<b>N</b>	RS-2 – Single-Family Residential
<b>&amp; LAND USE:</b>	<b>E</b>	RS-2 – Single-Family Residential
	<b>S</b>	100' wide Melbourne Tillman Drainage Canal #48
	<b>W</b>	RS-2 – Single-Family Residential

**STAFF ANALYSIS:**

To vacate the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easement, thereof containing 680 square feet more or less of Lot 13, Block 407, Port Malabar Unit 10, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10-19, of the Public Records of Brevard County, Florida, for an inground pool and screen enclosure.

AT & T, Florida Power and Light, Spectrum, Melbourne-Tillman Water Control District, and Florida City Gas have no objections to the vacating request.

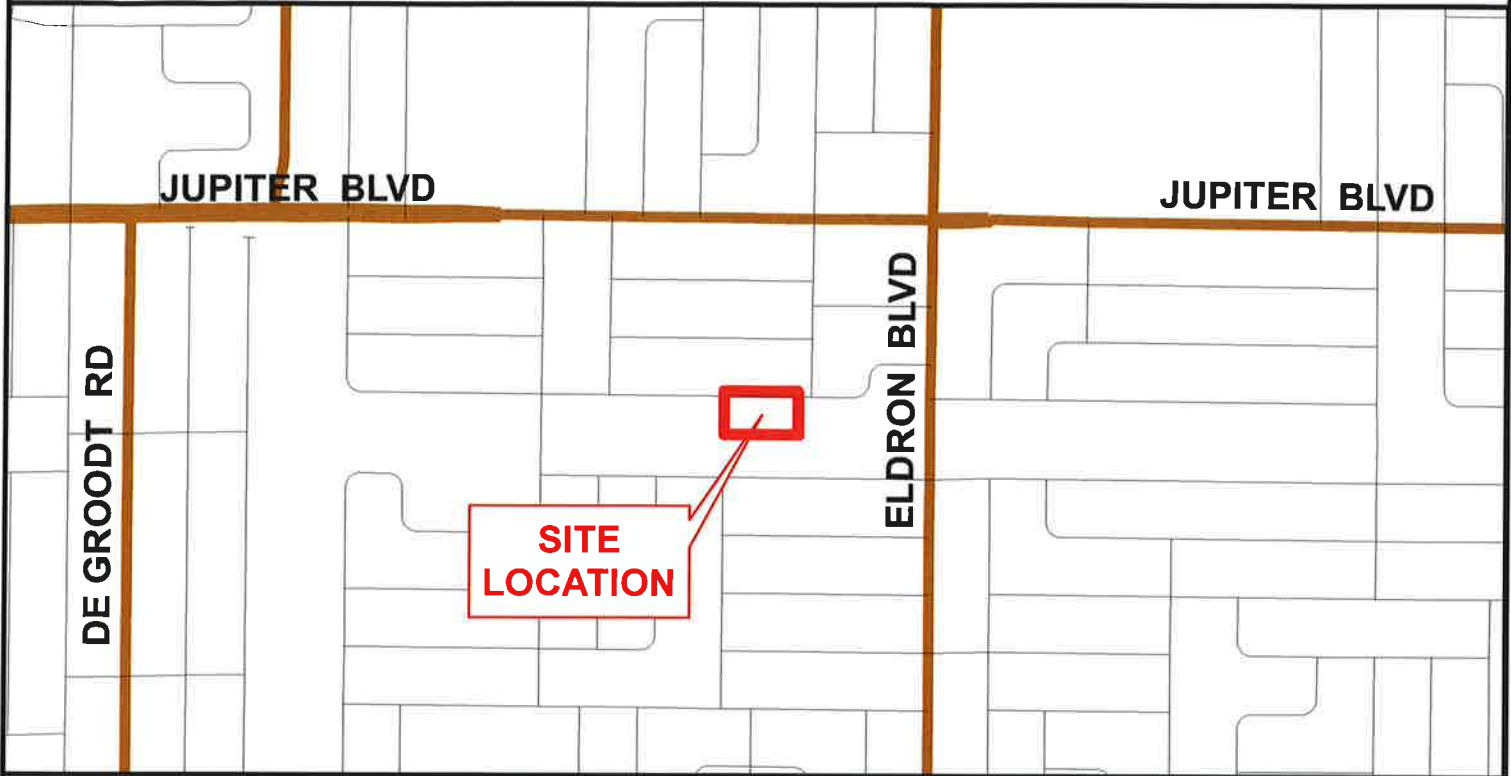
The City of Palm Bay's Departments have the enclosed comments relating to the vacating request. It should be noted that city policy allows for the approval of a vacation request for the first 5 feet, along city owned canals, if there are no obvious issues of conflict.

Staff has no adverse comments regarding removal of the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easement, thereof containing 680 square feet more or less of Lot 13, Block 407, Port Malabar Unit 10, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10-19, of the Public Records of Brevard County, Florida, for such an endeavor.

**STAFF RECOMMENDATION:**

Staff recommends approval of the vacating of easement per the analysis section of this staff report.

# LOCATION MAP

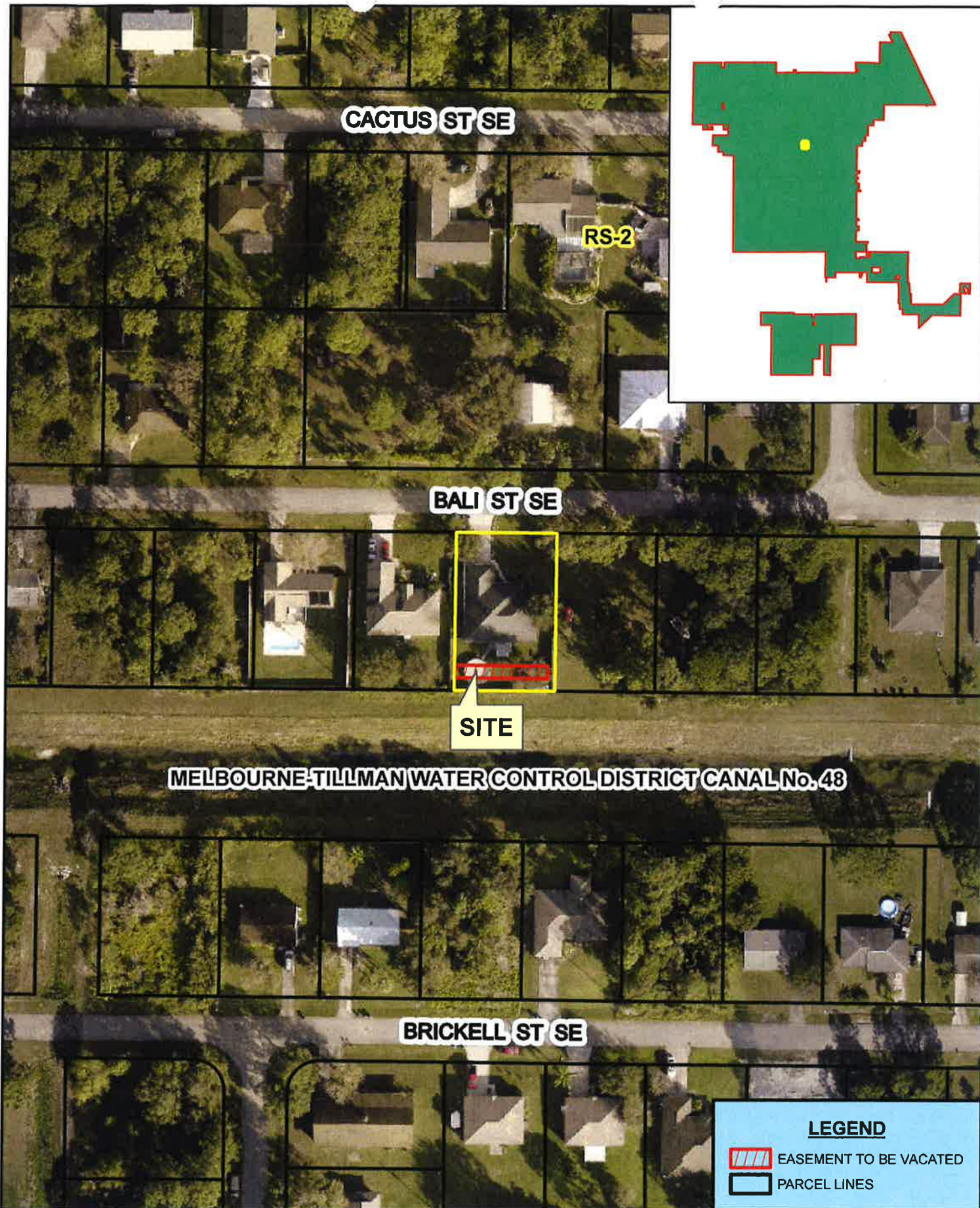


Map is for illustrative purposes only!  
 Not to be construed as binding or a survey.  
 Map created by the City of Palm Bay  
 Public Works Department (RSD), on September 28, 2020.

## VE-13-2020

0 12.5 25 50 Feet  
 1 inch = 50 feet





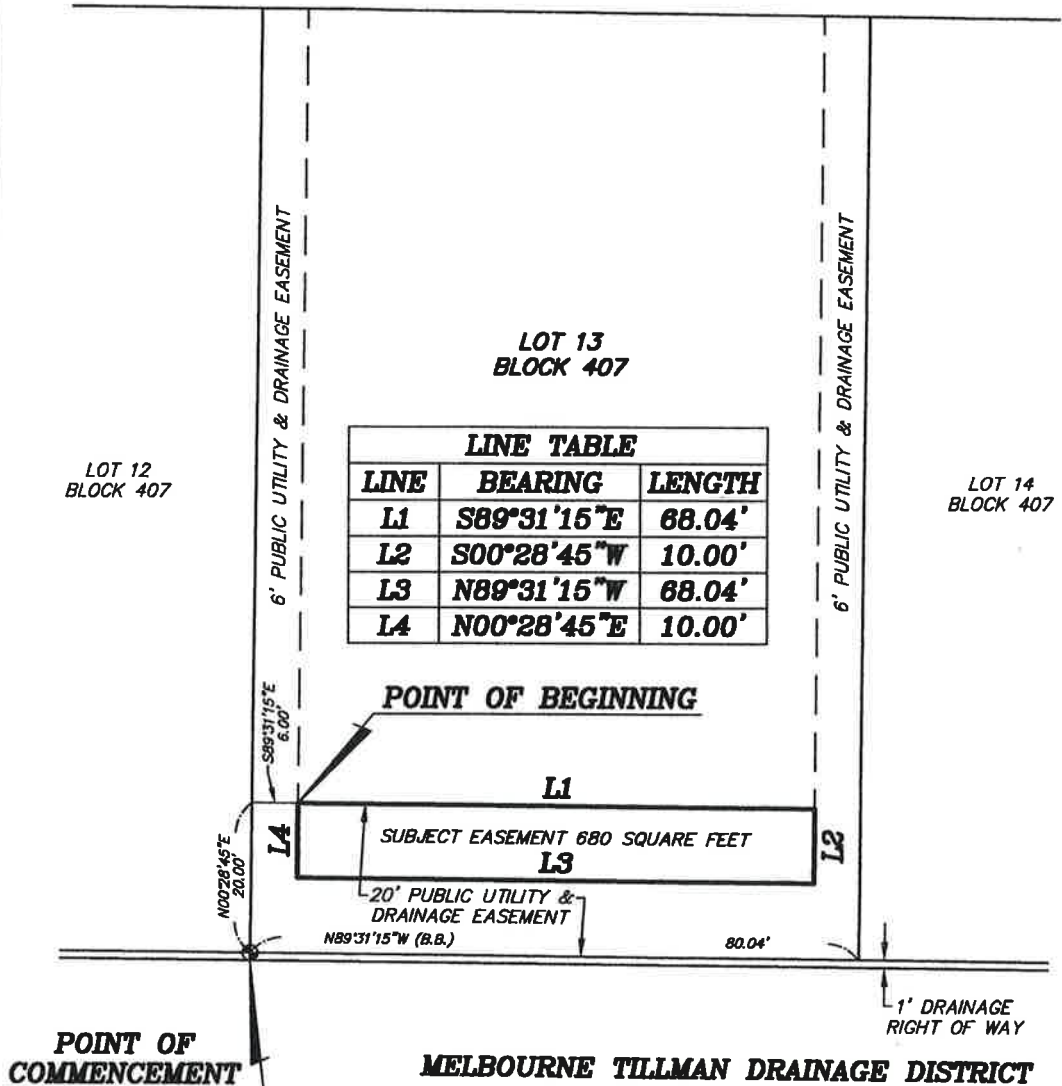
Map is for illustrative purposes only!  
Not to be construed as binding or a survey.  
Map created by the City of Palm Bay  
Public Works Department (RSD), on September 28, 2020.

**LOCATION MAP**  
**VE-13-2020**

0 25 50 100  
Feet  
1 inch = 100 feet



# BALI STREET



**POINT OF COMMENCEMENT**  
SOUTHWEST CORNER OF  
LOT 13, BLOCK 407  
PORT MALABAR UNIT 10  
(PLAT BOOK 15, PAGES 10-19)

**DESCRIPTION:** A PORTION OF A 20 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 13, BLOCK 407, PORT MALABAR UNIT TEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGES 10-19, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 13 AND RUN NORTH 00°28'45" EAST ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°31'15" EAST, A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE CONTINUE SOUTH 89°31'15" EAST, A DISTANCE OF 68.04 FEET; THENCE SOUTH 00°28'45" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 89°31'15" WEST, A DISTANCE OF 68.04 FEET; THENCE NORTH 00°28'45" EAST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. CONTAINING 680 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

**SKETCH OF DESCRIPTION ONLY! THIS IS NOT A SURVEY!**

**AAL LAND SURVEYING SERVICES, INC.**

**SKETCH OF DESCRIPTION**

JOB # 13790  
DATE: 08-19-20  
SECTION 06, TOWNSHIP 29S, RANGE 37E  
L.B. #6623

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. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.

ANDREW W. FOWSHOK  
P.L.S. No. 5383

3970 MINTON ROAD  
WEST MELBOURNE, FL. 32904  
(321) 768-8110

SHEET 1 OF 1

SCALE: 1" = 20'



VE-13-2020

City of Palm Bay

SEP 18 2020

Lot Drainage & Driveway



**PUBLIC WORKS DEPARTMENT**

1050 MALABAR ROAD SW PALM BAY, FLORIDA 32907

PHONE: (321) 952-3403

EMAIL: [pwpermitting@palmbayflorida.org](mailto:pwpermitting@palmbayflorida.org)

**REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY**

This application must be completed, legible, and returned, with all attachments referred to herein, to the Public Works Department, Palm Bay, Florida. The request will then be reviewed by City staff and scheduled before the City Council. A minimum of eight (8) weeks is required to process the application. You or your representative are required to attend the hearing and will be notified by mail of the date and time of the meeting. The meeting will be held at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida, unless otherwise stated.

Name of Applicant (Please print): Brian Murphy

Address: 306 Bali St SE.

City: Palm Bay Zip Code: 32909

Phone Number: 321-537-1711 Business Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_ Email: \_\_\_\_\_

**LEGAL DESCRIPTION, PREPARED BY A CERTIFIED SURVEYOR, OF THAT PORTION OF THE EASEMENT REQUESTING TO BE VACATED UPON WHICH THE ENCROACHMENT IS PROPOSED OR CURRENTLY EXISTS:**

Lot 13, Block 407, Pma 10

Section: 06 Township: 29S Range: 37E

Size of area covered by this application (calculate acreage): .23

Zoning classification at present: RS-2

Which action applying for (easement, drainage): easement

Reason for requesting vacation and intended use: Install inground pool with screen enclosure

If the encroachment currently exists, provide the date that a permit was issued by the Building Division.

---

The following enclosures are needed to complete this application:

1. \$182.00 Application Fee. Make check payable to "City of Palm Bay".
2. List of names and addresses of property owners abutting the lot or parcel within which the easement or drainage right-of-way is located;
3. Copy of plat, map, etc. depicting area location of easement or drainage right-of-way to be vacated.
4. Original notarized letters from the following utility and service companies are required stating whether or not they object to or if there is no interest in the vacating of the easement or drainage right-of-way. If equipment lies within the easement or drainage right-of-way requested for vacation, the applicant shall be responsible for any expenses incurred for relocating same, unless other arrangements have been made with the company.
5. See contacts listed below:

Are you the property owner of record? ☒ Yes ☐ No

If no, a notarized letter from the property owner must be attached giving consent to the applicant to request the vacating.

Contact the Land Development Division (321-733-3042) as to whether a variance is required. If Required, YOU MUST OBTAIN APPROVAL FOR THE VARIANCE PRIOR TO PROCEEDING WITH THE VACATING REQUEST.

☐ Required ☒ Not Required

Land Development Division \_\_\_\_\_ Date \_\_\_\_\_

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION AND ALL DATA ATTACHED MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE CITY COUNCIL.

**UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.**

Signature of Applicant MURPHY.BRIAN.S.1245146 392 Digitally signed by MURPHY.BRIAN.S.1245146392 Date: 2020.09.18 10:23:12 -04'00' Date 09/18/2020

Printed Name of Applicant Brian Murphy



## **ORDINANCE 2020-73**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, VACATING AND ABANDONING A PORTION OF THE REAR TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LOCATED WITHIN LOT 13, BLOCK 407, PORT MALABAR UNIT 10, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 18, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Brian Murphy has requested the City of Palm Bay, Florida, to vacate a portion of a certain public utility and drainage easement, which portion is legally described herein, and

**WHEREAS**, the vacation and abandonment of said portion of the public utility and drainage easement will neither adversely affect nor benefit the public.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The City Council of the City of Palm Bay hereby vacates and abandons a portion of the rear public utility and drainage easement located within Lot 13, Block 407, Port Malabar Unit 10, according to the plat thereof as recorded in Plat Book 15, Page 18, of the Public Records of Brevard County, Florida, Section 06, Township 29S, Range 37E, being more particularly described as follows:

Commence at the southwest corner of said Lot 13 and run N 00°28'45" E along the west line of said Lot 13, a distance of 20.00 feet; thence S 89°31'15" E, a distance of 6.00 feet to the Point of Beginning of the herein described easement; thence continue S 89°31'15" E, a distance of 68.04 feet; thence S 00°28'45" W, a distance of 10.00 feet; thence N 89°31'15' W, a distance of 68.04 feet; thence N 00°28'45" E, a distance of 10.00 feet to the Point of Beginning; containing 680 square feet or 0.02 acres, more or less.

**SECTION 2.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020- , held on , 2020; and read in title only and duly enacted at Meeting 2020- , held on , 2020.

---

William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

Applicant: Brian Murphy  
Case: VE-13-2020

cc: (date) Applicant  
Case File  
Brevard County Recording



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Frank Watanabe, Public Works Director/City Engineer

**DATE:** 11/5/2020

**RE:** Ordinance 2020-74, vacating a portion of the rear public utility and drainage easement located within Lot 7, Block 1677, Port Malabar Unit 37 (Case VE-14-2020, Carmen Torres), final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

Carmen Torres has submitted an application to vacate the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easements, thereof containing 710 square feet, more or less of Lot 7, Block 1677, Port Malabar Unit 37, according to the Plat thereof, as Recorded in Plat Book 20, Pages 2-10, of the Public Records of Brevard County, Florida, for an inground pool and screen enclosure.

**REQUESTING DEPARTMENT:**

Public Works

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Motion to approve the Request for Consideration per the recommendation section on Staff Report.

**ATTACHMENTS:**

**Description**

Staff Report VE-14-2020

Ordinance 2020-74



DATE: October 2, 2020  
CASE #: VE-14-2020

# **PUBLIC WORKS DEPARTMENT STAFF REPORT**

## **REQUEST TO VACATE EASEMENT**

**PROPOSAL:** To vacate the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easement, thereof containing 710 square feet more or less of Lot 7, Block 1677, Port Malabar Unit 37, according to the Plat thereof, as Recorded in Plat Book 20, Pages 2-10, of the Public Records of Brevard County, Florida, for an inground pool and screen enclosure.

**LOCATION:** 338 Gephart Street SW  
(Lot 7, Block 1677, Port Malabar Unit 37)

**APPLICANT:** Carmen Torres

## **SITE DATA**

**PRESENT ZONING:** RS-2 – Single-Family Residential

**AREA OF VACATING:** 710 square feet, more or less

<b>ADJACENT ZONING</b>	<b>N</b>	RS-2 – Single-Family Residential
<b>&amp; LAND USE:</b>	<b>E</b>	RS-2 – Single-Family Residential
	<b>S</b>	100' wide Melbourne Tillman Drainage Canal #48
	<b>W</b>	RS-2 – Single-Family Residential

**STAFF ANALYSIS:**

To vacate the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easement, thereof containing 710 square feet more or less of Lot 7, Block 1677, Port Malabar Unit 37, according to the Plat thereof, as Recorded in Plat Book 20, Pages 2-10, of the Public Records of Brevard County, Florida, for an inground pool and screen enclosure.

AT & T, Florida Power and Light, Spectrum, and Melbourne-Tillman Water Control District have no objections to the vacating request.

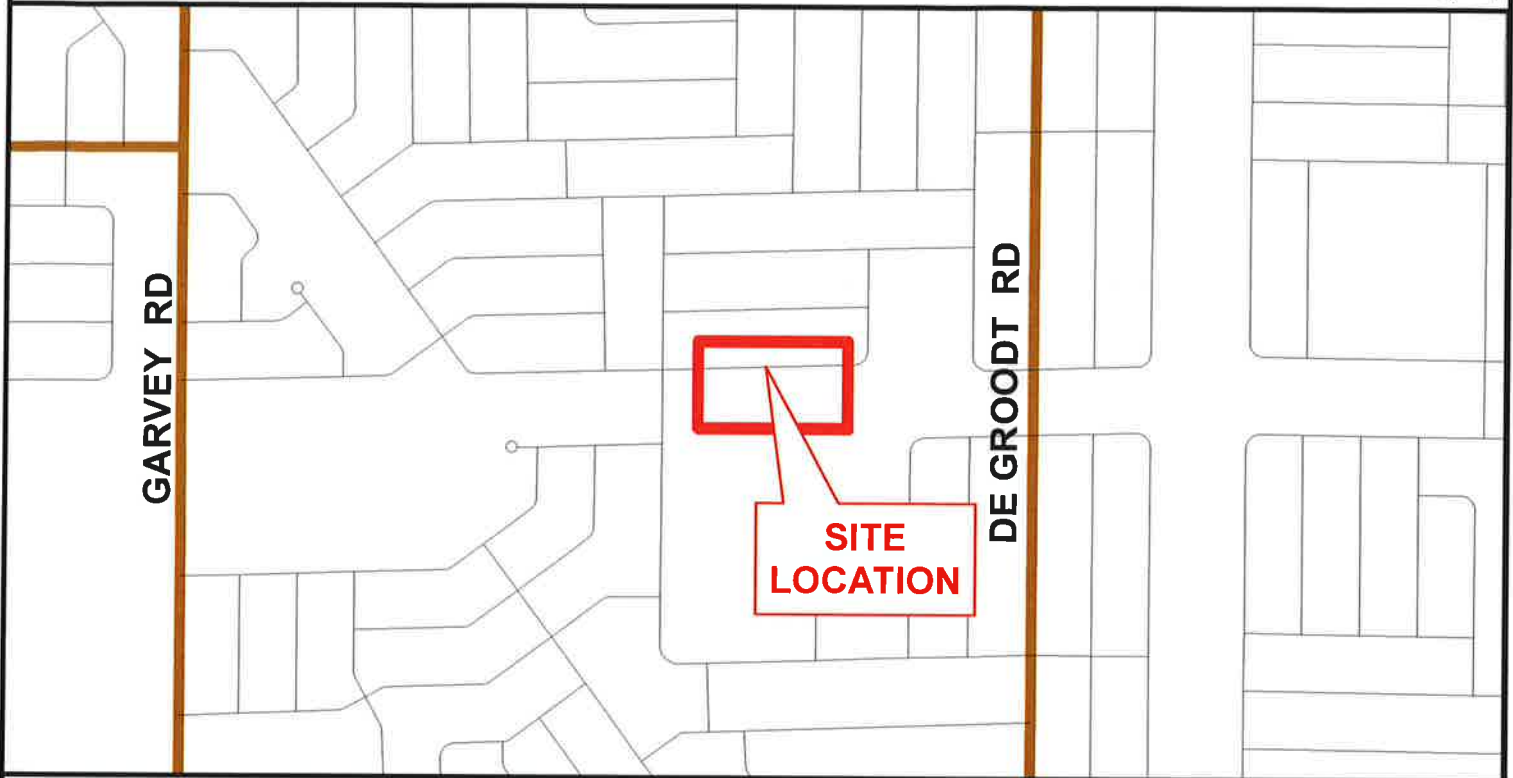
The City of Palm Bay's Departments have the enclosed comments relating to the vacating request. It should be noted that city policy allows for the approval of a vacation request for the first 5 feet, along city owned canals, if there are no obvious issues of conflict.

Staff has no adverse comments regarding removal of the North 10 feet of the South 20 foot Public Utility and Drainage Easement, less and except the East and West 6 foot Public Utility and Drainage Easement, thereof containing 710 square feet more or less of Lot 7, Block 1677, Port Malabar Unit 37, according to the Plat thereof, as Recorded in Plat Book 20, Pages 2-10, of the Public Records of Brevard County, Florida, for such an endeavor.

**STAFF RECOMMENDATION:**

Staff recommends approval of the vacating of easement per the analysis section of this staff report.

# LOCATION MAP



Map is for illustrative purposes only!  
Not to be construed as binding or a survey.  
Map created by the City of Palm Bay  
Public Works Department (RSD), on September 28, 2020.

## VE-14-2020

0 25 50 100  
Feet  
1 inch = 100 feet







**GEPHART STREET**  
(50' R/W)

City of Palm Bay

SEP 29 2020

Lot Drainage & Driveway

LOT 6  
BLOCK 1677

LOT 7  
BLOCK 1677

LOT 8  
BLOCK 1677

LINE TABLE		
LINE	BEARING	LENGTH
L1	S01°36'12"E	10.00'
L2	N01°36'12"W	10.00'

POINT OF BEGINNING

N88°23'48"E 71.03'

SUBJECT EASEMENT 710 SQUARE FEET

S88°23'48"W 71.03'

S88°23'48"W (B.B.)

83.03'

POINT OF  
COMMENCEMENT

SOUTHWEST CORNER OF  
LOT 7, BLOCK 1677,  
PORT MALABAR UNIT THIRTY SEVEN  
(PLAT BOOK 20, PAGES 2-10)

**MELBOURNE TILLMAN  
DRAINAGE DISTRICT  
CANAL No. 17**

DESCRIPTION: A PORTION OF A 20 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 7, BLOCK 1677, PORT MALABAR UNIT THIRTY SEVEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGES 2-10, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 7 AND RUN NORTH 01°36'12" WEST, ALONG THE WEST LINE OF SAID LOT 7, A DISTANCE OF 20.00 FEET; THENCE NORTH 88°23'48" EAST, A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 88°23'48" EAST, A DISTANCE OF 71.03 FEET; THENCE SOUTH 01°36'12" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°23'48" WEST, A DISTANCE OF 71.03 FEET; THENCE NORTH 01°36'12" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. CONTAINING 710 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

SKETCH OF DESCRIPTION ONLY! THIS IS NOT A SURVEY!

**AAL LAND SURVEYING SERVICES, INC.**

**SKETCH OF DESCRIPTION**

JOB # 34229

DATE: 07-28-20  
SECTION 12, TOWNSHIP 28S, RANGE 36E

L.B. #6623

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. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.

ANDREW W. POWSHOK  
P.L.S. No. 5386

3970 MINTON ROAD  
WEST MELBOURNE, FL. 32904  
(321) 768-8110

SHEET 1 OF 1

SCALE: 1" = 20'





VE-14-2020



City of Palm Bay

SEP 23 2020

Lot/Draft... & Driveway

**PUBLIC WORKS DEPARTMENT**

1050 MALABAR ROAD SW PALM BAY, FLORIDA 32907

PHONE: (321) 952-3403

EMAIL: [pwpermitting@palmbayflorida.org](mailto:pwpermitting@palmbayflorida.org)

**REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY**

This application must be completed, legible, and returned, with all attachments referred to herein, to the Public Works Department, Palm Bay, Florida. The request will then be reviewed by City staff and scheduled before the City Council. A minimum of eight (8) weeks is required to process the application. You or your representative are required to attend the hearing and will be notified by mail of the date and time of the meeting. The meeting will be held at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida, unless otherwise stated.

Name of Applicant (Please print): Sarmen N. Torres

Address: 338 Sephard St. SW

City: Palm Bay FL. Zip Code: 32908

Phone Number: 321-652-6722 Business Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_ Email: nyt2955@aol.com

**LEGAL DESCRIPTION, PREPARED BY A CERTIFIED SURVEYOR, OF THAT PORTION OF THE EASEMENT REQUESTING TO BE VACATED UPON WHICH THE ENCROACHMENT IS PROPOSED OR CURRENTLY EXISTS:**

Lot 7, Block 1677, Pmu 37

Section: 29 Township: 29 Range: 36

Size of area covered by this application (calculate acreage): .24

Zoning classification at present: RS-2

Which action applying for (easement, drainage): easement

Reason for requesting vacation and intended use: inground pool w/ screen

enclosure

If the encroachment currently exists, provide the date that a permit was issued by the Building Division.

---

The following enclosures are needed to complete this application:

1. \$182.00 Application Fee. Make check payable to "City of Palm Bay".
2. List of names and addresses of property owners abutting the lot or parcel within which the easement or drainage right-of-way is located;
3. Copy of plat, map, etc. depicting area location of easement or drainage right-of-way to be vacated.
4. Original notarized letters from the following utility and service companies are required stating whether or not they object to or if there is no interest in the vacating of the easement or drainage right-of-way. If equipment lies within the easement or drainage right-of-way requested for vacation, the applicant shall be responsible for any expenses incurred for relocating same, unless other arrangements have been made with the company.

5. See contacts listed below:

Are you the property owner of record? ☒ Yes ☐ No

If no, a notarized letter from the property owner must be attached giving consent to the applicant to request the vacating.

Contact the Land Development Division (321-733-3042) as to whether a variance is required. If Required, YOU MUST OBTAIN APPROVAL FOR THE VARIANCE PRIOR TO PROCEEDING WITH THE VACATING REQUEST.

☐ Required ☐ Not Required

Land Development Division \_\_\_\_\_ Date \_\_\_\_\_

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION AND ALL DATA ATTACHED MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE CITY COUNCIL.

**UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.**

Signature of Applicant Carmen N. Torres Date 9-17-2020

Printed Name of Applicant Carmen N. Torres

## **ORDINANCE 2020-74**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, VACATING AND ABANDONING A PORTION OF THE REAR TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LOCATED WITHIN LOT 7, BLOCK 1677, PORT MALABAR UNIT 37, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 9, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Carmen Torres has requested the City of Palm Bay, Florida, to vacate a portion of a certain public utility and drainage easement, which portion is legally described herein, and

**WHEREAS**, the vacation and abandonment of said portion of the public utility and drainage easement will neither adversely affect nor benefit the public.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The City Council of the City of Palm Bay hereby vacates and abandons a portion of the rear public utility and drainage easement located within Lot 7, Block 1677, Port Malabar Unit 37, according to the plat thereof as recorded in Plat Book 20, Page 9, of the Public Records of Brevard County, Florida, Section 12, Township 29S, Range 36E, being more particularly described as follows:

Commence at the southwest corner of said Lot 7 and run N 01°36'12" W, along the west line of said Lot 7, a distance of 20.00 feet; thence N 88°23'48" E, a distance of 6.00 feet to the Point of Beginning of the herein described easement; thence N 88°23'48" E, a distance of 71.03 feet; thence S 01°36'12" E, a distance of 10.00 feet; thence S 88°23'48" W, a distance of 71.03 feet; thence N 01°36'12" W, a distance of 10.00 feet to the Point of Beginning; containing 710 square feet or 0.02 acres, more or less.

**SECTION 2.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020- , held on , 2020; and read in title only and duly enacted at Meeting 2020- , held on , 2020.

---

William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

Applicant: Carmen Torres  
Case: VE-14-2020

cc: (date) Applicant  
Case File  
Brevard County Recording



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Patricia Smith, City Attorney

**DATE:** 11/5/2020

**RE:** Ordinance 2020-75, amending the Code of Ordinances, Chapter 34, Human Resources, Subchapter 'Whistle-Blower's Ordinance', by including definitions and providing provisions for disclosure of information and investigation procedures and referral of complaints alleging retaliation to the Department of Administrative Hearings, final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

The amendments to the Whistle-blower Ordinance provide additional definitions, disclosure of information and investigation procedures and referral of complaints alleging retaliation to the Department of Administrative Hearings (DOAH). The definition section specifically excludes elected officials of the city. The Whistle-blower ordinance provides relief for employees that are discharged, disciplined or otherwise subjected to adverse personnel action. Elected officials may only be removed by the Governor or through a recall election. Consequently, the provisions related to employees does not apply to elected officials. The exclusion of elected officials from the definition of "employee" does not affect their obligation to assist an investigator in the investigation of complaints or limit any action taken by them from being the subject of a whistle-blower complaint. Additional definitions include "fraudulent activity," "gross mismanagement," "gross waste of public funds," "illegal activity," "improper governmental action," "retaliation or retaliatory action" and "whistle-blower."

The amendments to section 34.25 further specify to whom information shall be disclosed and creates an audit committee. The audit committee shall be composed of the Finance Director, Chief Procurement Officer, Human Resources Director and the City Manager. The audit committee will be responsible for investigating suspected fraudulent activities. Section 112.3187(8) Florida Statutes permits complaints of retaliation to be heard by contracting with the Division of Administrative Hearings or by the local government appointing an impartial panel. The amendment would direct the City Attorney to refer the case to the Division of Administrative Hearings.

**REQUESTING DEPARTMENT:**

City Attorney's Office

**RECOMMENDATION:**

Motion to approve Ordinance 2020-

**ATTACHMENTS:**

**Description**

**ALJ Standard Contract**

**Whistle-blower Statute**

**Ordinance 2020-75**

## **ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT**

This CONTRACT is between XXXXXX, address, city, state, zip, and the State of Florida, Division of Administrative Hearings (DOAH).

WHEREAS, Section 120.65, Florida Statutes, authorizes DOAH to provide Administrative Law Judges (ALJs) on a contract basis to any governmental entity;

WHEREAS, XXXXXX desires to use the services of DOAH's ALJs to conduct hearings involving \_\_\_\_\_; and

NOW, THEREFORE, the parties, for valuable consideration and the mutual promises between them, agree as follows:

1. Scope of Services. DOAH agrees to make ALJs available to XXXXXX. The ALJs to be provided will be full-time judges employed by the State of Florida, Division of Administrative Hearings. The ALJs to be provided are experts in the adjudication of administrative disputes and such ALJs shall, where possible, be persons familiar with cases involving the issues at hand.

2. Compensation. The fiscal year 2003-2004 General Appropriations Act, Chapter 2003-397, Laws of Florida, requires DOAH to renegotiate its contracts for ALJ services annually so that the hourly rate charged is based on a total-cost recovery methodology. The rate has been

determined to be \$153.00 per hour beginning October 1, 2019. DOAH will notify XXXXXX of the amended hourly rate on or about the first day of September of each year. That rate will become effective on the first day of October of that same year. XXXXXX agrees to compensate DOAH for each hour actually worked, and subsequently, at the hourly rate determined in accordance with the Florida Legislature's directive. This rate will apply for ALJ services in preparing for hearings, traveling to hearings, conducting hearings, and preparing Recommended Orders.

3. Expenses. XXXXXX agrees to pay the actual travel expenses of the assigned ALJ in the amount provided pursuant to Chapter 112, Florida Statutes. DOAH agrees, whenever possible, to arrange the travel schedule of such ALJ so that the ALJ can accomplish other work during a trip, and, in such instances, travel expenses and hourly compensation will be prorated for services to XXXXXX. In the event a hearing is being conducted by video teleconferencing, XXXXXXXX will reimburse DOAH at the current DOAH video teleconferencing rate. DOAH will submit invoices monthly and XXXXXX agrees to remit payment monthly in accordance with Chapter 218, Part VII, Florida Statutes. DOAH agrees to provide XXXXXX an itemized statement of the charges and costs in the invoice.



4. Contract Management. Director of Administration, Lisa M. Mustain, shall provide contract management services under this Contract.

5. Term. This contract is for a term of one (1) year and will automatically renew for succeeding yearly periods one year from the date last signed. This Contract may be amended from time to time by mutual agreement of the parties, and may be terminated by either party for the convenience of that party upon thirty (30) days' written notice.

6. Request for Services. XXXXXX, in order to obtain the services for an ALJ, shall send a letter to the Chief Judge, Division of Administrative Hearings, requesting the services of an ALJ and shall include with such request a copy of any materials relevant to the request. DOAH shall provide an ALJ within thirty (30) days of its receipt of the letter.

7. Effective Date. This Contract will become effective on the date the last signature is made.

8. Notices. All notices required or permitted by this Contract shall be in writing, and shall be deemed to have been duly given if mailed first-class, certified postage prepaid, addressed as follows:

To XXXXXX:

(Attn:)  
(Address)  
(Phone number)

To DOAH:

State of Florida, Division of Administrative Hearings  
Attn: Lisa M. Mustain, Director of Adminsitration  
1230 Apalachee Parkway  
Tallahassee, Florida 32399

850-488-9675

XXXXXXXXXXXXXXXXXXXX

By: \_\_\_\_\_ Date: \_\_\_\_\_

(Title)

XXXXXX

**DIVISION OF ADMINSTRATIVE HEARINGS**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Lisa M. Mustain  
Director of Adminstration

West's Florida Statutes Annotated

Title X. Public Officers, Employees, and Records (Chapters 110-123)

Chapter 112. Public Officers and Employees: General Provisions (Refs & Annos)

Part III. Code of Ethics for Public Officers and Employees (Refs & Annos)

West's F.S.A. § 112.3187

112.3187. Adverse action against employee for disclosing information  
of specified nature prohibited; employee remedy and relief

Effective: June 7, 2002

[Currentness](#)

**(1) Short title.**--Sections 112.3187-[112.31895](#) may be cited as the “Whistle-blower's Act.”

**(2) Legislative intent.**--It is the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency violations of law on the part of a public employer or independent contractor that create a substantial and specific danger to the public's health, safety, or welfare. It is further the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or gross neglect of duty on the part of an agency, public officer, or employee.

**(3) Definitions.**--As used in this act, unless otherwise specified, the following words or terms shall have the meanings indicated:

(a) “Agency” means any state, regional, county, local, or municipal government entity, whether executive, judicial, or legislative; any official, officer, department, division, bureau, commission, authority, or political subdivision therein; or any public school, community college, or state university.

(b) “Employee” means a person who performs services for, and under the control and direction of, or contracts with, an agency or independent contractor for wages or other remuneration.

(c) “Adverse personnel action” means the discharge, suspension, transfer, or demotion of any employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an employee within the terms and conditions of employment by an agency or independent contractor.

(d) “Independent contractor” means a person, other than an agency, engaged in any business and who enters into a contract, including a provider agreement, with an agency.

(e) “Gross mismanagement” means a continuous pattern of managerial abuses, wrongful or arbitrary and capricious actions, or fraudulent or criminal conduct which may have a substantial adverse economic impact.

**(4) Actions prohibited.--**

(a) An agency or independent contractor shall not dismiss, discipline, or take any other adverse personnel action against an employee for disclosing information pursuant to the provisions of this section.

(b) An agency or independent contractor shall not take any adverse action that affects the rights or interests of a person in retaliation for the person's disclosure of information under this section.

(c) The provisions of this subsection shall not be applicable when an employee or person discloses information known by the employee or person to be false.

**(5) Nature of information disclosed.--**The information disclosed under this section must include:

(a) Any violation or suspected violation of any federal, state, or local law, rule, or regulation committed by an employee or agent of an agency or independent contractor which creates and presents a substantial and specific danger to the public's health, safety, or welfare.

(b) Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of an agency or independent contractor.

**(6) To whom information disclosed.--**The information disclosed under this section must be disclosed to any agency or federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act, including, but not limited to, the Office of the Chief Inspector General, an agency inspector general or the employee designated as agency inspector general under [s. 112.3189\(1\)](#) or inspectors general under [s. 20.055](#), the Florida Commission on Human Relations, and the whistle-blower's hotline created under [s. 112.3189](#). However, for disclosures concerning a local governmental entity, including any regional, county, or municipal entity, special district, community college district, or school district or any political subdivision of any of the foregoing, the information must be disclosed to a chief executive officer as defined in [s. 447.203\(9\)](#) or other appropriate local official.

**(7) Employees and persons protected.--**This section protects employees and persons who disclose information on their own initiative in a written and signed complaint; who are requested to participate in an investigation, hearing, or other inquiry conducted by any agency or federal government entity; who refuse to participate in any adverse action prohibited by this section; or who initiate a complaint through the whistle-blower's hotline or the hotline of the Medicaid Fraud Control Unit of the Department of Legal Affairs; or employees who file any written complaint to their supervisory officials or employees who submit a complaint to the Chief Inspector General in the Executive Office of the Governor, to the employee designated as agency inspector general under [s. 112.3189\(1\)](#), or to the Florida Commission on Human Relations. The provisions of this section may not be used by a person while he or she is under the care, custody, or control of the state correctional system or, after release from the care, custody, or control of the state correctional system, with respect to circumstances that occurred during any period of incarceration. No remedy or other protection under ss. 112.3187-[112.31895](#) applies to any person who has committed or intentionally participated in committing the violation or suspected violation for which protection under ss. 112.3187-[112.31895](#) is being sought.

**(8) Remedies.--**

(a) Any employee of or applicant for employment with any state agency, as the term “state agency” is defined in [s. 216.011](#), who is discharged, disciplined, or subjected to other adverse personnel action, or denied employment, because he or she engaged in an activity protected by this section may file a complaint, which complaint must be made in accordance with [s. 112.31895](#). Upon receipt of notice from the Florida Commission on Human Relations of termination of the investigation, the complainant may elect to pursue the administrative remedy available under [s. 112.31895](#) or bring a civil action within 180 days after receipt of the notice.

(b) Within 60 days after the action prohibited by this section, any local public employee protected by this section may file a complaint with the appropriate local governmental authority, if that authority has established by ordinance an administrative procedure for handling such complaints or has contracted with the Division of Administrative Hearings under [s. 120.65](#) to conduct hearings under this section. The administrative procedure created by ordinance must provide for the complaint to be heard by a panel of impartial persons appointed by the appropriate local governmental authority. Upon hearing the complaint, the panel must make findings of fact and conclusions of law for a final decision by the local governmental authority. Within 180 days after entry of a final decision by the local governmental authority, the public employee who filed the complaint may bring a civil action in any court of competent jurisdiction. If the local governmental authority has not established an administrative procedure by ordinance or contract, a local public employee may, within 180 days after the action prohibited by this section, bring a civil action in a court of competent jurisdiction. For the purpose of this paragraph, the term “local governmental authority” includes any regional, county, or municipal entity, special district, community college district, or school district or any political subdivision of any of the foregoing.

(c) Any other person protected by this section may, after exhausting all available contractual or administrative remedies, bring a civil action in any court of competent jurisdiction within 180 days after the action prohibited by this section.

**(9) Relief.--**In any action brought under this section, the relief must include the following:

(a) Reinstatement of the employee to the same position held before the adverse action was commenced, or to an equivalent position or reasonable front pay as alternative relief.

(b) Reinstatement of the employee's full fringe benefits and seniority rights, as appropriate.

(c) Compensation, if appropriate, for lost wages, benefits, or other lost remuneration caused by the adverse action.

(d) Payment of reasonable costs, including attorney's fees, to a substantially prevailing employee, or to the prevailing employer if the employee filed a frivolous action in bad faith.

(e) Issuance of an injunction, if appropriate, by a court of competent jurisdiction.

(f) Temporary reinstatement to the employee's former position or to an equivalent position, pending the final outcome on the complaint, if an employee complains of being discharged in retaliation for a protected disclosure and if a court of competent

jurisdiction or the Florida Commission on Human Relations, as applicable under [s. 112.31895](#), determines that the disclosure was not made in bad faith or for a wrongful purpose or occurred after an agency's initiation of a personnel action against the employee which includes documentation of the employee's violation of a disciplinary standard or performance deficiency. This paragraph does not apply to an employee of a municipality.

**(10) Defenses.**--It shall be an affirmative defense to any action brought pursuant to this section that the adverse action was predicated upon grounds other than, and would have been taken absent, the employee's or person's exercise of rights protected by this section.

**(11) Existing rights.**--Sections 112.3187-[112.31895](#) do not diminish the rights, privileges, or remedies of an employee under any other law or rule or under any collective bargaining agreement or employment contract; however, the election of remedies in [s. 447.401](#) also applies to whistle-blower actions.

#### Credits

Laws 1986, c. 86-233, §§ 1 to 8; [Laws 1991, c. 91-285, § 1](#); [Laws 1992, c. 92-316, § 12](#). Amended by [Laws 1993, c. 93-57, § 1, eff. April 19, 1993](#); [Laws 1995, c. 95-147, § 702, eff. July 10, 1995](#); [Laws 1995, c. 95-153, § 1, eff. July 10, 1995](#); [Laws 1996, c. 96-410, § 15, eff. Oct. 1, 1996](#); [Laws 1999, c. 99-333, § 20, eff. July 1, 1999](#); [Laws 2002, c. 2002-400, § 2, eff. June 7, 2002](#).

#### [Notes of Decisions \(247\)](#)

West's F. S. A. § 112.3187, FL ST § 112.3187

Current with chapters from the 2020 Second Regular Session of the 26th Legislature in effect through October 01, 2020

## ORDINANCE 2020-75

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE III, ADMINISTRATION, CHAPTER 34, HUMAN RESOURCES, SUBCHAPTER 'WHISTLE-BLOWER'S ORDINANCE', BY INCLUDING DEFINITIONS AND PROVIDING PROVISIONS FOR DISCLOSURE OF INFORMATION AND INVESTIGATION PROCEDURES AND REFERRAL OF COMPLAINTS ALLEGING RETALIATION TO THE DEPARTMENT OF ADMINISTRATIVE HEARINGS; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title III, Administration, Chapter 34, Human Resources, Subchapter 'Whistle-blower's Ordinance', is hereby amended and shall henceforth read as follows:

### **"Whistle-blower's Ordinance**

\* \* \*

#### **Section 34.22 DEFINITIONS**

For the purpose of this subchapter, the following definitions shall apply >>|<< unless the context clearly indicates or requires a different meaning. All other words or terms used in this subchapter >>any term not defined<< shall have the same meaning as such words and terms under the state's Whistle-blower's Act.

\* \* \*

**EMPLOYEE.** A person who performs services for, and under the control and direction of the city, the city, for wages or other remuneration. >>Employee shall not include elected officials of the city.<<

**>>FRAUDULENT ACTIVITY.** Includes payment for services not performed or for goods not delivered; falsification, or alteration of documents; improprieties/misrepresentation in the handling or reporting of money or financial transactions; theft, misappropriation, misapplication, destruction, removal, or concealment of City property.

**GROSS MISMANAGEMENT.** A continuous pattern of managerial abuses, wrongful or arbitrary and capricious actions, or fraudulent or criminal conduct which may have a substantial adverse economic impact.

**GROSS WASTE OF PUBLIC FUNDS.** An unnecessary or unauthorized expenditure of a substantial amount of money or a series of unnecessary or unauthorized expenditures of smaller amounts of money cumulatively amounting to a substantial amount of money.

**ILLEGAL ACTIVITY.** Violations of federal, state, or local laws including, but not limited to, accepting or offering bribes, kickbacks, or rebates.

**IMPROPER GOVERNMENTAL ACTION.** Any action by a city employee, an appointed member of a board, commission or committee or an elected official of the city that is undertaken in the performance of such person's duties with the city that is fraudulent activity, illegal activity, a gross waste of public funds or demonstrates gross mismanagement in violation of city policy or rules. The action need not be within the scope of the employee's, elected official's or board, commission or committee member's official duties to be subject to a claim of improper governmental action. Improper Governmental Action does not include city personnel actions, including but not limited to, employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, reprimands, or violations of collective-bargaining agreements.

**RETALIATION or RETALIATORY ACTION.** Any adverse personnel action taken because: (1) an employee lawfully disclosed information or filed an allowable complaint pursuant to this subchapter, (2) an employee testified, assisted or is scheduled to testify or assist in any investigation, action or proceeding relating to the lawful disclosure of information by another employee pursuant to this article, or (3) the supervisor who imposed the adverse personnel action believed the employee receiving the adverse personnel action was involved in the activities described in parts (1) and (2) of this paragraph and such belief was the primary reason for the adverse personnel action.



**WHISTLE-BLOWER.** An employee who reports, to one or more of the parties specified in this subchapter, an activity that the employee considers to be illegal, dishonest, unethical, or otherwise improper.<<

\* \* \*

#### **Section 34.24 NATURE OF INFORMATION DISCLOSED.**

The information disclosed under this subchapter must include at least one of the following:

\* \* \*

(B) Any act or suspected act of improper use of governmental office, >>governmental action,<< gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty committed by an employee or agent of the city.

#### **Section 34.25 TO WHOM INFORMATION DISCLOSED.**

~~The information disclosed under this subchapter must be disclosed to any person or persons having the authority to investigate, police, manage, or otherwise remedy the violation or act, including but not limited to the City Manager, City Attorney, Human Resources Director or such official or officials as the City Manager may designate to receive such information on his or her behalf.~~

>>(A) The employee shall submit a written report to the City Manager, or the person the City Manager designates to receive such information on his or her behalf, stating in detail the factual basis for the complainant's reasonable belief that an improper governmental action has occurred.

(B) If the City Manager's designee is the subject of the complaint, then the complaint shall be filed with the City Manager. If a charter officer is the subject of the complaint, the complaint shall be filed with the Mayor or the Mayor's designee. Suspected fraudulent activities may be reported directly to the audit committee. The audit committee shall be composed of the Finance Director, Chief Procurement Officer, Human Resources Director and the City Manager.

(C) The City Manager or the person designated by the City Manager to investigate complaints (Investigator) shall conduct a preliminary investigation within 30 days of the receipt of the complaint. The preliminary investigation shall determine if the complaint merits further investigation. The Investigator may confer with the City Attorney or the City Attorney's designee regarding laws and regulations which may apply. If the Investigator finds that the complaint has no merit or that proper corrective measures have been taken by the city, Investigator

shall notify the complainant and the complainant's department head of the decision and such decision shall be a final report. If the Investigator finds that a further investigation is required, the Investigator shall notify the complainant and the complainant's department head of that decision. Decisions made pursuant to this subsection shall be public record only upon delivery of the decision to the complainant.

(D) If the City Manager, the City Manager's designee or the Mayor determines that the complaint involves allegations of criminal activity, the complaint may be referred to a law enforcement agency of proper jurisdiction. The party conducting the investigation may coordinate any further investigation with such law enforcement agency. If criminal charges are formally filed, the party conducting the investigation may suspend its investigation until completion of criminal action.

(E) All employees, board, commission, committee members and elected city officials shall assist the Investigator in the investigation of complaints filed pursuant to this subchapter, including but not limited to providing records and making statements. Interviews shall be outside the presence of the complainant and the complainant's supervisor. Employees shall be interviewed without loss of pay and may have an employee representative present at the interview. The Investigator shall give reasonable written notice to the person being interviewed of the time for the interview. Except as otherwise provided in this article, all records of interviews shall be kept confidential until the Investigator issues a final report concerning the complaint.

(F) The Investigator may decline to investigate a complaint or portions of a complaint alleging improper governmental action if the same allegations have previously been investigated or have been adjudicated in any court. The Investigator may consolidate investigations when complaints allege the same or similar improper governmental action.

(G) Upon completion of a full investigation, a final written report containing the findings and conclusions of the investigation shall be delivered to the complainant and complainant's department. The report shall be public record upon delivery to the complainant. If the report concludes that improper governmental action occurred and that corrective measures have not taken place or are insufficient to prevent reoccurrence of the improper governmental action the report shall also be delivered to the Mayor and the City Council.<<

## **Section 34.27 REMEDIES.**

\* \* \*

(B) Any employee protected by this subchapter may file a written complaint within sixty (60) days after the action prohibited by this subchapter with the ~~City Human Resources Director~~ >>City Attorney. The written complaint must set forth the facts which constitute the alleged retaliation. The City Attorney shall refer the complaint to the Department of Administrative Hearings (DOAH) within sixty (60) days,<< ~~The Director shall refer the complaint to the City Attorney who shall select a panel of three (3) impartial hearing examiners. Such hearing examiners shall not be city officials or employees. The hearing examiners shall conduct a hearing after notice to the complainant and the city department, political subdivision, or special district involved. Any interested party may procure the attendance of witnesses and the production of records at such hearing. All hearings requested pursuant to this section shall be commenced insofar as is practicable within sixty (60) days of the Human Resources Director's receipt of the complaint, except that the Director or City Attorney shall have the authority to extend such time for reasonable cause.~~

(C) ~~The panel of hearing examiners shall transmit their findings of facts, conclusions of law and any recommendation together with a transcript of all evidence taken before them and all exhibits received by them to the City Manager for a final decision, except as qualified below.~~ >>Findings of fact shall be based upon a preponderance of the evidence and shall be based exclusively on the evidence of record and on matters officially recognized. The presiding officer shall complete and submit to the city and all parties, a recommended order consisting of findings of fact, conclusions of law, and recommended disposition or penalty, if applicable, and any other information required by law to be contained in the final order. All proceedings conducted under this subsection shall be de novo.<<

(D) ~~The final decision rendered by the City Manager may be appealed directly to the City Council. The City Council shall then determine in a public meeting whether a hearing in front of the City Council is warranted. If it is determined that a hearing is warranted, a special meeting shall be scheduled within thirty (30) days where evidence shall be presented to Council for its consideration and a final vote taken on the issue. The City Council shall have the right to overturn the decision of the City Manager.~~ >>The presiding officer's findings of fact, conclusions of law and recommendation shall be transmitted to the City Manager. The City Manager may adopt the recommended order as the final order of the city. The City manager may reject or modify the conclusions of law and interpretation of ordinances and administrative rules. When rejecting or

modifying such conclusion of law or interpretation of an administrative rule, the City Manager must state with particularity the reasons for rejecting or modifying such conclusion of law or interpretation of administrative rule and must make a finding that its substituted conclusion of law or interpretation of an administrative rule is as or more reasonable than that which was rejected or modified. Rejection or modification of conclusions of law may not form the basis for rejection or modification of findings of fact.<<

(E) If the written complaint directly involves a public officer appointed by the City Council pursuant to the City Charter, panel >>the presiding officer<< shall submit its findings of fact, conclusions of law and recommendation to the City Council for a final decision. The City Council shall then determine in a public meeting whether a hearing in front of the City Council is warranted. If it is determined that a hearing is warranted, a special meeting shall be scheduled within thirty (30) days where evidence shall be presented to Council for its consideration and a final vote taken on the issue. >>to adopt the recommended order as the final order of the city. The City Council may reject or modify the conclusions of law and interpretation of ordinances and administrative rules. When rejecting or modifying such conclusion of law or interpretation of an administrative rule, the City Council must state with particularity the reasons for rejecting or modifying such conclusion of law or interpretation of administrative rule and must make a finding that its substituted conclusion of law or interpretation of administrative rule is as or more reasonable than that which was rejected or modified. Rejection or modification of conclusions of law may not form the basis for rejection or modification of findings of fact.<<

#### **Section 34.28 RELIEF**

(A) In any case brought under this subchapter in which the City Manager >>or City Council, as may be applicable<< finds that the employee has been discharged, disciplined, or subjected to other adverse personnel action in violation of this subchapter, the City Manager, >>or City Council, as may be applicable,<< must:

\* \* \*

(B) In any case in which the hearing examiner >>presiding officer<< finds that the employee filed a frivolous complaint in bad faith, the hearing examiner >>presiding officer<< may recommend and the City Manager >>or City Council, as may be applicable,<< may direct the employee to pay the costs of the hearing, including the employer's attorney's fees.

\* \* \*

**Section 34.29 DEFENSES.**

~~It shall be an affirmative defense to any complaint brought pursuant to this subchapter that the adverse action was predicated upon grounds other than, and would have been taken absent, the employee's exercise of rights protected by this subchapter.~~ >>In order to establish retaliation as an affirmative defense to an adverse personnel action, the employee must demonstrate that the employee's activity under this subchapter was protected activity and was the primary reason for the action the employee is grieving or appealing. The city may rebut this defense if it demonstrates that it would have taken the same action regardless of the employee's participation in the activity protected under this subchapter, and that the adverse personnel action was taken for legitimate business reasons.<<

\* \* \*

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020- , held on , 2020; and  
read in title only and duly enacted at Meeting 2020- , held on , 2020.

---

William Capote, MAYOR

ATTEST:

---

Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

***Strikethrough words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley, AICP, Growth Management Director

**DATE:** 11/5/2020

**RE:** Ordinance 2020-79, amending the Code of Ordinances, Chapter 171, Fair Share Impact Fees, Subchapter 'Water and Wastewater Impact Fees', by adjusting the capital charges and capital charge recovery fees and removing the annual indexing of amounts (Case T-25-2020, City of Palm Bay), first reading.

The City of Palm Bay (Utilities Department) has submitted a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 171: Fair Share Impact Fees, Section 171.50, Water and Wastewater Impact Fees. The Utilities Department is seeking to change the fees and to strike references to the Engineering News Record (ENR) as a basis for establishing the fees. The purpose of the fees is to finance capital expenditures and the payment of City indebtedness associated with the expansion of the City's water supply, treatment and transmission system, the wastewater transmission, treatment, and effluent disposal system, and the reclaimed treatment and transmission system.

The proposed fees have been recommended by the Utilities Advisory Board (UAB).

### **REQUESTING DEPARTMENT:**

Growth Management, Utilities

### **RECOMMENDATION:**

Motion to approve Case T-25-2020, based on the Analysis contained in the staff report.

### **Planning and Zoning Board Recommendation:**

Unanimous approval of the request based on the Analysis contained in the staff report.

### **ATTACHMENTS:**

#### **Description**

Case T-25-2020

Board Minutes

Ordinance 2020-79



**REVISED**

# STAFF REPORT

## LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

[landdevelopmentweb@palmbayflorida.org](mailto:landdevelopmentweb@palmbayflorida.org)

### Prepared by

Laurence Bradley, AICP, Growth Management Director

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#### CASE NUMBER

T-25-2020

#### PLANNING & ZONING BOARD HEARING DATE

October 7, 2020

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#### PROPERTY OWNER & APPLICANT

City of Palm Bay; Utilities Department

#### PROPERTY LOCATION/ADDRESS

Not Applicable

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#### SUMMARY OF REQUEST

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 171: Fair Share Impact Fees, Section 171.50, Water and Wastewater Impact Fees, revised as noted.

##### Existing Zoning

Not Applicable

##### Existing Land Use

Not Applicable

##### Site Improvements

Not Applicable

##### Site Acreage

Not Applicable

#### APPLICABILITY

Citywide

#### COMPREHENSIVE PLAN COMPATIBILITY

Not specifically addressed

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**BACKGROUND:**

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 174 >>171<<: Floodplain and Stormwater Management. Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in ~~strikethrough~~ format.

The applicant for this amendment is the City of Palm Bay.

**ANALYSIS:**

The Fair Share Impact Fees Section of the Land Development Code provides for the establishment of Impact Fees associated with new development. Subsection 171.50 establishes the impact fees associated with water and wastewater.

The Water and Wastewater Impact fees are written into the actual ordinance rather than adopted through a fee resolution, thus any changes to these fees require the ordinance to be modified. The Utilities Department, which oversees these fees, is requesting changes to the fees. Additionally, they are seeking to strike references to the Engineering News Record (ENR), as a basis for establishing these fees. The proposed fees have been recommended by the Utilities Advisory Board (UAB).

The changes, as proposed, do not appear to have any impacts to other sections of the Land Development Code or the Comprehensive Plan.

**STAFF RECOMMENDATION:**

Motion to approve Case T-25-2020, based on the Analysis contained in this staff report.

## TITLE XVII: LAND DEVELOPMENT CODE

### WATER AND WASTEWATER IMPACT FEES

#### § 171.50 WATER AND WASTEWATER IMPACT FEES.

(A) *Adoption.* The City hereby adopts and establishes pursuant to general law, a water capital charge, and a wastewater capital charge as set forth in paragraph (1) herein below, the purpose of which will be to finance capital expenditures and the payment of City indebtedness associated with the expansion of the City's water supply, treatment and transmission system, the wastewater transmission, treatment, and effluent disposal system, and the reclaimed treatment and transmission system.

(1) *Implementation.* The amount of each capital charge per equivalent residential connection (ERC) shall be effective ~~October 1, 2015~~ >>January 1, 2021<< as follows:

<i>Date</i>	<i>Water Capital Charge</i>	<i>Wastewater Capital Charge</i>
<del>Oct. 1, 2015</del> >>January 1, 2021<<	<del>\$2,151.39</del> >>\$2,049.00<<	<del>\$3,139.20</del> >>\$3,300.00<<

~~(2) All capital charge amounts listed in subsection (1) above will be increased annually on October 1st of every year according to the Engineering News Record (ENR) City Cost Index for the Southeast region.~~

\* \* \*

(9) The amount of each capital charge recovery usage component shall be effective ~~October 1, 2015~~ >>January 1, 2021<< as follows:

<i>Date</i>	<i>Water Capital Charge Recovery Usage Component</i>	<i>Wastewater Capital Charge Recovery Usage Component</i>
<del>October 1, 2015</del> >>January 1, 2021<<	<del>\$1.34</del> >>\$1.28<<	<del>\$1.85</del> >>\$1.94<<

~~(10) All capital charge recovery usage components will be increased annually on October 1st of every year according to the Engineering News Record (ENR) City Cost Index for the Southeast region.~~

~~(11)~~>>(10)<< The above ERC Schedule applies to establishments being connected to the City of Palm Bay Utilities Water and Wastewater System.



**LAND DEVELOPMENT DIVISION**  
120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042  
Landdevelopment@palmbayflorida.org

## **CODE TEXTUAL AMENDMENT APPLICATION**

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

### **ORDINANCE SECTION(S) PROPOSED TO BE CHANGED:**

§ 171.50 WATER AND WASTEWATER IMPACT FEES

### **PROPOSED LANGUAGE (attach addendum if necessary):**

See attached

### **JUSTIFICATION FOR PROPOSED CHANGE (attach other documents if necessary)**

Changes to (A)(1) and (A)(9) - See attached Legislative Memorandum from the August 27, 2020 Utilities Advisory Board (UAB) meeting. The UAB made a motion to recommend the City Council to adopt the changes. The motion passed 4-0 with one member absent.

Changes to (A)(2) and (A)(10) - An automatic, annual increase based on the ENR CCI is not a good practice and could result in overcharging. The Utilities Department reviews the rates on an annual basis.

CITY OF PALM BAY, FLORIDA  
CODE TEXTUAL AMENDMENT APPLICATION  
PAGE 2 OF 2

THE APPLICATION FEE MUST BE SUBMITTED WITH APPLICATION TO PROCESS THIS REQUEST:

☐

**\*\$1,500.00 Application Fee. Make Check payable to "City of Palm Bay."**

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing code textual amendment application and that the facts stated in it are true.

Signature of Applicant Christopher Little Digitally signed by Christopher Little  
Date: 2020.09.02 15:41:03 -04'00' Date \_\_\_\_\_

Printed Name of Applicant Christopher A. Little, PE, Utilities Director

Full Address 250 Osmosis Drive SE, Palm Bay, FL 32909

Telephone 321-952-3410 Email christopher.little@pbfl.org

PERSON TO BE NOTIFIED (If different from above):

Printed Name N/A

Full Address N/A

Telephone N/A Email N/A

**\*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

# **Stantec Financial Services Presentation**

Presented at October 7, 2020 Planning and Zoning Board Meeting



## Water & Wastewater Capital Charges Study

October 7, 2020 – Planning and Zoning Board Meeting







# Capital Charges

**Different names...** capacity fees, impact fees, capital charges, system development charges/fees, connection charges

**Similar purpose...** one-time fees for cost of capacity to new development

- New customers paying their share of expansion costs
- Excludes O&M, repair and rehabilitation costs

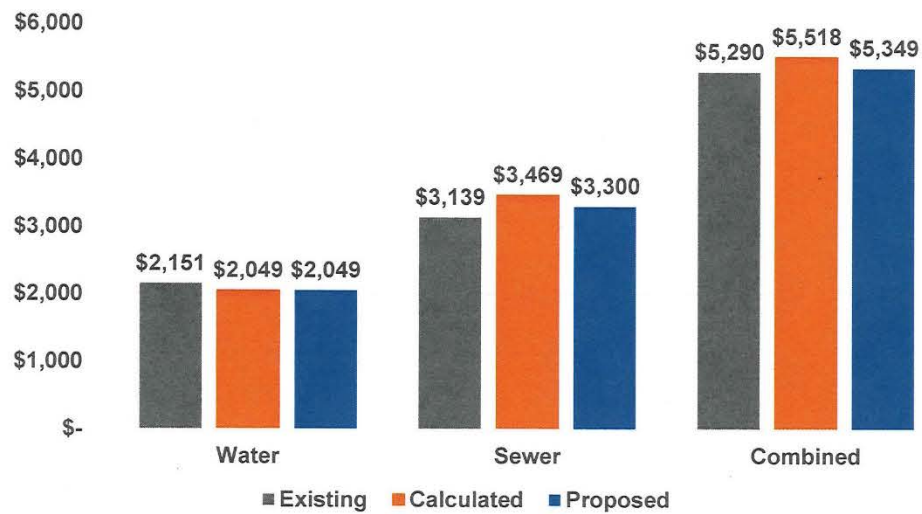
## Cost Basis...

- Replacement cost new less depreciation (RCNLD) of existing Transmission assets
- Debt credit: back out transmission related debt paid with user fees to avoid double recovery of costs
- Plant expansions in 5-yr. CIP (6 MGD Water & 6 MGD WW)



# Capital Charges

Results:



Findings:

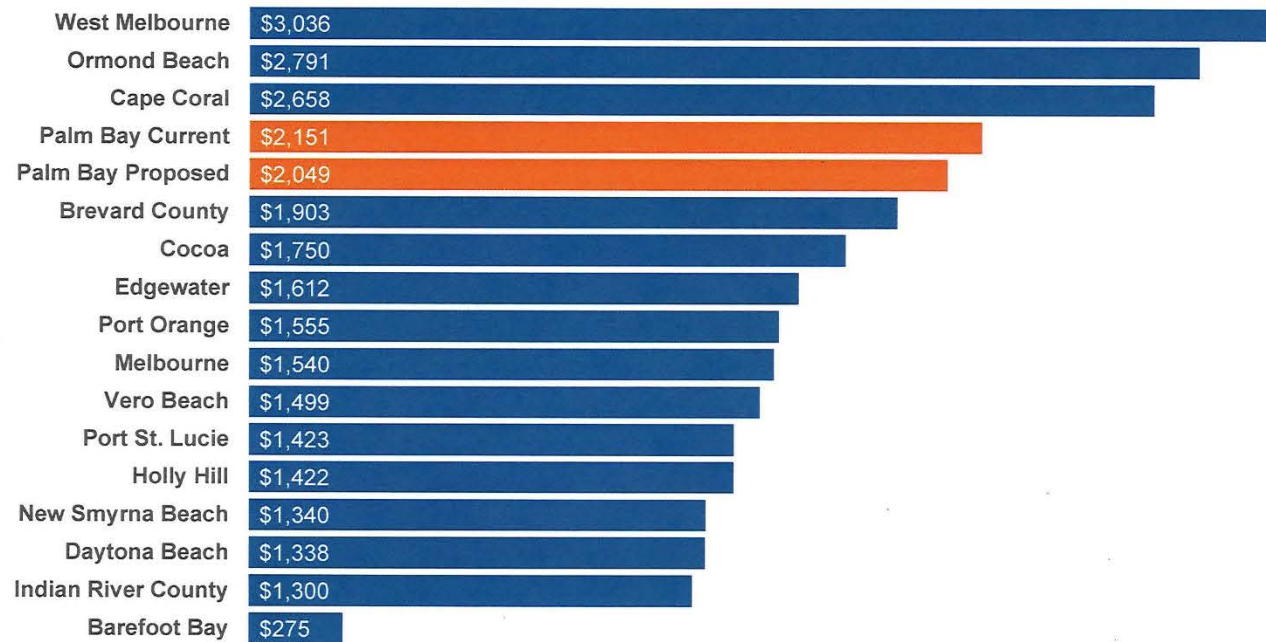
- Current charges are generally aligned with costs
- Supports minor adjustments





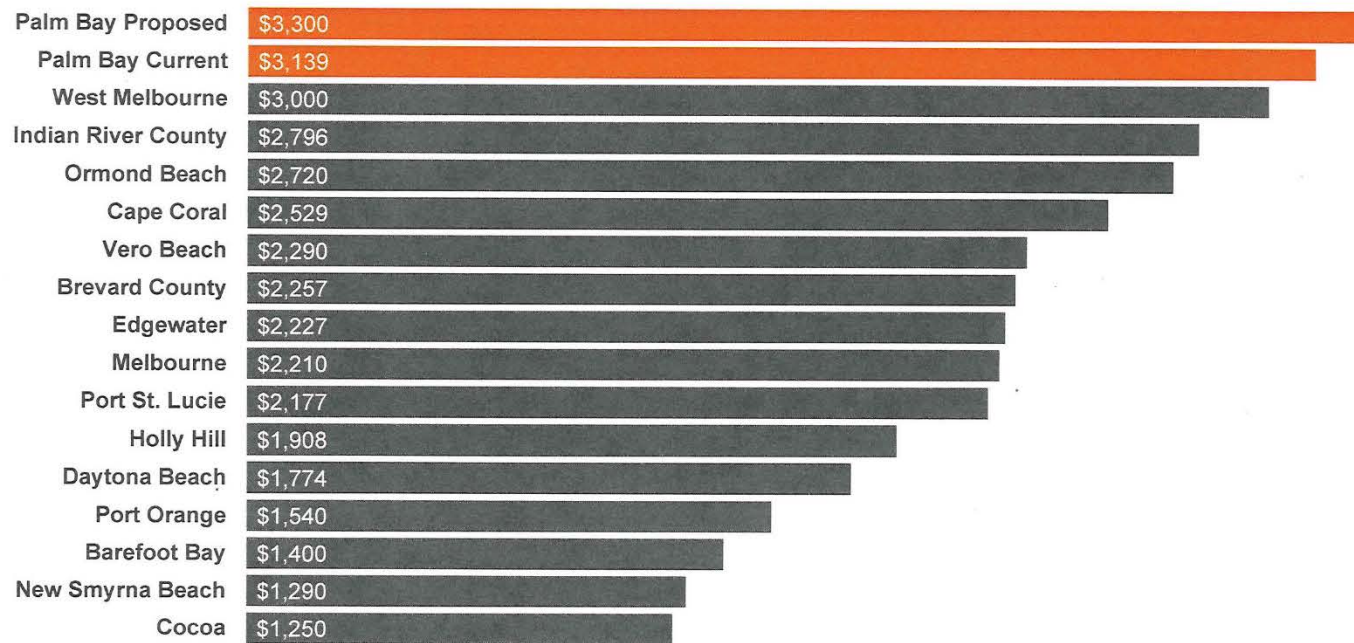


## FY 2020 Water Impact Fee Comparison





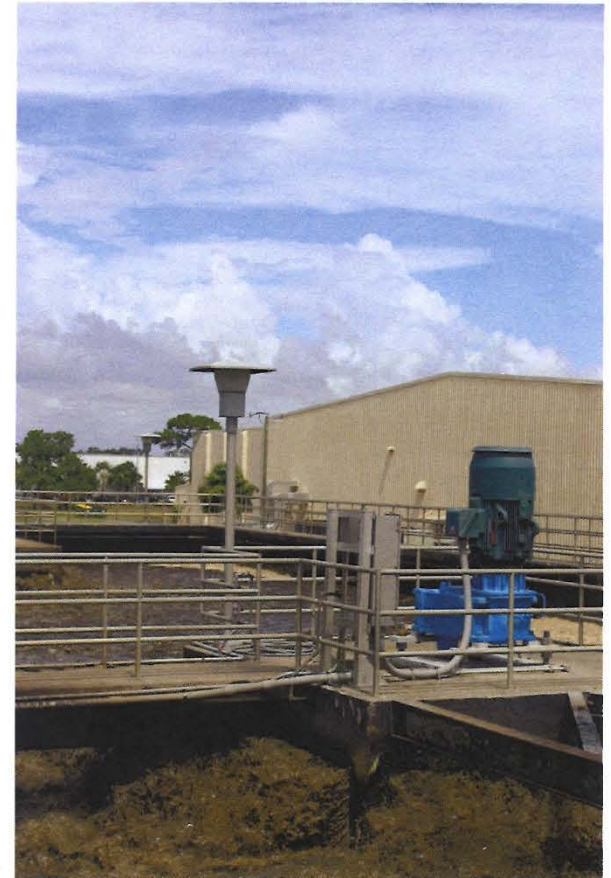
## FY 2020 Sewer Impact Fee Comparison





## Findings & Recommendations

- Current capital charges are generally aligned with costs
- Recommended capital charges:
  - Water: \$2,049 per ERU – (\$102) decrease
  - Sewer: \$3,300 per ERU – \$161 increase
- Periodically evaluate (3-5 years) to reflect current costs





## Questions & Discussion

**Jeff Dykstra**

*Managing Consultant, Stantec Financial Services*

*[jeffrey.dykstra@stantec.com](mailto:jeffrey.dykstra@stantec.com)*



**CITY OF PALM BAY, FLORIDA**  
**PLANNING AND ZONING BOARD/**  
**LOCAL PLANNING AGENCY**  
**REGULAR MEETING 2020-12**

Held on Wednesday, October 7, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this public meeting included media technology communications (teleconference/video conference).

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Mr. Donald Boerema led the Pledge of Allegiance to the Flag.

Adoption of Minutes occurred at this time.

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-10; September 2, 2020. Motion by Ms. Maragh, seconded by Ms. Jordan to approve the minutes as presented. The motion carried with members voting unanimously.

The board resumed consideration of items in the order shown on the agenda.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Philip Weinberg	Present	
<b>VICE CHAIRPERSON:</b>	Leeta Jordan	Present	
<b>MEMBER:</b>	Donald Boerema	Present	
<b>MEMBER:</b>	Donny Felix	Absent	(Excused)
<b>MEMBER:</b>	Richard Hill	Present	
<b>MEMBER:</b>	Khalilah Maragh	Present	
<b>MEMBER:</b>	Rainer Warner	Present	
<b>NON-VOTING MEMBER:</b>	David Karaffa	Present	
	(School Board Appointee)		

Mr. Felix's absence was excused.

Mr. Weinberg	Aye
Ms. Jordan	Nay
Mr. Boerema	Aye
Mr. Hill	Nay
Ms. Maragh	Aye
Mr. Warner	Aye

5. **T-25-2020 – CITY OF PALM BAY (UTILITIES DEPARTMENT)**

Mr. Bradley presented the staff report for Case T-25-2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 171: Fair Share Impact Fees, Section 171.50 Water and Wastewater Impact Fees, to adopt proposed water and sewer impact fee adjustments and to establish January 1, 2021 as the date of implementation. Staff recommended Case T-25-2020 for approval, based on the Analysis contained in the staff report.

Ms. Maragh asked for further clarification regarding the amendment.

Mr. Little stated that City Council wanted developers to pay their fair share of impact fees for growth and expansion. He introduced Mr. Jeff Dykstra (managing consultant with Stantec Financial Services) to synopsise the Water and Wastewater Capital Charges Study. Mr. Dykstra gave a brief PowerPoint overview on how the current capital charges were generally aligned with costs, a recommendation to decrease water charges and increase sewer charges, and a recommendation to evaluate costs every three to five years. City Council had previously approved the user rate and impact fee charges.

Mr. Boerema asked if the costs were for new customers. Mr. Dykstra indicated that this was correct.

The floor was opened and closed for public comments; there were no comments from the audience and there was no correspondence in the file.

Motion by Mr. Boerema, seconded by Mr. Hill to submit Case T-25-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 171: Fair Share Impact Fees, Section 171.50 Water and Wastewater Impact Fees, to adopt proposed water and sewer impact fee adjustments and to establish January 1, 2021 as the date of implementation, based on the Analysis contained in the staff report. The motion carried with members voting unanimously.

**OTHER BUSINESS:**

1. There was no other business discussed.

**ADJOURNMENT:**

The meeting was adjourned at approximately 8:58 p.m.

---

Philip Weinberg, CHAIRPERSON

Attest:

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Chandra Powell, SECRETARY

**\*\*Quasi-Judicial Proceeding.**

## ORDINANCE 2020-79

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 171, FAIR SHARE IMPACT FEES, SUBCHAPTER 'WATER AND WASTEWATER IMPACT FEES', BY REFLECTING THE INCREASE IN WATER AND WASTEWATER CAPITAL CHARGES; MODIFYING THE EFFECTIVE DATES FOR THE IMPACT FEES AND RECOVERY USAGE FEES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 171, Fair Share Impact Fees, Subchapter 'Water and Wastewater Impact Fees', is hereby amended and shall henceforth read as follows:

"Section 171.50 WATER AND WASTEWATER IMPACT FEES.

(A) *Adoption.* The City hereby adopts and establishes pursuant to general law, a water capital charge, and a wastewater capital charge as set forth in paragraph (1) herein below, the purpose of which will be to finance capital expenditures and the payment of City indebtedness associated with the expansion of the City's water supply, treatment and transmission system, the wastewater transmission, treatment, and effluent disposal system, and the reclaimed treatment and transmission system.

(1) *Implementation.* The amount of each capital charge per equivalent residential connection (ERC) shall be effective ~~October 1, 2015~~ >>January 1, 2021<< as follows:

Date	Water Capital Charge	Wastewater Capital Charge
Oct. 1, 2015	\$2,151.39	\$3,139.20
>>January 1, 2021<<	>>\$2,049.00<<	>>\$3,300.00<<



~~(2) All capital charge amounts listed in subsection (1) above will be increased annually on October 1st of every year according to the Engineering News Record (ENR) City Cost Index for the Southeast region.~~

\* \* \*

(D) *Determination of equivalent residential connection factors for water and wastewater services.*

\* \* \*

(9) The amount of each capital charge recovery usage component shall be effective October 1, 2015 >>January 1, 2021<< as follows:

Date	Water Capital Charge Recovery Usage Component	Wastewater Capital Charge Recovery Usage Component
Oct. 1, 2015	\$1.34	\$1.85
>>January 1, 2021<<	>>\$1.28<<	>>\$1.94<<

~~(10) All capital charge recovery usage components will be increased annually on October 1st of every year according to the Engineering News Record (ENR) City Cost Index for the Southeast region.~~

(11 >>10<<) The above ERC Schedule applies to establishments being connected to the City of Palm Bay Utilities Water and Wastewater System.

\* \* \*"

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative

or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect on January 1, 2021.

Read in title only at Meeting 2020- , held on , 2020; and read in title only and duly enacted at Meeting 2020- , held on , 2020.

---

William Capote, MAYOR

ATTEST:

---

Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

Applicant: City of Palm Bay

Case: T-25-2020

***Strikethrough words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley, AICP, Growth Management Director

**DATE:** 11/5/2020

**RE:** Ordinance 2020-80, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west of and adjacent to Bass Pro Drive, in the vicinity south of Palm Bay Road, from Commercial Use to Multiple-Family Residential Use (2.49 acres) (Case CP-9-2020, AD1 Urban Strategy Palm Bay Retail LLC), only one reading required.

AD1 Urban Strategy PB Retail, LLC (Bruce Moia, P.E., Representative) has submitted a small-scale Comprehensive Plan Future Land Use Map Amendment to change 2.49 acres of Commercial Use (COM) to Multiple Family Residential Use (MFR). The property is surrounded by commercial land uses and is located between Sportsman Lane NE and Bass Pro Drive NE. The purpose of the request is to allow for multiple-family apartment housing.

In August of 2019 the property was subdivided into three commercial lots and recorded in public records as Bilda Executive Park. The subdivision was intended to provide commercial services to the residents and visitors of Palm Bay, and thus met a goal of the Comprehensive Plan. The proposed amendment would remove two and a half acres of needed commercial land from an important and highly-traveled commercial corridor, which would not further this goal. The introduction of a multiple-family residential land use on a site surrounded by commercial uses is inconsistent with surrounding uses. Staff believes such housing should be located on existing, vacant Multiple-Family lands and this important commercial property should remain commercial.

At this time, Riviera Elementary School and Stone Magnet Middle School are not projected to have enough capacity for the potential students anticipated for this development.

### **REQUESTING DEPARTMENT:**

Growth Management

### **RECOMMENDATION:**

Motion to deny Case CP-9-2020, based upon comments contained in the staff report.

### **Planning and Zoning Board Recommendation:**

Denial of the request by a vote of 3 to 3.

**ATTACHMENTS:**

**Description**

Case CP-9-2020

Board Minutes

Ordinance 2020-80



**REVISED**

# STAFF REPORT

## LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

[landdevelopmentweb@palmabayflorida.org](mailto:landdevelopmentweb@palmabayflorida.org)

### Prepared by

Christopher Balter, Senior Planner

CASE NUMBER	PLANNING & ZONING BOARD HEARING DATE
CP-9-2020	October 7, 2020
PROPERTY OWNER & APPLICANT	PROPERTY LOCATION/ADDRESS
AD1 Urban Strategy PB Retail LLC (Bruce Moia, P.E. Representative)	A portion of Lot 3, Bilda Executive Park, Section 20, Township 28 Range 37, Brevard County, Florida

SUMMARY OF REQUEST	The applicant is requesting a small-scale Comprehensive Plan Future Land Use Map Amendment to change 2.49 acres of Commercial Use (COM) to Multiple Family Residential Use (MFR).
Existing Zoning	CC, Community Commercial
Existing Land Use	Commercial Use
Site Improvements	Parking Lots
Site Acreage	2.49 acres, more or less

### SURROUNDING ZONING & USE OF LAND

North	CC, Community Commercial; Bass Pro Shops
East	CC, Community Commercial; Palm Bay Village Shopping Center
South	CC, Community Commercial; Home 2 Suites
West	CC, Community Commercial; Space Coast Harley-Davidson

**ANALYSIS:**

Per Chapter 183: Comprehensive Plan Regulations; Section 183.01(B), the purpose and intent of the Comprehensive Plan is to encourage the most appropriate use of land and resources to promote the health, safety, and welfare of the community

**1. FUTURE LAND USE ELEMENT**

The Comprehensive Plan FLU Element Goal FLU-3 **us >>is<<** to provide for economically viable commercial areas that promote a sound and diversified local economy and serve the retail and service needs of the City's residents.

If the property were changed to Multiple Family Residential Use, it would contradict this element by removing commercial land from an area of the City that has been commercial for over 40 years. The introduction of multiple-family residential land use on a property that is surrounded by commercial uses is inconsistent with the surrounding uses.

The Comprehensive Plan FLU Element Goal FLU-3.2B states that the Land Development Regulations shall contain provisions for compact Commercial development in clusters with coordinated parking and loading facilities, and/or frontage roads.

In May of 2018 an administrative site plan approval was granted to construct two, four-story hotels and four commercial buildings in a phased approach. In August of 2019 the property was subdivided into three commercial lots and recorded in public records as Bilda Executive Park. The subdivision was intended to provide commercial services to the residents and visitors of Palm Bay, and thus met the goals of the Comprehensive Plan. The proposed amendment would remove two and a half acres of needed commercial land use from an important and highly-traveled commercial corridor, which would not further this goal.

Approximately 142.53 acres of vacant Multiple Family zoned land in Palm Bay is located within 3.5 **acres >>miles<<** of the subject parcel. There are currently 948 units to come online in the next year in the City of Palm Bay. In the neighboring City of West Melbourne, there will be 1,627 units available in the next year, and in the City of Melbourne, 900 units. Although there may still be a demand for Multiple Family housing in the general area, staff believes such housing should be located on existing, vacant Multiple Family lands and that this important commercial land remain commercial.

**2. COASTAL MANAGEMENT ELEMENT**

The subject property is not located within the Coastal Management Area.

### 3. CONSERVATION ELEMENT

The environmental character of the City is maintained through conservation, appropriate use, and protection of natural resources.

The subject parcel is not located within any of the Florida scrub-jay polygons identified on the City's Habitat Conservation Plan (HCP). No additional listed species are known to inhabit the subject property as the property is developed.

**Recreation:** Multiple Family Use does have more of a demand upon the parks & recreation level of service (LOS) standards than Commercial Use. However, the number of units that could be constructed upon the property would have a De minimis effect on the recreation LOS. It shall be noted that the Recreation and Open Space Element of the City's Comprehensive Plan sets a LOS Standard of 2 acres per 1,000 residents. The City maintains public ownership of park-designated lands that far exceed this requirement.

### 4. HOUSING ELEMENT

The proposed FLU amendment does not adversely impact the supply and variety of safe, decent, attractive, and affordable housing within the City.

### 5. INFRASTRUCTURE ELEMENT

The City evaluates present and future water, sewer, drainage, and solid waste, and assesses the ability of infrastructure needed to support development.

**Utilities:** The FLU change will not cause the level of service to fall below the standards adopted in the Comprehensive Plan for these services for the current planning period. Public water and sewer are available. If developed, the owner/developer will be responsible for extending services to the site in accordance with current City and State regulations.

**Drainage:** If developed, a drainage plan must be prepared in accordance with current regulations and approved by the City, along with appropriate outside agencies, including the St. Johns River Water Management District. Any proposed stormwater management system will be reviewed and approved by the City during the administrative site plan approval process.

**Solid Waste:** Solid waste collection is provided to the area by Republic Services Inc. Sufficient capacity exists within the Brevard County landfills to service the property.

## 6. INTERGOVERNMENTAL COORDINATION ELEMENT

Public Schools: The proposed FLU amendment requested will allow the site to be used for a 99-unit apartment complex and will have an impact on the public-school system. ~~The applicant will need obtain a school concurrency determination letter from the Brevard County School Board.~~ >>At this time, Riviera Elementary School and Stone Magnet Middle School are not projected to have enough capacity for the total of projected and potential students from this development. Because there is a shortfall of available capacity in the concurrency service areas of the development, the capacity of adjacent service areas must be considered. <<

## 7. TRANSPORTATION ELEMENT

The objectives of the Comprehensive Plan's Transportation Element are to provide a safe, balanced, efficient transportation system that maintains the roadway level of service and adequately serves the needs of the community. If developed, a traffic impact analysis will be required to determine any negative impacts on the existing transportation system along with any suggested improvements, which will be taken under consideration during the Site Plan review/approval process.

### **STAFF RECOMMENDATION:**

Case CP-9-2020 is recommended for denial based upon comments contained in this report.





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## AERIAL LOCATION MAP CASE CP-9-2020 & CPZ-9-2020

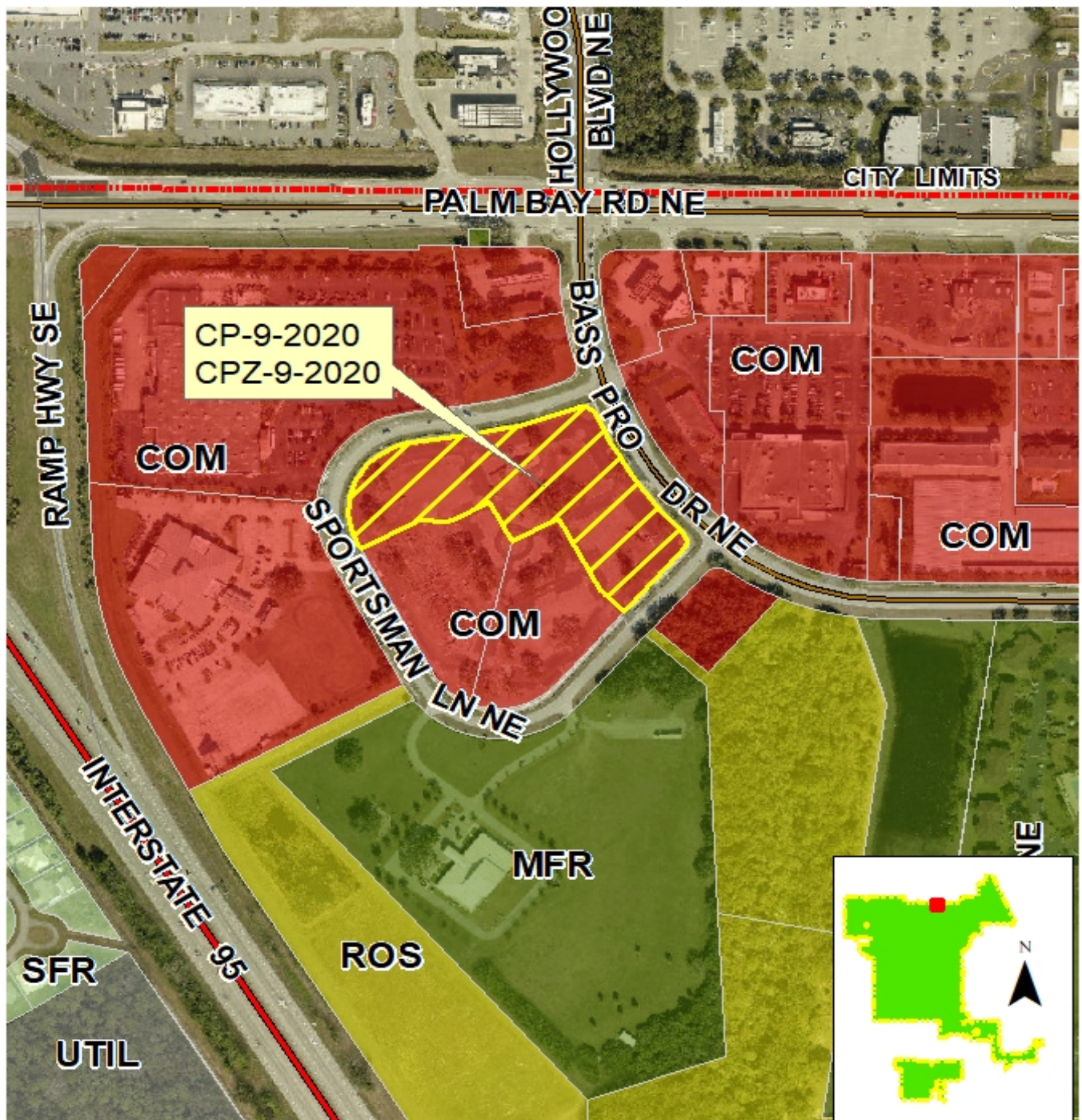
### Subject Property

Between and adjacent to Sportsman Lane NE and Bass Pro Drive NE





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## FUTURE LAND USE MAP CASE CP-9-2020 & CPZ-9-2020

### Subject Property

Between and adjacent to Sportsman Lane NE and Bass Pro Drive NE

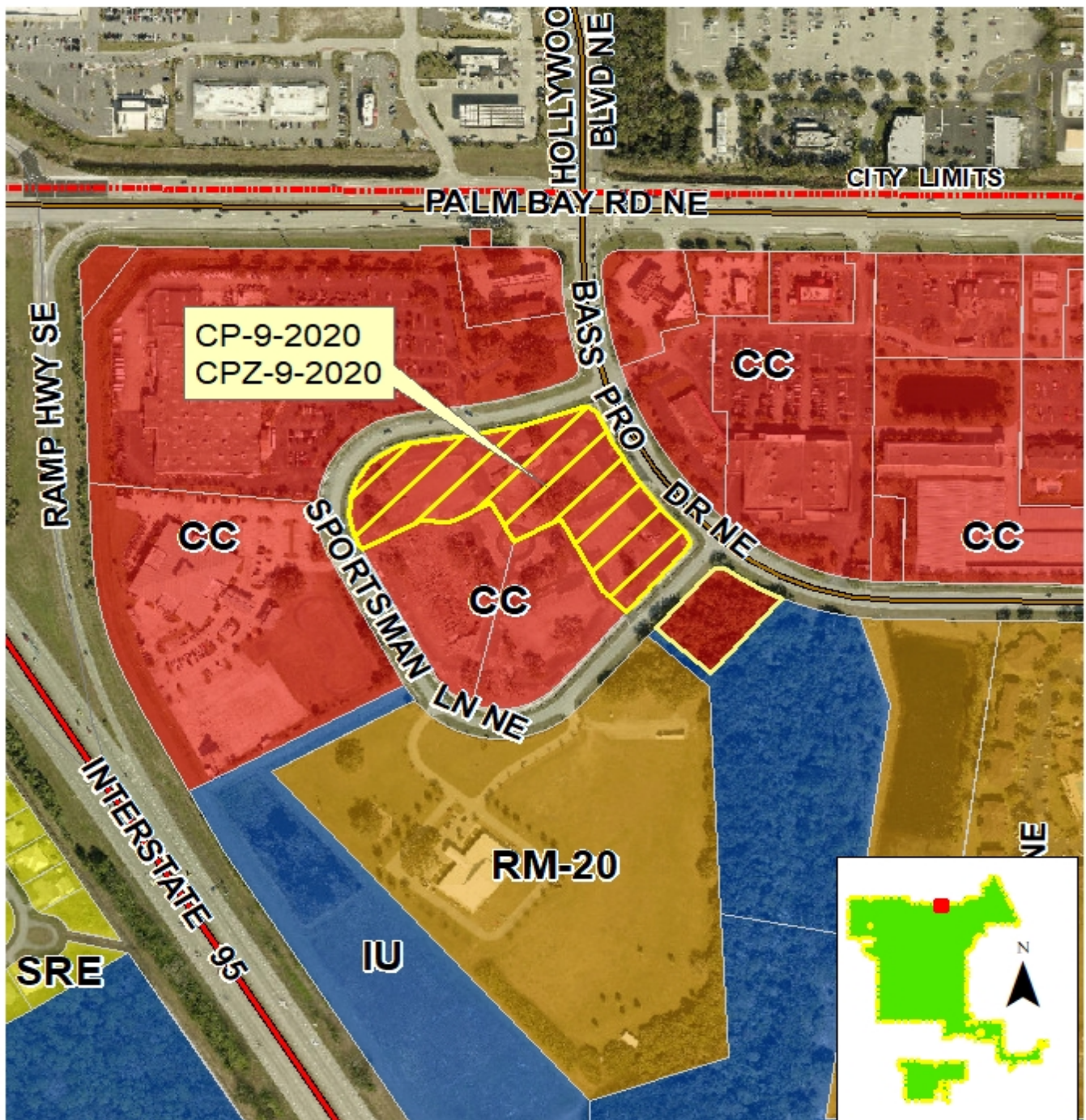
### Future Land Use Classification

COM – Commercial Use





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## ZONING MAP CASE CP-9-2020 & CPZ-9-2020

### Subject Property

Between and adjacent to Sportsman Lane NE and Bass Pro Drive NE

### Current Zoning Classification

CC – Community Commercial District





**LAND DEVELOPMENT DIVISION**  
120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042  
Landdevelopment@palmbayflorida.org

**COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT  
APPLICATION**

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

**APPLICATION AMENDMENT TYPE:**

- ☒ **Small Scale** (Less than 10 acres)      ☐ **Text Amendment** (Comp. Plan)  
☐ **Large Scale** (10 acres or more)

**PARCEL ID** 28-37-20-54-\* -3 (partial)

**TAX ACCOUNT NUMBER** 3020699

**LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:**

See attached legal description and sketch for changes

**SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage):** 2.49

**LAND USE CLASSIFICATION AT PRESENT OR PLAN SECTION AFFECTED (ex.: Commercial, Single Family, Policy CIE-1.1B, etc.):**

Commercial

**LAND USE CLASSIFICATION DESIRED OR PROPOSED TEXT CHANGE (attach additional sheets if necessary):**

Multi-Family Residential



CITY OF PALM BAY, FLORIDA  
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION  
PAGE 2 OF 3

PRESENT USE OF PROPERTY vacant land

STRUCTURES LOCATED ON THE PROPERTY none

REZONING FILED IN CONJUNCTION WITH THIS APPLICATION

yes

JUSTIFICATION FOR CHANGE (attach additional sheets containing supporting documents and evidence if necessary)

to allow the continued development of the property

SPECIFIC USE INTENDED FOR PROPERTY

99 unit multi family residential

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:



\*Application Fee. Make Check payable to "City of Palm Bay."



\$1,200.00 - Small Scale (Less than 10 acres)



\$2,000.00 - Large Scale (10 acres or more)



\$2,000.00 - Text Amendment (Comp. Plan)



Boundary Survey for land use amendments.



List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at (321) 633-2060.)



School Board of Brevard County [School Impact Analysis Application](#) (if applicable).



Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guideline.

CITY OF PALM BAY, FLORIDA  
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION  
PAGE 3 OF 3



Where the property owner is not the representative for the request, a LETTER must be attached giving the notarized consent of the property owner(s) to a representative.

Name of Representative Bruce Moia, P.E., MBV Engineering, Inc.

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AND CERTIFY THAT ALL THE ANSWERS TO THE QUESTIONS IN SAID APPLICATION, AND ALL DATA AND MATTER ATTACHED TO AND MADE A PART OF SAID APPLICATION ARE HONEST AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Owner Signature



Date

Printed Name

Sam Cohen for AD1 Property Mgmt and AD1 Urban Strategy PB Retail LLC

Full Address

1955 Harrison Street, Ste 200, Hollywood, FL 33020

Telephone

305-803-5564

Email

scohen1@ad1global.com

**\*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

May 9

, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Lot 3, Parcel K of Bilda Executive Park  
Property ID - 3020699, Parcel # 28-37-20-54-\*3

I, Owner Name: Sam Cohen for AD1 urban Strategy Palm Bay Retail LLC  
Address: 1955 Harrison Street, Suite 20, Hollywood, FL 33020  
Telephone: 305-803-5564  
Email: scohen@ad1global.com

hereby authorize:

Representative: Bruce A. Moia, P.E. - MBV Engineering, Inc.  
Address: 1250 W. Eau Gallie Blvd, Unit H, Melbourne, FL 32935  
Telephone: 321-253-1510  
Email: brucem@mbveng.com

to represent the request(s) for:

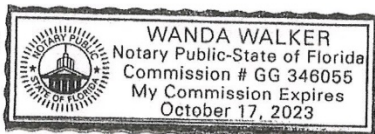
Rezoning, Land Use Amendment and Preliminary Development

(Property Owner Signature)

STATE OF Florida  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 9th day of  
May, 2020 by Sam Cohen

(SEAL)



Wanda Walker

Wanda Walker

, Notary Public

☒ Personally Known or  
☐ Produced the Following Type of Identification:





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Profit Corporation  
AD 1 MANAGEMENT, INC.

### Filing Information

<b>Document Number</b>	P09000073235
<b>FEI/EIN Number</b>	27-0851030
<b>Date Filed</b>	08/31/2009
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	AMENDMENT
<b>Event Date Filed</b>	09/17/2018
<b>Event Effective Date</b>	NONE

### Principal Address

1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

Changed: 04/01/2016

### Mailing Address

1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

Changed: 04/01/2016

### Registered Agent Name & Address

E.H.G. RESIDENT AGENTS, INC.  
1141 SOUTH ROGERS CIRCLE STE 12  
BOCA RATON, FL 33487

### Officer/Director Detail

#### **Name & Address**

Title PRES

BERMAN, JOSE D  
1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

## Title SECR

FRIDZON, ARIE  
1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

## Title TREA

FRIDZON, ALEX A  
1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2018	03/13/2018
2019	02/21/2019
2020	01/23/2020

**Document Images**

<a href="#">01/23/2020 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/21/2019 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">09/17/2018 -- Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">03/13/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/16/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/01/2016 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/31/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/28/2014 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/02/2013 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/09/2012 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/18/2011 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/12/2010 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">08/31/2009 -- Domestic Profit</a>	<a href="#">View image in PDF format</a>

### REZONING DESCRIPTION – PARCEL 3

A PORTION OF PARCEL 3, BILDA EXECUTIVE PARK, A REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 67, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF BASS PRO DRIVE (HOLLYWOOD BOULEVARD) AND SPORTSMAN LANE (EXECUTIVE CIRCLE), THENCE DEPART FROM POINT OF SAID INTERSECTION ALONG A BEARING OF S42°32'12"W, A DISTANCE OF 94.36 FEET TO A 4" X 4" PRM ON THE SOUTH RIGHT OF WAY LINE OF SAID SPORTSMAN LANE. ALSO BEING THE NORTH LINE OF SAID PARCEL 3. SAID POINT (PRM) ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1082.14 FEET. FROM SAID POINT OF CURVATURE, RUN ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 08°19'17", FOR AN ARC DISTANCE OF 157.16 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN:

FROM SAID POINT OF BEGINNING, DEPART ALONG A BEARING OF S13°45'03"E A DISTANCE OF 35.77 FEET, THENCE S28°32'27"E A DISTANCE OF 230.73 FEET, THENCE S61°30'34"W A DISTANCE OF 149.97 FEET, THENCE N28°27'50"W A DISTANCE OF 121.96 FEET, THENCE S61°32'08"W A DISTANCE OF 102.20 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 38.00 FEET THROUGH A CENTRAL ANGLE OF 32°34'33" ALONG AN ARC LENGTH OF 21.61 FEET. THENCE N85°53'19"W A DISTANCE OF 55.51 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 27.00 FEET THROUGH A CENTRAL ANGLE OF 32°34'33" AND ALONG AN ARC LENGTH OF 15.35 FEET. THENCE S61°32'08"W A DISTANCE OF 157.51 FEET TO A POINT ON THE SAID SOUTH RIGHT-OF-WAY OF SPORTSMAN LANE. THENCE FROM SAID POINT, RUN ALONG SAID RIGHT-OF-WAY LINE N28°27'52"W A DISTANCE OF 16.33 FEET TO A 4" X 4" PRM; SAID POINT (PRM) ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 185.00 FEET. THENCE FROM SAID POINT OF CURVATURE, RUN NORTHEAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 109°56'04" FOR AN ARC DISTANCE OF 354.96 FEET TO A 4" X 4" PRM ALSO BEING A POINT OF TANGENCY. THENCE FROM SAID POINT CONTINUE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE, N81°28'12"E FOR A DISTANCE OF 168.20 FEET TO A 4" X 4" PRM. SAID PRM ALSO BEING A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1082.14 FEET. THENCE RUN ALONG SAID SOUTH RIGHT-OF-WAY OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 05°13'19" FOR AN ARC LENGTH OF 98.60 FEET AND THE AFORESAID POINT OF BEGINNING. SAID PARCEL CONTAINING 2.49 ACRES MORE OR LESS.

**CITY OF PALM BAY, FLORIDA**  
**PLANNING AND ZONING BOARD/**  
**LOCAL PLANNING AGENCY**  
**REGULAR MEETING 2020-12**

Held on Wednesday, October 7, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this public meeting included media technology communications (teleconference/video conference).

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Mr. Donald Boerema led the Pledge of Allegiance to the Flag.

Adoption of Minutes occurred at this time.

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-10; September 2, 2020. Motion by Ms. Maragh, seconded by Ms. Jordan to approve the minutes as presented. The motion carried with members voting unanimously.

The board resumed consideration of items in the order shown on the agenda.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Philip Weinberg	Present	
<b>VICE CHAIRPERSON:</b>	Leeta Jordan	Present	
<b>MEMBER:</b>	Donald Boerema	Present	
<b>MEMBER:</b>	Donny Felix	Absent	(Excused)
<b>MEMBER:</b>	Richard Hill	Present	
<b>MEMBER:</b>	Khalilah Maragh	Present	
<b>MEMBER:</b>	Rainer Warner	Present	
<b>NON-VOTING MEMBER:</b>	David Karaffa	Present	
	(School Board Appointee)		

Mr. Felix's absence was excused.

Mr. Weinberg commented that a Project Development and Environment Study (PD&E) was being done for Malabar Road.

The floor was closed for public comments, and there was no correspondence in the file.

Motion by Mr. Boerema, seconded by Ms. Maragh to submit Case PD-24-2020 to City Council for approval of a Preliminary Development Plan for a PUD, Planned Unit Development to allow a proposed development of 602 single-family residential units and 75 townhomes called Chaparral Overall PUD, subject to the staff comments contained in the staff report. The motion carried with members voting unanimously.

Case PD-24-2020 would be heard by City Council on October 15, 2020.

3. **CP-9-2020 – AD 1 URBAN STRATEGY PALM BAY RETAIL, LLC  
(BRUCE MOIA, P.E., REP.)**

Mr. Balter presented the staff report for Case CP-9-2020. The applicant had requested a small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use to Multi-Family Residential Use. Staff recommended Case CP-9-2020 for denial.

Mr. Balter noted that the School Capacity Determination Letter had been received from the Brevard County School Board indicating that the public elementary and middle schools had insufficient capacity. Schools outside the area would have to be considered to meet capacity.

Mr. Bruce Moia, P.E., president of MBV Engineering, Inc. (representative for the applicant) explained how the subject commercial property had sat vacant for 40 years before the two existing hotels were pursued with a vision to secure more commercial development for the project. The market was unsuccessful for commercial retail; however, Parasol was bought to build a 55-plus adult, active-living apartment community with attractive amenities. The upscale project would be a \$16-million investment instead of generating a \$3-million commercial investment. He believed the requested Multi-Family Residential Use was compatible with the surrounding Commercial Use. The project would produce less traffic, bring more

taxable income, and provide a quality market-rate rental option for the senior household market. He stated that if approved, the complex would be built.

Ms. Jordan asked about the original plans for the site. Mr. Moia stated that for three years, 12,500 square feet of multi-tenant retail and a restaurant was unsuccessfully marketed for the property. The project would still have a commercial component for a restaurant and 13,000 square feet of multi-tenant retail.

Mr. Boerema inquired whether tenants could be younger than 55. Mr. Moia confirmed that this was correct.

Mr. Warner asked for confirmation on the type of multiple-family use being proposed. Mr. Moia confirmed that an upscale, five-story apartment building was planned for the site.

Ms. Maragh asked if the first-floor amenities would be solely for the tenants. Mr. Moia stated that this was correct.

Mr. Balter stated that staff was not opposed to the project as a whole but with the subject location since there was a substantial amount of property available with the proper zoning and land use.

The floor was opened and closed for public comments, and there was no correspondence in the file.

Motion by Ms. Jordan, seconded by Mr. Hill to submit Case CP-9-2020 to City Council for approval of a small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use to Multi-Family Residential Use.

Ms. Jordan commented on how the subject proposal was being driven by the market, and that it would be good to have a project that benefited the community. She would prefer for the apartment building to be restricted to a 55-plus senior complex.

Mr. Warner complimented the subject proposal but commented on the effort it had taken to create the commercial property, and that based on the Comprehensive Plan, the site should remain commercial. Ms. Maragh added that the City needed diverse housing, but commercial properties in the City were limited and other opportunities could be explored.

Mr. Hill agreed with Ms. Jordan that the proposal was a good project for the subject site, and he noted that larger metro areas had mixed uses. He would also prefer the apartment complex to be a 55-plus only community.

Motion amended by Ms. Jordan, seconded by Mr. Hill to submit Case CP-9-2020 to City Council for approval of a small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use to Multi-Family Residential Use, subject to the stipulation that the proposed apartment complex be restricted to a 55-plus senior complex. The motion failed with members voting as follows:

Mr. Weinberg	Aye
Ms. Jordan	Aye
Mr. Boerema	Nay
Mr. Hill	Aye
Ms. Maragh	Nay
Mr. Warner	Nay

4. **\*\*CPZ-9-2020 – AD 1 URBAN STRATEGY PALM BAY RETAIL, LLC  
(BRUCE MOIA, P.E., REP.)**

Mr. Weinberg announced that Case CP-9-2020, the associate land use request for Case CPZ-9-2020, had been denied by the board. Board action was required for Case CPZ-9-2020.

Motion by Mr. Warner, seconded by Ms. Maragh to submit Case CPZ-9-2020 to City Council for denial of a zoning amendment from a CC, Community Commercial District to an RM-20, Multiple-Family Residential District. The motion carried with members voting as follows:

## **ORDINANCE 2020-80**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 183, COMPREHENSIVE PLAN REGULATIONS, SECTION 183.01, COMPREHENSIVE PLAN, SUBSECTION (D), ADOPTION OF FUTURE LAND USE MAP, BY AMENDING THE FUTURE LAND USE MAP; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Bay has designated the Planning and Zoning Board as its Local Planning Agency and said Local Planning Agency held an adoption hearing on an amendment to the Comprehensive Plan on October 7, 2020, after public notice, and

**WHEREAS**, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, held an adoption hearing on an amendment to the Comprehensive Plan on November 5, 2020, after public notice, and

**WHEREAS**, the City Council of the City of Palm Bay desires to adopt said small scale amendment to the Comprehensive Plan of the City of Palm Bay.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The Comprehensive Plan of the City of Palm Bay, Brevard County, Florida, is hereby amended to provide for the change in land use of property from Commercial Use to Multiple-Family Residential Use, which property is legally described herein as Exhibit 'A'.

**SECTION 2.** The Future Land Use Map is hereby changed to reflect this amendment.



**SECTION 3.** All staff report conditions and limitations shall be met and those conditions and limitations shall be made a part of the Comprehensive Plan.

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 5.** The provisions within this ordinance shall take effect thirty-one (31) days from the enactment date.

Read in title only and duly enacted at Meeting 2020- , held on , 2020.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

\*Only one reading required pursuant to Chapter 163, Florida Statutes.

Reviewed by CAO: \_\_\_\_\_

Applicant: AD1 Urban Strategy Palm Bay Retail LLC  
Case: CP-9-2020

cc: (date) Applicant  
Case File

### REZONING DESCRIPTION – PARCEL 3

A PORTION OF PARCEL 3, BILDA EXECUTIVE PARK, A REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 67, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF BASS PRO DRIVE (HOLLYWOOD BOULEVARD) AND SPORTSMAN LANE (EXECUTIVE CIRCLE), THENCE DEPART FROM POINT OF SAID INTERSECTION ALONG A BEARING OF S42°32'12"W, A DISTANCE OF 94.36 FEET TO A 4" X 4" PRM ON THE SOUTH RIGHT OF WAY LINE OF SAID SPORTSMAN LANE. ALSO BEING THE NORTH LINE OF SAID PARCEL 3. SAID POINT (PRM) ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1082.14 FEET. FROM SAID POINT OF CURVATURE, RUN ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 08°19'17", FOR AN ARC DISTANCE OF 157.16 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN:

FROM SAID POINT OF BEGINNING, DEPART ALONG A BEARING OF S13°45'03"E A DISTANCE OF 35.77 FEET, THENCE S28°32'27"E A DISTANCE OF 230.73 FEET, THENCE S61°30'34"W A DISTANCE OF 149.97 FEET, THENCE N28°27'50"W A DISTANCE OF 121.96 FEET, THENCE S61°32'08"W A DISTANCE OF 102.20 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 38.00 FEET THROUGH A CENTRAL ANGLE OF 32°34'33" ALONG AN ARC LENGTH OF 21.61 FEET. THENCE N85°53'19"W A DISTANCE OF 55.51 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 27.00 FEET THROUGH A CENTRAL ANGLE OF 32°34'33" AND ALONG AN ARC LENGTH OF 15.35 FEET. THENCE S61°32'08"W A DISTANCE OF 157.51 FEET TO A POINT ON THE SAID SOUTH RIGHT-OF-WAY OF SPORTSMAN LANE. THENCE FROM SAID POINT, RUN ALONG SAID RIGHT-OF-WAY LINE N28°27'52"W A DISTANCE OF 16.33 FEET TO A 4" X 4" PRM; SAID POINT (PRM) ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 185.00 FEET. THENCE FROM SAID POINT OF CURVATURE, RUN NORTHEAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 109°56'04" FOR AN ARC DISTANCE OF 354.96 FEET TO A 4" X 4" PRM ALSO BEING A POINT OF TANGENCY. THENCE FROM SAID POINT CONTINUE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE, N81°28'12"E FOR A DISTANCE OF 168.20 FEET TO A 4" X 4" PRM. SAID PRM ALSO BEING A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1082.14 FEET. THENCE RUN ALONG SAID SOUTH RIGHT-OF-WAY OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 05°13'19" FOR AN ARC LENGTH OF 98.60 FEET AND THE AFORESAID POINT OF BEGINNING. SAID PARCEL CONTAINING 2.49 ACRES MORE OR LESS.



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley, AICP, Growth Management Director

**DATE:** 11/5/2020

**RE:** Ordinance 2020-81, rezoning property located west of and adjacent to Bass Pro Drive, in the vicinity south of Palm Bay Road, from CC (Community Commercial District) to RM-20 (Multiple-Family Residential District) (2.49 acres) (Case CPZ-9-2020, AD1 Urban Strategy Palm Bay Retail LLC), first reading (Quasi-Judicial Proceeding).

AD1 Urban Strategy PB Retail, LLC (Bruce Moia, P.E., Representative) has asked for a rezoning of the subject parcel from CC, Community Commercial to RM-20, Multiple Family Residential. The property is surrounded by commercial land uses and is located between Sportsman Lane NE and Bass Pro Drive NE. The purpose of the request is to allow for a 99-unit multi-family apartment complex.

In August of 2019 the property was subdivided into three commercial lots and recorded in public records as Bilda Executive Park. The approved site plan was comprised of four (4) proposed buildings, two of which are office and retail spaces and two restaurant spaces. The applicant failed to provide a justification for the proposed request to allow multiple-family housing. The RM-20 zoning district is not compatible with the surrounding area and is inconsistent with the City's desire and plan for the location as a key commercial node directly adjacent to Interstate I-95.

### REQUESTING DEPARTMENT:

Growth Management

### RECOMMENDATION:

Motion to deny Case CPZ-9-2020, based upon comments contained in the staff report.

### Planning and Zoning Board Recommendation:

Denial of the request by a vote of 4 to 2.

**ATTACHMENTS:**

**Description**

Case CPZ-9-2020

Board Minutes

Ordinance 2020-81



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

[landdevelopmentweb@palmbayflorida.org](mailto:landdevelopmentweb@palmbayflorida.org)

### Prepared by

Christopher Balter, Senior Planner

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#### CASE NUMBER

CPZ-9-2020

#### PLANNING & ZONING BOARD HEARING DATE

October 7, 2020

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#### PROPERTY OWNER & APPLICANT

AD1 Urban Strategy PB Retail LLC  
(Bruce Moia, P.E. Representative)

#### PROPERTY LOCATION/ADDRESS

A portion of Lot 3, Bilda Executive Park, Section 20,  
Township 28 Range 37, Brevard County, Florida

---

#### SUMMARY OF REQUEST

The applicant is requesting a rezoning of the subject parcel from CC, Community Commercial to RM-20, Multiple Family Residential.

##### Existing Zoning

CC, Community Commercial

##### Existing Land Use

Commercial Use

##### Site Improvements

Parking Lots

##### Site Acreage

2.49 acres, more or less

---

#### SURROUNDING ZONING & USE OF LAND

##### North

CC, Community Commercial; Bass Pro Shops

##### East

CC, Community Commercial; Palm Bay Village Shopping Center

##### South

CC, Community Commercial; Home 2 Suites

##### West

CC, Community Commercial; Space Coast Harley-Davidson

---

#### COMPREHENSIVE PLAN COMPATIBILITY

The future land use designations surrounding the subject parcel are Commercial. A companion application proposing a land-use amendment of this parcel from COM, Commercial Use to MFR, Multiple Family Residential Use was also submitted. (CP-9-2020).

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**BACKGROUND:**

The property is located west of and adjacent to Bass Pro Drive NE, and is bordered on all sides by Sportsman Lance NE. The applicant vacated the plat of Executive Park via Case VP-28-2017 and subsequently record a new subdivision plat in 2019 called the Bilda Executive Park. The applicant also received two variances, (V-29-2017), for reducing setbacks for the parking lot, and reducing the minimum living area for hotel units. The approved site plan that was submitted for administrative review and approval shows four (4) proposed buildings, two of which are office and retail space and two that are proposed as a restaurant; shown on Exhibit A (C-7).

**ANALYSIS:**

The following analysis is per Chapter 185: Zoning Code, Section 185.201(C), which states that all proposed amendments shall be submitted to the Planning and Zoning Board, which shall study such proposals in accordance with items 1 through 4 of Section 185.201(C).

**Item 1 - *The need and justification for the change.***

The applicant failed to provide a justification for this change. The applicant states the use of the property is a 99-unit multi-family apartment complex.

**Item 2 - *When pertaining to the rezoning of land, the effect of the change, if any, on the particular property and on surrounding properties.***

The parcel is surrounded on all four sides by commercial uses. The designation of the RM-20 zoning district for the subject property is not compatible with the surrounding area and is inconsistent with the City's desire and plan for the location as a key commercial node directly adjacent to Interstate I-95.

**Item 3 - *When pertaining to the rezoning of land, the amount of undeveloped land in the general area and in the City having the same classification as that requested.***

Approximately 142.53 acres of vacant Multiple Family zoned land is within 3.5 acres of the subject parcel. There are currently 948 units to come online in the next year in the City of Palm Bay. In the neighboring City of West Melbourne, there will be 1,627 units coming online in the next year, and in the City of Melbourne, 900 units.

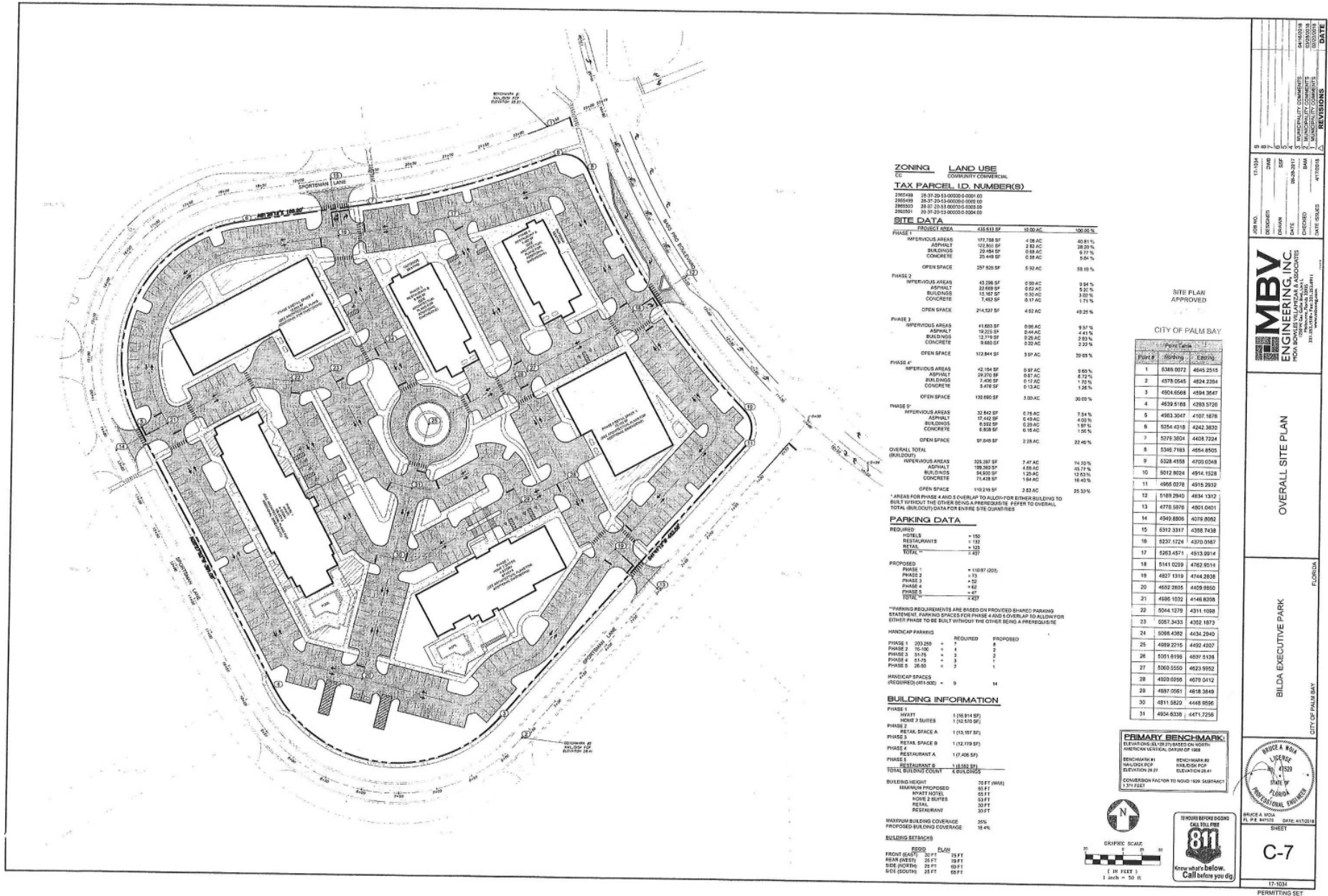
**Item 4 - *The relationship of the proposed amendment to the purpose of the city plan for development, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and the Comprehensive Plan (Plan).***

The proposed amendment will not further the purposes of Chapter 185 and the Comprehensive Plan as it violates three elements of the plan.

**STAFF RECOMMENDATION:**

Case CPZ-9-2020 is recommended for denial based upon comments contained in this report.

# EXHIBIT A







Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## AERIAL LOCATION MAP CASE CP-9-2020 & CPZ-9-2020

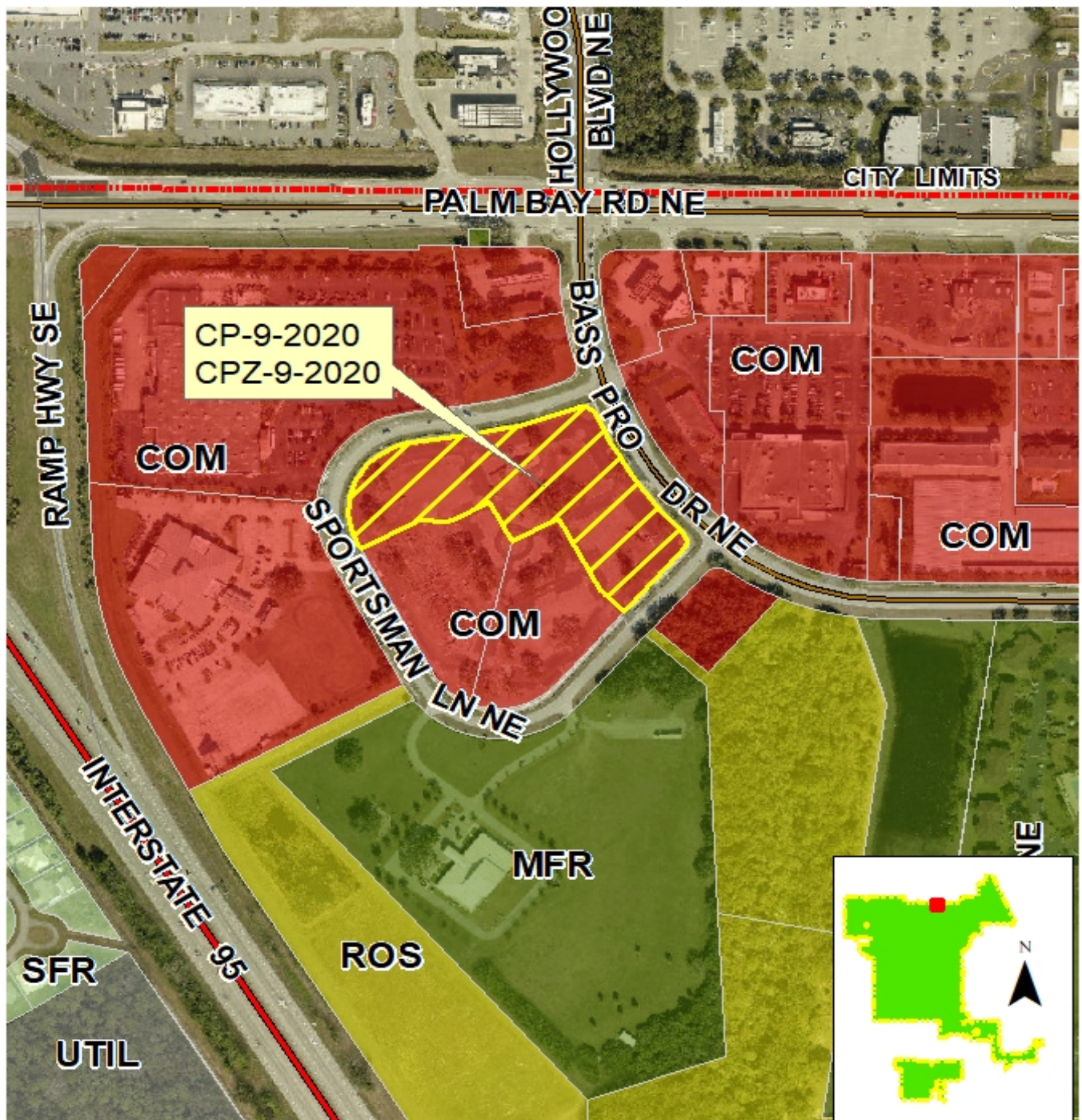
### Subject Property

Between and adjacent to Sportsman Lane NE and Bass Pro Drive NE





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## FUTURE LAND USE MAP CASE CP-9-2020 & CPZ-9-2020

### Subject Property

Between and adjacent to Sportsman Lane NE and Bass Pro Drive NE

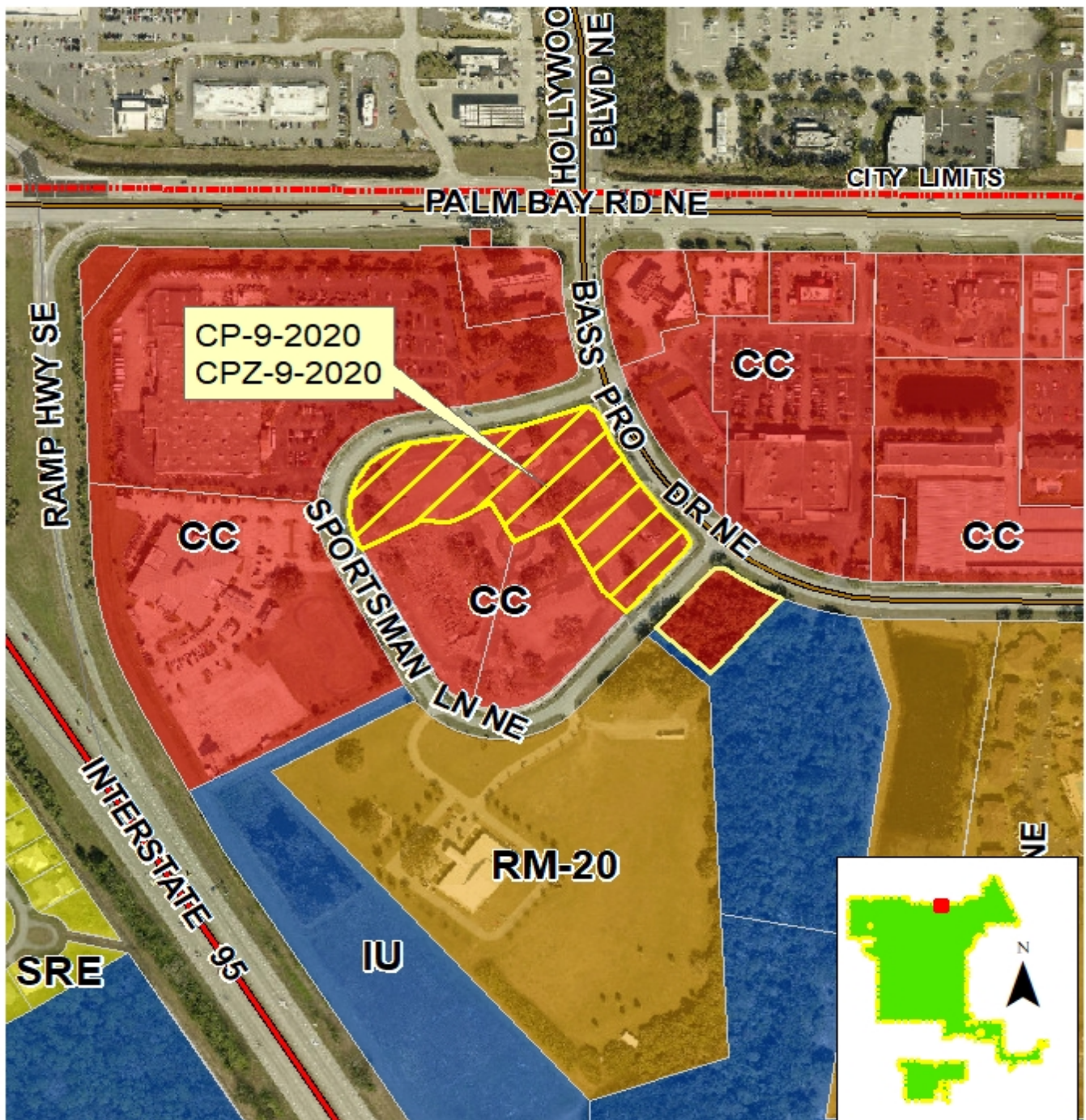
### Future Land Use Classification

COM – Commercial Use





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## ZONING MAP

## CASE CP-9-2020 & CPZ-9-2020

### Subject Property

Between and adjacent to Sportsman Lane NE and Bass Pro Drive NE

### Current Zoning Classification

CC – Community Commercial District





**LAND DEVELOPMENT DIVISION**  
120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042  
Landdevelopment@palmbayflorida.org

### REZONING APPLICATION

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

**PARCEL ID** 26-37-20-54-\* -3 (Partial)

**TAX ACCOUNT NUMBER** 3020699

**LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:**

See attached description and sketch

**PROPERTY ADDRESS** 1415, 1445, 1455, 1465 Sportsman Ln. NE, Palm Bay, FL 32905

**SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage):** 2.49

**ZONING CLASSIFICATION AT PRESENT (ex.: RS-2, CC, etc.)** Commercial

**ZONING CLASSIFICATION DESIRED (ex.: IU, LI, etc.)** RM20

**STRUCTURES LOCATED ON THE PROPERTY** none

**PRESENT USE OF THE PROPERTY:**

vacant land



**INTENDED USE OF THE PROPERTY AND JUSTIFICATION FOR THE CHANGE:**

Construction of a 99 unit multi-family residence.

**THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:**

- ☒ \*\$650.00 Application Fee. Make Check payable to "City of Palm Bay."
- ☒ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at (321) 633-2060.)
- ☒ School Board of Brevard County [School Impact Analysis Application](#) (if applicable).
- ☐ Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guideline.
- ☒ **Where the property owner is not the representative for the request, a [LETTER](#) must be attached giving the notarized consent of the property owner(s) to a representative.**

**Name of Representative** Bruce Moia, P.E. MBV Engineering, Inc.

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers to the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

**CITY OF PALM BAY, FLORIDA  
REZONING APPLICATION  
PAGE 3 OF 3**

**Under penalties of perjury, I declare that I have read the foregoing rezoning application and that the facts stated in it are true.**

**Owner Signature**  **Date** \_\_\_\_\_

**Printed Name** Sam Cohen - Authorized Signer for AD1 Urban Strategy Palm Bay Retail LLC

**Full Address** 1955 Harrison Street, Suite 200, Hollywood, FL 32020

**Telephone** 305-803-5564 **Email** scohen@ad1global.com

**\*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

May 9

, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Lot 3, Parcel K of Bilda Executive Park  
Property ID - 3020699, Parcel # 28-37-20-54-\*3

I, Owner Name: Sam Cohen for AD1 urban Strategy Palm Bay Retail LLC  
Address: 1955 Harrison Street, Suite 20, Hollywood, FL 33020  
Telephone: 305-803-5564  
Email: scohen@ad1global.com

hereby authorize:

Representative: Bruce A. Moia, P.E. - MBV Engineering, Inc.  
Address: 1250 W. Eau Gallie Blvd, Unit H, Melbourne, FL 32935  
Telephone: 321-253-1510  
Email: brucem@mbveng.com

to represent the request(s) for:

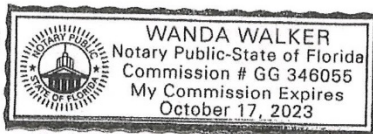
Rezoning, Land Use Amendment and Preliminary Development

(Property Owner Signature)

STATE OF Florida  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this 9th day of May, 2020 by Sam Cohen

(SEAL)



Wanda Walker, Notary Public

☒ Personally Known or  
☐ Produced the Following Type of Identification:





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Profit Corporation  
AD 1 MANAGEMENT, INC.

### Filing Information

<b>Document Number</b>	P09000073235
<b>FEI/EIN Number</b>	27-0851030
<b>Date Filed</b>	08/31/2009
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	AMENDMENT
<b>Event Date Filed</b>	09/17/2018
<b>Event Effective Date</b>	NONE

### Principal Address

1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

Changed: 04/01/2016

### Mailing Address

1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

Changed: 04/01/2016

### Registered Agent Name & Address

E.H.G. RESIDENT AGENTS, INC.  
1141 SOUTH ROGERS CIRCLE STE 12  
BOCA RATON, FL 33487

### Officer/Director Detail

#### **Name & Address**

Title PRES

BERMAN, JOSE D  
1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

Title SECR

FRIDZON, ARIE  
1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

Title TREA

FRIDZON, ALEX A  
1955 Harrison St.  
Suite 200  
Hollywood, FL 33020

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2018	03/13/2018
2019	02/21/2019
2020	01/23/2020

**Document Images**

<a href="#">01/23/2020 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/21/2019 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">09/17/2018 -- Amendment</a>	<a href="#">View image in PDF format</a>
<a href="#">03/13/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/16/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/01/2016 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/31/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/28/2014 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/02/2013 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/09/2012 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/18/2011 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/12/2010 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">08/31/2009 -- Domestic Profit</a>	<a href="#">View image in PDF format</a>

### REZONING DESCRIPTION – PARCEL 3

A PORTION OF PARCEL 3, BILDA EXECUTIVE PARK, A REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 67, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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**CITY OF PALM BAY, FLORIDA**  
**PLANNING AND ZONING BOARD/**  
**LOCAL PLANNING AGENCY**  
**REGULAR MEETING 2020-12**

Held on Wednesday, October 7, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this public meeting included media technology communications (teleconference/video conference).

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Mr. Donald Boerema led the Pledge of Allegiance to the Flag.

Adoption of Minutes occurred at this time.

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-10; September 2, 2020. Motion by Ms. Maragh, seconded by Ms. Jordan to approve the minutes as presented. The motion carried with members voting unanimously.

The board resumed consideration of items in the order shown on the agenda.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Philip Weinberg	Present	
<b>VICE CHAIRPERSON:</b>	Leeta Jordan	Present	
<b>MEMBER:</b>	Donald Boerema	Present	
<b>MEMBER:</b>	Donny Felix	Absent	(Excused)
<b>MEMBER:</b>	Richard Hill	Present	
<b>MEMBER:</b>	Khalilah Maragh	Present	
<b>MEMBER:</b>	Rainer Warner	Present	
<b>NON-VOTING MEMBER:</b>	David Karaffa	Present	
	(School Board Appointee)		

Mr. Felix's absence was excused.

Mr. Warner complimented the subject proposal but commented on the effort it had taken to create the commercial property, and that based on the Comprehensive Plan, the site should remain commercial. Ms. Maragh added that the City needed diverse housing, but commercial properties in the City were limited and other opportunities could be explored.

Mr. Hill agreed with Ms. Jordan that the proposal was a good project for the subject site, and he noted that larger metro areas had mixed uses. He would also prefer the apartment complex to be a 55-plus only community.

Motion amended by Ms. Jordan, seconded by Mr. Hill to submit Case CP-9-2020 to City Council for approval of a small-scale Comprehensive Plan Future Land Use Map amendment from Commercial Use to Multi-Family Residential Use, subject to the stipulation that the proposed apartment complex be restricted to a 55-plus senior complex. The motion failed with members voting as follows:

Mr. Weinberg	Aye
Ms. Jordan	Aye
Mr. Boerema	Nay
Mr. Hill	Aye
Ms. Maragh	Nay
Mr. Warner	Nay

4. **\*\*CPZ-9-2020 – AD 1 URBAN STRATEGY PALM BAY RETAIL, LLC  
(BRUCE MOIA, P.E., REP.)**

Mr. Weinberg announced that Case CP-9-2020, the associate land use request for Case CPZ-9-2020, had been denied by the board. Board action was required for Case CPZ-9-2020.

Motion by Mr. Warner, seconded by Ms. Maragh to submit Case CPZ-9-2020 to City Council for denial of a zoning amendment from a CC, Community Commercial District to an RM-20, Multiple-Family Residential District. The motion carried with members voting as follows:

Mr. Weinberg	Aye
Ms. Jordan	Nay
Mr. Boerema	Aye
Mr. Hill	Nay
Ms. Maragh	Aye
Mr. Warner	Aye

**5. T-25-2020 – CITY OF PALM BAY (UTILITIES DEPARTMENT)**

Mr. Bradley presented the staff report for Case T-25-2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 171: Fair Share Impact Fees, Section 171.50 Water and Wastewater Impact Fees, to adopt proposed water and sewer impact fee adjustments and to establish January 1, 2021 as the date of implementation. Staff recommended Case T-25-2020 for approval, based on the Analysis contained in the staff report.

Ms. Maragh asked for further clarification regarding the amendment.

Mr. Little stated that City Council wanted developers to pay their fair share of impact fees for growth and expansion. He introduced Mr. Jeff Dykstra (managing consultant with Stantec Financial Services) to synopsise the Water and Wastewater Capital Charges Study. Mr. Dykstra gave a brief PowerPoint overview on how the current capital charges were generally aligned with costs, a recommendation to decrease water charges and increase sewer charges, and a recommendation to evaluate costs every three to five years. City Council had previously approved the user rate and impact fee charges.

Mr. Boerema asked if the costs were for new customers. Mr. Dykstra indicated that this was correct.

The floor was opened and closed for public comments; there were no comments from the audience and there was no correspondence in the file.

## ORDINANCE 2020-81

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE OF THE CITY OF PALM BAY BY CHANGING THE ZONING OF PROPERTY FROM CC (COMMUNITY COMMERCIAL DISTRICT) TO RM-20 (MULTIPLE-FAMILY RESIDENTIAL DISTRICT); WHICH PROPERTY IS LOCATED WEST OF AND ADJACENT TO BASS PRO DRIVE, IN THE VICINITY SOUTH OF PALM BAY ROAD, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR A CHANGE OF THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The Zoning Ordinance of the City of Palm Bay, Brevard County, Florida, is hereby amended to provide for the rezoning of property from CC (Community Commercial District) to RM-20 (Multiple-Family Residential District), being legally described herein as Exhibit 'A'.

**SECTION 2.** The Zoning Map of the City of Palm Bay is hereby revised to reflect this amendment.

**SECTION 3.** The provisions within this ordinance shall take effect immediately upon the enactment of Ordinance 2020-80.

Read in title only at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020; and read in title only and duly enacted at Meeting 2020-\_\_\_\_\_, held on \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
William Capote, MAYOR

\_\_\_\_\_  
Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

Applicant: AD1 Urban Strategy Palm Bay Retail LLC  
Case: CPZ-9-2020

cc: (date) \_\_\_\_\_ Applicant  
Case File

### REZONING DESCRIPTION – PARCEL 3

A PORTION OF PARCEL 3, BILDA EXECUTIVE PARK, A REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 67, PAGE 70 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF BASS PRO DRIVE (HOLLYWOOD BOULEVARD) AND SPORTSMAN LANE (EXECUTIVE CIRCLE), THENCE DEPART FROM POINT OF SAID INTERSECTION ALONG A BEARING OF S42°32'12"W, A DISTANCE OF 94.36 FEET TO A 4" X 4" PRM ON THE SOUTH RIGHT OF WAY LINE OF SAID SPORTSMAN LANE. ALSO BEING THE NORTH LINE OF SAID PARCEL 3. SAID POINT (PRM) ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1082.14 FEET. FROM SAID POINT OF CURVATURE, RUN ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 08°19'17", FOR AN ARC DISTANCE OF 157.16 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND DESCRIBED HEREIN:

FROM SAID POINT OF BEGINNING, DEPART ALONG A BEARING OF S13°45'03"E A DISTANCE OF 35.77 FEET, THENCE S28°32'27"E A DISTANCE OF 230.73 FEET, THENCE S61°30'34"W A DISTANCE OF 149.97 FEET, THENCE N28°27'50"W A DISTANCE OF 121.96 FEET, THENCE S61°32'08"W A DISTANCE OF 102.20 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 38.00 FEET THROUGH A CENTRAL ANGLE OF 32°34'33" ALONG AN ARC LENGTH OF 21.61 FEET. THENCE N85°53'19"W A DISTANCE OF 55.51 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 27.00 FEET THROUGH A CENTRAL ANGLE OF 32°34'33" AND ALONG AN ARC LENGTH OF 15.35 FEET. THENCE S61°32'08"W A DISTANCE OF 157.51 FEET TO A POINT ON THE SAID SOUTH RIGHT-OF-WAY OF SPORTSMAN LANE. THENCE FROM SAID POINT, RUN ALONG SAID RIGHT-OF-WAY LINE N28°27'52"W A DISTANCE OF 16.33 FEET TO A 4" X 4" PRM; SAID POINT (PRM) ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 185.00 FEET. THENCE FROM SAID POINT OF CURVATURE, RUN NORTHEAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 109°56'04" FOR AN ARC DISTANCE OF 354.96 FEET TO A 4" X 4" PRM ALSO BEING A POINT OF TANGENCY. THENCE FROM SAID POINT CONTINUE ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SPORTSMAN LANE, N81°28'12"E FOR A DISTANCE OF 168.20 FEET TO A 4" X 4" PRM. SAID PRM ALSO BEING A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1082.14 FEET. THENCE RUN ALONG SAID SOUTH RIGHT-OF-WAY OF SPORTSMAN LANE THROUGH A CENTRAL ANGLE OF 05°13'19" FOR AN ARC LENGTH OF 98.60 FEET AND THE AFORESAID POINT OF BEGINNING. SAID PARCEL CONTAINING 2.49 ACRES MORE OR LESS.





## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Laurence Bradley, AICP, Growth Management Director

**DATE:** 11/5/2020

**RE:** Resolution 2020-56, granting a conditional use to allow for an automotive fuel dispensary in LI (Light Industrial and Warehousing District) zoning on property located in the vicinity east of Northview street and north of Robert J. Conlan Boulevard (3.41 acres) (Case CU-23-2020, Republic Services of Florida, LP) (Quasi-Judicial Proceeding).

Republic Services of Florida, LP (represented by Jake Wise of Construction Engineering Group, LLC) has submitted for a Conditional Use to allow for an automotive fuel dispensary. Republic Services is a solid waste collection company seeking to install a 10,000-gallon, above-ground fuel tank to fuel their fleet vehicles. The on-site fueling apparatus will be for their sole use and not open to the public. The property is located at the eastern terminus of Dorothea Fields Avenue NE, in the vicinity north of Robert J. Conlan Boulevard NE, specifically at 2575 Doreatha Fields Avenue NE.

Solid waste collection is considered an allowable business service use in the LI, Light Industrial and Warehousing zoning district. However, due to the site's proximity to existing residential properties, staff has provided recommendations in the staff report, including an alternate on-site fuel tank location, to shield the neighboring residential area. In the staff report, there is a suggested revised tank location that complies with staff's recommendation. The Public Works Department has also identified the Brevard County Natural Resources Management Department as the responsible party for ensuring compliance with Chapters 62-761 and 62-762, of the Florida Administrative Code, which regulates petroleum storage facilities. Republic Services must submit the above-ground storage tank specifications to the County for review and inspection of the facility.

Due to the site's close proximity to existing residential properties (to the west and northwest) staff recommends that an eight foot (8') high opaque fence be provided along the west and north property lines to screen the garbage trucks that will be stored and maneuvered upon the property on a daily basis.

City Council has the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

**REQUESTING DEPARTMENT:**  
Growth Management

**RECOMMENDATION:**

Request for the City Council to determine if Case CU-23-2020 meets the criteria of Section 185.087 of the Palm Bay Code of Ordinances.

**Planning and Zoning Board Recommendation:**

Approval of the request by a vote of 5 to 1, subject to the 8-foot high opaque fence and buffering agreed upon, and staff's approval of the location of the fuel tank.

**ATTACHMENTS:**

**Description**

**Case CU-23-2020**

**Proposed Fuel Tank Location Agreed Upon**

**Board Minutes**

**Resolution 2020-56**



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

[landdevelopmentweb@palmbayflorida.org](mailto:landdevelopmentweb@palmbayflorida.org)

### Prepared by

Patrick J. Murphy, Assistant Growth Management Director

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#### CASE NUMBER

CU-23-2020

#### PLANNING & ZONING BOARD HEARING DATE

October 7, 2020

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#### PROPERTY OWNER & APPLICANT

Republic Services of Florida, LP  
Being Represented by Jake Wise of  
Construction Engineering Group, LLC

#### PROPERTY LOCATION/ADDRESS

2725 Dorothea Fields Avenue NE 32905  
Located at the eastern terminus of Dorothea Fields  
Avenue NE, in the vicinity north of Robert J. Conlan  
Boulevard NE

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#### SUMMARY OF REQUEST

Conditional Use Approval for a for an Automotive Fuel Dispensary.

##### Existing Zoning

LI, Light Industrial and Warehousing District

##### Existing Land Use

Industrial Use

##### Site Improvements

Two (2) Existing Buildings and associated Parking Areas

##### Site Acreage

3.41 acres, more or less

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#### SURROUNDING ZONING & USE OF LAND

##### North

LI, Light Industrial and Warehousing District, Undeveloped Land

##### East

LI, Light Industrial and Warehousing District, Undeveloped Land

##### South

LI, Light Industrial and Warehousing District, Undeveloped Land

##### West

RM-10, Single-, Two-, and Multi-Family Residential; Three (3)  
Existing Residential Structures and Three (3) Vacant Residential  
Lots

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#### COMPREHENSIVE PLAN

##### COMPATIBILITY

Yes

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**BACKGROUND:**

The subject property is located at the eastern terminus of Dorothea Fields Avenue, in the vicinity north of Robert J. Conlan Boulevard NE. Specifically, the property is Tax Parcel 19.0; located in Section 14, Township 28 south, Range 37 east, Brevard County, Florida. The size of the property is approximately 3.41 acres.

The property is presently developed land with two (2) existing buildings and associated parking areas. A 10,294 square foot building was constructed in 1974 and an additional 1,440 square foot building was built in 1987. The site was the former home of Diamond Community School, from 1994 to 2016, and the property is currently occupied by Couch's Waterproofing, Inc. (a Roofing Contractor).

The applicant, Republic Services, is requesting conditional use approval for an automotive fuel dispensary, as required by Section 185.045(D)(1) of the Palm Bay Code of Ordinances. The applicant is represented by their Civil Engineer, Jake Wise of CEG.

**ANALYSIS:**

The applicant, Republic Services, is a solid waste collection company that has recently moved into one of the buildings on the subject property. They are seeking approval to install a 10,000 gallon above ground fuel tank that will provide fuel to their fleet of vehicles. This is not a retail automotive fuel facility that will be open to the public, the on-site fueling apparatus is solely for use by the applicant.

**CODE REQUIREMENTS:**

To be granted conditional use approval, requests are evaluated upon items (A) through (I) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. A review of these items is as follows:

**Item (A):** Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of emergency.

Sole access to the site is via the existing driveway onto Dorothea Fields Avenue. There are no other driveways proposed or anticipated at this time.

**Item (B):** Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

Based upon the uses of the property, which are considered as Industrial Activities in the City's Parking Code, one (1) parking space shall be provided for every employee, or one (1) space

for each 1,000 square feet of gross floor area, whichever is greater, plus one (1) space for each company vehicle operating from the premises. The number of employees and number of company vehicles must be provided at the time of formal site plan submission, for both businesses, to determine the minimum number of parking spaces required for operation. The site plan shall clearly indicate the parking spaces and delineate the dimensions of such parking areas.

**Item (C):** Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

The existing buildings are connected to the City's water distribution and sewer collection systems. No additional demand upon the existing system is expected. The property has both electric and phone services.

**Item (D):** Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.

Solid Waste collection services is considered an allowable business service use in the LI zoning district. However, due to the site's close proximity to existing residential properties (to the west and northwest) staff recommends that an eight foot (8') high opaque fence be provided along the west and north property lines to screen the garbage trucks that will be stored and maneuvered upon the property on a daily basis.

**Item (E):** Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

Although no photometric plan or sign detail has been provided, it shall be noted that City codes require any and all lighting to be shielded and/or directed downward to avoid creating a nuisance to adjacent properties. Only one (1) detached sign would be allowed and it must meet all applicable location and dimension criteria.

**Item (F):** Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The yards and open space requirements of the Zoning Code have been met. No building or pavement expansions are proposed, and the tank will be located in the parking lot.

**Item (G):** The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.

Per City Code Section 185.045(D)(1)(a): All pumps, storage tanks and other service island equipment shall be at least twenty (20) feet from all property lines, fifteen (15) feet from any building and one hundred (100) feet from the nearest residentially owned land. No pump, storage tank or other equipment shall be located closer than one thousand (1,000) feet from any municipal or public supply well. Upon review of the conceptual site plan, the proposed above ground tank location is approximately 121' east of the nearest residentially-owned land, 36' east of the nearest building, 25' west of the nearest property line, and almost 2 miles due north from the nearest municipal or public supply well.

However, due to the site's close proximity to existing residential properties (to the west) staff suggests that the tank be moved to the south side of the building that is located on the east side of the parking area. This will allow the existing 10,000 square foot building on the west side of the parking area to serve as a physical buffer in both sound and visual effect. An aerial map is included in this report, illustrating the suggested location.

**Item (H):** The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

As stated above, the facility is an allowable use in the LI zoning district. To ensure compatibility with adjacent properties, staff has recommended a "buffer" fence. It shall be noted that the facility is subject to the Noise Ordinance, which is applicable to all uses.

**Item (I):** Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, a reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

The Board and Council have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

**Additional Staff Comments:**

The Public Works Department (PWD) has identified the Brevard County Natural Resources Management Department as the responsible party for ensuring compliance with Chapter 62-761 and 62-762, of the Florida Administrative Code, which regulates petroleum storage facilities. Republic Services must submit the above-ground storage tank specifications to the County for review and inspection of the facility. The PWD has requested copies of the compliance documentation, once provided by the County, and that all inspection records be kept on-site.

**STAFF CONCLUSION:**

The Planning and Zoning Board and City Council must determine if the request meets the criteria of Section 185.087 of the Palm Bay Code of Ordinances.





Map for illustrative purposes only. Not to be construed  
as binding or as a survey.

Map created by the Land Development Division

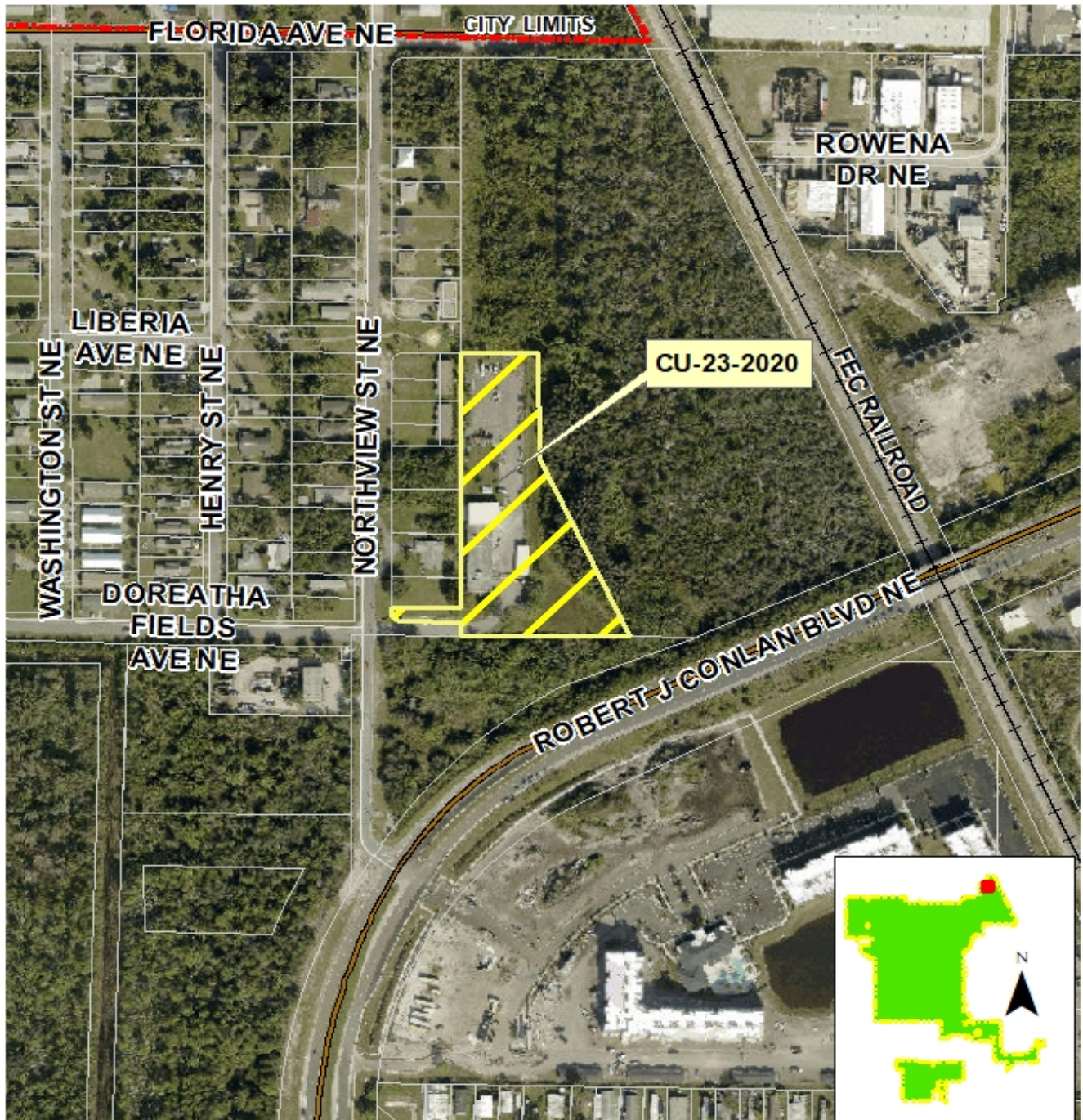


**CASE NO. CU-23-2020**





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## AERIAL LOCATION MAP

## CASE CU-23-2020

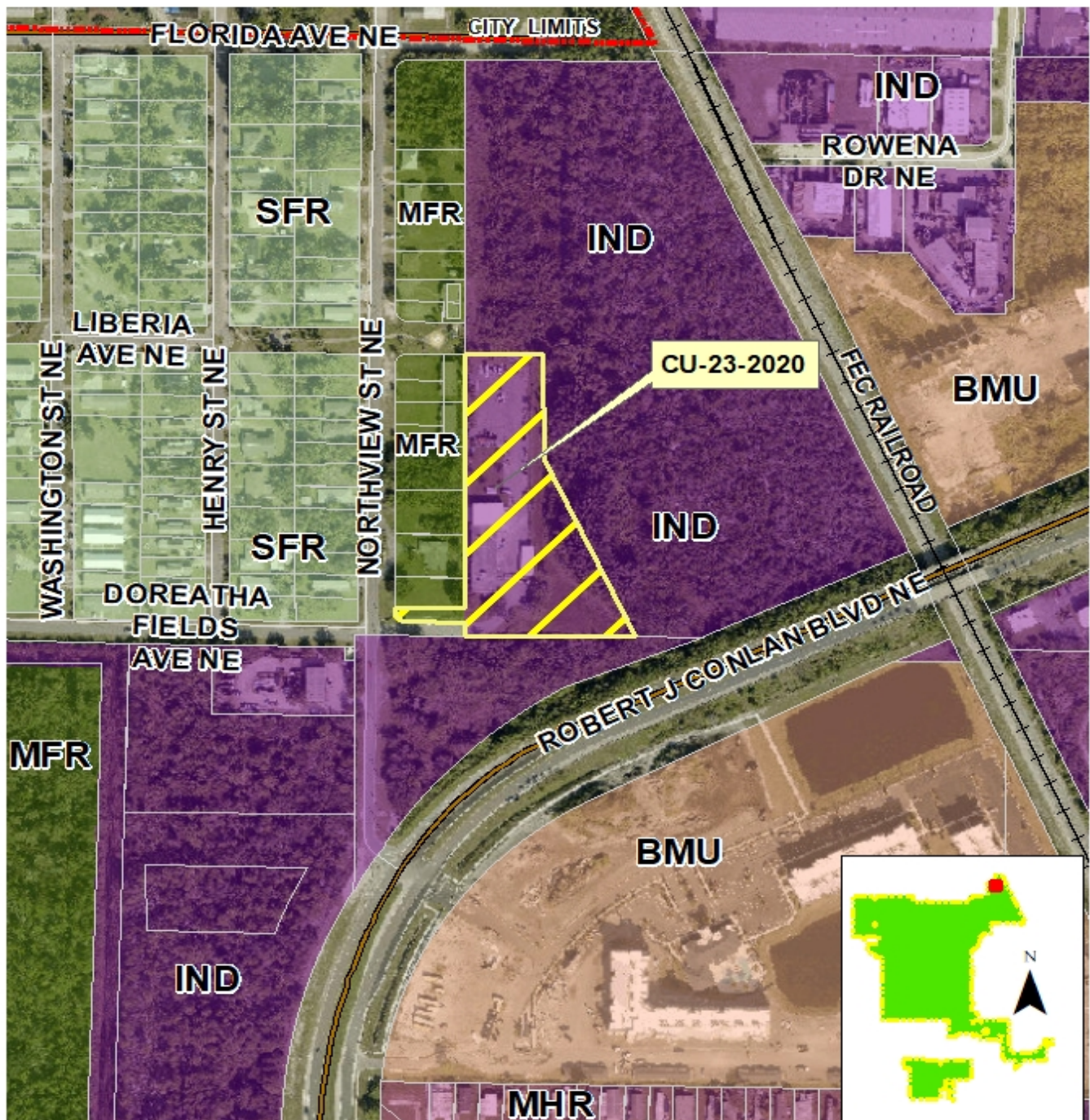
### Subject Property

North of and east of Doreatha Fields Avenue NE, in the vicinity east of Northview Street NE, specifically at 2575 Doreatha Fields Avenue NE





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## FUTURE LAND USE MAP

## CASE CU-23-2020

### Subject Property

North of and east of Doreatha Fields Avenue NE, in the vicinity east of Northview Street NE, specifically at 2575 Doreatha Fields Avenue NE

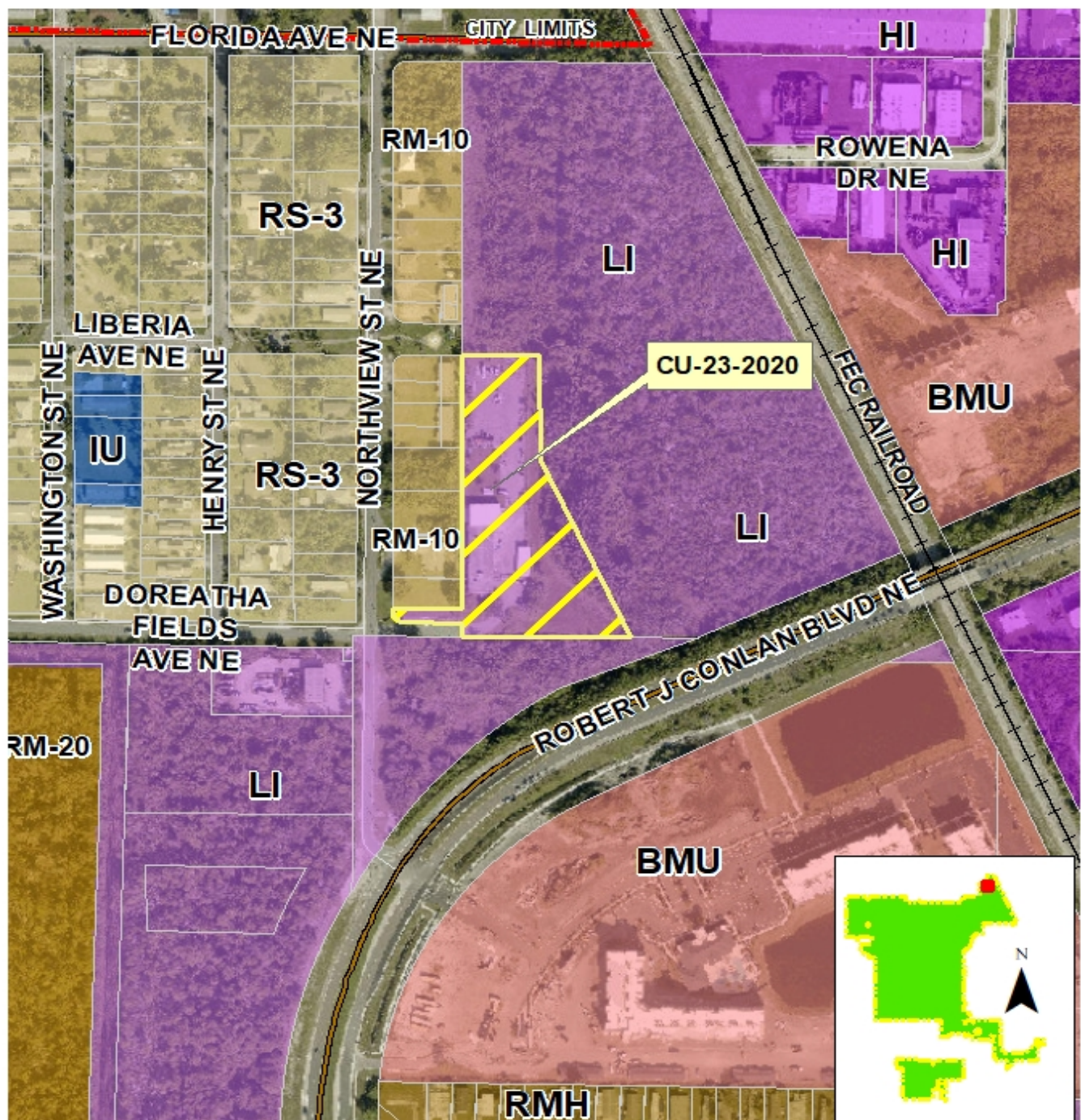
### Future Land Use Classification

IND – Industrial Use





Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



## ZONING MAP

## CASE CU-23-2020

### Subject Property

North of and east of Doreatha Fields Avenue NE, in the vicinity east of Northview Street NE, specifically at 2575 Doreatha Fields Avenue NE

### Current Zoning Classification

LI – Light Industrial and Warehousing District





CONCEPTUAL SITE PLAN  
1"=40'

**CIVIL LEGEND:**

TANK	
PROPERTY LINE	

**GENERAL STATEMENT:**

PER CITY CODE SECTION 180.045 (1) - LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT (D) (1) (a), A CONDITIONAL USE IS REQUIRED IN ORDER TO ADD A NEW FUEL TANK. THE SITE IS EXISTING AND A NEW 10,000 GALLON ABOVE GROUND FUEL TANK IS PROPOSED THAT MEETS OR EXCEEDS ALL CRITERIA IN THE CITY CODE. IT IS 25 FEET OR MORE FROM ALL PROPERTY LINES, MORE THAN 15 FEET FROM ANY BUILDINGS, MORE THAN 100 FEET FROM THE NEAREST RESIDENTIAL AND WILL OVER 1000 FEET FROM ANY MUNICIPAL OR PUBLIC SUPPLY WELL. THE TANK IS LOCATED TO THE EAST OF THE TANK IS PROPOSED ALONG THAT PROPERTY LINE WITH NO ADJACENT BUILDINGS. THERE IS AMPLE VEGETATIVE SCREENING TO THE EAST AS WELL AS THE EXISTING BUILDING. ON-SITE PROVIDE SCREENING FROM OTHER PROPERTIES TO THE WEST. THE TANK WILL BE PROPERLY LABELED WITH APPROPRIATE WARNING LABELS AND NO OTHER SIGNAGE IS PROPOSED. NO NEW LIGHTING IS PROPOSED. FUEL TANK PUMPING WILL NOT CREATE ANY NOISE OR ODORS. THE TANK IS SELF-CONTAINED WITH A CANOPY FOR SPILL AND WEATHER PROTECTION. THE TANK IS SELF-CONTAINED WITH A CANOPY FOR SPILL AND WEATHER PROTECTION. THE TANK WILL BE INSTALLED BY A STATE OF FLORIDA LICENSED CONTRACTOR AND WILL BE TESTED, INSPECTED AND MEET ALL STATE REGULATIONS FOR SPILL AND OVERKILL PROTECTION.

**CONTACT INFORMATION:**

OWNER:  
OCEAN BLUE 3, LLC  
2575 NE DOREATHA FIELDS NE AVE  
PALM BAY, FL 32909

CIVIL ENGINEER:  
CONSTRUCTION ENGINEERING GROUP, LLC  
JAKE T. WISE, PE  
2551 W. EAU CLAIRE BOULEVARD, SUITE A  
MELBOURNE, FL 32930  
TEL: (321)-610-1160  
EMAIL: JWIS@CEENGINEERING.COM

ADDRESS:  
TOWNSHIP: 28  
RANGE: 37  
SECTION: 14  
PARCEL ID: 28-37-14-00-19  
TAX ACCOUNT NUMBER: 2857737

**SITE CHARACTERISTICS:**

TOTAL ACREAGE: 3.41 AC  
ZONING CLASSIFICATION: LI (LIGHT INDUSTRIAL)  
FUTURE LAND USE: IND

**CONDITIONAL USE CRITERIA:**

(1) AUTOMOTIVE FUEL, PROPANE, AND NATURAL GAS DISPENSARIES AND REFUELING STATIONS SUBJECT TO THE FOLLOWING PROVISIONS:

(A) LOCATION OF FACILITIES: ALL PUMPS, STORAGE TANKS AND OTHER SERVICE ISLAND EQUIPMENT SHALL BE AT LEAST TWENTY (20) FEET FROM ALL PROPERTY LINES, FIFTEEN (15) FEET FROM ANY BUILDING AND ONE HUNDRED (100) FEET FROM THE NEAREST RESIDENTIALLY OWNED LAND. NO PUMP, STORAGE TANK OR OTHER EQUIPMENT SHALL BE LOCATED CLOSER THAN ONE THOUSAND (1,000) FEET FROM ANY MUNICIPAL OR PUBLIC SUPPLY WELL.

**CONDITIONAL USE NOTES:**

1. ABOVE GROUND 10,000 GAL FUEL STORAGE TANK IS PROPOSED.
2. NO OTHER SITE IMPROVEMENTS ARE PROPOSED AND NO NEW IMPERVIOUS IS BEING ADDED (EXCEPT FROM SURFACED PAVING).
- 3.

USE	CODE MINIMUM SEPARATION	PROPOSED SEPARATION
RESIDENTIAL BUILDING	100'	121'
PROPERTY LINE	15'	36'
MUNICIPAL WELL	20'	25'
	1000'	>1,000'

\*NOTE:

CITY OF PALM BAY UTILITY DEPARTMENT IDENTIFIED THERE ARE NO MUNICIPAL WELLS IN THE VICINITY OF THE SITE.



LOCATION MAP  
NTS

**LEGAL DESCRIPTION:**

PART OF N 1/2 OF NW 1/4 OF NE 1/4 & PART OF LOT 8 BLK B OF PB 18 PG 121 AS DESC IN ORB 3955 PG 2936



PHOTO OF PROPOSED FUEL TANK

40' 0' 40' 80'

REPUBLIC CONDITIONAL USE SITE PLAN  
AT 2575 DOREATHA FIELDS AVE  
DWG: RCU-01 DATE: 08/31/2020

**CONSTRUCTION ENGINEERING GROUP**  
Consulting Engineers

301 So. Doreatha Ave.  
Melbourne, FL 32936  
Tel: (321) 610-1160  
www.ceengineering.com  
C-10022019



**LAND DEVELOPMENT DIVISION**

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

Landdevelopment@palmbayflorida.org

**CONDITIONAL USE APPLICATION**

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

**PARCEL ID** 28-37-14-00-19

**TAX ACCOUNT NUMBER** 2857737

**LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:**

See attached

**SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage):** 3.41 acres

**ZONING CLASSIFICATION AT PRESENT (ex.: RS-2, CC, etc.)** L1

**CONDITIONAL USE SOUGHT** Installation of a fuel tank

**CONDITIONAL USE REQUIREMENTS FOR SUBMITTAL (Section 185.087):**

The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties per Section 185.085.

**A SITE SKETCH TO SCALE MUST BE PROVIDED, AND ALSO PROVIDED ON MEMORY DRIVE, OF THE FOLLOWING:**

- (A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.
- (B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

**CITY OF PALM BAY, FLORIDA  
CONDITIONAL USE APPLICATION  
PAGE 2 OF 3**

- (C) Adequate and properly located utilities that are available or may be reasonably provided to serve the proposed development.
- (D) Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.
- (E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.
- (F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.
- (G) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.
- (H) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

**ADDITIONAL CONDITIONS MUST BE MET AND INCORPORATED INTO THE SITE SKETCH FOR THE SPECIFIC CONDITIONAL USE.**

Additional criteria is listed in Section 185.088 and available from staff (check all that apply):

- ☐ **Church** (Sec. 185.088(A))
- ☐ **Club or Lodge** (Sec. 185.088(B))
- ☐ **Commercial Dog Kennel** (Sec. 185.088(C))
- ☐ **Planned Industrial Development** (industrially zoned site over 5 acres) (Sec. 185.088(D))
- ☐ **Public or Private School** (Sec. 185.088(E))
- ☐ **Self-Storage Facility** (Sec. 185.088(F))
- ☐ **Communication Tower and Facilities** (Sec. 185.088(G))
- ☐ **Dance Club** (Sec. 185.088(H))
- ☐ **Security Dwelling Unit** (Sec. 185.088(I))
- ☐ **Wedding Venue** (Sec. 185.088(J))
- ☐ **Event Hall** (Sec. 185.088(K))



CITY OF PALM BAY, FLORIDA  
CONDITIONAL USE APPLICATION  
PAGE 3 OF 3

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:

- ☒ \*\$650.00 Application Fee. Make Check payable to "City of Palm Bay."
- ☒ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at (321) 633-2060.)
- ☒ Site Sketch (See page 1 for requirements). Site Sketch must also be provided on Memory Drive.
- ☒ Sign(s) posted on the subject property. Refer to Section 51.07(C) of the Legislative Code for guideline.
- ☒ Citizen Participation Plan. Refer to Section 169.005 of the Land Development Code for guidelines.
- ☒ **Where the property owner is not the representative for the request, a LETTER must be attached giving the notarized consent of the property owner(s) to a representative.**

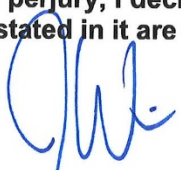
**Name of Representative** Jake Wise, PE- Construction Engineering Group, LLC

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers to the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

**Under penalties of perjury, I declare that I have read the foregoing Conditional Use application and that the facts stated in it are true.**

Representative

**Owner-Signature**



**Date**

8-31-20

**Printed Name** Jake Wise, PE- Construction Engineering Group, LLC

**Full Address** 2651 W Eau Gallie Blvd; Suite A; Melbourne, FL 32935

**Telephone** 321-610-1760

**Email** jwise@cegengineering.com

**\*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

Revision G: 01/2020

AUG. 27<sup>th</sup>, 20 20

Re: Letter of Authorization

As the property owner of the site legally described as:

28-37-14-00-19

I, Owner Name:

Ocean Blue 3 LLC

Address:

2575 N.E. Doreatha Fields Ave. Palm Bay, FL 32905

Telephone:

321-956-0990

Email:

Kintz Ave @ Gmail. com

hereby authorize:

Representative:

Jake Wise PE- Construction Engineering Group, LLC

Address:

2651 W Eau Gallie Blvd Ste A, Melbourne, FL 32935

Telephone:

321-610-1760

Email:

jwise@cegengineering.com

to represent the request(s) for:

Conditional Use Application

*[Signature]*

(Property Owner Signature)

STATE OF

Florida

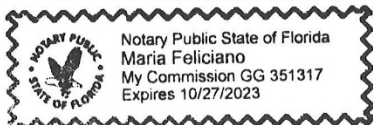
COUNTY OF

Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 27 day of August, 20 20 by

Victor Couch

, property owner.



Maria Feliciano

, Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:





CONCEPTUAL SITE PLAN

1"=40'

CIVIL LEGEND:

TANK

PROPERTY LINE



GENERAL STATEMENT:

PER CITY CODE SECTION 155-045 LI - LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT (D) (1) (a), A CONDITIONAL USE IS REQUIRED IN ORDER TO ADD A NEW FUEL TANK. THE SITE IS EXISTING AND A NEW 10,000 GALLON ABOVE GROUND FUEL TANK IS PROPOSED THAT MEETS OR EXCEEDS ALL CRITERIA IN THE CITY CODE. IT IS 25 FEET OR MORE FROM ALL PROPERTY LINES, MORE THAN 15 FEET FROM ANY BUILDINGS, MORE THAN 100 FEET FROM THE NEAREST RESIDENTIAL AND WELL OVER 1000 FEET FROM ANY MUNICIPAL OR PUBLIC SUPPLY WELL. THE SITE TO THE EAST IS VACANT AND THERE IS AMPLE VEGETATIVE SCREENING TO THE EAST AS WELL. THE EXISTING BUILDINGS ON-SITE PROVIDE SCREENING FROM OTHER PROPERTIES TO THE WEST. THE TANK WILL BE PROPERLY LABELED WITH APPROPRIATE WARNING LABELS AND NO OTHER SIGNAGE IS PROPOSED. NO NEW LIGHTING IS PROPOSED. FUEL TANK PUMPING WILL NOT CREATE ANY NOISE OR ODORS. IT WILL BE USED AS A DIESEL STORAGE TANK WHICH SHOULD NOT HAVE ANY OFF-SITE ODORS. THE TANK IS SELF-CONTAINED WITH A CANOPY FOR SPILL AND WEATHER PROTECTION. THE TANK WILL BE INSTALLED BY A STATE OF FLORIDA LICENSED CONTRACTOR AND WILL BE TESTED, INSPECTED AND MEET ALL STATE REGULATIONS FOR SPILL AND OVERKILL PROTECTION.

CONTACT INFORMATION:

OWNER:  
OCEAN BLUE 3 LLC  
2575 NE DOREATHA FIELDS NE AVE  
PALM BAY, FL 32909  
ADDRESS:  
TOWNSHIP: 28  
RANGE: 37  
SECTION: 14  
PARCEL ID: 28-37-14-00-19  
TAX ACCOUNT NUMBER: 2857737

CIVIL ENGINEER  
CONSTRUCTION ENGINEERING GROUP, LLC  
JAKE T. WISE, PE  
2651 W. EAU CLAUDE BOULEVARD, SUITE A  
MELBOURNE, FL 32935  
TEL: (321)-610-1760  
EMAIL: JWIS@CEENGINEERING.COM

SITE CHARACTERISTICS:

TOTAL ACREAGE: 3.41 AC  
ZONING CLASSIFICATION: LI (LIGHT INDUSTRIAL)  
FUTURE LAND USE: IND

CONDITIONAL USE CRITERIA:

- (1) AUTOMOTIVE FUEL, PROPANE, AND NATURAL GAS DISPENSARIES AND REFUELING STATIONS SUBJECT TO THE FOLLOWING PROVISIONS:
- (A) LOCATION OF FACILITIES: ALL PUMPS, STORAGE TANKS AND OTHER SERVICE ISLAND EQUIPMENT SHALL BE AT LEAST TWENTY (20) FEET FROM ALL PROPERTY LINES, FIFTEEN (15) FEET FROM ANY BUILDING AND ONE HUNDRED (100) FEET FROM THE NEAREST RESIDENTIALLY OWNED LAND. NO PUMP, STORAGE TANK OR OTHER EQUIPMENT SHALL BE LOCATED CLOSER THAN ONE THOUSAND (1,000) FEET FROM ANY MUNICIPAL OR PUBLIC SUPPLY WELL.

CONDITIONAL USE NOTES:

- ABOVE GROUND 10,000 GAL FUEL STORAGE TANK IS PROPOSED.
- NO OTHER SITE IMPROVEMENTS ARE PROPOSED AND NO NEW IMPROVEMENTS IS BEING ADDED (EXCEPT FROM SURROUNDING PERMITTING).
- 

USE	CODE MINIMUM SEPARATION	PROPOSED SEPARATION
RESIDENTIAL	100'	126'
BUILDING	15'	30'
PROPERTY LINE	20'	20'
MUNICIPAL WELL	1000'	>1,000'

NOTES:  
CITY OF PALM BAY UTILITY DEPARTMENT IDENTIFIED THERE ARE NO MUNICIPAL WELLS IN THE VICINITY OF THE SITE.



LOCATION MAP  
NTS

LEGAL DESCRIPTION:

PART OF W 1/2 OF NW 1/4 OF NE 1/4 & PART OF LOT 6 BLK B OF PS 18 PG 121 AS DESC IN ORB 3955 PG 3636



PHOTO OF PROPOSED FUEL TANK

REPUBLIC CONDITIONAL USE SITE PLAN

AT 2575 DOREATHA FIELDS AVE

DWG: RCU-01

DATE: 10/18/2020



CONSTRUCTION  
ENGINEERING  
GROUP  
Consulting Engineers

2651 So Central Ave, Suite A  
Melbourne, FL 32935  
Tel: (321) 261-1201  
www.ceengineering.com  
COC# K202007

40' 0' 40' 80'

**CITY OF PALM BAY, FLORIDA**  
**PLANNING AND ZONING BOARD/**  
**LOCAL PLANNING AGENCY**  
**REGULAR MEETING 2020-12**

Held on Wednesday, October 7, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, this public meeting included media technology communications (teleconference/video conference).

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Mr. Donald Boerema led the Pledge of Allegiance to the Flag.

Adoption of Minutes occurred at this time.

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-10; September 2, 2020. Motion by Ms. Maragh, seconded by Ms. Jordan to approve the minutes as presented. The motion carried with members voting unanimously.

The board resumed consideration of items in the order shown on the agenda.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Philip Weinberg	Present	
<b>VICE CHAIRPERSON:</b>	Leeta Jordan	Present	
<b>MEMBER:</b>	Donald Boerema	Present	
<b>MEMBER:</b>	Donny Felix	Absent	(Excused)
<b>MEMBER:</b>	Richard Hill	Present	
<b>MEMBER:</b>	Khalilah Maragh	Present	
<b>MEMBER:</b>	Rainer Warner	Present	
<b>NON-VOTING MEMBER:</b>	David Karaffa	Present	
	(School Board Appointee)		

Mr. Felix's absence was excused.

## **NEW BUSINESS:**

1. **\*\*CU-23-2020 – REPUBLIC SERVICES OF FLORIDA, LP  
(JAKE WISE, P.E., REP.)**

Mr. Murphy presented the staff report for Case CU-23-2020. The applicant had requested a conditional use to allow a proposed automotive fuel dispensary in an LI, Light Industrial and Warehousing District. Staff concluded that the Planning and Zoning Board and City Council had to determine if the request met the criteria of Section 185.087 of the Palm Bay Code of Ordinances.

Mr. Jake Wise, P.E. of Construction Engineering Group, Inc. (civil engineer for the project and representative for the applicant) stated that Republic Services, a solid waste collection company, currently utilized the subject site as an allowable use of the property. The subject request was to place a fuel tank on the premises. Truck traffic was a concern discussed at the Citizen Participation Plan (CPP) meeting, which would be lessened by the agreed upon 8-foot high opaque fence to better buffer the residential area. The tank, however, could not be moved to the location proposed by staff because of how the refueling operation occurred in the evenings. An alternate tank location to address concerns would be provided prior to the City Council hearing. The proposed fuel tank would keep the fleet of large solid waste trucks from refueling at local gas stations.

Ms. Maragh wanted to know the concerns from the area residents regarding the fuel tank. Mr. Wise confirmed that there were safety concerns from the residents regarding the tank, especially with the recent explosion at the FAR Chemical plant to the east. He remarked on the safety devices and precautions that would be in place and introduced Mr. Wendall Stroderd (Tank Wizards, Inc.) as an expert witness on the matter.

Ms. Maragh asked about the implications of having a tank above the ground instead of belowground. Mr. Stroderd explained that aboveground tank failures were rare but were detected sooner, and that tanks were primarily placed underground for real estate. He described the safety features and processes in place for the proposed aboveground, double-walled steel tank. Preventive measures would include constant monitoring and monthly checks of overfill and leak detection systems, and



an annual third-party certification. A notification from the leak monitor system would occur well before a failure within the secondary tank. He also clarified that the proposed fuel tank was not the same as a gasoline tank since diesel was considered combustible and would not ignite on its own.

Mr. Warner questioned why the fuel tank location was a problem.

Mr. Boerema inquired whether any gasoline would be dispensed at the site. Mr. Stroderd stated that only diesel fuel would be dispensed.

Mr. Weinberg noted that the tank would also require approval from the Brevard County Natural Resources Management Department.

In reply to Mr. Warner, Mr. Wise remarked that specific setback and buffer criteria had been met or exceeded for the site, and that any relocated tank placement would continue to meet or exceed code criteria. A revised tank location would be determined prior to the City Council hearing.

Ms. Maragh asked if there were other options if the request was denied. Mr. Wise was not aware of other options.

The floor was opened for public comments.

Ms. Connie McClary (president of the Powell Subdivision Neighborhood Watch Association) spoke against the request. She stated that the waste collection company had snuck into the neighborhood and should have located within the Kirby Industrial Park if a fuel tank was desired. The company had 180 days to get out of their property lease. She commented on how a lit match or vehicle collision would still cause a diesel fuel tank to explode. Property values were going to drop, and trucks would cause road damage.

Ms. Camille Hadley (Little Growers, Inc. at Washington Street NE) spoke against the request. She stated that Little Growers was a community garden impacted by flooding, Glover Oil, FAR Chemical, the railroad, and now Republic Services who had arrived without the neighborhood's knowledge. There would be a health impact on the lungs and an environmental impact on the local water shed and the Indian River Lagoon. The City was only 38 percent developed, yet the facility was allowed

within a poor and fully developed neighborhood of color. She expounded on how the City had made promises to ensure that Republic Services followed Environmental Protection Agency (EPA) standards. The City, however, had exhibited an inefficient track record in the enforcement of regulations with FAR Chemical based on several violations, the recent explosion, and minor punitive damages for the loss of a life and air quality in the 2008 explosion. Allowing the fuel tank would give Republic Services permission to remain at the property, which the community would not support.

Ms. Margaret DeHart (resident at Pelham Street NE) spoke against the request. She stated that the community was blind-sided by the City and private lease agreements to allow Republic Services at the subject site. The community had fought a similar refueling request at the adjacent property in 2017. She questioned why the proposed fuel tank could not be placed on City-owned property since the garbage cans, recycle bins, and roll-up dumpsters were already being stored on City land for Republic Services. City-owned property was a better solution to the 58 dump trucks that would disrupt her community with noise, traffic, and road damage.

Ms. Shirley Broomfield (resident at Mayport Avenue NW) spoke against the request. She commented on how Republic Services had located within the middle of a residential neighborhood, and that their operation appeared to be more Heavy Industrial in use than Light Industrial. The facility was less than 500 feet from the rear of a home. The wetland behind the subject property was near the proposed tank location, and FAR Chemical abutted the wetland. She remarked on an alternative solution indicated by Republic Services at a neighborhood meeting that someone could come in to fuel the trucks onsite if the subject request was denied.

Ms. Alice Marie Johnson (resident at Northview Street NE) spoke against the request. She appealed to the board as fellow neighbors to have compassion on the community. She was grateful that the explosion at FAR Chemical had not been worse. Her concerns were about the air and noise pollution the proposed fuel tank would cause, and how rats, roaches, and wildlife would become a problem. She said that the decisions being made for the neighborhood should be about human life and not about the dollar.

The floor was closed for public comments, and there was no correspondence in the file.

In response to comments from the audience, Mr. Wise stated that he understood and respected the neighborhood concerns, and that Republic Services was working with the City and area residents on some of the issues. He reiterated safety precautions for the fuel tank, and how buffer requirements would be met or exceeded. Solid waste management was an allowable use for the site, and the property was chosen because of needed components for the operation. Bollards would protect the fuel tank from vehicles, and the wetland would not be impacted. He reiterated how diesel fuel was not flammable but combustible. He stated his agreement with staff's recommendation for an 8-foot high opaque fence, better buffers, and relocation of the fuel tank onsite.

Mr. Hill inquired whether there would be any provisions for underground catchment of spillage runoff while the tank was being refilled. Mr. Stroder explained the design of the catch basin and dispenser function that would eliminate spillage.

Motion by Ms. Jordan, seconded by Mr. Hill to submit Case CU-23-2020 to City Council for approval of a conditional use to allow for proposed automotive fuel dispensary in an LI, Light Industrial and Warehousing District, subject to the 8-foot high opaque fence and buffering agreed upon, and staff's approval of the fuel tank location. The motion carried with members voting as follows:

Mr. Weinberg	Aye
Ms. Jordan	Aye
Mr. Boerema	Aye
Mr. Hill	Aye
Ms. Maragh	Nay
Mr. Warner	Aye

## **RESOLUTION 2020-56**

**A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING A CONDITIONAL USE FOR AN AUTOMOTIVE FUEL DISPENSARY IN LI (LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT) ZONING; WHICH PROPERTY IS LOCATED IN THE VICINITY EAST OF NORTHVIEW STREET AND NORTH OF ROBERT J. CONLAN BOULEVARD, AND LEGALLY DESCRIBED HEREIN; GRANTING THE USE AS A CONDITIONAL USE; PROVIDING FOR CONSTRUCTION TO BE IN COMPLIANCE WITH THE SITE PLAN; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, application for a conditional use in LI (Light Industrial and Warehousing District) zoning to permit an automotive fuel dispensary on property legally described herein, has been made by Republic Services of Florida, LP, and

**WHEREAS**, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on October 7, 2020, which voted to recommend to the City Council approval, and

**WHEREAS**, all provisions applicable to the conditional use under Chapter 185, Zoning, Conditional Uses, Sections 185.085 and 185.086, and District Regulations, Section 185.045, of the Palm Bay Code of Ordinances, have been addressed by the applicant, and

**WHEREAS**, the City Council of the City of Palm Bay has determined that such conditional use will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The City Council of the City of Palm Bay hereby grants a conditional use for an automotive fuel dispensary on property zoned LI (Light Industrial and Warehousing District, which property is legally described as follows:

Tax Parcel 19, of the Public Records of Brevard County, Florida; Section 14, Township 28S, Range 37E; containing 3.41 acres, more or less.



**SECTION 2.** The conditional use is granted subject to the applicant complying with the following:

1. Constructing the structures relevant to the automotive fuel dispensary in accordance with the site plan which is, by reference, incorporated herein as Exhibit 'A'.
2. The Land Development Division Staff Report which is, by reference, incorporated herein as Exhibit 'B'.
3. An eight (8) foot high opaque fence be erected along the west and north property lines.
4. Relocation of the fuel tank onsite, according to approved staff location.
5. All provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

**SECTION 3.**

1. The conditional use must be commenced within one (1) year from the effective date of this resolution. Commencement shall mean the issuance of the appropriate permit(s) which must remain active. Failure to commence such construction within one (1) year of issuance of the first permit shall void the conditional use.
2. Failure to make payment of the business tax within one (1) year shall void the conditional use.

**SECTION 4.** This Resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2020-\_\_\_\_\_, of the City Council of the City of Palm Bay, Brevard County, Florida, held on \_\_\_\_\_, 2020.

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William Capote, MAYOR

ATTEST:

---

Terese M. Jones, CITY CLERK

City of Palm Bay, Florida  
Resolution 2020-56

Applicant: Republic Services of Florida, LF  
Case: CU-23-2020

cc: (date) Brevard County Recording  
Applicant  
Case File



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Christopher A. Little, P.E.; Juliet Misconi; Yvonne McDonald

**DATE:** 11/5/2020

**RE:** Award of Bid: New plant construction, South Regional Water Reclamation Facility – IFB 39-0-2020 – Utilities Department (RJ Sullivan Corporation - \$24,458,000).

The Utilities Department will be constructing the new South Regional Water Reclamation Facility (SRWRF). The SRWRF is needed to meet the increasing demand for wastewater treatment capacity. This project is planned for construction in multiple phases. This phase will be the construction of the SRWRF with an initial 1.0 MGD of new treatment capacity utilizing membrane biological reactor treatment technology.

Eight (8) bids were received in response to the City's solicitation. Procurement staff have reviewed the bids for responsiveness. One bid was deemed non-responsive for failing to furnish the proper bid bond amount. The Utilities Department's consulting engineer, Wade Trim, Inc., evaluated the bids for responsiveness and ability to perform the scope of services. The engineer's analysis is attached. In addition, the Procurement Department requested additional qualification submittals from the apparent low, in accordance with the IFB documents, to include: Bidder's certifications and licenses to perform the work, preliminary progress schedule, and preliminary schedule of values. The Procurement department also sent out reference check requests to City of Pt. St. Lucie, Broward County, Palm Beach County, and City of Hollywood; both Pt. St. Lucie and Broward County responded and provided positive references. The Utilities Director, through the Procurement Department, asked additional investigative questions of the bidder and reviewed all documentation provided by the bidder. The Department found the lowest responsive bid to be acceptable.

Funding for the SRWRF Construction will be provided by a low interest loan via the Florida Department of Environmental Protection's (FDEP) State Revolving Fund (SRF). Council approved 1) the SRF Capital Financing Plan and authorized submission of the plans to FDEP on June 20, 2019, Resolution 2019-18; and 2) the State Revolving Loan Program loan application on December 5, 2019, Resolution 2019-54 with a requested loan amount of \$35,926,800. The construction loan agreement was executed by FDEP on April 9, 2020 for \$20M. On August 12, 2020, FDEP adopted their FY2021 SRF Priority List, and the City was authorized as a Tier 1 applicant to receive an additional \$12M. With the additional authorized funds, the City will have approximately \$32M available to fund the project. FDEP is preparing the amendment to the agreement to add the additional funds, and these funds will be available in the first quarter of 2021 or sooner.

Staff recommends RJ Sullivan Corporation out of Pompano Beach, Florida as the contractor award of IFB 39-0-2020/JG, South Regional Water Reclamation Facility Construction, in the amount of

\$24,458,000.

Local preference was not applied, as the bids exceed \$1 million.

**REQUESTING DEPARTMENT:**

Utilities, Finance, Procurement

**FISCAL IMPACT:**

South Regional Facility (SRF) funding to cover twenty million dollars of the \$24,458,000 project cost, on a reimbursable basis, was received in FY 20. Funding to cover the balance has been recognized by SRF in FY 21 and an Agreement is expected to be entered into prior to expenditure of the first \$20 million. Funding to cover the full amount is currently budgeted in the Utilities Department's Connection Fee Fund 433-8031-535-6221 based on anticipated funding from SRF. In the unlikely event an agreement is not entered into to cover the remaining \$4.5 million cost, Utilities will move funding from other budgeted projects to cover the full cost of the project.

**RECOMMENDATION:**

Motion to approve award of IFB #39-0-2020/JG, SRWRF New Plant Construction to RJ Sullivan Corporation located in Pompano Beach, Florida.

**ATTACHMENTS:**

**Description**

Recommendation of Award from Wade Trim

Tabulation

SRF Priority List FY2020

SRF Priority List FY2021

**Wade Trim, Inc.**3790 Dixie Highway NE, Suite D • Palm Bay, FL 32905  
321.728.3389 • www.wadetrim.com

October 13, 2020

City of Palm Bay Utilities  
250 Osmosis Drive SE  
Palm Bay, FL 32909

Attention: Mr. Chris Little, Utilities Director

Re: Bid Tabulation Summary and Recommendation  
South Regional Water Reclamation Facility

Dear Mr. Little:

Wade Trim has reviewed the bids received for the South Regional Water Reclamation Facility project in response to IFB #39-0-2020/JG. Eight bids were received by the City as shown below. This letter summarizes the findings from our review; a certified bid tabulation is attached.

**Bid Results**

The following bids were received:

<u>Firm</u>	<u>Bid Total</u>
RJ Sullivan Corporation	\$24,458,000.00
Wharton Smith, Inc.	\$26,037,000.00
Sawcross Inc	\$26,353,000.00
Cardinal Contractors, Inc.	\$26,875,000.00
Ruby-Collins, Inc.	\$28,135,000.00
Adams & Robinson Enterprises Inc.	\$28,683,000.00
WPC Industrial Contractors & Randall Environmental Inc. JV	\$29,519,426.00
Lane Construction Corporation	\$29,607,317.00

**Bid Tabulation Review**

Wade Trim checked the math for all bids received and noted the following discrepancies:

<u>Firm</u>	<u>Discrepancy</u>	<u>Bid Total</u>
Lane Construction Corporation	Summary of Pay Items - total bid price incorrect; math corrected.	\$29,607,318.00
Wharton Smith, Inc.	Bid Bond states 5% instead of the required 10%.	No Change

## Recommendation

Wade Trim called several utilities (see attached) where R.J. Sullivan Corporation has performed similar work. All but one reference provided a very good reference for R.J. Sullivan Corporation due to scheduling and CPM reliability issues.

Per review of the submitted bids and interview responses, Wade Trim recommends awarding the project to the low bidder, R.J. Sullivan Corporation.

Very truly yours,

Wade Trim, Inc.



Oscar E. Duarte, PE  
Project Manager

OED:jjc

PBU2150.01L

projectwise\Documents\Projects\P\Pbu2150\01\Submittals\Submitted-To\10.13.20 Recommendation of Award\Recommendation of Award Letter

## Enclosures

Reference check interview responses

cc: Tom Brzezinski, Wade Trim (email only)  
Mike Demko, Wade Trim (email only)

## CONTRACTOR REFERENCE VERIFICATION

**Reference:** Broward County

**Reference Contact:** Mr. John Morra (954-987-0066)

**Contract Value:** \$3,267,686

**Completion Date:** September 2015

**Superintendent:** Gerald Steeves

**Project Description:** Relocation of Pump Station 310

Phone Interview Questions		
No.	Question	Response
1	Based on R.J. Sullivan's overall performance, what score from 1 – 10 would you give them and why?	Score: 9
2	Was the project completed within the original schedule? If not, what was the cause of the delay?	The original schedule was extended due to changes driven by the Owner.
3	Was the project completed within the expected budget? If there were change orders, what drove the change orders? (were they owner requested?)	The amount over the contractual amount was driven by Owner driven change orders due to existing conditions.
4	Is there any important information regarding the Contractor that you would like to share with us that may be useful in making our decision?	No



## CONTRACTOR REFERENCE VERIFICATION

**Reference:** City of Hollywood

**Reference Contact:** Mr. Clece Aurelus (954-921-3930)

**Contract Value:** \$5,171,846

**Completion Date:** December 2019

**Superintendent:** Gerald Steeves

**Project Description:** Installation of backwash and high service pumps

Phone Interview Questions		
No.	Question	Response
1	Based on R.J. Sullivan's overall performance, what score from 1 – 10 would you give them and why?	Score: 9
2	Was the project completed within the original schedule? If not, what was the cause of the delay?	They did met the original schedule.
3	Was the project completed within the expected budget? If there were change orders, what drove the change orders? (were they owner requested?)	Yes, the project was completed within budget.
4	Is there any important information regarding the Contractor that you would like to share with us that may be useful in making our decision?	Great group of professionals

---

## CONTRACTOR REFERENCE VERIFICATION

**Reference:** Port St Lucie

**Reference Contact:** Mr. Jesus Merejo (772-873-6400)

**Contract Value:** \$54,031,856

**Completion Date:** March 2009

**Superintendent:** Tom Sullivan

**Project Description:** Constructed a new Glades WWTP - 12 MGD in 2 phases

---

Phone Interview Questions		
No.	Question	Response
1	Based on R.J. Sullivan's overall performance, what score from 1 – 10 would you give them and why?	Score: 10 RJ Sullivan is a very talented contractor who keeps the utility's interest forefront in the project. They are able to anticipate possible problems with potential design flaws and point them out in lieu of just moving forward with the construction. As you can tell, we used them on the initial construction phase for the Glades Wastewater Treatment Facility and continued to use them as we decided to build that facility out to its full capacity of 12.0 mgd.
2	Was the project completed within the original schedule? If not, what was the cause of the delay?	They did not complete the projects completely within the original schedule, but that was due to conditions out of their control or changes that we as a utility wanted as the project was ongoing. This is not at all any negative comment towards RJ Sullivan. If it were a problem, we wouldn't have continued to use them.

3	Was the project completed within the expected budget? If there were change orders, what drove the change orders? (were they owner requested?)	This answer is actually very similar to my answer in number 2. It is not unusual to make changes as you move along in projects the size of the ones they successfully completed for us.
4	Is there any important information regarding the Contractor that you would like to share with us that may be useful in making our decision?	I feel perfectly fine giving them a great evaluation for the work that they performed for the City of Port St. Lucie, and would not hesitate to utilize them in future projects. I am certain that if you do choose RJ Sullivan for your project you will be thoroughly satisfied.

---

## CONTRACTOR REFERENCE VERIFICATION

**Reference:** Port St Lucie

**Reference Contact:** Mr. Jesus Merejo (772-873-6400)

**Contract Value:** \$42,499,175

**Completion Date:** August 2011

**Superintendent:** Tom Sullivan

**Project Description:** Constructed a new Westport WWTP - 4 MGD

---

Phone Interview Questions		
No.	Question	Response
1	Based on R.J. Sullivan's overall performance, what score from 1 – 10 would you give them and why?	Score: 10 RJ Sullivan is a very talented contractor who keeps the utility's interest forefront in the project. They are able to anticipate possible problems with potential design flaws and point them out in lieu of just moving forward with the construction. After the Glades facility was completed, we then utilized RJ Sullivan to expand our other facility, the Westport Wastewater Treatment Facility. The same process continued here where once the initial phase of construction was completed, we utilized them immediately for the next phase that took the facility to 6.0 mgd.
2	Was the project completed within the original schedule? If not, what was the cause of the delay?	They did not complete the projects completely within the original schedule, but that was due to conditions out of their control or changes that we as a utility wanted as the project was ongoing. This is not at all any negative comment towards RJ Sullivan. If it were a

		problem, we wouldn't have continued to use them.
3	Was the project completed within the expected budget? If there were change orders, what drove the change orders? (were they owner requested?)	This answer is actually very similar to my answer in number 2. It is not unusual to make changes as you move along in projects the size of the ones they successfully completed for us.
4	Is there any important information regarding the Contractor that you would like to share with us that may be useful in making our decision?	I feel perfectly fine giving them a great evaluation for the work that they performed for the City of Port St. Lucie, and would not hesitate to utilize them in future projects. I am certain that if you do choose RJ Sullivan for your project you will be thoroughly satisfied.

## CONTRACTOR REFERENCE VERIFICATION

**Reference:** City of Sunrise

**Reference Contact:** Mr. Timothy Welch (954-888-6055)

**Contract Value:** \$11,662,841

**Completion Date:** September 2016

**Superintendent:** Tom Sullivan

**Project Description:** Constructed a new sludge handling facility

Phone Interview Questions		
No.	Question	Response
1	Based on R.J. Sullivan's overall performance, what score from 1 – 10 would you give them and why?	Score: 8.5
2	Was the project completed within the original schedule? If not, what was the cause of the delay?	The Contractor missed the first milestone but eventually met the final milestone
3	Was the project completed within the expected budget? If there were change orders, what drove the change orders? (were they owner requested?)	There were some minor change order.
4	Is there any important information regarding the Contractor that you would like to share with us that may be useful in making our decision?	Reference stated they would consider the second low bidder if the difference was not much. R.J. Sullivan had some issues with scheduling and preparing a reliable CPM.

## CONTRACTOR REFERENCE VERIFICATION

**Reference:** Tindall Hammock Irrigation & Soil Conservation District

**Reference Contact:** Mr. Jay Ameno (412-476-2000)

**Contract Value:** \$4,397,261

**Completion Date:** August 2015

**Superintendent:** Stephen Covert

**Project Description:** Construction of new sodium hypochlorite feed systems and bulk storage tanks

Phone Interview Questions		
No.	Question	Response
1	Based on R.J. Sullivan's overall performance, what score from 1 – 10 would you give them and why?	Score: 9 They did a good job
2	Was the project completed within the original schedule? If not, what was the cause of the delay?	The original schedule was extended due to changes driven by the Owner.
3	Was the project completed within the expected budget? If there were change orders, what drove the change orders? (were they owner requested?)	The amount over the contractual amount was driven by Owner driven change orders.
4	Is there any important information regarding the Contractor that you would like to share with us that may be useful in making our decision?	No



				Local Preference: N/A		Local Preference: N/A		Local Preference: N/A		Local Preference: N/A	
	<b>IFB #39-0-2020/JG - SRWRF New Plant Construction</b>			<b>RJ Sullivan Corporation</b>		<b>Wharton Smith, Inc.</b>		<b>Sawcross Inc</b>		<b>Cardinal Contractors, Inc.</b>	
				<b>2001 NW 22nd Street</b>		<b>750 Monroe Road</b>		<b>10970 New Berlin Road</b>		<b>13794 NW 4th Street, Ste 200</b>	
				<b>Pompano Beach FL 33069</b>		<b>Sanford FL 32771</b>		<b>Jacksonville FL 32226</b>		<b>Sunrise FL 33325</b>	
				<b>954-975-0388</b>		<b>407-321-8410</b>		<b>904-751-7500</b>		<b>941-377-8555</b>	
				<a href="mailto:csullivan@rjsullivancorp.com">csullivan@rjsullivancorp.com</a>		<a href="mailto:envestimating@whartonsmith.com">envestimating@whartonsmith.com</a>		<a href="mailto:markh@sawcross.com">markh@sawcross.com</a>		<a href="mailto:emacek@prim.com">emacek@prim.com</a>	
ITEM	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization / Demobilization	1	LS	\$ 1,220,000.00	\$ 1,220,000.00	Non-responsive: Contractor submitted bid bond that was less than the required 10% bid bond amount		\$ 1,250,000.00	\$ 1,250,000.00	\$ 1,300,000.00	\$ 1,300,000.00
2	Demolition	1	LS	\$ 380,000.00	\$ 380,000.00			\$ 50,000.00	\$ 50,000.00	\$ 450,000.00	\$ 450,000.00
3	Sitework	1	LS	\$ 4,720,000.00	\$ 4,720,000.00			\$ 5,190,000.00	\$ 5,190,000.00	\$ 5,700,000.00	\$ 5,700,000.00
4	Chlorine Contact Tank	1	LS	\$ 630,000.00	\$ 630,000.00			\$ 300,000.00	\$ 300,000.00	\$ 850,000.00	\$ 850,000.00
5	Chlorine Feed System	1	LS	\$ 200,000.00	\$ 200,000.00			\$ 90,000.00	\$ 90,000.00	\$ 200,000.00	\$ 200,000.00
6	High Service Pump Station	1	LS	\$ 700,000.00	\$ 700,000.00			\$ 540,000.00	\$ 540,000.00	\$ 350,000.00	\$ 350,000.00
7	Ground Storage Tank	1	LS	\$ 1,420,000.00	\$ 1,420,000.00			\$ 1,440,000.00	\$ 1,440,000.00	\$ 1,700,000.00	\$ 1,700,000.00
8	Electrical Work and Instrumentation	1	LS	\$ 3,200,000.00	\$ 3,200,000.00			\$ 3,100,000.00	\$ 3,100,000.00	\$ 3,000,000.00	\$ 3,000,000.00
9	Headworks / MBR Treatment Facility	1	LS	\$ 11,988,000.00	\$ 11,988,000.00			\$ 14,393,000.00	\$ 14,393,000.00	\$ 13,325,000.00	\$ 13,325,000.00
<b>TOTAL BID AMOUNT</b>				<b>\$24,458,000.00</b>		<b>\$0.00</b>		<b>\$26,353,000.00</b>		<b>\$26,875,000.00</b>	

				Local Preference: N/A		Local Preference: N/A		Local Preference: N/A	
	<b>IFB #39-0-2020/JG - SRWRF New Plant Construction</b>			<b>Ruby-Collins, Inc.</b>		<b>Adams &amp; Robinson Enterprises Inc.</b>		<b>WPC Industrial Contractors &amp; Randall Environmental Inc. JV</b>	
				<b>4875 Martin Court</b>		<b>2735 Needmore Road</b>		<b>3307 Clarcona Road</b>	
				<b>Smyrna GA 30082</b>		<b>Dayton OH 45414</b>		<b>Apopka FL 32703</b>	
				<b>770-432-8238</b>		<b>937-274-5318</b>		<b>407-464-7776</b>	
				<a href="mailto:dwestrick@ruby-collins.com">dwestrick@ruby-collins.com</a>		<a href="mailto:arco@adamsrobinson.com">arco@adamsrobinson.com</a>		<a href="mailto:bids@rfenvironmental.com">bids@rfenvironmental.com</a>	
ITEM	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization / Demobilization	1	LS	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 1,100,000.00	\$ 1,100,000.00
2	Demolition	1	LS	\$ 110,000.00	\$ 110,000.00	\$ 250,000.00	\$ 250,000.00	\$ 630,000.00	\$ 630,000.00
3	Sitework	1	LS	\$ 2,925,000.00	\$ 2,925,000.00	\$ 6,500,000.00	\$ 6,500,000.00	\$ 7,560,000.00	\$ 7,560,000.00
4	Chlorine Contact Tank	1	LS	\$ 350,000.00	\$ 350,000.00	\$ 1,200,000.00	\$ 1,200,000.00	\$ 2,520,000.00	\$ 2,520,000.00
5	Chlorine Feed System	1	LS	\$ 130,000.00	\$ 130,000.00	\$ 100,000.00	\$ 100,000.00	\$ 1,232,000.00	\$ 1,232,000.00
6	High Service Pump Station	1	LS	\$ 500,000.00	\$ 500,000.00	\$ 900,000.00	\$ 900,000.00	\$ 1,540,000.00	\$ 1,540,000.00
7	Ground Storage Tank	1	LS	\$ 1,320,000.00	\$ 1,320,000.00	\$ 1,500,000.00	\$ 1,500,000.00	\$ 2,660,000.00	\$ 2,660,000.00
8	Electrical Work and Instrumentation	1	LS	\$ 2,900,000.00	\$ 2,900,000.00	\$ 3,000,000.00	\$ 3,000,000.00	\$ 280,000.00	\$ 280,000.00
9	Headworks / MBR Treatment Facility	1	LS	\$ 19,800,000.00	\$ 19,800,000.00	\$ 15,133,000.00	\$ 15,133,000.00	\$ 11,997,426.00	\$ 11,997,426.00
<b>TOTAL BID AMOUNT</b>				<b>\$28,135,000.00</b>		<b>\$28,683,000.00</b>		<b>\$29,519,426.00</b>	

			Local Preference: N/A		
	<b>IFB #39-0-2020/JG - SRWRF New Plant Construction</b>		<b>Lane Construction Corporation</b>		
			<b>3010 Royal Blvd South, Ste 125</b>		
			<b>Alpharetta GA 30022</b>		
			<b>770-274-1530</b>		
			<a href="mailto:mpholt@laneconstruction">mpholt@laneconstruction</a>		
ITEM	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price
1	Mobilization / Demobilization	1	LS	\$ 1,480,366.00	\$ 1,480,366.00
2	Demolition	1	LS	\$ 192,000.00	\$ 192,000.00
3	Sitework	1	LS	\$ 4,307,512.00	\$ 4,307,512.00
4	Chlorine Contact Tank	1	LS	\$ 735,884.00	\$ 735,884.00
5	Chlorine Feed System	1	LS	\$ 234,494.00	\$ 234,494.00
6	High Service Pump Station	1	LS	\$ 799,649.00	\$ 799,649.00
7	Ground Storage Tank	1	LS	\$ 1,765,624.00	\$ 1,765,624.00
8	Electrical Work and Instrumentation	1	LS	\$ 4,063,118.00	\$ 4,063,118.00
9	Headworks / MBR Treatment Facility	1	LS	\$ 16,028,671.00	\$ 16,028,671.00
<b>TOTAL BID AMOUNT</b>				<b>\$29,607,318.00</b>	
				Bid document shows \$29,607,317.00	
				Difference of \$1.00	

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2020												
ADOPTED:05/13/2020 MEETING												
FUNDABLE PORTION TIER 1												
TIER	PRIORITY SCORE	APPLICANT/ PROJECT NBR	PROJECT TYPE	PROJECT DESCRIPTION	ADOPTION DATE	APPLICATION DEADLINE	AGREEMENT DEADLINE	AUTHORIZED LOAN AMT	PRINCIPAL FORGIVENESS AMT	SCWFG AMT	AMOUNT TO BE REPAID	UNADOPTED FUNDS
Tier1	540	Citrus County 09013	WW/Con	Treatment & Reuse (Upgrade & Expand Sugarmill WWTF)	02/12/2020	06/11/2020	AWARDED 05/12/2020	\$7,365,640	\$0	\$0	\$7,365,640	\$0
Tier1	461.41	Polk City* 53140	WW/Con	Transmission (Effluent Trans and Disposal Facilities)	08/14/2019	12/12/2019	AWARDED 12/02/2019	\$456,990	\$0	\$0	\$456,990	\$0
Tier1	450	Largo 52027	WW/Con	Treatment (WWRF Biological Treatment )	08/14/2019	12/12/2019	AWARDED 02/12/2020	\$20,000,000	\$0	\$0	\$20,000,000	\$0
Tier1	415	Miami-Dade County 1302A	WW/Con	Treatment (Deep Injection Wells)	08/14/2019	12/12/2019	AWARDED 02/25/2020	\$20,000,000	\$0	\$0	\$20,000,000	\$0
Tier1	375	Florida City 13103	WW/Con	Collection, Transmission, Rehab (Lift Station Rehab and I/I Correction)	08/14/2019	12/12/2019	AWARDED 11/15/2019	\$1,124,970	\$0	\$0	\$1,124,970	\$0
Tier1	375	Haines City 53046	WW/Des	Treatment (Treatment Upgrade & Reclaim Water Improv)	05/13/2020	09/10/2020	12/09/2020	\$281,405	\$0	\$0	\$281,405	\$0
Tier1	375	Spring Lake Improvement District* 28051	WW/Con	Treatment (New WWTP)	08/14/2019	12/12/2019	AWARDED 11/06/2019	\$200,000	\$0	\$0	\$200,000	\$0
Tier1	350	Gulfport 52020	WW/Con	Major Sewer Rehabilitation (I/I Correction)	02/12/2020	06/11/2020	AWARDED 03/24/2020	\$560,276	\$0	\$0	\$560,276	\$0
Tier1	350	Lake Wales 53035	WW/Con	Reuse (Reuse Pump Station Modifications)	08/14/2019	12/12/2019	AWARDED 12/13/2019	\$368,841	\$0	\$0	\$368,841	\$0
Tier1	340	Cape Canaveral 05054	WW/Con	Collection (LS 3 Rehab & WWTP Intermediate Pump)	05/13/2020	09/10/2020	12/09/2020	\$210,892	\$0	\$0	\$210,892	\$0
Tier1	340	Lake Hamilton* 53164	WW/Des	Collection & Transmission (Gravity System, Force Main, Lift Station)	05/13/2020	09/10/2020	12/09/2020	\$108,000	\$0	\$0	\$108,000	\$0
Tier1	340	Orlando 48044	WW/Con	Treatment Improvements (IBRWRF Biosolids Improvements Project)	02/12/2020	06/11/2020	09/09/2020	\$1,978,807	\$0	\$0	\$1,978,807	\$0
Tier1	340	Orlando 48047	WW/Con	Treatment (Iron Bridge WRF Electrical Improvements)	08/14/2019	12/12/2019	AWARDED 02/04/2020	\$3,669,610	\$0	\$0	\$3,669,610	\$0
Tier1	340	Venice 58046	SW/Con	Stormwater Improvements (Live Oak Stormwater Infrastructure Rehab)	02/12/2020	06/11/2020	09/09/2020	\$87,081	\$0	\$0	\$87,081	\$0
Tier1	215	Hollywood 0604A	WW/Con	Treatment (Deep Injection Project Effluent)	08/14/2019	12/12/2019	AWARDED 11/20/2019	\$18,335,000	\$0	\$0	\$18,335,000	\$0
Tier1	200	Cape Coral 36012	WW/Con	Transmission, Collection, SW Management (New North 2 Area Services )	08/14/2019	12/12/2019	AWARDED 10/30/2019	\$20,000,000	\$0	\$0	\$20,000,000	\$0
Tier1	200	Fort Myers Beach* 36083	SW/Con	Stormwater Improvements (Phase 4 Estero Blvd Side Street)	08/14/2019	12/12/2019	AWARDED 11/20/2019	\$3,411,861	\$0	\$0	\$3,411,861	\$0
Tier1	100	Longwood 59053	WW/Con	Collection (East Longwood Septic Tank Abatement)	02/12/2020	06/11/2020	09/09/2020	\$814,750	\$0	\$0	\$814,750	\$0
TOTAL AWARDED SEGMENTS:								\$95,493,188	\$0	\$0	\$95,493,188	\$0

TOTAL UNAWARDED SEGMENTS:								\$3,480,935	\$0	\$0	\$3,480,935	\$0
TOTALS:								\$98,974,123	\$0	\$0	\$98,974,123	\$0
*Small community <=10,000 (based on the 2010 Census for projects Listed after 6/30/2011)												
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION												
WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2020								ADOPTED:05/13/2020 MEETING				
FUNDABLE PORTION TIER 2 & TIER 3												
TIER	PRIORITY SCORE	APPLICANT/ PROJECT NBR	PROJECT TYPE	PROJECT DESCRIPTION	ADOPTION DATE	APPLICATION DEADLINE	AGREEMENT DEADLINE	AUTHORIZED LOAN AMT	PRINCIPAL FORGIVENESS AMT	SCWFG AMT	AMOUNT TO BE REPAID	UNADOPTED FUNDS
Tier2	450	Martin County* 43021	WW/Con	Collection (Sewer Collection System)	11/13/2019	03/12/2020	06/10/2020	\$20,000,000	\$0	\$0	\$20,000,000	\$0
Tier2	420	North Miami 13186	WW/Con	I/I Correction (Reduce inflow and infiltration)	11/13/2019	03/12/2020	06/10/2020	\$6,000,000	\$0	\$0	\$6,000,000	\$0
Tier2	400	Marion County* 42062	WW/Con	Treatment (WWTF Improvements)	02/12/2020	06/11/2020	09/09/2020	\$18,400,000	\$0	\$0	\$18,400,000	\$0
Tier2	400	Palm Bay 05072	WW/Con	Treatment & Transmission (South Regional WRF)	08/14/2019	12/12/2019	AWARDED 04/09/2020	\$20,000,000	\$0	\$0	\$20,000,000	\$0
Tier2	400	St. Pete Beach* 52031	WW/Con	Collection & Transmission (Major Sewer Rehab/Inflow Infiltration)	08/14/2019	12/12/2019	AWARDED 04/09/2020	\$12,950,047	\$0	\$0	\$12,950,047	\$0
Tier2	385.53	Clewiston* 26042	WW/Con	I/I Corrections (Specifications for Phase II)	11/13/2019	03/12/2020	06/10/2020	\$2,230,000	\$0	\$1,784,000	\$2,230,000	\$0
Tier2	375	Gateway Services Community Development District 36044	SW/Con	Stormwater Improvements (Lake Bank Restoration Phase II)	02/12/2020	06/11/2020	09/09/2020	\$2,150,930	\$0	\$0	\$2,150,930	\$0
Tier2	364.13	DeFuniak Springs* 66024	WW/Con	Collection and Transmission (Wastewater System Improvements Phase II)	02/12/2020	06/11/2020	09/09/2020	\$3,375,699	\$0	\$2,700,559	\$3,375,699	\$0
Tier2	363.34	Jennings* 24022	WW/Con	Treatment (Sewer Rehab Project)	11/13/2019	03/12/2020	AWARDED 04/28/2020	\$3,240,500	\$0	\$2,592,400	\$3,240,500	\$0
Tier2	359.28	Madison* 40040	WW/Des	Collection (Lift Station & WWTP Rehab/Repair)	02/12/2020	06/11/2020	AWARDED 04/27/2020	\$296,000	\$0	\$266,400	\$296,000	\$0
Tier2	354.26	Sebring 28034	WW/Plan	Distribution & SW Management (I/I Correction & Stormwater Improvements)	02/12/2020	06/11/2020	09/09/2020	\$225,000	\$0	\$0	\$225,000	\$0
Tier2	352.35	Big Bend Water Authority* 15053	WW/Plan	Treatment (Treatment Plant Expansion)	08/14/2019	12/12/2019	03/11/2020	\$27,500	\$13,750	\$0	\$13,750	\$0
Tier2	340	Century* 17030	WW/Des	Treatment & Transmission (WWTP Improvements)	05/13/2020	09/10/2020	12/09/2020	\$312,518	\$281,266	\$0	\$31,252	\$0
Tier3	360.95	Maccleenny* 02050	WW/Con	I/I Corrections (SRF Sewer Rehabilitation Phase 1A)	02/12/2020	06/11/2020	09/09/2020	\$4,011,460	\$3,209,168	\$0	\$802,292	\$0
Tier3	349.35	Groveland* 35061	WW/Plan	Sewer System (Assessment of Gravity Sewer System)	11/13/2019	03/12/2020	06/10/2020	\$520,000	\$0	\$260,000	\$520,000	\$0
Tier3	340	Avon Park* 28043	WW/Plan	Treatment Plant Upgrade and Transmission (Force Main and Plant Expansion)	08/14/2019	12/12/2019	03/11/2020	\$250,000	\$125,000	\$0	\$125,000	\$0
Tier3	340	Cape Canaveral 05053	WW/Con	Transmission & SW Management (Lift Station Force Main Improvements)	11/13/2019	03/12/2020	AWARDED 01/14/2020	\$340,000	\$0	\$0	\$340,000	\$0
Tier3	340	Cape Canaveral 05054	WW/Con	Collection (LS 3 Rehab & WWTP Intermediate Pump)	02/12/2020	06/11/2020	09/09/2020	\$723,425	\$0	\$0	\$723,425	\$0
		Charlotte		Collection Facilities								

Tier3	340	County* 08021	WW/Con	Treatment (El Jobean East Sewer Project)	02/12/2020	06/11/2020	09/09/2020	\$4,180,000	\$0	\$0	\$4,180,000	\$0
Tier3	340	Cottondale* 32039	WW/Des	Treatment (WWTP Repair)	02/12/2020	06/11/2020	09/09/2020	\$79,755	\$0	\$63,804	\$79,755	\$0
Tier3	340	Davenport* 53071	WW/Con	Treatment & Collection (Treatment Upgrades Collection )	08/14/2019	12/12/2019	AWARDED 03/24/2020	\$8,224,222	\$4,022,475	\$0	\$4,201,747	\$0
Tier3	340	Dunedin 5202C	WW/Plan	Treatment (Wastewater System Upgrades)	02/12/2020	06/11/2020	09/09/2020	\$100,000	\$0	\$0	\$100,000	\$0
Tier3	340	Flagler Beach* 18013	WW/Des	Treatment (WWTP Upgrade & Expansion)	11/13/2019	03/12/2020	06/10/2020	\$900,000	\$0	\$0	\$900,000	\$0
Tier3	340	Florida Governmental Utility Authority (Jungle Den)* 64030	WW/Plan	Collection (Inflow and Infiltration)	05/13/2020	09/10/2020	12/09/2020	\$65,000	\$0	\$0	\$65,000	\$0
Tier3	340	Florida Governmental Utility Authority Fairways at Mt. Plymouth* 01120	WW/Con	Treatment (Fairways WWTF Replacement)	08/14/2019	12/12/2019	AWARDED 01/03/2020	\$1,087,385	\$0	\$0	\$1,087,385	\$0
Tier3	340	Fort Meade* 53112	WW/Des	Collection (Major Sewer Rehabilitation)	08/14/2019	12/12/2019	AWARDED 03/19/2020	\$333,700	\$266,960	\$0	\$66,740	\$0
Tier3	340	Fort White* 12061	WW/Plan	Treatment (New WWTP)	02/12/2020	06/11/2020	09/09/2020	\$25,000	\$0	\$12,500	\$25,000	\$0
Tier3	340	Fruitland Park* 35082	WW/Des	Force Main to Package Plant (Transmission)	05/13/2020	09/10/2020	12/09/2020	\$85,000	\$59,500	\$0	\$25,500	\$0
Tier3	340	Haines City 53046	WW/Con	Treatment & Resuse (Treatment & Reclaimed Water Improvements)	02/12/2020	06/11/2020	09/09/2020	\$5,733,830	\$0	\$0	\$5,733,830	\$0
Tier3	340	Haines City 53046	WW/Des	Treatment (Treatment Upgrade & Reclaim Water Improv)	08/14/2019	12/12/2019	AWARDED 03/26/2020	\$922,714	\$0	\$0	\$922,714	\$0
Tier3	340	Haines City 53048	WW/Plan	Treatment (Haines City WWTP Expansion)	02/12/2020	06/11/2020	09/09/2020	\$75,000	\$0	\$0	\$75,000	\$0
Tier3	340	Inglis* 38041	WW/Plan	Treatment (Regional Treatment Facilities)	02/12/2020	06/11/2020	09/09/2020	\$300,000	\$0	\$150,000	\$300,000	\$0
Tier3	340	Maccleenny* 02050	WW/Des	Trasmission (I & I/Forcemain Interconnect)	08/14/2019	12/12/2019	AWARDED 10/08/2019	\$464,400	\$371,520	\$0	\$92,880	\$0
Tier3	340	Maitland 48026	WW/Con	Collection & Transmission (Lift Station #6 Force Main Improvements)	08/14/2019	12/12/2019	AWARDED 02/05/2020	\$2,634,255	\$0	\$0	\$2,634,255	\$0
Tier3	340	Malabar* 05140	SW/Plan	Stormwater Management (Stormwater Masterplan)	11/13/2019	03/12/2020	06/10/2020	\$190,000	\$0	\$0	\$190,000	\$0
Tier3	340	Mary Esther* 46020	WW/Des	Transmission & Treatment (Wastewater System Rehabilitation)	02/12/2020	06/11/2020	09/09/2020	\$400,210	\$0	\$0	\$400,210	\$0
Tier3	340	Mascotte* 35120	WW/Plan	Collection (Gravity Collector Systems Upgrade)	02/12/2020	06/11/2020	09/09/2020	\$375,000	\$0	\$187,500	\$375,000	\$0
Tier3	340	Monticello* 33022	WW/Des	Energy Efficiency (Solar Array)	02/12/2020	06/11/2020	AWARDED 04/14/2020	\$185,000	\$0	\$148,000	\$185,000	\$0
Tier3	340	Noma* 30022	WW/Des	Inflow and Infiltration Corrections (Sewer System Rehabilitation)	02/12/2020	06/11/2020	09/09/2020	\$65,000	\$0	\$52,000	\$65,000	\$0
Tier3	340	Palm Coast 18043	WW/Des	Treatment (Treatment Plant Expansion)	02/12/2020	06/11/2020	09/09/2020	\$1,401,340	\$0	\$0	\$1,401,340	\$0
Tier3	340	Quincy* 20011	WW/Des	Energy Efficiency (Solar Array)	11/13/2019	03/12/2020	06/10/2020	\$267,871	\$0	\$238,297	\$267,871	\$0

Tier3	340	Starke* 04020	WW/Des	(Solar Array) Treatment (I & I Corrections)	11/13/2019	03/12/2020	AWARDED 02/12/2020	\$303,516	\$242,813	\$0	\$60,703	\$0
Tier3	340	Umatilla* 35075	WW/Des	Transmission (Water Interconnect to Eustis)	08/14/2019	12/12/2019	AWARDED 01/02/2020	\$498,597	\$0	\$399,166	\$498,597	\$0
Tier3	340	Zephyrhills 51053	WW/Con	Treatment (Advanced Water Treatment Upgrade)	08/14/2019	12/12/2019	AWARDED 04/23/2020	\$6,188,840	\$0	\$0	\$6,188,840	\$0
Tier3	310.53	Milton 57030	WW/Con	Treatment (North Santa Rosa WRF )	11/13/2019	03/12/2020	06/10/2020	\$14,000,000	\$0	\$4,022,475	\$14,000,000	\$0
Tier3	200	Fort Myers Beach* 36086	SW/Con	Stormwater Improvements (Conveyance and Treatment Systems)	02/12/2020	06/11/2020	09/09/2020	\$500,000	\$0	\$0	\$500,000	\$0
Tier3	100	Daytona Beach 64098	WW/Con	Treatment (WRF Biosolids Dewatering Improvements)	08/14/2019	12/12/2019	AWARDED 12/06/2019	\$3,861,200	\$0	\$0	\$3,861,200	\$0
Tier3	100	Golden Beach* 13110	SW/Con	Stormwater Facilities (Center Island Drainage System)	11/13/2019	03/12/2020	06/10/2020	\$951,414	\$0	\$0	\$951,414	\$0
Tier3	100	Longwood 59054	WW/Con	Treatment (Septic Tank Abatement)	11/13/2019	03/12/2020	06/10/2020	\$3,987,700	\$0	\$0	\$3,987,700	\$0
TOTAL AWARDED NEW PROJECTS:								\$61,530,376	\$4,903,768	\$3,405,966	\$56,626,608	\$0
TOTAL UNAWARDED NEW PROJECTS:								\$91,908,652	\$3,688,684	\$9,471,135	\$88,219,968	\$0
TOTALS:								\$153,439,028	\$8,592,452	\$12,877,101	\$144,846,576	\$0

\*Small community <=10,000 (based on the 2010 Census for projects Listed after 6/30/2011)



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2020 ADOPTED:05/13/2020 MEETING  
**WAITING PORTION**

PRIORITY SCORE	APPLICANT/ PROJECT NBR	PROJECT TYPE	PROJECT DESCRIPTION	ESTIMATED UNFUNDED COST
450	Largo 52027	WW/Con	Treatment (WWRF Biological Treatment )	\$28,291,517
450	Martin County* 43021	WW/Con	Collection (Vacuum Sewer System)	\$905,200
415	Miami-Dade County 1302A	WW/Con	Treatment (Deep Injection Wells)	\$19,800,593
400	Palm Bay 05072	WW/Con	Treatment & Transmission (South Regional WRF)	\$18,938,800
340	Sarasota 58023	WW/Con	Transmission, Collection, Reclaim Water (Replace Lift Station, Collect Sys Improv)	\$6,267,981
200	Cape Coral 36012	WW/Con	Transmission, Collection, SW Management (New North 2 Area Services )	\$56,516,995
200	Fort Myers Beach* 36086	SW/Con	Stormwater Improvements (Conveyance and Treatment Systems)	\$15,704,800
UNCOMMITTED WAITING PORTION TOTAL:				<u>\$146,425,886</u>

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FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2020 ADOPTED: 05/13/2020 MEETING  
PLANNING PORTION

PRIORITY SCORE	APPLICANT/ PROJECT NBR	PROJECT TYPE	PROJECT DESCRIPTION	ESTIMATED PROJECT COST
0	Archer* 01032	WW/Des	Treatment (Central Wastewater System)	\$220,000
0	Brevard County 05117	WW/Con	Collection (West Cocoa Wastewater Treatment System)	\$11,000,000
0	Bristol* 39020	WW/Con	Collection (Hurricane Michael)	\$187,000
0	Brooksville* 27022	WW/Con	Collection & I/I Correction (Sewer Rehabilitation Phase IV)	\$3,000,000
0	Bunnell* 18051	WW/Des	Treatment (WWTF Improvements)	\$1,503,000
0	Chattahoochee* 20024	WW/Con	Collection (Hurricane Michael)	\$603,750
0	Daytona Beach Shores 64130	WW/Con	Transmission (Subaqueous Force Main)	\$5,767,106
0	Eatonville 48023	WW/Des	Wastewater Facilities (Replace Lift Station)	\$75,000
0	Gateway Services Community Development District 36049	WW/Des	Collection (Gateway WWTP)	\$956,000
0	Grand Ridge* 32042	WW/Con	Treatment & Collection (Hurricane Michael)	\$261,445
0	Gulf Breeze* 57080	WW/Con	Treatment (WWTF Expansion)	\$21,735,200
0	Gulfport 5202B	WW/Con	Collection (LS 2 Bypass Construction)	\$2,351,652
0	Jupiter Inlet Colony* 50210	WW/Con	Sewer Rehab/Stormwater Management (Jupiter Inlet Colony Rehab Project)	\$7,009,083
0	Lake Park* 5020A	SW/Con	Stormwater Management (Lakeshore Drive Drainage)	\$6,579,000
340	Longboat Key 58061	WW/Des	Transmission (Subaqueous Forcemain Replacement)	\$1,000,000
0	Melbourne 05096	WW/Con	Treatment (Biosolids Improvement)	\$8,750,000
0	Miami Beach 13132	WW/Con	Stormwater Management (Seawall and Stormwater Coll & Treatment)	\$32,700,000
0	Mount Dora 35146	WW/Con	Collection & Transmission (Wolf Branch/Round Lake Road)	\$6,270,000
0	Mount Dora 35148	WW/Con	Treatment (WWTP Improvements)	\$4,840,000
0	Mount Dora 35149	WW/Con	Reclaimed Water (City of Apopka Interconnection)	\$2,365,000
0	Palm Coast 18040	SW/Con	Stormwater (Upgrade Three Sisters Complex)	\$1,261,845
0	Pompano Beach 06244	SW/Con	Stormwater Management (Stormwater Improvements)	\$20,089,303
0	Pompano Beach 06246	SW/Con	Stormwater Management (2nd Street Drainage Improvements)	\$865,673
0	Sarasota County* 58035	WW/Con	Collection & Transmission (Phillippi Creek Septic System)	\$18,960,606
0	Village of Indiantown* 43031	WW/Con	Treatment, Collection, Transmission (WWTP, Force Mains, Pump Stations)	\$6,425,100
PLANNING PORTION TOTAL:				\$164,775,763

\*Small community <=10,000 (based on the 2010 Census for projects Listed after 6/30/2011)

Report:

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2021 ADOPTED:08/12/2020 MEETING  
FUNDABLE PORTION TIER 1

TIER	PRIORITY SCORE	APPLICANT/ PROJECT NBR	PROJECT TYPE	PROJECT DESCRIPTION	ADOPTION DATE	APPLICATION DEADLINE	AGREEMENT DEADLINE	AUTHORIZED LOAN AMT	PRINCIPAL FORGIVENESS AMT	SCWFG AMT	AMOUNT TO BE REPAID	UNADOPTED FUNDS
Tier1	450	Largo 52027	WW/Con	Treatment (WWRF Biological Treatment)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier1	450	Martin County* 43021	WW/Con	Collection (Sewer Collection System)	08/12/2020	12/10/2020	03/10/2021	\$905,200	\$0	\$0	\$905,200	\$0
Tier1	415	Miami-Dade County 1302A	WW/Con	Treatment (Deep Injection Wells)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier1	400	Palm Bay 05072	WW/Con	Treatment & Transmission (South Regional WRF)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier1	363.64	Mulberry* 77006	WW/Con	I/I Correction	08/12/2020	12/10/2020	03/10/2021	\$123,028	\$0	\$0	\$123,028	\$0
Tier1	340	Sarasota 58023	WW/Con	Transmission, Collection, Reclaim Water (Replace Lift Station, Collect Sys Improv)	08/12/2020	12/10/2020	03/10/2021	\$5,709,344	\$0	\$0	\$5,709,344	\$0
Tier1	200	Cape Coral 36012	WW/Con	Transmission, Collection, Reclaim Water (New North 2 Area Services)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier1	200	Fort Myers Beach* 36086	SW/Con	Stormwater Management (Conveyance and Treatment Systems)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
TOTAL AWARDED SEGMENTS:								--	\$	\$	\$	\$
TOTAL UNAWARDED SEGMENTS:								\$66,737,572	\$0	\$0	\$66,737,572	\$0
TOTALS:								\$66,737,572	\$0	\$0	\$66,737,572	\$0

\*Small community <=10,000 (based on the 2010 Census for projects Listed after 6/30/2011)

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2021

ADOPTED:08/12/2020 MEETING

FUNDABLE PORTION TIER 2 & TIER 3

Tier	Priority Score	Applicant/Project NBR	Project Type	Project Description	Adoption Date	Application Deadline	Agreement Deadline	Authorized Loan Amt	Principal Forgiveness Amt	SCWFG Amt	Amount to be Repaid	Unadopted Funds
Tier2	540	North Bay Village* 13046	WW/Con	Collection (Pump Station Improvements)	08/12/2020	12/10/2020	03/10/2021	\$2,200,000	\$0	\$0	\$2,200,000	\$0
Tier2	470	Pace Property Finance Authority, Inc. 57060	WW/Con	Reclaimed Water (Reclaim Water Sys. Improv. RIBs and GST)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier2	459.84	Green Cove Springs* 10042	WW/Con	Treatment (Harbor Road WRF Expansion, Phase 2)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$4,452,835	\$12,000,000	\$0
Tier2	422.98	Marianna* 32025	WW/Con	Wastewater Treatment (Septage Receiving Facility & WWTP Improv)	08/12/2020	12/10/2020	03/10/2021	\$6,531,545	\$0	\$5,225,236	\$6,531,545	\$0
Tier2	386.86	Chipley* 67011	WW/Con	Effluent Disposal (Effluent Transmission and Spray Field)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$4,452,835	\$12,000,000	\$0
Tier2	375	Gulfport 5202B	WW/Con	Lift Station Rehab (LS Rehab and Force Main Replacement)	08/12/2020	12/10/2020	03/10/2021	\$2,507,520	\$0	\$0	\$2,507,520	\$0
Tier2	364	Brooksville* 27022	WW/Con	Inflow and Infiltration Correction (Sanitary Sewer Rehab Phase 4)	08/12/2020	12/10/2020	03/10/2021	\$3,600,000	\$2,880,000	\$0	\$720,000	\$0
Tier2	360.36	Port St. Joe* 23014	WW/Con	Major Sewer Rehab (Long Avenue Sewer Improvements)	08/12/2020	12/10/2020	03/10/2021	\$4,537,600	\$0	\$3,630,080	\$4,537,600	\$0
Tier2	354.29	Bunnell* 18051	WW/Des	Treatment (Upgrade & Expansion of WWTP)	08/12/2020	12/10/2020	03/10/2021	\$1,000,000	\$800,000	\$0	\$200,000	\$0
Tier2	352.35	Big Bend Water Authority* 15053	WW/Des	Collection and Treatment (Septic to Sewer and WWTP upgrades)	08/12/2020	12/10/2020	03/10/2021	\$407,300	\$325,840	\$0	\$81,460	\$0
Tier2	350.51	Frostproof* 53101	WW/Des	Effluent Disposal (Effluent Disposal Capacity Expansion)	08/12/2020	12/10/2020	03/10/2021	\$78,500	\$62,800	\$0	\$15,700	\$0
Tier2	350	Cape Canaveral 05055	WW/Con	Treatment (Headworks and Filter Improvements)	08/12/2020	12/10/2020	03/10/2021	\$1,643,600	\$0	\$0	\$1,643,600	\$0
Tier2	350	Deltona 64186	WW/Con	Alternative Water Supply (Irrigation supply from surface water)	08/12/2020	12/10/2020	03/10/2021	\$7,144,000	\$0	\$0	\$7,144,000	\$0
Tier2	350	Haines City 53047	WW/Con	Transmission & Collection (Robinson Force Main & LS Improvements)	08/12/2020	12/10/2020	03/10/2021	\$10,415,240	\$0	\$0	\$10,415,240	\$0
Tier3	340	Bonifay* 30016	WW/Plan	Transmission & Energy Efficiency (Pump Station, Transmission, Solar)	08/12/2020	12/10/2020	03/10/2021	\$75,000	\$37,500	\$0	\$37,500	\$0
Tier3	340	Gateway Services Community Development District 36049	WW/Des	Transmission & Reuse (Trans System & Reclaimed System Improv)	08/12/2020	12/10/2020	03/10/2021	\$277,000	\$0	\$0	\$277,000	\$0
				Treatment								

Tier3	340	Orlando 4804A	WW/DB	(Rehab and Expansion of ConservI WWTP)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier3	340	St. Johns County 55016	WW/Des	Treatment and Transmission (Rehab and upgrades)	08/12/2020	12/10/2020	03/10/2021	\$2,504,850	\$0	\$0	\$2,504,850	\$0
Tier3	340	Winter Haven 53135	SW/Plan	Wastewater and Stormwater Master Plan (City Wide Master Plan for Water)	08/12/2020	12/10/2020	03/10/2021	\$500,000	\$0	\$0	\$500,000	\$0
Tier3	300	Bartow 53022	WW/Con	Treatment (Treatment Plant Rehab)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier3	111.29	Village of Indiantown* 43031	WW/Con	System Acquisition (Acquisition of System Serv. the Village)	08/12/2020	12/10/2020	03/10/2021	\$5,614,647	\$4,491,718	\$0	\$1,122,929	\$0
Tier3	111	Umatilla* 35075	WW/Con	Interconnect with Eustis (Force Main to Eustis - Eustis will treat)	08/12/2020	12/10/2020	03/10/2021	\$3,853,300	\$3,082,640	\$0	\$770,660	\$0
Tier3	100	Brevard County 05117	WW/Con	Collection & Transmission (West Cocoa WW Improvements Phase 1)	08/12/2020	12/10/2020	03/10/2021	\$3,163,600	\$0	\$0	\$3,163,600	\$0
Tier3	100	Charlotte County* 0802H	WW/Con	Collection System (Ackerman Area Vacuum Sewers)	08/12/2020	12/10/2020	03/10/2021	\$12,000,000	\$0	\$0	\$12,000,000	\$0
Tier3	100	Florida Governmental Utility Authority Flagler County* 18082	WW/Con	System Acquisition	08/12/2020	12/10/2020	03/10/2021	\$11,131,715	\$0	\$0	\$11,131,715	\$0
Tier3	100	Palm Coast 18040	SW/Con	Canal Dredging (Remove nutrient rich bottom sediment)	08/12/2020	12/10/2020	03/10/2021	\$1,911,999	\$0	\$0	\$1,911,999	\$0
Tier3	100	St. Johns County 55015	WW/Con	Treatment and Transmission (Rehab and upgrades)	08/12/2020	12/10/2020	03/10/2021	\$4,215,000	\$0	\$0	\$4,215,000	\$0
TOTAL AWARDED NEW PROJECTS:								--	\$	\$	\$	\$
TOTAL UNAWARDED NEW PROJECTS:								\$145,312,416	\$11,680,498	\$17,760,986	\$133,631,918	\$0
TOTALS:								\$145,312,416	\$11,680,498	\$17,760,986	\$133,631,918	\$0

\*Small community <=10,000 (based on the 2010 Census for projects Listed after 6/30/2011)

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2021

ADOPTED:08/12/2020 MEETING

WAITING PORTION

PRIORITY SCORE	APPLICANT/ PROJECT NBR	PROJECT TYPE	PROJECT DESCRIPTION	ESTIMATED UNFUNDED COST
470	Pace Property Finance Authority, Inc. 57060	WW/Con	Reclaimed Water (Reclaim Water Sys. Improv. RIBs and GST)	\$561,212
459.84	Green Cove Springs* 10042	WW/Con	Treatment (Harbor Road WRF Expansion, Phase 2)	\$6,186,500
450	Largo 52027	WW/Con	Treatment (WWRF Biological Treatment)	\$16,291,517
415	Miami-Dade County 1302A	WW/Con	Treatment (Deep Injection Wells)	\$7,800,593
400	Palm Bay 05072	WW/Con	Treatment & Transmission (South Regional WRF)	\$6,938,800
386.86	Chipley* 67011	WW/Con	Effluent Disposal (Effluent Transmission and Spray Field)	\$854,919
340	Orlando 4804A	WW/DB	Treatment (Rehab and Expansion of ConservI WWTP)	\$56,861,050
300	Bartow 53022	WW/Con	Treatment (Treatment Plant Rehab)	\$5,417,750
200	Cape Coral 36012	WW/Con	Transmission, Collection, Reclaim Water (New North 2 Area Services)	\$44,516,995
200	Fort Myers Beach* 36086	SW/Con	Stormwater Management (Conveyance and Treatment Systems)	\$3,704,800
100	Charlotte County* 0802H	WW/Con	Collection (Ackerman Vacuum Sewer Collect Facilities)	\$10,843,718
UNCOMMITTED WAITING PORTION TOTAL:				\$159,977,854

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FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATER POLLUTION CONTROL SRF PRIORITY LIST FY 2021 ADOPTED:08/12/2020 MEETING  
PLANNING PORTION

PRIORITY SCORE	APPLICANT/ PROJECT NBR	PROJECT TYPE	PROJECT DESCRIPTION	ESTIMATED PROJECT COST
0	Archer* 01032	WW/Des	Treatment (Central Wastewater System)	\$220,000
0	Brevard County 05117	WW/Con	Collection (West Cocoa Wastewater Treatment System)	\$11,000,000
0	Bristol* 39020	WW/Con	Collection (Hurricane Michael)	\$187,000
0	Brooksville* 27022	WW/Con	Collection & I/I Correction (Sewer Rehabilitation Phase IV)	\$3,000,000
0	Bunnell* 18051	WW/Des	Treatment (WWTF Improvements)	\$1,503,000
0	Chattahoochee* 20024	WW/Con	Collection (Hurricane Michael)	\$603,750
0	Daytona Beach Shores 64130	WW/Con	Transmission (Subaqueous Force Main)	\$5,767,106
0	Eatonville 48023	WW/Des	Wastewater Facilities (Replace Lift Station)	\$75,000
0	Grand Ridge* 32042	WW/Con	Treatment & Collection (Hurricane Michael)	\$261,445
0	Gulf Breeze* 57080	WW/Con	Treatment (WWTF Expansion)	\$21,735,200
0	Gulfport 5202B	WW/Con	Collection (LS 2 Bypass Construction)	\$2,351,652
0	Jupiter Inlet Colony* 50210	WW/Con	Sewer Rehab/Stormwater Management (Jupiter Inlet Colony Rehab Project)	\$7,009,083
0	Lake Park* 5020A	SW/Con	Stormwater Management (Lakeshore Drive Drainage)	\$6,579,000
340	Longboat Key 58061	WW/Des	Transmission (Subaqueous Force Main Replacement)	\$1,000,000
0	Melbourne 05096	WW/Con	Treatment (Biosolids Improvement)	\$8,750,000
0	Miami Beach 13132	WW/Con	Stormwater Management (Seawall and Stormwater Coll & Treatment)	\$32,700,000
0	Mount Dora 35146	WW/Con	Collection & Transmission (Wolf Branch/Round Lake Road)	\$6,270,000
0	Mount Dora 35148	WW/Con	Treatment (WWTP Improvements)	\$4,840,000
0	Mount Dora 35149	WW/Con	Reclaimed Water (City of Apopka Interconnection)	\$2,365,000
0	Palm Coast 18040	SW/Con	Stormwater (Upgrade Three Sisters Complex)	\$1,261,845
0	Pompano Beach 06244	SW/Con	Stormwater Management (Stormwater Improvements)	\$20,089,303
0	Pompano Beach 06246	SW/Con	Stormwater Management (2nd Street Drainage Improvements)	\$865,673
0	Sarasota County* 58035	WW/Con	Collection & Transmission (Phillippi Creek Septic System)	\$18,960,606
0	Village of Indiantown* 43031	WW/Con	Treatment, Collection, Transmission (WWTP, Force Mains, Pump Stations)	\$6,425,100
PLANNING PORTION TOTAL:				\$163,819,763

\*Small community <=10,000 (based on the 2010 Census for projects Listed after 6/30/2011)





## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Fred Poppe, Director of Parks and Recreation; Juliet Misconi, Chief Procurement Officer

**DATE:** 11/5/2020

**RE:** Award of Bid: Conversion of septic to sewer, Fred Poppe Regional Park – IFB 63-0-2020 – Parks and Recreation Department (Don Facciobene, Inc. - \$460,598).

In November of 2016 the drain field for the septic system at the Fred Poppe Regional Park Dog Park restroom failed. Additionally, in April of 2019, the drain field for the septic system at the Soccer Complex at Fred Poppe Regional Park failed. As a result of the Soccer Complex drain field failure, the Parks and Recreation department sought the services of an engineering firm to design sewer system connections to existing City of Palm Bay sewer lines within Fred Poppe Regional Park. MBV Engineering was issued a Task Order under the City's continuing engineering contract. During the process, it was determined that all remaining septic reliant facilities at the park should be included in the design work. This included the Dog Park, existing Scout Pavilions, Soccer Complex, Baseball Complex and Softball Complex. An estimate was obtained, and the City Council approved an allocation of \$359,717.97 for the project cost estimate on February 20, 2020.

On August 28, 2020 the City solicited for a base bid that consisted of the conversion of five (5) separate existing septic systems to be abandoned and connected to a new gravity sewer system. This included the Dog Park, Scout Pavilions, and the Soccer, Baseball and Softball Complexes. Approximately 3,336 linear feet of sewer line will be installed and connected to an existing and a proposed lift station for pumping into the existing force main that connects to the City of Palm Bay sewer system.

Six (6) bids were received in response to the City's solicitation, one of which was a No Bid. Procurement staff reviewed the bids for responsiveness. Parks and Recreation staff evaluated the bids for responsibility and ability to perform the scope of services specified and found the low bid to be able to perform the work.

Staff recommends Don Facciobene, Inc. as the vendor for the septic to sewer conversion at Fred Poppe Regional Park. Council has already approved an established budget of \$359,717.97 for this project based on the results of the MBV Engineering task order. The lowest Bid which came from Don Facciobene, Inc. is \$418,725.00 creating a shortfall of \$59,007.03. Additionally we are requesting a 10% contingency in the amount of \$41,872.50. Local Preference was not applied to this project as the bids all came in over budget; however, Don Facciobene, Inc. is a Palm Bay Business.

Staff recommends Don Facciobene, Inc. for award of IFB # 63-0-2020/SZ, Fred Poppe Regional Park Septic to Sewer Conversion.

**REQUESTING DEPARTMENT:**

Parks & Recreation, Procurement

**FISCAL IMPACT:**

The estimated budget for this project was \$359,717.97. Total project award will be \$418,725.00 plus 10% contingency of \$41,872.50, for a maximum project budget of \$460,597.50. The difference of \$59,007.03 above the original budget estimate, plus the 10% contingency of \$41,872.50, for a total of \$100,879.53 is available via the next scheduled budget amendment from "Undesignated Fund Balance", account 001-0000-392-1001, to account 001-4026-572-6301 project #19PR06.

**RECOMMENDATION:**

Motion to approve appropriation of funds on the next scheduled budget amendment, and to approve award of IFB #63-0-2020/SZ, Don Facciobene, Inc.

**ATTACHMENTS:**

**Description**

**Tabulation Sheet**

IFB # 63-0-2020/SZ FRPR Septic to Sewer Opening Date: 10/7/2020				Local Preference: Class A		Local Preference: N/A		Local Preference: N/A		Local Preference: Class C		Local Preference: Class C		Local Preference: N/A	
				Don Facciobene, Inc 5055 Babcock St #4 Palm Bay, FL 32905 321-727-7100 <a href="mailto:hqilliam@dfi-gc.com">hqilliam@dfi-gc.com</a>		Timothy Rose Contracting 1360 SW Old Dixie Hwy Suite 106 Vero Beach, FL 32962 772-564-7800 <a href="mailto:timrose@comcast.net">timrose@comcast.net</a>		PRP Construction Group, LLC 8300 SW Springhaven Ave Indiantown, FL 34956 772-597-6923 <a href="mailto:ppsheltra@gmail.com">ppsheltra@gmail.com</a>		Hinterland Group, Inc 5580 State Road 524 Cocoa, FL 32926 321-633-7066 <a href="mailto:info@hinterlandgroup.com">info@hinterlandgroup.com</a>		Jobear Contracting, Inc 1950 Danr Dr NE Palm Bay, FL 32905 321-723-3571 <a href="mailto:rob@jobearinc.com">rob@jobearinc.com</a>		Cain Enterprises LLC dba/Engineering Solutions Intl 32 NE 16th St, Ocala FL 34470 352-390-6555 <a href="mailto:esi.office@esi-usa.net">esi.office@esi-usa.net</a>	
Item #	Item Description	Qty.	U/M	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
	<b>I. GENERAL</b>														
1	MOBILIZATION	1	LS	\$5,000.00	\$5,000.00	\$30,000.00	\$30,000.00	\$7,500.00	\$7,500.00	\$12,000.00	\$12,000.00	\$21,236.00	\$21,236.00	NO BID	
2	CLEARING AND GRUBBING	0.5	AC	\$7,000.00	\$3,500.00	\$12,000.00	\$6,000.00	\$3,345.00	\$1,672.50	\$8,000.00	\$4,000.00	\$20,000.00	\$10,000.00		
3	ABANDON SEPTIC SYSTEM	5	EA	\$4,300.00	\$21,500.00	\$1,300.00	\$6,500.00	\$2,350.00	\$11,750.00	\$2,500.00	\$12,500.00	\$4,916.00	\$24,580.00		
4	MAINTENANCE OF TRAFFIC	1	LS	\$3,000.00	\$3,000.00	\$1,650.00	\$1,650.00	\$1,650.00	\$1,650.00	\$4,500.00	\$4,500.00	\$3,000.00	\$3,000.00		
5	SOD	1	LS	\$17,000.00	\$17,000.00	\$22,000.00	\$22,000.00	\$12,250.00	\$12,250.00	\$40,000.00	\$40,000.00	\$45,290.00	\$45,290.00		
6	IRRIGATION REPAIR	1	LS	\$4,000.00	\$4,000.00	\$1,190.00	\$1,190.00	\$1,775.00	\$1,775.00	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00		
7	GEOTECH TESTING	1	LS	\$7,000.00	\$7,000.00	\$5,950.00	\$5,950.00	\$10,460.00	\$10,460.00	\$2,500.00	\$2,500.00	\$1,805.00	\$1,805.00		
8	SURVEY STAKING & AS-BUILTS	1	LS	\$7,500.00	\$7,500.00	\$4,200.00	\$4,200.00	\$9,575.00	\$9,575.00	\$7,500.00	\$7,500.00	\$9,500.00	\$9,500.00		
	<b>II. PAVEMENT, CURB &amp; CONCRETE WORK</b>														
9	ASPHALT CUT & PATCH	4	EA	\$2,500.00	\$10,000.00	\$4,600.00	\$18,400.00	\$1,487.00	\$5,948.00	\$5,000.00	\$20,000.00	\$16,595.25	\$66,381.00		
10	CONCRETE CUT & PATCH	10	EA	\$810.00	\$8,100.00	\$470.00	\$4,700.00	\$810.50	\$8,105.00	\$800.00	\$8,000.00	\$645.61	\$6,456.10		
	<b>III. SANITARY SEWER</b>														
11	6" PVC SDR 35 (0'-6')	210	LF	\$14.00	\$2,940.00	\$25.50	\$5,355.00	\$20.50	\$4,305.00	\$25.00	\$5,250.00	\$20.47	\$4,298.70		
12	8" PVC SDR 35 (0'-6')	2500	LF	\$23.00	\$57,500.00	\$31.50	\$78,750.00	\$22.50	\$56,250.00	\$35.00	\$87,500.00	\$28.82	\$72,050.00		
13	8" PVC SDR 35 (6'-8')	350	LF	\$30.00	\$10,500.00	\$46.00	\$16,100.00	\$24.00	\$8,400.00	\$45.00	\$15,750.00	\$41.10	\$14,385.00		
14	8" PVC SDR 35 (8'-10')	400	LF	\$40.00	\$16,000.00	\$58.00	\$23,200.00	\$26.00	\$10,400.00	\$60.00	\$24,000.00	\$61.58	\$24,632.00		
	<b>III. SANITARY SEWER (contd)</b>														
15	4' DIA. MANHOLE (0'-6')	11	EA	\$3,850.00	\$42,350.00	\$3,600.00	\$39,600.00	\$3,745.00	\$41,195.00	\$3,500.00	\$38,500.00	\$3,624.08	\$39,864.88		
16	4' DIA. MANHOLE (6'-8')	1	EA	\$4,450.00	\$4,450.00	\$4,350.00	\$4,350.00	\$4,550.00	\$4,550.00	\$4,500.00	\$4,500.00	\$5,459.27	\$5,459.27		
17	4' DIA. MANHOLE (8'-10')	1	EA	\$6,700.00	\$6,700.00	\$6,300.00	\$6,300.00	\$5,400.00	\$5,400.00	\$6,500.00	\$6,500.00	\$7,447.52	\$7,447.52		
18	CLEANOUTS	2	EA	\$515.00	\$1,030.00	\$750.00	\$1,500.00	\$369.00	\$738.00	\$1,200.00	\$2,400.00	\$369.90	\$739.80		
19	4" PVC DR-18 (FORCEMAIN)	970	LF	\$10.00	\$9,700.00	\$13.00	\$12,610.00	\$21.50	\$20,855.00	\$20.00	\$19,400.00	\$22.21	\$21,543.70		
20	4" D.I. FITTINGS W/ RESTRAINTS	1	LS	\$2,700.00	\$2,700.00	\$2,500.00	\$2,500.00	\$5,275.00	\$5,275.00	\$2,500.00	\$2,500.00	\$4,365.30	\$4,365.30		
21	CONNECT TO EXISTING FORCEMAIN	1	EA	\$3,400.00	\$3,400.00	\$3,500.00	\$3,500.00	\$907.00	\$907.00	\$4,500.00	\$4,500.00	\$3,622.94	\$3,622.94		
22	CONNECT TO EXISTING MANHOLES	1	EA	\$3,500.00	\$3,500.00	\$1,215.00	\$1,215.00	\$2,387.00	\$2,387.00	\$1,000.00	\$1,000.00	\$1,960.00	\$1,960.00		
23	4" GATE VALVE	1	EA	\$1,450.00	\$1,450.00	\$900.00	\$900.00	\$826.00	\$826.00	\$1,200.00	\$1,200.00	\$1,148.76	\$1,148.76		
24	4" DIRECTIONAL BORE	3	EA	\$4,820.00	\$14,460.00	\$1,685.00	\$5,055.00	\$2,415.00	\$7,245.00	\$6,500.00	\$19,500.00	\$5,024.33	\$15,072.99		
25	LIFT STATION W/ WET WELL, VALVE PIT, & CONTROL PANEL	1	LS												
				\$59,581.00	\$59,581.00	\$58,500.00	\$58,500.00	\$73,250.00	\$73,250.00	\$115,000.00	\$115,000.00	\$71,240.00	\$71,240.00		

IFB # 63-0-2020/SZ FRPR Septic to Sewer Opening Date: 10/7/2020				Local Preference: Class A		Local Preference: N/A		Local Preference: N/A		Local Preference: Class C		Local Preference: Class C		Local Preference: N/A	
				Don Facciobene, Inc 5055 Babcock St #4 Palm Bay, FL 32905 321-727-7100 <a href="mailto:hqilliam@dfi-gc.com">hqilliam@dfi-gc.com</a>		Timothy Rose Contracting 1360 SW Old Dixie Hwy Suite 106 Vero Beach, FL 32962 772-564-7800 <a href="mailto:timrose@comcast.net">timrose@comcast.net</a>		PRP Construction Group, LLC 8300 SW Springhaven Ave Indiantown, FL 34956 772-597-6923 <a href="mailto:ppsheltra@gmail.com">ppsheltra@gmail.com</a>		Hinterland Group, Inc 5580 State Road 524 Cocoa, FL 32926 321-633-7066 <a href="mailto:info@hinterlandgroup.com">info@hinterlandgroup.com</a>		Jobear Contracting, Inc 1950 Danr Dr NE Palm Bay, FL 32905 321-723-3571 <a href="mailto:rob@jobearinc.com">rob@jobearinc.com</a>		Cain Enterprises LLC dba/Engineering Solutions Intl 32 NE 16th St, Ocala FL 34470 352-390-6555 <a href="mailto:esi.office@esi-usa.net">esi.office@esi-usa.net</a>	
Item #	Item Description	Qty.	U/M	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
26	LIFT STATION DRIVEWAY – 3,000 PSI FIBERMESH CONCRETE	960	SF	\$10.00	\$9,600.00	\$5.52	\$5,299.20	\$5.75	\$5,520.00	\$8.00	\$7,680.00	\$6.50	\$6,240.00		
27	6' CHAINLINK FENCE	108	LF	\$33.00	\$3,564.00	\$20.00	\$2,160.00	\$40.50	\$4,374.00	\$45.00	\$4,860.00	\$20.00	\$2,160.00		
28	12' CHAINLINK SWING GATE W/LOCK	1	EA	\$1,200.00	\$1,200.00	\$900.00	\$900.00	\$1,200.00	\$1,200.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00		
29	RTU ANTENNA	1	EA	\$22,830.00	\$22,830.00	\$22,100.00	\$22,100.00	\$43,230.00	\$43,230.00	\$4,500.00	\$4,500.00	\$22,225.00	\$22,225.00		
30	ELECTRICAL SERVICE	1	LS	\$28,350.00	\$28,350.00	\$21,500.00	\$21,500.00	\$9,000.00	\$9,000.00	\$4,500.00	\$4,500.00	\$46,680.00	\$46,680.00		
31	DEWATERING	1	LS	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$9,150.00	\$9,150.00	\$7,500.00	\$7,500.00	\$47,010.00	\$47,010.00		
32	GRAVITY FLUSHING / LAMPING / LOW PRESSURE AIR / TV TESTING	1	LS	\$10,000.00	\$10,000.00	\$7,900.00	\$7,900.00	\$14,050.00	\$14,050.00	\$1,500.00	\$1,500.00	\$31,746.00	\$31,746.00		
33	FORCEMAIN PRESSURE TEST	1	LS	\$3,500.00	\$3,500.00	\$1,200.00	\$1,200.00	\$550.00	\$550.00	\$500.00	\$500.00	\$2,774.00	\$2,774.00		
IV. POTABLE WATER															
34	1" WATER SERVICE	55	LF	\$84.00	\$4,620.00	\$15.45	\$849.75	\$852.50	\$46,887.50	\$12.00	\$660.00	\$25.75	\$1,416.25		
35	HOSE BIBB	1	EA	\$200.00	\$200.00	\$100.00	\$100.00	\$369.00	\$369.00	\$500.00	\$500.00	\$300.00	\$300.00		
TOTAL				\$418,725.00		\$434,033.95		\$446,999.00		\$496,700.00		\$640,130.21		NO BID	

Mathematical error on Total  
bid amount; corrected to  
reflect sum of line items

Mathematical error on Total bid  
amount; corrected to reflect  
sum of line items



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Christopher A. Little, P.E.; Juliet Misconi; Yvonne McDonald

**DATE:** 11/5/2020

**RE:** **Award of Bid: Clarifier Number 2, North Regional Wastewater Treatment Plant – IFB 76-0-2020 – Utilities Department (L7 Construction, Inc. - \$2,209,700); approval of Task Order 21-02-WT for engineering services (Wade Trim - \$119,895); and a five percent (5%) construction contingency (\$116,480).**

The Utilities Department will be constructing a second clarifier at the North Regional Wastewater Treatment Plant (NRWWTP). The second clarifier is needed to meet Class 1 reliability and to provide redundancy of the treatment process during routine and emergency maintenance. It will also minimize the need to send minimally treated wastewater to the holding ponds when the existing clarifier fails or needs maintenance.

1. Award of IFB #76-0-2020/SB: Ten (10) bids were received in response to the City's solicitation. Procurement staff have reviewed the bids for responsiveness. Utilities staff evaluated the bids for responsibility and ability to perform the scope of services. The Department found the lowest responsive bid to be acceptable.  
Staff recommends L7 Construction, Inc., as the contractor for the construction of the NRWWTP Clarifier No. 2 in the amount of \$2,209,700.  
Local preference was not applied as the bids exceed \$1 million.
2. Engineering Services: Wade Trim has submitted Task Order 21-02-WT, NRWWTP Clarifier No. 2, Engineering Services During Construction, issued from Utilities Continuing Engineering Contract 36-0-2020. The scope of work under this task order includes construction administration and start up services. Staff has reviewed the scope of work and requests Council approval to proceed with Task Order 21-02-WT in the amount of \$119,895.
3. Construction Contingency: Staff recommends adding to the project a 5% contingency fund of \$116,480 to cover unanticipated changes in the scope of work due to unforeseen conditions discovered during construction. The industry standard for construction contingency is 5% to 10% of the value of the construction contract. Contingency funds remaining once the project has been closed will be returned to the appropriate Utility fund balance.  
The City's Procurement Ordinance governs the Council approval process for change orders. The Chief Procurement Officer can approve change orders up to a cumulative total of 10%, or individual change orders not to exceed \$100,000, whichever is lower; any change order in excess of \$100,000 or any change orders which cumulatively exceed 10% will be brought before Council for approval.

**REQUESTING DEPARTMENT:**

Utilities, Finance, Procurement

**FISCAL IMPACT:**

Total project amount is \$2,329,595 plus \$116,480 for project contingency that results in a total appropriation of \$2,446,075. Pending approval of the budget amendment, funds will be available in the Utilities Department's Operating Fund 421-8034-535-6221, project 17WS13.

**RECOMMENDATION:**

Motion to 1) approve appropriation of funds on the next scheduled budget amendment, amount \$2,446,075; 2) approve award of IFB #76-0-2020/SB, NRWTP Clarifier No. 2 to L7 Construction, Inc., located in Sanford, Florida, amount \$2,209,700; and 3) authorize the execution of Wade Trim Task Order 21-02-WT, amount \$119,895.

**ATTACHMENTS:****Description**

Tabulation Sheet

Wade Trim Task Order 21-02-WT

				Local Preference: N/A		Local Preference: N/A		Local Preference: N/A		Local Preference: N/A		Local Preference: N/A	
	<b>IFB #76-0-2020/SB - NRWWTP Clarifier No. 2</b>			<b>L7 Construction Inc</b>		<b>Intercounty Engineering Inc</b>		<b>Williams Industrial Services</b>		<b>Boromei Construction Inc</b>		<b>Petticoat-Schmitt Civil Contractors</b>	
				<b>275 Hunt Park Cove</b>		<b>1925 NW 18th Street</b>		<b>591 Pickettville Rd</b>		<b>420B NW 3rd Street</b>		<b>6380 Philips Hwy</b>	
				<b>Sanford FL 32750</b>		<b>Pompano Beach FL 33069</b>		<b>Jacksonville FL 32220</b>		<b>Okeechobee FL 34972</b>		<b>Jacksonville FL 32216</b>	
				<b>321-972-9325</b>		<b>954-972-9800</b>		<b>904-696-9994</b>		<b>863-623-4314</b>		<b>904-751-0888</b>	
				<a href="mailto:blefever@l7constructs.com">blefever@l7constructs.com</a>		<a href="mailto:bids@rfcenvironmental.com">bids@rfcenvironmental.com</a>		<a href="mailto:napayne@wisgrp.com">napayne@wisgrp.com</a>		<a href="mailto:danny@boromeiconstruction.com">danny@boromeiconstruction.com</a>		<a href="mailto:kbryan@petticoatschmitt.com">kbryan@petticoatschmitt.com</a>	
ITEM	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization / Demobilization	1	LS	\$ 70,000.00	\$ 70,000.00	\$ 166,230.00	\$ 166,230.00	\$ 37,436.00	\$ 37,436.00	\$ 190,000.00	\$ 190,000.00	\$ 55,190.00	\$ 55,190.00
2	Earthwork	1	LS	\$ 300,000.00	\$ 300,000.00	\$ 130,800.00	\$ 130,800.00	\$ 177,922.00	\$ 177,922.00	\$ 275,000.00	\$ 275,000.00	\$ 459,000.00	\$ 459,000.00
3	Demolition	1	LS	\$ 100,000.00	\$ 100,000.00	\$ 14,400.00	\$ 14,400.00	\$ 3,544.00	\$ 3,544.00	\$ 35,000.00	\$ 35,000.00	\$ 17,300.00	\$ 17,300.00
4	Concrete Tank	1	LS	\$ 630,000.00	\$ 630,000.00	\$ 873,600.00	\$ 873,600.00	\$ 926,076.00	\$ 926,076.00	\$ 875,000.00	\$ 875,000.00	\$ 665,500.00	\$ 665,500.00
5	Process Piping and Valves	1	LS	\$ 380,000.00	\$ 380,000.00	\$ 230,880.00	\$ 230,880.00	\$ 298,738.00	\$ 298,738.00	\$ 290,000.00	\$ 290,000.00	\$ 405,500.00	\$ 405,500.00
6	Clarifier Equipment	1	LS	\$ 470,000.00	\$ 470,000.00	\$ 515,400.00	\$ 515,400.00	\$ 519,020.00	\$ 519,020.00	\$ 600,000.00	\$ 600,000.00	\$ 759,700.00	\$ 759,700.00
7	Paints and Coatings	1	LS	\$ 195,000.00	\$ 195,000.00	\$ 222,000.00	\$ 222,000.00	\$ 216,720.00	\$ 216,720.00	\$ 250,000.00	\$ 250,000.00	\$ 262,000.00	\$ 262,000.00
8	Electrical and Instrumentation	1	LS	\$ 64,700.00	\$ 64,700.00	\$ 60,000.00	\$ 60,000.00	\$ 90,272.00	\$ 90,272.00	\$ 100,000.00	\$ 100,000.00	\$ 76,500.00	\$ 76,500.00
<b>TOTAL BID AMOUNT</b>				<b>\$2,209,700.00</b>		<b>\$2,213,310.00</b>		<b>\$2,269,728.00</b>		<b>\$2,615,000.00</b>		<b>\$2,700,690.00</b>	
								Total bid price listed in bid document was \$2,269,726.00; corrected on this spreadsheet.					



				Local Preference: N/A		Local Preference: N/A		Local Preference: N/A		Local Preference: N/A		Local Preference: N/A	
	IFB #76-0-2020/SB - NRWWTP Clarifier No. 2			Wharton Smith, Inc.		Prime Construction Group		Florida Design Contractors Inc		TLC Diversified		US Water Services Corp	
				750 Monroe Road		1000 Jetstream Drive		1326 S Killian Drive		2719 - 17th Street East		4939 Cross Bayou Blvd	
				Sanford FL 32771		Orlando FL 32824		Lake Park FL 33403		Palmett6o FL 34221		New Port Richey FL 34652	
				407-321-8410		407-852-8180		561-845-1233		941-722-0621		727-848-8292	
				<a href="mailto:envestimating@whartonsmith.com">envestimating@whartonsmith.com</a>		<a href="mailto:estimating@pcginc.org">estimating@pcginc.org</a>		<a href="mailto:bids@floridadesigncontractors.com">bids@floridadesigncontractors.com</a>		<a href="mailto:dlamberson@tlcdiv.com">dlamberson@tlcdiv.com</a>		<a href="mailto:ccrego@uswatercorp.net">ccrego@uswatercorp.net</a>	
ITEM	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization / Demobilization	1	LS	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 196,000.00	\$ 196,000.00	\$ 220,000.00	\$ 220,000.00	\$ 79,875.00	\$ 79,875.00
2	Earthwork	1	LS	\$ 40,000.00	\$ 40,000.00	\$ 215,000.00	\$ 215,000.00	\$ 560,000.00	\$ 560,000.00	\$ 448,000.00	\$ 448,000.00	\$ 376,420.00	\$ 376,420.00
3	Demolition	1	LS	\$ 105,000.00	\$ 105,000.00	\$ 20,000.00	\$ 20,000.00	\$ 45,000.00	\$ 45,000.00	\$ 98,000.00	\$ 98,000.00	\$ 157,727.00	\$ 157,727.00
4	Concrete Tank	1	LS	\$ 1,100,000.00	\$ 1,100,000.00	\$ 1,040,000.00	\$ 1,040,000.00	\$ 848,000.00	\$ 848,000.00	\$ 956,000.00	\$ 956,000.00	\$ 1,258,807.00	\$ 1,258,807.00
5	Process Piping and Valves	1	LS	\$ 535,000.00	\$ 535,000.00	\$ 297,000.00	\$ 297,000.00	\$ 359,000.00	\$ 359,000.00	\$ 417,000.00	\$ 417,000.00	\$ 270,804.00	\$ 270,804.00
6	Clarifier Equipment	1	LS	\$ 500,000.00	\$ 500,000.00	\$ 635,000.00	\$ 635,000.00	\$ 520,000.00	\$ 520,000.00	\$ 573,000.00	\$ 573,000.00	\$ 699,813.00	\$ 699,813.00
7	Paints and Coatings	1	LS	\$ 190,000.00	\$ 190,000.00	\$ 275,000.00	\$ 275,000.00	\$ 203,000.00	\$ 203,000.00	\$ 213,000.00	\$ 213,000.00	\$ 467,471.00	\$ 467,471.00
8	Electrical and Instrumentation	1	LS	\$ 55,000.00	\$ 55,000.00	\$ 65,000.00	\$ 65,000.00	\$ 60,000.00	\$ 60,000.00	\$ 62,000.00	\$ 62,000.00	\$ 86,226.00	\$ 86,226.00
TOTAL BID AMOUNT				\$2,725,000.00		\$2,747,000.00		\$2,791,000.00		\$2,987,000.00		\$3,397,143.00	

**CITY OF PALM BAY, FL**  
**NORTH REGIONAL WASTEWATER TREATMENT PLANT**  
**CLARIFIER NO. 2**  
**ENGINEERING SERVICES DURING CONSTRUCTION**

**In accordance with City's Master Agreement 36-0-2020 Dated July 28, 2020**

**October 19, 2020**  
**TASK ORDER NO. 21-02-WT**

**Section I. BACKGROUND**

The City of Palm Bay has bid a construction contract (IFB No. 76-0-2020) for the new Clarifier No. 2 at the North Regional Wastewater Treatment Plant. Clarifier 2 is intended to be operated as a redundant clarifier only to meet class 1 reliability and is therefore equal in size. The two clarifiers are not intended to be operated at the same time.

Clarifier 1 is a suction header sludge collection mechanism while Clarifier 2 is a spiral blade sludge collection mechanism. No changes to the RAS/WAS pumps are proposed as the pump station was set up to accept the additional clarifier connections. The new scum line is to be connected to the existing wye fitting on the existing scum pipe near the scum collection box. No changes to the scum pumps are needed. Construction of the project is to be completed within 330 days of Contractor's notice to proceed.

The City of Palm Bay Utilities is requesting Wade Trim to provide Bid Phase and Engineering Services During Construction (EDC). The EDC services do not include daily inspection of materials and/or work. Details of the scope of work are provided below.

**Section II. SCOPE OF WORK**

Wade Trim agrees to perform the following tasks:

**Task 1 – Bidding Assistance**

Wade Trim assisted with the preparation of addenda responses and provided clarifications to the contract specifications and drawings.

Wade Trim assisted with the preparation of a certified bid tabulation and reviewed the bids for completeness, including performance and payment bond, compliance with bid requirements, and verification of references of apparent responsive low bidder. Wade Trim prepared a letter of recommendation for award for the City's use in awarding the contract.

Wade Trim will incorporate addendum changes established during the bidding phase into the official set of conformed contract drawings and specifications. Wade Trim will prepare and

provide the City with conformed construction documents in hardcopy and electronic format as described in Section VI.

## **Task 2 – Pre-Construction and Construction Progress Meetings**

Wade Trim will attend the pre-construction conference with the City and the Contractor to review the project communication, coordination, and other procedures and discuss the Contractor's general approach and requirements for the project.

Wade Trim will attend progress meetings with the City and Contractor to track construction progress and answer Contractor questions throughout the Construction phase. A total of 15 progress meetings have been budgeted for this task. Wade Trim will combine the Progress Meetings with site walk-throughs to observe the work in progress. Within three days of each meeting, Wade Trim will prepare and distribute meeting minutes summarizing the items discussed in each meeting and any site observations.

## **Task 3 – Shop Drawings and Submittals**

Per Article 16 of the solicitation for Bid, the City can require the apparent low bidder to submit a Preliminary Schedule of Values and Preliminary Progress Schedule within seven days after bid opening. Wade Trim will plan our work around those schedules.

Wade Trim will electronically review shop drawings and any other submittals the Contractor is required to submit within 15 working days of receipt of the submittal except for special items requiring longer review time when noted otherwise in the Contract Documents. Per review of the project plans and specifications, shop drawing submittals from 29 specification sections are anticipated. The anticipated budget for this task is based on the review of one shop drawing for each of the 29 specification sections.

It is understood that all submittals will be in electronic format and will be sent by the Contractor directly to Wade Trim. Wade Trim will track Contractor submittals. The City will have electronic access to all shop drawings for informational purposes through a project extranet.

Review of all submittals will be for general conformance with the design concept and general compliance with the requirements of the Construction Contract Documents. Such review shall not relieve the Contractor from his responsibility for performance in accordance with the construction contract, nor is such review a guarantee that the work covered by the shop drawing is free of errors, inconsistencies, or omissions.

## **Task 4 – Requests for Information and Field Directives**

Wade Trim will log and review, when requested by the City, requests for information (RFI) or clarification and issue necessary technical interpretations and clarifications of the Construction Contract Documents in a timely manner, not to exceed five working days of the request unless otherwise authorized by the City. Responses prepared by Wade Trim will be delivered to the Contractor through the City. A total of five RFIs have been budgeted for this task effort. Wade Trim will issue field directives as required.

## **Task 5 – Site Visits**

Wade Trim will conduct site visits during the construction phase to observe key points of the work in progress. For this to be effective, the Contractor must provide and maintain a detailed schedule. The Contractor shall be notified that any work noted as critical to be inspected must be inspected before it is covered. If work is covered without inspection it will need to be removed and replaced, this includes any concrete pours where the formwork, rebar, and any soil compaction were not inspected. This assumes that the Contractor will optimize the number of concrete pours, and will have all of the underground work in an area exposed for observation at one time, if additional observations are required to address partial work it will be considered out of scope.

While on site, Wade Trim will evaluate general compliance with the requirements of the contract documents and design intent. The purpose of these site visits is to provide guidance and feedback to the construction field staff, evaluate conformance with design requirements, and keep the City informed of the Contractor's progress on the Project. With a construction contract period of 330 days (47 weeks), this task order assumes an actual construction duration of 37 weeks following submittals and mobilization. Wade Trim has budgeted the following site visits:

- Compaction, Rebar, and Form Inspection:
  - 12 Half Days
- Concrete Placement
  - 12 Half Days
- Mechanical Inspections of critical installations and buried Work
  - 5 Half Days
    - Below Tank Piping
    - Connections at RAS/WAS PS
    - Connections at Clarifier No. 1
    - Center Column Alignment
    - Manufacturer's Torque Test
- 1 substantial completion site visit (preparation of punch list)
- 1 final completion site visit (verification of record plans)

Each site visit will document site conditions, site visit observations, photos, summary of discussions to be stored on the project extranet site.

## **Task 6 – Change Orders**

Wade Trim will provide technical review and feedback/approval of up to two Change Orders to verify that the changed scope meets the intent of the design criteria and applicable codes/regulations.

Wade Trim will review requests for routine project cost and/or schedule changes from the Contractor. Changes may be the result of unforeseen conditions or interferences identified by the Contractor during routine progress of work, inadvertent omissions (betterment) issues in the contract documents, or additional improvements requested by the City after the project bid date. Wade Trim will evaluate the impact of the change request in terms of project cost and schedule. Wade Trim will prepare an analysis of the change request indicating reasons for acceptance, references to applicable sections of the contract documents that validate or disclaim the change

request, and if accepted, a statement noting that the requested cost / schedule impacts are fair and reasonable. Wade Trim's analysis of the change request shall be forwarded to the City and the Contractor for processing. Wade Trim's Scope of Services does not include claims analysis or litigation support.

### **Task 7 – Pay Requests**

Wade Trim will review the Contractor's application for payment monthly based on information provided by the City, information discussed during the progress meetings, and from observations during weekly site visits. As part of the monthly progress payment, and as a condition for approval, Wade Trim will review and verify the Contractor's required red-line drawings. A total of 10 monthly pay requests have been budgeted for this sub-task.

### **Task 8 – Start-up and Commissioning Support Services**

Wade Trim assumes that all equipment testing will be coordinated by the Contractor, including scheduling the test dates with the equipment manufacturer's representative, inviting all participants to the test, and submitting a testing plan in advance for Wade Trim to review and provide comments. All testing, operator training, and start-up procedures are to be coordinated by the Contractor with the manufacturer's representative and approved by Wade Trim before any testing or training commences. City staff will be required to witness testing and signoff on all testing documentation for equipment turnover to the City.

The Contractor shall be responsible for starting up the clarifier to guarantee the proper operation and performance of the wastewater treatment system.

Wade Trim will review operation and performance data provided by the Contractor and clarifier manufacturer to make a recommendation on the final acceptance of the clarifier. The Contractor will be responsible for coordinating all training of plant staff by the system manufacturer. Wade Trim will have the Engineer-of-Record engineer present on-site during system startup. Wade Trim's effort is based on one day of clean-water testing, and daily two-hour site visits during the 5-day wastewater testing. In addition, the electrical/I&C engineer will be on site for one day to resolve issues during start-up.

Wade Trim shall attend one four-hour training provided by qualified representatives of the equipment manufacturer and review relevant materials to confirm they meet the contract requirements.

### **Task 9 – Project Closeout**

Wade Trim will prepare record drawings, compile manufacturer provided O&Ms, and provide the final certification for the project to FDEP.

The bid design set included 27 sheets. Record drawings will show changes made during the construction process, based on the Contractor's submittal of red-line mark drawings, and other data furnished by the Contractor to Wade Trim. It is acknowledged that the Contractor is wholly responsible to prepare and submit "as-builts" and Wade Trim will review the Contractor's submittals. The Contractor is responsible for the accuracy of the as-builts. Wade Trim will review the submitted as-builts for general compliance with the contract documents.

Wade Trim will revise original drawings and submit them in hardcopy and electronic (pdf) format per Section VI of this Task Order. The record plans shall be signed by the Engineer-of-Record.

### **SECTION III: PROJECT REPRESENTATIVES**

City of Palm Bay Utilities: Christopher A. Little, PE  
321-952-3410  
[Christopher.Little@palmbayflorida.org](mailto:Christopher.Little@palmbayflorida.org)

Wade Trim: Michael Demko, P.E.  
321-249-2147  
[mdemko@wadetrim.com](mailto:mdemko@wadetrim.com)

### **SECTION IV: PERMITTING**

Final Certification per Task 9.

### **SECTION V: CITY'S RESPONSIBILITY**

The following items are required, but not limited, from the CITY to complete the above-mentioned Task Order:

- Site access.
- Red lined as-built plans from Contractor.
- Final FDEP Certification support.

### **Section VI. DELIVERABLES**

The following deliverables will be provided for each task mentioned above:

#### Task 1 – Bidding Assistance

- Responses to Bidder Questions in the form of draft addenda
- Bid Tabulation and Recommendation
- Conformed Drawings and Specifications - Hardcopies (1 – full size plan set and 1 – half size plan set); Electronic – pdf.

#### Task 2 – Pre-Construction and Progress Meetings

- Preparation of Pre-Construction Meeting Agenda and Minutes
- Meeting minutes will be taken at each monthly progress meeting and distributed to all attendees

#### Task 3 – Shop Drawings and Submittals

- Review and approval of Contractor's initial schedule of values and baseline schedule.
- Shop drawing log and engineering review comments for each submittal (Up to 29 submittals)

Task 4 – Request for Information and Field Directives

- RFI/Clarification request responses

Task 5 – Site Visits

- Site Visit Report
- Substantial Completion Punch List
- Final Completion Sign-Off Documentation

Task 6 – Change Orders

- Change Order Form with Response

Task 7 – Pay Requests

- Pay Requests Recommendations

Task 8 – Start-up and Commissioning Support Services

- Review Comments on Testing Plan
- Review Comments on Testing Results
- Start-up and Testing Daily Reports
- Review Comments on Training Documents

Task 8 – Project Closeout

- Record Drawings - Hardcopies (1 – full size plan set and 1 – half size plan set); Electronic – pdf.
- One set of O&M Manuals Hard Copy and PDF.
- One FDEP application for certification to operate PDF.

## **SECTION VII: SCHEDULE**

The contract construction duration for the project is 330 calendar days (approximately 47 weeks) from Notice to Proceed. Work will begin within 7 days of notice-to-proceed (NTP). Tasks will adhere to the project construction schedule.



## **SECTION VIII: BASIS OF COMPENSATION**

The fee for the scope of work described in Section II, shall not exceed a total lump sum fee of **\$119,895** and shall not exceed the amounts shown in the table below for each specific task. The City shall periodically compensate the Wade Trim a portion of the task fee based on mutually agreed upon percentages of completion of each task.

<b>TASK</b>	<b>DESCRIPTION</b>	<b>FEE</b>
1	Bidding Assistance	\$ 6,870
2	Construction Meetings	\$ 19,975
3	Shop Drawings	\$ 22,600
4	Request for Information and Field Directives	\$ 6,925
5	Site Visits	\$ 33,510
6	Change Orders	\$ 1,565
7	Pay Requests	\$ 6,990
8	Start-up & Commissioning	\$ 12,775
9	Project Closeout	\$ 8,685
	<b>TOTAL</b>	<b>\$ 119,895</b>

At the direction of the City, Wade Trim may be requested to provide additional services. These additional services will be billed at the standard hourly billing rates on a negotiated Lump Sum basis.

## **SECTION IX: COST OF CONSTRUCTION**

The cost of construction for this project is \$2,209,700.

## **SECTION X. ACCEPTANCE**

If the above scope and fees meet your approval, please indicate by your signature in the space provided below and return one signed copy which will constitute an "Agreement and Notice to Proceed" for the accomplishment of this work.

WADE TRIM, INC.

City of Palm Bay, Florida



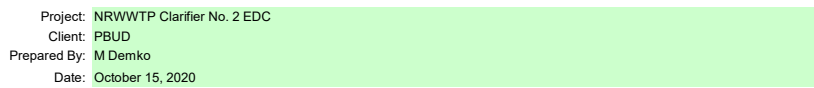
\_\_\_\_\_  
Thomas Brzezinski, PE  
Executive Vice President

\_\_\_\_\_  
Juliet Misconi, CPPO, CPPB  
Chief Procurement Officer

10/23/2020

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## TO# 21-02-WT

TASKS		Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7	Task 8	Task 9	TOTAL	OTHER DIRECT COSTS	
CLASSIFICATION	RATE	Bidding Assistance HOURS \$	Meetings HOURS \$	Submittals HOURS \$	RfIs HOURS \$	Site Visits HOURS \$	Change Orders HOURS \$	Pay Requests HOURS \$	Start-up HOURS \$	Close-out HOURS \$	HOURS \$	Subconsultants	
Senior Technical Professional	\$ 225.00	4	57	28	9	68	5	12	47	17	247	Aerial Photos	
		\$900.00	\$12,825.00	\$6,300.00	\$2,025.00	\$15,300.00	\$1,125.00	\$2,700.00	\$10,575.00	\$3,825.00	\$55,575.00	Soils Eng.	
Professional Engineer 4	\$ 170.00	17	0	59	23	0				4	103		
		\$2,890.00	\$0.00	\$10,030.00	\$3,910.00	\$0.00	\$0.00	\$0.00	\$0.00	\$680.00	\$17,510.00	Survey	
Engineer 3	\$ 110.00	8	65	57	9	157	4	39	20	14	373	Mechanical	
		\$880.00	\$7,150.00	\$6,270.00	\$990.00	\$17,270.00	\$440.00	\$4,290.00	\$2,200.00	\$1,540.00	\$41,030.00	Electrical	
Technician 5	\$ 110.00	20	0	0	0	0				24	44	Environmental	
		\$2,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,640.00	\$4,840.00	Stormwater Management	
	\$ -	0	0	0	0	0	0				0	Permitting	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Sub Total	
	\$ -	0	0	0	0	0					0		\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Direct Cost	
	\$ -	0	0	0	0	0					0	CADD	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Computers	
	\$ -	0	0	0	0	0					0	Equipment	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Photocopies	
	\$ -	0	0	0	0	0					0	Color Copies	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Graphics	
	\$ -	0	0	0	0	0					0	Computer	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Travel	
	\$ -	0	0	0	0	0					0	Scanner	
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	OCE Printer	
	\$ -	0	0	0	0	0					0		
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Sub Total	\$940.00
	\$ -	0	0	0	0	0					0	OTHER DIRECT COSTS TOTAL	\$940.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
	\$ -	0	0	0	0	0					0		
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Labor Multiplier (=1 for billing rate schedule)	1.00
	\$ -	0	0	0	0	0					0		
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
TOTAL		49	122	144	41	225	9	51			767	TOTAL DIRECT LABOR	\$ 118,955.00
		\$6,870.00	\$ 19,975.00	\$ 22,600.00	\$ 6,925.00	\$ 32,570.00	\$ 1,565.00	\$ 6,990.00	\$ 12,775.00	\$ 8,685.00	\$118,955.00	TOTAL COST	\$119,895.00



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Terese Jones, City Clerk

**DATE:** 11/5/2020

**RE:** Appointment of one (1) member to the Code Enforcement Board.

As you may recall, David Wills resigned from the above subject board. The vacancy has been announced at several regular Council meetings and applications solicited for same.

The following application has been received:

Susan Lee Walberg  
2090 Cogan Drive, SE 32909

**REQUESTING DEPARTMENT:**  
Legislative

**FISCAL IMPACT:**  
None

**RECOMMENDATION:**  
Motion to appoint one (1) member to serve on the Code Enforcement Board.

**ATTACHMENTS:**  
**Description**  
**SWalberg CEB**



## APPLICATION FOR MEMBERSHIP / City Boards or Committees

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907  
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

### BOARD/COMMITTEE

Name of Board/Committee: Code enforcement Board  
Full Name: SUSAN Lee Walberg  
Home Address: 2090 COGAN DR SE  
City: PALM BAY Zip Code: 32909  
Telephone Number: 301-256-5010 Fax Number:   
Email Address: SWALBERG@COMPLIANCEALACARTE.COM

### EMPLOYMENT

Employer: COMPLIANCE ALA CARTE LLC Occupation: owner/consultant  
Address: 2090 COGAN DR SE  
City: PALM BAY State: FL Zip Code: 32909  
Telephone Number: 301-256-5010 Fax Number:   
Email Address: SWALBERG@COMPLIANCEALACARTE.COM  
Job Responsibilities: COMPLIANCE + regulatory CONSULTANT

### EDUCATION

High School Name: FOSTER HS.  
Location: TUKWILA, WA Years Completed: 4 Major/Degree: Gen.  
College Business or Trade School: U. OF WASH.  
Location: Seattle Years Completed: 4 Major/Degree: BA-Psych  
Professional School: Seattle University  
Location: Seattle, WA Years Completed: 3 Major/Degree: J.D.  
Other: Seattle University  
Location: Seattle, WA Years Completed: 3 Major/Degree: MPA

## APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No If yes, please provide the following:

Title:

Issue Date:  Issuing Authority:

*If any disciplinary action has been taken, please state the type and date of the action taken:*

Disciplinary Action:  Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long?  Years  Months

How long have you been a resident of Brevard County?  Years  Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☒ Yes ☐ No If yes, please list board(s):

- DISASTER RELIEF COMMITTEE

Have you previously served on a City board(s)? ☒ Yes ☐ No If yes, please list board(s):

HUMAN SERVICES COM, in TUKWILA-WA

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where:  When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? Writing, gardening, reading,  
current events

Why do you want to serve on this board / committee? I've been a regulatory  
attorney, then compliance consultant, for many  
years. I want to get involved and add value.

Section 760.80, Florida Statutes, requires certain information on statutorily created boards to be filed on an annual basis. Please complete the following.

Race: white Gender: Female Physically Disabled: ☐

## APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests if required for this board.  
<http://www.ethics.state.fl.us>
4. If appointed to a board/committee, I acknowledge that it is my obligation and duty to comply with the following:  
Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)  
Florida Sunshine Law (Florida Statutes, Chapter 286)  
<http://www.flsenate.gov/Statutes>
5. I understand the responsibilities associated with being a board/committee member, and I will have adequate time to serve on this board/committee.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature: [Signature] Date: 9.25.20

Mail the application to:  
City of Palm Bay  
Office of the City Clerk  
120 Malabar Road, SE  
Palm Bay, Florida 32907

Fax the application to:  
321-953-8971

**SUBMIT FORM**



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Terese Jones, City Clerk

**DATE:** 11/5/2020

**RE:** Appointment of one (1) member to the Community Development Advisory Board.

The vacancy has been announced at several Council meetings and applications solicited for same.

This board is comprised of members representing various fields. The enacting legislation states that membership shall, to the extent possible, include persons from the fields as defined therein.

The aforementioned vacancy could represent one of the following positions: 'employer within the City; for-profit provider; actively engaged in home building; or real estate professional'.

The following applications have been received:

Henry Morin  
Real Estate Professional  
1090 Mandarin Drive, NE 32905

Shaskisha Myers  
Employer within the City  
161 Delancey Street, NE 32907

Anthony McDonough  
Actively engaged in home building  
2887 Pollack Avenue, NE 32905

**REQUESTING DEPARTMENT:**  
Legislative

**FISCAL IMPACT:**  
None

**RECOMMENDATION:**



Motion to approve the appointment of one (1) member to serve on the Community Development Advisory Board.

**ATTACHMENTS:**

**Description**

**HMorin**

**SMyers**

**AMcDonough**



Office of The

AUG 31 2020

City Clerk

## APPLICATION FOR MEMBERSHIP CITY BOARDS OR COMMITTEES

**THIS APPLICATION MUST BE RECEIVED BY THE OFFICE OF THE CITY CLERK NO LATER THAN WEDNESDAY, 5:00 P.M., \_\_\_\_\_, TO BE CONSIDERED BY THE CITY COUNCIL.**

Board/Committee: Citizens Budget Advisory Board - Real Estate Professional -

1. Full name: Henry Morin

a) Home Address: 1090 Mandarin Dr NE

City: Palm Bay

Zip Code: 32905

Telephone No. \_\_\_\_\_

Fax No.: \_\_\_\_\_

E-mail: henryoga@yahoo.com

b) Employer: Atlantic Properties

Occupation: Real estate broker/owner

Address: 1090 Mandarin Dr NE

City: Palm Bay

Zip Code: 32905

Telephone No. \_\_\_\_\_

Fax No: \_\_\_\_\_

E-mail: henryoga@yahoo.com

Job responsibilities: Assisting in all aspects of commercial real estate including financial analysis and budgeting.

If retired, what was your occupation prior to retirement? \_\_\_\_\_

List job responsibilities in the space above.

2. Education: Bachelor of Science degree in Industrial Management from Georgia Institute of Technology.

Attended several semesters at Georgia State University for a Masters in Business Administration specializing in finance.

Moved to Florida for job opportunity before graduating. Had 4.0 average.

3. Have you ever held a business license or certificate? \_\_\_\_\_

Yes Yes No Yes

If yes, please provide the following:

Title \_\_\_\_\_  
Issue \_\_\_\_\_  
Date \_\_\_\_\_

Issuing  
Authority \_\_\_\_\_

Disciplinary  
Action/Dates \_\_\_\_\_

Real Estate Broker 1980 Dept of Professional Regulation No disciplinary actions.

4. Are you a resident of the City? \_\_\_\_\_

Yes Yes No \_\_\_\_\_

If yes, how long? since 1998

5. How long have you been a resident of Brevard County? since 1976

6. Are you a United States citizen?

Yes <sup>Yes</sup>\_\_\_\_ No \_\_\_\_

7. Are you a registered voter of the City?

Yes <sup>Yes</sup>\_\_\_\_ No \_\_\_\_

8. Are you employed by the City?

Yes \_\_\_\_ No <sup>No</sup>\_\_\_\_

9. Do you presently serve on a City board(s)?

Yes \_\_\_\_ No <sup>No</sup>\_\_\_\_

If yes, please list board(s): \_\_\_\_\_

10. Have you previously served on a City board(s)?

Yes <sup>Yes</sup>\_\_\_\_ No \_\_\_\_

If yes, please list board(s): Citizens Advisory Committee to MPO as a rep for Melbourne and then as arep for Palm Bay

11. Are you currently serving on a board, authority, or commission for another governmental agency?

Yes \_\_\_\_ No <sup>No</sup>\_\_\_\_

If yes, what board, etc. \_\_\_\_\_

12. Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge?

Yes \_\_\_\_ No <sup>No</sup>\_\_\_\_

If yes, what charge \_\_\_\_\_; where \_\_\_\_\_; when \_\_\_\_\_;  
disposition was: Convicted \_\_\_\_ Pled Guilty \_\_\_\_ Pled No Contest \_\_\_\_

Have your civil rights been restored?

Yes \_\_\_\_ No \_\_\_\_

13. Are you a member or participant of any community organizations? (Please list) \_\_\_\_\_

President of the Turkey Creek Home Owners Association

14. What are your hobbies/interests? Sale and development of real estate.

Body surfing at the Indialantic boardwalk beach.

15. Why do you want to serve on this board/committee?

Apply my business experience to improving the City.

16. Section 760.80, Florida Statutes, requires certain information on statutorily created boards to be filed on an annual basis. Please complete the following:

Race:	African-American	_____	Gender:	Male	Yes _____
	Asian-American	_____		Female	_____
	Hispanic-American	_____			
	Native-American	_____			
	Caucasian	Yes _____			
	Not Known	_____			

Physically Disabled:      Yes      No \_\_\_\_\_      No      No \_\_\_\_\_

**APPLICANT CERTIFICATION**

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests if required for this board.
4. If appointed to a board/committee, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials	(Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law	(Florida Statutes, Chapter 286)

5. I understand the responsibilities associated with being a board/committee member, and I will have adequate time to serve on this board/committee.

The information provided on this form is true and correct, and consent is hereby given the City Council or its designated representative to verify any and/or all information provided.

Signature: \_\_\_\_\_

*Henry Morin*

Date: \_\_\_\_\_

*Aug 31, 2020*

Please return via email:      judy.denis@pbfl.org

Fax: (321) 953-8971

or mail to: City of Palm Bay  
Office of the City Clerk  
120 Malabar Road, SE  
Palm Bay, FL 32907

**APPLICATION FOR MEMBERSHIP / City Boards or Committees**

City of Palm Bay      120 Malabar Road      Palm Bay, FL 32907  
Phone: 321-952-3414      www.palmbayflorida.org      Fax: 321-953-8971

Name of Board/Committee: **Community Development Advisory Board**  
Full Name: **Shaskisha Myers**  
Home Address: **161 Delancey St NE**  
City: **Palm Bay**      Zip Code: **32907**  
Telephone Number: **754-779-6412**      Fax Number:   
Email Address: **shaskishamyers@gmail.com**

Employer: **Teletech**      Occupation: **Claims Cardholder Services**  
Address: **1384 S Babcock St**  
City: **Melbourne**      State: **FL**      Zip Code: **32901**  
Telephone Number: **321-837-5482**      Fax Number:   
Email Address:   
Job Responsibilities: **Initiate, review and edit claims for Bank of America prepaid cardholders**

High School Name: **Redan High**  
Location: **Stone Mountain Georgia**      Years Completed: **4**      Major/Degree: **Academics**  
College Business or Trade School: **Everest University**  
Location: **Pompano Beach, FL**      Years Completed: **1**      Major/Degree: **Paralegal**  
Professional School: **Boca Beauty Academy**  
Location: **Boca Raton, FL**      Years Completed: **1**      Major/Degree: **Nail Tech license**  
Other:   
Location:      Years Completed:      Major/Degree:

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date:  Issuing Authority:

*If any disciplinary action has been taken, please state the type and date of the action taken:*

Disciplinary Action:  Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?*  Years  Months

How long have you been a resident of Brevard County?  Years  Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where:  When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

*If yes, please list:*

What are your hobbies / interests?

Hosting entertainment for friends and family with dinners, game nights and/or park functions

Why do you want to serve on this board / committee?

To be more informed in the plans and regulations of the city I live in. I would like to assist with the decision making with the decisions while making a difference in the growth

and living conditions of my city and community residents. Knowledge is key and being engaged will allow me to be a part of the resolution.

Section 760.80, Florida Statutes, requires certain information on statutorily created boards to be filed on an annual basis. Please complete the following.

Race:  Gender:  Physically Disabled: ☐

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
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3. I consent to filing the *Statement of Financial Interests* if required for this board.
4. If appointed to a board/committee, I acknowledge that it is my obligation and duty to comply with the following:  
Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)  
Florida Sunshine Law (Florida Statutes, Chapter 286)
5. I understand the responsibilities associated with being a board/committee member, and I will have adequate time to serve on this board/committee.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

Date:

Mail the application to:

City of Palm Bay  
Office of the City Clerk  
120 Malabar Road, SE  
Palm Bay, Florida 32907

Fax the application to:

321-953-8971







## APPLICATION FOR MEMBERSHIP / City Boards or Committees

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907  
Phone: 321-952-3414 • [www.palmbayflorida.org](http://www.palmbayflorida.org) • Fax: 321-953-8971

### BOARD/COMMITTEE

Name of Board/Committee:

Full Name:

Home Address:

City:

Zip Code:

Telephone Number:

Fax Number:

Email Address:

### EMPLOYMENT

Employer:

Occupation:

Address:

City:

State:

Zip Code:

Telephone Number:

Fax Number:

Email Address:

Job Responsibilities:

### EDUCATION

High School Name:

Location:

Years Completed:

Major/Degree:

College Business or Trade School:

Location:

Years Completed:

Major/Degree:

Professional School:

Location:

Years Completed:

Major/Degree:

Other:

Location:

Years Completed:

Major/Degree:

## APPLICANT INFORMATION

Have you ever held a business tax receipt?      Yes      No      *If yes, please provide the following:*

Title:

Issue Date:

Issuing Authority:

*If any disciplinary action has been taken, please state the type and date of the action taken:*

Disciplinary Action:

Disciplinary Date:

Are you a resident of the City?      Yes      No      *If yes, how long?*      Years      Months

How long have you been a resident of Brevard County?      Years      Months

Are you a United States citizen?      Yes      No

Are you a registered voter of the City?      Yes      No

Are you employed by the City?      Yes      No      *If yes, what department?*

Do you presently serve on a City board(s)?      Yes      No      *If yes, please list board(s):*

Have you previously served on a City board(s)?      Yes      No      *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

Yes      No      *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge?      Yes      No      *If yes, what charge:*

*Where:*

*When:*

*Disposition was:*      Convicted      Pled Guilty      Pled No Contest

Have your civil rights been restored?      Yes      No

Are you a member or participant of any community organizations?      Yes      No

*If yes, please list:*

What are your hobbies / interests?

Why do you want to serve on this board / committee?

Section 760.80, Florida Statutes, requires certain information on statutorily created boards to be filed on an annual basis. Please complete the following.

Race:

Gender:

Physically Disabled:

## APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests if required for this board.  
<http://www.ethics.state.fl.us>
4. If appointed to a board/committee, I acknowledge that it is my obligation and duty to comply with the following:  
Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)  
Florida Sunshine Law (Florida Statutes, Chapter 286)  
<http://www.flsenate.gov/Statutes>
5. I understand the responsibilities associated with being a board/committee member, and I will have adequate time to serve on this board/committee.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature: 

Date:

Mail the application to:  
City of Palm Bay  
Office of the City Clerk  
120 Malabar Road, SE  
Palm Bay, Florida 32907

Fax the application to:  
321-953-8971



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Brian Robinson, Information Technology Director

**DATE:** 11/5/2020

**RE:** Consideration of an agreement with Automated Merchant Systems (AMS)/InvoiceCloud to process electronic payment transactions.

On May 1, 2014, City Council authorized the City Manager to negotiate and execute an agreement with Automated Merchant Systems (AMS) to process electronic payment transactions via CentralSquare Click2Gov platform. AMS at the time was the preferred integrator with the Central Square (then SunGard) HTE ERP component of Click2Gov. In the last 4-years, the City experienced four (4) security incidences with the Click2Gov platform. The security incident was directly related to Click2Gov, not AMS. Since then staff has contacted several vendors to explore other options to replace the Click2Gov application.

After an extensive review of the product and competing products in the market, staff is recommending the migration to AMS integration with InvoiceCloud via amendment to our existing AMS contract. AMS InvoiceCloud will extend our current online processing contract to replace the Click2Gov portion. InvoiceCloud has been providing a complete, simple, and secure electronic bill presentment and payment solution for over 11-years. Their Software as a Service (SaaS) platform provides flexible and always-up-to-date online payment solutions that can be configured to meet the unique needs of the City. The simple-to-use interface engages customers throughout the payment process to deliver a high e-payment adoption rate. InvoiceCloud has over 2,100 municipal and Utility clients in all 50 states with over \$8 billion processed payments in 2019. Invoice Cloud provides a secure, private and Payment Card Industry (PCI) Level 1 Compliant solution that is certified by Trustwave's Trust Commerce Program. Level 1 PCI compliance is the highest in the industry. Invoice Cloud maintains full compliance with Cardholder Information Security Program (CISP) regulations and National Automated Clearinghouse Association (NACHA) rules and guidelines, as well as Personally Identifiable Information (PII). Data is secure during collection and transmission via TLS with 256-bit encryption or better. InvoiceCloud is responsible for the security of all cardholder data in the IC system, relieving the City of all PCI requirements. IC uses two levels of encryption, called Double Encryption Methodology (DEM), even though only one is required by PCI.

The attached Citywide Payment Options summarizes the current and proposed credit card processing providers for different City departments. In summary: On January 3, 2019, City Council agreed that the utility department will continue absorbing credit card fees as an administrative cost of doing business. Council further motioned that the City will also absorb Business Tax Receipt (BTR) transaction fees. The AMS InvoiceCloud solution will continue the absorbed (City paid) credit card fee for those functions, and allow a service fee for Code Violations,

Finance Revenue and Land Development transactions. In addition, on December 5, 2019, Council approved the agreement with Cardknox. Once launched, Cardknox will process credit card transactions only for the Building Department (as it is now separate from the Growth Management Department), with fees absorbed by the cardholders.

The current agreement with AMS is ongoing unless terminated. Per the Procurement Ordinance 38.07, Council approval is required for a contract modification at this value. The proposed term of this amendment is three (3) years with a one (1) year automatic renewals.

Approval of this action allows the City to transition Utility and BTR transactions to the AMS/InvoiceCloud solution with an absorbed fee model while establishing Code Violations, Finance Revenue and Land Development transactions as a Service Fee of 2.95% directly between AMS and the cardholder.

**REQUESTING DEPARTMENT:**

Growth Management, Utilities, Finance, Procurement, Information Technology

**FISCAL IMPACT:**

Based on a fee analysis for the period of February - July 2020, the City can expect to absorb approximately \$131,745.20 over a six (6) months period, which equates to \$21,957.53 monthly. The expected implementation date is 60 – 90 days after agreement is signed.

**Six (6) Months Fee Analysis (February – July 2020)**

Finance	\$508.65
Finance Web	\$2,016.42
Utility	\$5,704.17
Utility IVR	\$34,977.51
Utility WEB	\$88,538.45
Total	<b>\$131,745.20</b>

**RECOMMENDATION:**

Motion to authorize the Acting City Manager to negotiate and execute the service Agreement with Automated Merchant Systems and InvoiceCloud to process electronic payment transactions.

**ATTACHMENTS:**

**Description**

**AMS IC Amendment to Agreement**

**AMS Palm Bay 6 Months Fee Analysis 07312020**

## **Amendment to Agreement**

THIS AMENDMENT ("Amendment") to that certain Merchant Processing Agreement by and between City of Palm Bay dated 6/26/2015 (the "Agreement") is made and entered into as of November 9, 2020 (the "Effective Date") by and among City of Palm Bay and Automated Merchant Systems, Inc. (AMS), and made a part of the Agreement. All terms used herein and not otherwise defined in this Amendment shall have the same meanings as set forth in the Agreement.

### **Recitals**

WHEREAS, City of Palm Bay and Automated Merchant Systems Inc. entered in the Agreement for Merchant Services & Software ( "PayConcierge"); and

WHEREAS, AMS is revising the existing Schedule A for the Merchant Services below; and

WHEREAS, City of Palm Bay has selected an Electronic Bill Presentment and Payment (EBPP) provider and will be moving forward with the Invoice Cloud solution integrated with Automated Merchant Systems PayConcierge.

WHEREAS, upon execution and the effective date of this Amendment, City of Palm Bay EBPP payment services under the terms of Schedule B to this Amendment ("Invoice Cloud Services").

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, and incorporating by reference the recitals above, the parties hereto, stipulate and agree to the following:

### **Terms & Conditions:**

1. AMS agrees to provide and the City of Palm Bay agrees to utilize the Invoice Cloud Services pursuant to the terms and conditions of Schedule B (which includes the Biller Order Form, the Invoice Cloud Biller Agreement and the Invoice Cloud Statement of Work). The provision of Invoice Cloud Services shall become effective upon the City of Palm Bay's execution of this Amendment and the Biller Order Form, and acceptance of the Biller Order Form by Invoice Cloud, Inc. The fees stated in Schedule A are independent of the fees to be paid to Invoice Cloud.
2. The term of this Amendment with respect to Invoice Cloud Services shall be consistent with the term of Biller Agreement which is set forth in Schedule B.
3. Except as modified herein, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties accept and agree to the terms of this Agreement.

**Automated Merchant Systems, Inc.**

**City of Palm Bay**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## Schedule A

You agree to pay all Payment Brand fees, transaction processing costs and other processing fees on debit and credit transactions as set forth herein. You authorize and direct Member Bank to charge such fees and costs to you by monthly debit through the ACH system to your designated DDA account. For a list of Merchant Interchange Rates, refer to <https://www.automatedmerchant.com/rateschedule.html>. Nothing in this Section shall be deemed to alleviate or reduce any of your other obligations under the Agreement, including, but not limited to, your responsibilities with regard to Penalties and Dispute Items and your obligation to pay early termination fees, if applicable, pursuant to Section 10 of the Payment Processing Agreement.

### **Non-Program Location Fees, Third-Party Costs, and Dispute Item Costs**

Setup Fee	Monthly Statement	Monthly Minimum	Chargebacks	ACH Rejects	Breach Assurance	Optional Reporting
\$ waived	\$ 7.50	\$ 10.00	\$ 15.00	\$ 30.00	\$ 9.95 Per	\$8.00
Early Termination Fee See Section 10					\$100,000.00	Per User

### **Per Transaction Fees**

#### **Visa, Mastercard, Discover, & American Express**

	Auth / Decline	Capture	Interchange Markup	Non-PCI Markup	Voice Auth
Credit	\$ 0.10	\$ 0.05	0.15 %	0.00 %	\$ 0.75
Debit	\$0.10	\$ 0.05			
PIN	\$ 0	N / A	N / A	N / A	N / A

### **PCI Compliant Internet Gateway Third-Party Costs**

Gateway	Setup Fee	* Monthly Fee	* Per Transaction	* Threshold
USAePay	\$ 150.00	\$ 20.00	\$ 0.10	250
BridgePay	Waived	Waived	\$ 0.10	0
Plug-N-Pay	\$ 150.00	\$ 15.00	\$ 0.075	200
Authorize.net	\$ 100.00	\$ 20.00	\$ 0.10	0
* TNSI Synapse	N / A	\$ 20.00	\$ 0.10	0

\* Monthly Fee: includes standard features, adding features may increase the monthly fee.

\* Per Transaction Fee only applies after transaction Threshold exceeded per month.

\* TNSI Synapse allows supported wireless terminals to connect using GPRS / CDMA modems.

### **The Service Fee Schedule**

You understand and acknowledge you have elected to participate in the Service Fee Program (the "Program"). The Program allows registered and approved merchants (approved Merchant IDs or MIDs) to assess a variable service fee (a "Service Fee") on certain debit and credit card transactions. Registration and participation in the Program is subject to approval by the applicable Payment Brands and you acknowledge that you may not be eligible to participate in the Program. If registration and Payment Brand approval is obtained, you agree to comply with all Program requirements. ISO (AMS) may terminate, amend, modify or otherwise alter this Agreement, the Program, or the structure, nature or amount of the Service Fee at any time with written notice to you. You authorize and direct Member Bank to settle the proceeds received for Service Fees into the ISO's bank account. In the event you receive any portion of the Service Fees, you agree to promptly pay such amounts to ISO. **Service Fees collected by ISO will be retained by ISO and you will not be responsible for the payment of any Fees or Third-Party Costs except the Fees disclosed below.** Nothing in this Section shall be deemed to alleviate or reduce any of your other obligations under the Agreement, including, but not limited to, your responsibilities regarding Penalties and Dispute Items and your obligation to pay early termination fees, if applicable, pursuant to Section 10 of the Merchant Processing Agreement.

The following Merchant Locations are participating in the Service Fee Program:

Merchant Location	Merchant ID
Palm Bay Code Web	730286534
Palm Bay Finance	730286547
Palm Bay Finance Web	730286550
Palm Bay Building	730286482
Palm Bay Public Works	730286563
Palm Bay Building Web	730286495
Palm Bay Code	730286521

The following Service Fee will apply and be paid by Merchant's customers:

Transaction Type	Service Fee
Visa, Mastercard and Discover	2.95% on all transactions

In addition, the following fees apply:

**Chargebacks, ACH Returns and Optional Reporting  
Item Costs**

Chargebacks	ACH Rejects	Optional Monthly Reporting Fee
\$15.00	\$30.00	\$8.00 per User

**Merchant:** City of Palm Bay

**Signature of Authorized Signer**

**Date**

**Print Name**

**Title**



## SALES INFORMATION

IC Sales Rep	Matthew Edwards			Vertical Software Partner	Utility
Order Date	9/16/2020	Sales Partner	AMS		Central Square (Sungard)

## PRODUCTS AND SERVICES

Products	[EBPP] [IVR]
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## PAYMENT METHODS ACCEPTED

Payment Types	[American Express] [VISA/Mastercard/Discover] [ACH/EFT]
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## BILLER INFORMATION

Ownership Type	Government			Phone	(321) 952-3400	Fax	
Legal Name	City of Palm Bay			Website URL	https://www.palmbayflorida.org/		
Address 1	120 Malabar Road Southeast			Bus. Open Date	1/16/1960		
Address 2				Federal Tax ID	59-6018984		
City	Palm Bay			<i>*Federal Tax ID and Legal Name must match on all documents</i>			
State	FL	ZIP	32907				

## BILLER CONTACT

Primary Contact Name	Dionne Simpson	
Phone	(321) 952-3400	
Email Address	dionne.simpson@palmbayflorida.org	

## SIGNING AUTHORITY

Name		Title	
Phone		Fax	
		Email Address	

## BILLER PRICING

Description	Interval	Cost Type	Cost
IC Payment Transaction Fee - Credit Card	Per Transaction	Fixed (\$)	\$0.60
IC Payment Transaction Fee - EFT	Per Transaction	Fixed (\$)	\$0.60
ACH Reject Fee Submitter (Chase)	Per Transaction	Fixed (\$)	\$10.00
IC IVR Payment Transaction Fee - Credit Card	Per Transaction	Fixed (\$)	\$0.50
IC IVR Payment Transaction Fee - EFT	Per Transaction	Fixed (\$)	\$0.50

## HARDWARE

Card Reader Type		Quantity		Cost per Reader	
Card Reader				Billing Interval	
Shipping Addr. (if different than location address)					

Kiosk Type	Device Quantity	Per Device Txn Min
Standard/In-Door		750
Thru-Wall		800
Outdoor Model		850

Note: Biller will be charged for the minimum number of transactions listed to left each month per kiosk unity. In addition, if the Biller's order includes kiosks then the terms and conditions of Kiosk Managed Standard SOW (and applicable schedules) are hereby agreed and incorporated by reference

**BILLER BANK INFO****Note: Must include voided business check or bank letter for each unique account**

Billing Method	Monthly Invoice (Net 30)	Bank Name	JPMorgan Chase Bank, NA
Name on Account	City of Palm Bay	Phone	214 965 3592
Bank Address	700 N Pearl St, FLR 15		
	Dallas, TX 75201		
Routing #	267084131	Last 4 Acct #	6336

**DATA RETENTION**

Months to Keep	24	*Additional Fees apply if greater than 24 months
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**NOTES/SPECIAL HANDLING****CERTIFICATION AND AGREEMENT**

- A. By signing below, the Biller hereby authorizes Invoice Cloud, Inc. ("Invoice Cloud") to initiate and execute debit/credit entries to its checking/deposit account(s) indicated above at the depository financial institution(s) named above and to debit/credit the same such account(s). The Biller acknowledges that the origination of ACH transactions to its account(s) must comply with the provisions of U.S. law. This authority is to remain in full force and effect until (i) Invoice Cloud has received written notification (by electronic or U.S. mail) from the Biller of its revocation in such time and manner as to allow Invoice Cloud a reasonable opportunity to act on it, but not less than 10 business days notice; and (ii) all obligations of the Biller to Invoice Cloud that have arisen under this Agreement and all other agreements have been paid in full. The Biller must also notify Invoice Cloud, in writing, (by electronic or U.S. mail) when a change in account number(s) or bank has occurred at which time this authorization shall apply to such new/changed account. This notification must be received within 10 business days of change. A fee will be charged for any returned ACH debits.
- B. By signing below, the Biller named: (1) has read, agreed to, and acknowledges receipt of the Biller Agreement, Biller T+C and other Order Forms executed by the Biller, and (2) certifies to Invoice Cloud that he/she is authorized to sign this Order Form; (3) certifies that all information and documents submitted in connection with this Order Form are true and complete; (4) authorizes Invoice Cloud or its agent to verify any of the information given, including credit references, and to obtain credit reports (including a spouse if in a community property state); (5) agrees to pay the Monthly Access Fee through the last day of the month following the effective date of termination as provided in the Billing Agreement; (6) agrees that Biller and each transaction submitted will be bound by the Order Form and the Biller Agreement in its entirety; (7) agrees that Biller will submit transactions only in accordance with the information in this Order Form and Biller Agreement and will immediately inform Invoice Cloud, by email (contracts@invoicecloud.com) if any information in this Order Form changes, and (8) the Biller agrees and understands that outstanding sums due and owing to Invoice Cloud, will be charged daily or monthly and debited from its current depository account. Non-sufficient funds for these debits are grounds for a change in fees or termination of this Agreement. In the event of non-payment of any sums due, Invoice Cloud reserves the right to withdraw such sums from the current depository account at any time to ensure payment of the same.
- C. Pay by Text: Standard data rates and text messaging rates may apply based on the payer's plan with their mobile phone carrier. Payer can opt out of text messaging at any time with Invoice Cloud. Partial payment or overpayment is not supported. Service fees may apply based on the biller set up with Invoice Cloud. Biller may not use the service for activities that violate any law, statute, ordinance or regulation.
- D. By signing below, the Biller hereby gives permission to Invoice Cloud to access his / her credit history via Trans Union, Equifax, or other credit-reporting agency.
- E. The Order Form and the Biller Agreement will become effective only when counter-signed by Invoice Cloud and upon execution by the Biller of such third party agreement required by Invoice Cloud to permit use of the payment function of the Service.

In WITNESS WHEREOF, the parties have executed this Agreement as of this day

Accepted by Biller:

X

Corporate Officer

Printed Name

Title

Accepted by Invoice Cloud, Inc.:

X

Robert Lapides

Corporate Officer

Robert Lapides

Printed Name

President

Title

## INVOICE PARAMETERS

Invoice Parameters must be completed for each invoice type

Invoice Type	Utility	Pricing Model	Non-Submitter
Biller Software	Central Square	Non-Submitter: Interchange Paid By	Biller

**BILLING DETAILS**

Please indicate which months bills are *sent* by placing the bill count for each month below:

Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
33000	33000	33000	33000	33000	33000	33000	33000	33000	33000	33000	33000

Avg Invoice \$ 95.00    Max Invoice \$    Bill Frequency Monthly    BPM 33000

**SERVICE FEES**

Payment Source Description	Payment Method	Minimum Fee (\$) per Transaction	Calculation Type	Fee Amount

**PAYMENT SOURCE EXCEPTIONS**

**MAX PAYMENT CAP**

CC Max		ACH Max (\$)	125000.00
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**BILLER DEPOSITORY BANK INFO**

Note: must include voided business check or bank letter for each unique account

Routing #	267084131	Last 4 Acct #	6336
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**NOTES/SPECIAL HANDLING**

## Biller Agreement

**1. License Grant & Restrictions.** Subject to execution by Biller of the Invoice Cloud Biller Order Form incorporating this Agreement, Invoice Cloud hereby grants Biller a non-exclusive, non-transferable, worldwide right to use the Service described on the Biller Order Form until termination as provided herein, solely for the following purposes, and specifically to bill and receive payment from Biller's own customers, for Services that are referenced in the Biller Order Form. All rights not expressly granted to Biller are reserved by Invoice Cloud and its licensors.

Biller will provide to Invoice Cloud all Biller Data generated for Biller's Customers. Unless otherwise expressly agreed to in writing by Invoice Cloud to the contrary, Invoice Cloud will process all of Biller's Customers' Payment Instrument Transactions requirements related to the Biller Data and will do so via electronic data transmission according to our formats and procedures for each electronic payment type selected in the Biller Order Form. In addition, Biller will sign all third party applications and agreements required for the Service including without limitation payment and credit card processing agreements and merchant agreements. For invoice types listed on the Order Form (e.g. real estate taxes, utility bills, parking tickets, insurance premium, loans, etc.), Biller will not use the credit card processing, ACH or check processing of any bank, payment processor, entity, or person, other than Invoice Cloud via electronic data transmission or the authorization for processing of Biller's Customers' Payment Instrument Transactions for each electronic payment type selected in the Biller Order Form throughout the term of this Agreement.

Biller shall not: (i) license, sublicense, sell, resell, transfer, assign, distribute or otherwise commercially exploit or make available to any third party the Service in any way; (ii) modify or make derivative works based upon the Service; (iii) Recreate, "frame" or "mirror" any portion of the Service on any other server or wireless or Internet-based device; (iv) reverse engineer or access the Service; or (v) copy any features, functions or graphics of the Service.

**2. Privacy & Security.** Invoice Cloud's privacy and security policies may be viewed at <http://www.invoicecloud.com/privacy.html>. Invoice Cloud reserves the right to modify its privacy and security policies in its reasonable discretion from time to time which modification shall not materially adversely impact such policies. Invoice Cloud will maintain compliance with current required Payment Card Industry (PCI) standards and Cardholder Information Security standards.

**3. Account Information and Data.** Invoice Cloud does not and will not own any Customer Data, in the course of providing the Service. Biller, not Invoice Cloud, shall have sole responsibility for the accuracy, quality, integrity, legality, and reliability of, and obtaining the intellectual property rights to use and process all Customer Data. In the event this Agreement is terminated, Invoice Cloud will make available to Biller a file of the Customer Data within 30 days of termination of this Agreement (or at a later time if required by applicable law), if Biller so requests at the time of termination. Invoice Cloud reserves the right to remove and/or discard Customer Data with 30 days' notice except as prohibited by applicable law or in the event of exigent circumstances which makes prior notice impracticable, and in which case, notice will be provided promptly thereafter.

**4. Confidentiality / Intellectual Property Ownership.** Invoice Cloud agrees that it may be furnished with or otherwise have access to Customer Data that the Biller's customers considers confidential. Invoice Cloud agrees to secure and protect the Customer Data in a manner consistent with the maintenance of Invoice Cloud's own Confidential Information, using at least as great a degree of care as it uses to maintain the confidentiality of its own confidential information, but in no event use less than commercially reasonable measures. Invoice Cloud will not sell, transfer, publish, disclose, or otherwise make available any portion of the Customer Data to third parties, except as required to perform the Services under this Agreement or otherwise required by applicable law.

Invoice Cloud (and its licensors, where applicable) owns all right, title and interest, including all related Intellectual Property Rights, in and to the Invoice Cloud Technology, the Content and the Service and any enhancement requests, feedback, integration components, suggestions, ideas, and application programming interfaces, recommendations or other information provided by Biller or any other party relating to the Service. In the event any such intellectual property rights in the Invoice Cloud Technology, the Content or the Service do not fall within the specifically enumerated works that constitute works made for hire under applicable copyright laws or are deemed to be owned by Invoice Cloud, Biller hereby irrevocably, expressly and automatically assigns all right, title and interest worldwide in and to such intellectual property rights to Invoice Cloud. The Invoice Cloud name, the Invoice Cloud logo, and the product names associated with the Service are trademarks of Invoice Cloud or third parties, and no right or license is granted to use them.

## PUBLIC RECORDS

The City is a public agency subject to Chapter 119, Florida Statutes. The Contractor shall comply with Florida's Public Records law. Specifically, the Contractor shall:

- a. Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform this service.

## Biller Agreement

- b. Provide the agency with access to public records at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes or as otherwise provided by law.
- c. Ensure that public records that are exempt or that are confidential and exempt from public record requirements are not disclosed except as authorized by law; and
- d. Meet all requirements for retaining public records and transfers to the City, at no cost, all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt. All records stored electronically must be provided to the City in a format that is compatible with the information technology systems of the City.

The failure of the Contractor to comply with the provisions set forth in this section shall constitute a material breach of Agreement and shall be cause for immediate termination of the Agreement.

**If the Contractor has questions regarding the application of Chapter 119 Florida Statutes, to the contractor's duty to provide public records relating to this contract, contact the custodian of public records at the City of Palm Bay purchasing and Contracts Division, 120 Malabar Road, SE, Palm Bay, Florida 32907; 321-952-3424; or [procurement@pbfl.org](mailto:procurement@pbfl.org).**

Biller agrees that during the course of using or gaining access to the Service (or components thereof) it may be furnished with or otherwise have access to information that Invoice Cloud considers to be confidential including but not limited to Invoice Cloud Technology, customer and/or prospective customer information, product features and plans, marketing/sales collateral, pricing and financial information of the parties which are hereby deemed to be Invoice Cloud Confidential Information, or any other information that by its very nature constitutes information of a type that any reasonable business person would conclude was intended by Invoice Cloud to be treated as proprietary, confidential, or private (the "Confidential Information"). Biller agrees to secure and protect the Confidential Information in a manner consistent with the maintenance of Invoice Cloud's rights therein, using at least as great a degree of care as it uses to maintain the confidentiality of its own confidential information, but in no event use less than reasonable efforts. Assertions of trade secrets will be handled pursuant to Chapter 119, Florida Statutes. Biller will not sell, transfer, publish, disclose, or otherwise make available any portion of the Confidential Information of the other party to third parties (and will ensure that its employee and agents abide by the requirements hereof), except as expressly authorized in this Agreement or otherwise required by applicable law.

**5. Billing and Renewal.** Invoice Cloud fees for the Service are provided on the Biller Order Form. Invoice Cloud's fees are exclusive of all taxes, levies, or duties imposed by taxing authorities, Invoice Cloud may assess and/or collect such taxes, levies, or duties against Biller and Biller shall be responsible for payment of all such taxes, levies, or duties, excluding only United States (federal or state) taxes based solely on Invoice Cloud's income. All payment obligations are non-cancellable and all amounts or fees paid are non-refundable. Unless Invoice Cloud in its discretion determines otherwise, all fees will be billed in U.S. dollars. If Biller believes Biller's bill or payment is incorrect, Biller must provide written notice to Invoice Cloud within 60 days of the earlier of the invoice date, or the date of payment, with respect to the amount in question to be eligible to receive an adjustment or credit; otherwise such bill or payment is deemed correct. Invoice Cloud reserves the right to modify any pricing with respect to fees owed by the Biller upon thirty days written notice to Biller based on increases incurred by Invoice Cloud on fees, assessments, and the like from credit card processors, bank card issuers, payment associations, ACH and check processors.

**6. Term and Termination.** The initial term of this Agreement shall commence of the execution date of the Biller Order Form and continue for a period of three (3) years after the date that the first transactions are processed through the Service ("**Initial Term**") and will automatically renew for each of additional successive one (1) year terms ("**Renewal Term**") unless terminated as set forth herein. This Agreement may be terminated by either party effective at the end of the Initial or any Renewal Term by such party providing written notice to the other party of its intent not to renew no less than ninety (90) days prior to the expiration of the then-current term. Additionally, this Agreement may be terminated by either party with cause in the event of a material breach of the terms of this Agreement by the other party and the breach remains uncured for a period of 30 days following receipt of written notice by the breaching party. For example, any unauthorized use of the Invoice Cloud Technology or Service by Biller, or its authorized users will be deemed a material breach of this Agreement. Upon any early termination of this Agreement by Invoice Cloud as a result of the breach, Biller shall remain liable for all fees and charges incurred, and all periodic fees owed through the end of the calendar month following the effective date of termination. Upon any termination or expiration of this Agreement, Biller's password and access will be disabled and Biller will be obligated to pay the balance due on Biller's account computed in accordance with the Charges and Payment of Fees section above. Biller agrees that Invoice Cloud may charge such unpaid fees to Biller's Debit Account or credit card or otherwise bill Biller for such unpaid fees.

**7. Invoice Cloud Responsibilities.** Invoice Cloud represents and warrants that it has the legal power and authority to enter into this Agreement. Invoice Cloud warrants that the Service will materially perform the functions that the Biller has selected on the Order Form under normal use and circumstances and that. Invoice Cloud shall use commercially reasonable measures with respect to Customer Data to the extent that it retains such, in the operation of the Service; provided that the Biller shall maintain immediately accessible backups of the Customer Data. In addition, Invoice Cloud will, at its own expense, as the sole and exclusive remedy with respect to performance of the Service, correct any Transaction Data to the extent that such errors have been caused by Invoice Cloud or by malfunctions of Invoice Cloud's processing systems.

**8. Limited Warranty** EXCEPT AS PROVIDED IN SECTION 7, THE SERVICES AND ALL CONTENT AND TRANSACTION DATA IS PROVIDED WITHOUT ANY EXPRESS, OR IMPLIED WARRANTY, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND ALL OTHER WARRANTIES ARE HEREBY DISCLAIMED TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW BY INVOICE CLOUD AND ITS LICENSORS AND PAYMENT PROCESSORS. INVOICE CLOUD AND ITS LICENSORS AND PAYMENT PROCESSORS DO NOT REPRESENT OR WARRANT THAT (A) THE USE OF THE SERVICE WILL BE UNINTERRUPTED OR ERROR-FREE, OR OPERATE IN COMBINATION WITH ANY OTHER HARDWARE, SOFTWARE, SYSTEM OR DATA, (B) THAT THE SERVICE WILL NOT DELAY IN PROCESSING OR PAYING, OR (C) THE SERVICE WILL MEET REQUIREMENTS WITH RESPECT TO SIZE OR VOLUME. Invoice Cloud's service may be subject to limitations, delays, and other problems inherent in the use of the internet and electronic communications. Invoice cloud is not responsible for any delays, delivery failures, or other damage resulting from such problems.

**9. Biller's Responsibilities.** Biller represents and warrants that it has the legal power and authority to enter into this Agreement. Biller is responsible for all activity occurring under Biller's accounts and shall abide by all applicable laws, and regulations in connection with Biller's and/or its customers' and/or any payers' use of the Service, including those related to data privacy, communications, export or import of data and the transmission of technical, personal or other data. Biller represents and warrants that Biller has not falsely identified itself nor provided any false information to gain access to the Service and that Biller's billing information is correct. Biller shall: (i) notify Invoice Cloud immediately of any unauthorized use of any password or account or any other known or suspected breach of security; (ii) report to Invoice Cloud and immediately stop any copying or distribution of Content that is known or suspected to be unauthorized by Biller or Biller's Users; and (iii) obtain consent from Biller's customers and payers to receive notifications and invoices from Invoice Cloud. Invoice Cloud is not responsible for any Biller postings in error due to delayed notification from credit card processor, ACH bank and other related circumstances. Biller agrees and acknowledges that in the event that Biller has access to, receives from, creates, or receives protected health information, or Biller has access to, creates, receives, maintains or transmits on behalf of electronic protected health information (as those terms are defined under the privacy or security regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and Subtitle D of the Health Information Technology for Economic and Clinical Health Act provisions of the American Recovery and Reinvestment Act of 2009 ("ARRA"), during the performance under this Agreement, it will comply with all such law, regulations and rules related thereto.

Biller is required to ensure that it maintains a fair policy with regard to the refund, return or cancellation of services and adjustment of Transactions. Biller is also required to disclose all refund, return and cancellation policies to Invoice Cloud and any applicable payment processors and Biller's Customers, as requested. Any change in a return/ cancellation policy must be submitted to Invoice Cloud, in writing, not less than 21 days prior to the effective date of such change. If Biller allows or is required to provide a price adjustment, or cancellation of services in connection with a Transaction previously processed, Biller will prepare and deliver to Invoice Cloud Transaction Data reflecting such refund/adjustment within 2 days of resolution of the request resulting in such refund/adjustment. The amount of the refund/adjustment cannot exceed the amount shown as the total on the original Transaction Data. Biller may not accept cash or any other payment or consideration from a Customer in return for preparing a refund to be deposited to the Customer's account; nor may Biller give cash/check refunds to a Customer in connection with a Transaction previously processed, unless required by applicable law

**10. Indemnification.** Invoice Cloud shall indemnify and hold Biller, employees, attorneys, and agents, harmless from any losses, liabilities, and damages (including, without limitation, Biller's costs, and reasonable attorneys' fees) arising out: (i) failure by Invoice Cloud to implement commercially reasonable measures against the theft of the Customer Data; or (ii) its total failure to deliver funds processed by Invoice Cloud as required hereunder (which relates to payments due from Invoice Cloud for Transaction Data). This indemnification does not apply to any claim or complaint relating to Biller's failure to resolve a payment dispute concerning debts owed to Biller or Biller's negligence or willful misconduct or violation of any applicable agreement or law.

## **11. Fees.**

Invoice Cloud will not charge fees related to the initial setup, initial implementation and personalization of its standard Service unless a fee is included in the Biller Order Form. Invoice Cloud will charge the Biller or payer fees as provided in the Biller Order Form. In addition, Invoice Cloud reserves the right to charge for changes to the setup, implementation or personalization performed after the completion of initial setup or implementation and any other requested work or changes including the following services, at its then standard rates:

- new file/biller set up
- template changes
- custom reports and other custom development
- new bill printer support

## Biller Agreement

- invoice file format changes resulting in revision of integration/data translation
- re-implementation of a site/system and/or new billing system
- payment file revisions
- loading pdfs and importing/loading invoices
- conversion of biller customer registrations/passwords (post initial implementation)
- balance forward of invoices
- other out of scope services

**12. Limitation of Liability.** INVOICE CLOUD'S AGGREGATE LIABILITY SHALL BE UP TO AND NOT EXCEED THE AMOUNTS ACTUALLY PAID BY AND/OR DUE FROM BILLER IN THE TWELVE (12) MONTH PERIOD IMMEDIATELY PRECEDING THE EVENT GIVING RISE TO SUCH CLAIM. IN NO EVENT SHALL INVOICE CLOUD AND/OR ITS LICENSORS BE LIABLE TO ANYONE FOR ANY INDIRECT, PUNITIVE, SPECIAL, EXEMPLARY, INCIDENTAL, CONSEQUENTIAL (INCLUDING LOSS OF DATA, REVENUE, PROFITS, USE OR OTHER ECONOMIC ADVANTAGE) ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THIS SERVICE, EVEN IF THE PARTY FROM WHICH DAMAGES ARE BEING SOUGHT OR SUCH PARTY'S LICENSORS HAVE BEEN PREVIOUSLY ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. Certain states and/or jurisdictions do not allow the exclusion of implied warranties or limitation of liability for incidental, consequential or certain other types of damages, so the exclusions set forth above may not apply to Biller.

**13. Export Control.** The Biller agrees to comply with United States export controls administered by the U.S. Department of Commerce, the United States Department of Treasury Office of Foreign Assets Control, and other U.S. agencies.

**14. Notice.** Either party may give notice by electronic mail to the other party's email address (for Biller, that address on record on the Biller Order Form, or by written communication sent by first class mail or pre-paid post to the other party's address on record in Invoice Cloud's account information for Biller, and for Invoice Cloud, to Invoice Cloud, Inc., 30 Braintree Hill Office Park, Suite 303, Braintree, MA 02184 Attention: Client Services. Such notice shall be deemed to have been given upon the expiration of 48 hours after mailing or posting (if sent by first class mail or pre-paid post) or 12 hours after sending (if sent by email).

**15. Assignment.** This Agreement may not be assigned by either party without the prior written approval of the other party, but may be assigned without such party's consent to (i) a parent or subsidiary, (ii) an acquirer of assets, or (iii) a successor by merger. Any purported assignment in violation of this section shall be void.

## 16. Insurance.

Invoice Cloud agrees to maintain in full force and effect during the term of the Agreement, at its own cost, the following coverages:

- a. Commercial General or Business Liability Insurance with minimum combined single limits of One Million (\$1,000,000) each occurrence and Two Million (\$2,000,000) general aggregate.
- b. Umbrella Liability Insurance with minimum combined single limits of Five Million (\$5,000,000) each occurrence and Five Million (\$5,000,000) general aggregate.
- c. Automobile Liability Insurance with minimum combined single limits for bodily injury and property damage of not less than One Million (\$1,000,000) for any one occurrence, with respect to each of the Invoice Cloud's owned, hired or non-owned vehicles assigned to or used in performance of the Services.
- d. Errors and Omissions Insurance (Professional Liability and Cyber Insurance) with limits of liability of at least One Million Dollars (\$1,000,000) per claim and in the aggregate.

**17. Immigration Laws.** For Services performed within the United States, Invoice Cloud will assign only personnel who are either citizens of the United States or legally eligible to work in the United States. Invoice Cloud represents and warrants that it has complied and will comply with all applicable immigration laws with respect to the personnel assigned to the Biller.

**18. Beta Products.** In the event that there is any functionality labelled "Beta" on the Biller Order Form, such functionality is provided "AS IS" WITHOUT ANY EXPRESS, OR IMPLIED WARRANTY, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND ALL OTHER WARRANTIES ARE HEREBY DISCLAIMED TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW BY INVOICE CLOUD AND ITS LICENSORS AND PAYMENT PROCESSORS. INVOICE CLOUD'S AGGREGATE LIABILITY WITH RESPECT TO SUCH FUNCTIONALITY SHALL BE UP TO AND NOT EXCEED \$10.



## Biller Agreement

**19. General.** This agreement shall be governed by the laws of the State of Florida and Member Bank/Processor irrevocably and unconditionally agree that any action, suit or proceeding arising from or relating to this agreement must be brought in a state or federal court of competent jurisdiction in and for Brevard County, Florida.

With respect to Billers who are not with municipalities, localities or governmental authorities, this Agreement shall be governed by Massachusetts law and controlling United States federal law, without regard to the choice or conflicts of law provisions of any jurisdiction. No text or information set forth on any other purchase order, preprinted form or document (other than aBiller Order, if applicable) shall add to or vary the terms and conditions of this Agreement. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then such provision(s) shall be construed, as nearly as possible, to reflect the intentions of the invalid or unenforceable provision(s), with all other provisions remaining in full force and effect. No joint venture, partnership, employment, or agency relationship exists between Biller and Invoice Cloud as a result of this agreement or use of the Service. The failure of either party to enforce any right or provision in this Agreement shall not constitute a waiver of such right or provision unless acknowledged and agreed to by Invoice Cloud in writing. All rights and obligations of the parties in Sections 4, 6, 10, 12, 14, 18 and 19 shall survive termination of this Agreement. This Agreement, together with any applicable Biller Order Form, comprises the entire agreement between Biller and Invoice Cloud and supersedes all prior or contemporaneous negotiations, discussions or agreements, whether written or oral between the parties regarding the subject matter contained herein. Biller agrees that Invoice Cloud can disclose the fact that Biller is a paying customer and the edition of the Service that Biller is using.

Additional terms and conditions and definitions applicable to this Agreement and the Biller Order Form are found at [www.invoicecloud.com/termsandconditions](http://www.invoicecloud.com/termsandconditions) (the “Biller T+C”) and are agreed to by Invoice Cloud and the Biller.

**Schedule B**  
**Invoice Cloud**  
**Statement of Work**  
***City of Palm Bay***

**Overview**

The Invoice Cloud (IC) suite of services (The Service) will give the *City of Palm Bay* (Biller) and its customers the ability to accept online payments for invoiced and non-invoiced items. The Service will allow the *City of Palm Bay* to offer online payment processing in a securely hosted real-time environment. Customers will be able to locate, view and print bills or invoices and payment records online and pay using credit cards, debit cards, and electronic checks.

**Definitions:**

1. Biller – Merchant / *City of Palm Bay*
2. Payer – Client customer, resident, person paying a bill or invoice
3. EBPP – Electronic Bill Presentment & Payment
4. Bill – Bill and Invoice are used synonymously throughout this document
5. RTDR - Real-Time Data Refresh – collects and aggregates the data as soon as a user accesses a specific function
6. NTDR – Near-Time Data Refresh – integration that happens periodically; the data is collected immediately but it is not aggregated until later – data can be processed every day, every hour or even every few minutes

**1. Security and Industry Compliance**

Invoice Cloud maintains full compliance with current applicable Payment Card Industry (PCI) standards, Cardholder Information Security Program (CISP) regulations and National Automated Clearinghouse Association (NACHA) rules and guidelines. Invoice Cloud will abide by such guidelines for the security of all cardholder data that Invoice Cloud possesses.

- a. **PCI** - Invoice Cloud will provide compliant storage of Biller's customer payment information that is certified by Visa/MasterCard. Data security measures are addressed during collection and transmission via SSL with our patent pending encryption technology. All confidential information will be treated in accordance with the PCI standards.
- b. **Software as a Service (SaaS) Architecture** – All Biller customer financial and payment information and the invoice presentment and payment processing application is housed offsite from Biller.
- c. **Browser Compatibility** - Invoice Cloud supports the most current version of the industry's most common browsers.

**2. Data Integration**

Invoice Cloud does maintain an integration with *Central Square*. The integration for the *City of Palm Bay* will include the functionality found in Appendix B.

**3. Payer Portal**

The Payer Portal is an electronic bill presentment and online payment portal where a Biller's customer (Payer) can view a bill and then proceed, within the same user interface, to make an online payment.

- a. Invoice Cloud will present bills electronically through a payer portal that is branded for Biller or via an email notification, if the Payer provides an email address.
- b. The electronic invoice presentment will simulate the paper invoice Biller uses and will be available in PDF and/or html format.
- c. The Service may provide the Payer the option of making a payment via credit card (Visa, MasterCard, American Express and Discover) or electronic check (also referred to as ACH, e-check, EFT).
- d. The Service provides the Payer a one-time online payment option without registration, and the capability to register to access Payer's account history, schedule a payment, or set up AutoPay payments.
- e. A Payer will have the ability to choose their payment date (also known as scheduled payments).
- f. The system will accept partial, full, or overpayments as defined by the Biller.
- g. The Payer will register with the Service using the authentication method designated by Biller.

- h. Linking Accounts - After registering with the Service, the Payer will be able to login into their account(s). If the Payer has multiple accounts and uses the same authentication information for all accounts, the Payer will be able to link their account and view from a single registration. The Payer will then have the option to choose which account they would like to pay or view in further detail.
- i. The Payer will receive an email confirmation of payment after any payment process.
- j. The Payer will have the ability to search and access historical bills once they register with the Service. The Service will store twenty-four (24) months of rolling history from the point of Biller's first invoice file upload to the Service. This includes invoice history and account history.
- k. Biller has the option of allowing the Payer to pay via different payment methods which include online, IVR, IC Biller Portal, Pay by Text, CloudCSRConnect and CloudPOSConnect.
- l. Payers who have scheduled a payment or registered for AutoPay will receive email notification from the Service of pending payments.
- m. The Service includes shopping cart functionality.
- n. The Service will allow the Payer the option to elect paperless billing.
- o. A Payer registered for paperless billing will be automatically placed back on paper billing if their email address is undeliverable; notification of the Payer's undeliverable email address will be sent to Biller via email.
- p. The Service complies with Federal E-Signature Act for paperless billing and AutoPay by providing a system in which a Payer must confirm enrollment in paperless billing and/or AutoPay by responding to an email sent after the Payer registers for paperless billing and/or AutoPay through online self-service.

#### 4. **Biller Portal**

The Biller Portal is an administrative portal where Biller staff will have access to reporting, search customers, search invoices, search payments, initiate payments or credits, login as a Payer, modify email templates, etc.

- a. Biller can log in as the Payer on either the Biller or Payer Portal and make a payment on behalf of the Payer. There is an audit trail for who made the payment, and the source of every payment (CSR, Pay by Text, AutoPay, Web, IVR, etc.).
- b. Biller will have the capability of blocking future payments by specific Payer and payment method type (i.e. Credit Card or E-Check (ACH)).
- c. **Permissions** – The Biller Portal includes a table of role based permissions, determined by the Biller's System Administrator. Each permission is applied to a user ID on an individual basis to maximize flexibility. The system administrator can allow or disallow access to functions such as viewing data, creating reports, resending email notices, processing payments, credits or refunds, editing email templates and more. Since it is controlled by Biller administrator, changes can be made quickly on an as needed basis.
- d. **Administrative Email Notifications** - Biller may set up the system to send several administrative notifications and request system notifications be sent to multiple staff members. This allows different departments to get the information they need in a timely manner. The notifications include:
  - ACH Reject Notifications
  - Batch Close Notifications
  - Daily Management Report
  - File Processing Notifications
  - Month End Billing Invoice
  - Paperless Customer Email Bounce Daily Report
  - Request System Notifications (this is the ticketing system available in the Invoice Cloud payer portal).
  - Status Notifications (notifications of planned outages, new features, etc.)
- e. **Biller Controlled Configuration Options** – The Biller Portal includes several Biller controlled configurable options to customize the way payments and customer accounts are handled. The Biller will be able to configure for:
  - allowing Auto-Pay and scheduled payments
  - allowing customers to update their phone or mailing address through the payer portal
  - allowing customers to pay less than, or more than the balance due based on receivable type
  - updating Refund Policy description
  - updating customer service phone number

## 5. **Biller Portal - Reporting**

Biller can access a selection of pre-configured reports. Biller can request reports for daily, monthly, or date range activity. Most reports can be exported to excel files or scheduled for download as a custom report, as indicated by asterisk (\*) in the report name. All stored payment data is truncated, and this is reflected in all reports.

- a. Reports:
- b. Search Customers\*
- c. Search Invoices
- d. Search Payment Transactions\*
- e. Monthly Summary
- f. Registration Report\*
- g. Autopay Report\*
- h. Paperless Report\*
- i. Data Synchronization History
- j. EFT/ACH Rejects\*
- k. View Scheduled Payments\*
- l. Invoice File History
- m. Import Errors
- n. Daily Payments Received\*
- o. Total Outstanding Invoices
- p. Email Notification Summary
- q. Email Statistics
- r. Email Tracking
- s. Bounced Email Report
  - Email Statistics
  - Email Tracking
  - Bounced Email Report

## 6. **Payer Email Notifications**

Invoice Cloud provides a set of customizable email notification templates for each invoice type that are delivered for numerous events surrounding electronic invoice presentment and payment activity. Email notifications may be customized through the Biller Portal using a Word style editor and options to insert secure hyperlinks to website, links to electronic documents such as newsletter or bill inserts, and/or variable fields selected from the Biller's data file.

- a. Three (3) email notifications can be scheduled. The first notification is based on the number of days from the invoice due date. Second and third notifications will only be sent to Payers with an outstanding balance, a scheduled payment, or Payers who have signed up for Auto-Pay.
- b. At the discretion of Biller, Payer email notifications can be delivered for each of the following events.
  - First Invoice Email Notification
  - Second Invoice Email Notification
  - Third Invoice Email Notification
  - Payment Transaction Receipt
  - Declined Auto Pay Transaction
  - Late Fee Email Notification
  - Declined Scheduled Payment Notification
  - Registered Customer Welcome Email
  - AutoPay Registration Notification
  - Paperless Registration Notification
  - ACH Reject/Chargeback Notices (with reason codes and descriptors)
  - Credit Card Expiration Notification
  - Scheduled Payment Confirmation
  - AutoPay Reminder Notification
  - FlexPay Confirmation Notification
  - Scheduled Payment Reminder

- Paperless Off Confirmation
- Online Bank Direct Payment Receipt
- Check 21 Payment Receipt
- Linked Accounts First Notice Notification
- Linked Accounts Second Notice Notification
- Linked Accounts Third Notice Notification
- AutoPay Off Confirmation
- Conveyed Customer Notification
- Multiple Registered Customers Welcome Email
- Recurring Scheduled Payment Confirmation
- Recurring Scheduled Payment Canceled

## 7. **Business Rules**

The Invoice Cloud solution is designed for flexibility for customers and Billers. There are many rules currently available and we will also undertake the creation of new business rules as we both agree. Each bill type operates independently and can accept different payment types as well as other business rules. At Biller's option, multiple business rules can be applied to each bill type. Invoice Cloud provides flexibility regarding business rules to support specific needs, including:

- a. Ability to allow partial payments, over payments, full balance only, or late fees.
- b. Ability to allow payments beyond the due date - The service is designed to accommodate biller specific business rules like allowing payments beyond their due date.
- c. Ability to allow for multiple payment types for one customer for the same bill - The service allows multiple payment types from one customer for the same bill when partial payments are allowed. Credit/debit card and e-check (ACH) can be run separately and an unlimited number of remittance types can be used. For example, a customer can pay part of a bill with a checking account, another part with a credit card and the remainder with a second credit card of a different type.

## 8. **Implementation Process**

Invoice Cloud assigns an Implementations Manager (IM) to each Biller. The IM will be the Biller's primary contact during the implementation process and coordinates all necessary resources from Biller, Biller software company, Invoice Cloud, and any sub-contractors. The IM will provide the Biller with the following documents to facilitate the project:

- a. **New Biller Questionnaire & Questionnaire Key** – Documents critical information needed to setup and initiate the service including information on business rules and feature selection.
- b. **Project Timeline** – Details project schedule and milestones.
- c. **Testing & Training Plan** – This plan walks the Biller through a set of user acceptance testing criteria and facilitates training on the service.

## 9. **Support & Training**

- a. **Business Hours** – The business hours will be Monday through Friday from 8 a.m. to 8 p.m. Eastern Standard Time. Note: Biller Support hours are 8 a.m. to 8 p.m. EST. Payer Support hours are currently 8 a.m. to 4 p.m. EST.
- b. **Help Desk** - The Service will provide a helpdesk ticketing system for Biller within the Biller Portal to get help from Invoice Cloud client support team. This tool will allow Biller to track and retain resolutions for historical reference.
- c. **Payer Support** – The Payer Support is two tiered with Biller staff as the first line of support regarding account, registration and billing questions. Issues with the Invoice Cloud service operation or incorrect credit card charges will be routed to Invoice Cloud Client Support via telephone or a Biller helpdesk ticket.
- d. **Biller Support** - If Biller encounters an inquiry which they cannot resolve Biller will create a helpdesk support ticket. Invoice Cloud Customer Support will address the issue and if applicable provide training to Biller to allow the address of tickets in a timely matter; often within twenty-four (24) business hours. Biller and technical support is available during business hours.

- i. **Routine Technical Support** - Technical Support is available during business hours. Biller may call customer support directly; however, the use of the helpdesk ticketing system is encouraged as the preferred method of contact. Invoice Cloud staff views all tickets as they are submitted and routes them to the appropriate person for resolution.
- ii. **Emergency After-Hours Support** – The helpdesk service is monitored after business hours and emergency support issues are addressed within one (1) hour. An emergency support issue is defined as an issue involving the system being down and inoperable and does not include Payer payment issues. Biller may request email notification be provided in the event the system is down and inoperable.
- e. **Service Enhancements** - Most enhancements do not require action on the part of Biller. Upgrades as agreed are done at the Invoice Cloud server level, so there are no mandatory actions for Biller to take. Support levels are not affected by enhancements.
- f. **Biller Training**- Biller staff will be guided in how to use the system through in-house training, documentation, remote live sessions, and access to our client support team.
  - All standard training will be done remotely. Invoice Cloud’s training personnel will provide sessions for both Payer and Biller portals for Biller’s staff.
  - Separate training is conducted for Biller’s technical staff regarding the uploading of bill files and any other applicable processes.
  - Ongoing phone and Go-To-Meeting training will be provided during the first *month of use at no additional cost to Biller*.

## 10. **Marketing**

Invoice Cloud provides marketing support that our Billers can use to promote the EBPP and IC payment solutions to its Payers, at no charge. Invoice Cloud’s marketing group will schedule a 1-hour conference call to review Invoice Cloud’s recommended best practices for promoting the service. Sample templates will be provided for each item and customizations can be made upon request. The marketing collateral that Invoice Cloud provides may include:

- Bill Inserts
- Newsletters
- Envelope Teasers
- Pay Button Link
- Posters with Acrylic Stands for Payment Counters
- Business card sized take-away cards with QR code
- Local cable/TV station announcement

## 11. **CloudIVRConnect™**

The IC CloudIVRConnect allows Billers to accept payments via our interactive voice response system. It provides customers with 24-hour access to account status and billing information (total balance due, past due amount, last payment made, next billing date etc.). The following options are available:

- Provides for a toll-free call and a caller ID number set by the biller
- Supports messaging in both English and Spanish
- Provides for a customizable initial greeting (includes City/County/Company name) – all remaining prompts are standard
- Ability to pay with credit card (Visa, MasterCard, Discover, American Express), debit card, or eCheck (ACH)
- Replays information with Invoice Cloud generated confirmation #

## 12. **CloudSMSConnect™**

The IC CloudSMSConnect allows Billers to accept payments via SMS text messaging. The following options are available:

- Provides interactive registration and service sign-up confirmation
- Sends notification when new bills are available for payment
- Ability to pay with credit card (Visa, MasterCard, Discover, American Express), debit card, or eCheck (ACH)
- Allows for payment utilizing a stored-payment method

### 13. CloudStore™

The IC CloudStore allows Billers to accept payments for non-invoiced services like books, t-shirts, etc., fire, police, building permits, or activity programs. The following options are available:

- Accept electronic check and or credit/debit cards.
- Customer receives immediate email confirmation of payment.
- Department receives email notification of purchase event for instant fulfillment services.
- Ability to apply convenience fees, if required.
- Reporting by service type.
- Linked to Biller branded payment portal.
- Each service type can have its own online registration form.
- Can be setup to accept payments over the counter.

### 14. Online Bank Direct™

The IC Online Bank Direct (OBD) allows Billers to electronically import echeck (ACH) payments initiated from consumer bank bill sites. The following options are available:

- Auto-matching of payments with open invoices
- Email consumer a payment notification for those customers with an email address on file
- Ability to apply a single payment to multiple invoices
- Custom search capabilities to locate matching invoice(s)
- Electronic deposit of corresponding echecks

This SOW contains many products, services and payment methods. Only the specific products, services and payment methods selected by the **City of Palm Bay**, as outlined in the Biller Order Form, are included in the delivery of products, services, and payment methods.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

**City of Palm Bay**

**Invoice Cloud, Inc.**

By: \_\_\_\_\_

By: Robert Lapides

Printed Name: \_\_\_\_\_

Printed Name: Robert Lapides

Title: \_\_\_\_\_

Title: President, Invoice Cloud

Date: \_\_\_\_\_

Date: 11/11/2020

## **Appendix A: System Modifications**

As outlined below, Invoice Cloud has agreed to make the following changes to the setup and functionality of our platform:

**NONE**



## Appendix B:

Sungaurd/AMS	Sungaurd	
<b>PRODUCTS</b>		
EBPP	Supported	
Invoice Types	#42 - Utility, #8 Real Estate	
IVR	Supported	
Pay by Text	Supported	
Cloud POS Connect	Not Supported	
Cloud CSR Connect	Not Supported	
KIOSK	Not Supported	
<b>DATA EXCHANGE</b>	<b>Method</b>	<b>Frequency</b>
Invoices	FTP/Pay Concierge	Each Billing Cycle
Payments	Data Pump/Pay Concierge	Near Time
AutoPay Flags	Data Pump/Pay Concierge	Near Time
Paperless Flags	Data Pump/Pay Concierge	Near Time
Account Balances	RTDR/Pay Concierge	Real Time
Block Payment Method (Credit/ACH)	Web Services/Pay Concierge	As Needed
<b>INVOICE FILES</b>		
IC Translates file	Supported	
Historical Data (2 years shown online)	Supported	
<b>BILL PRESENTMENT</b>		
PDF Extraction (Partial/Full)	Not Supported	
Templates	Not Supported	
Link to PDFs	Supported	
<b>BATCH CLOSE</b>		
Standard or Custom	Custom	
<b>CUSTOM OPTIONS</b>		
Single Sign-on	Not Supported	
Branded Biller Portal	Supported	
Branded Payer Portal	Supported	

## Appendix C: Biller Deliverables

Deliverable
Sample Invoice File (BIF)
Web services installed/Pay Concierge
Auto Pay Conversion data if applicable
Paperless conversion data if applicable

**AMS Confidential Transaction Information for the City of Palm Bay, Florida**

Account	AMS Fees	thru IC	Sales Counts	Sales Volume	Fee	%	AvgTkt
BUILDING	\$3,776.13	\$4,184.13	680	\$166,901.79	\$6.15	2.51%	\$245.44
BLDG WEB	\$64,822.87	\$66,644.47	3,036	\$2,291,441.12	\$21.95	2.91%	\$754.76
CODE	\$164.70	\$164.70	0	\$0.00	\$0.00	0.00%	\$0.00
CODE WEB	\$645.77	\$669.17	39	\$29,793.30	\$17.16	2.25%	\$763.93
FINANCE	\$386.85	\$508.65	203	\$18,186.06	\$2.51	2.80%	\$89.59
FINANCE WEB	\$1,672.02	\$2,016.42	574	\$70,741.10	\$3.51	2.85%	\$123.24
UTILITY	\$3,928.17	\$5,704.17	2,960	\$352,894.51	\$1.93	1.62%	\$119.22
UTILITY IVR	\$21,809.31	\$34,977.51	21,947	\$1,965,206.41	\$1.59	1.78%	\$89.54
UTILITY WEB	\$60,187.85	\$88,538.45	47,251	\$4,298,326.00	\$1.87	2.06%	\$90.97

2.95%

Without Invoice Cloud

Account	AMS Fees
BUILDING	\$3,776.13
BLDG WEB	\$64,822.87
CODE	\$164.70
CODE WEB	\$645.77
FINANCE	\$386.85
FINANCE WEB	\$1,672.02
UTILITY	\$3,928.17
UTILITY IVR	\$21,809.31
UTILITY WEB	\$60,187.85

Sales Counts	Sales Volume	Fee	%	AvgTkt
680	\$166,901.79	\$5.55	2.26%	\$245.44
3,036	\$2,291,441.12	\$21.35	2.83%	\$754.76
0	\$0.00	\$0.00	0.00%	\$0.00
39	\$29,793.30	\$16.56	2.17%	\$763.93
203	\$18,186.06	\$1.91	2.13%	\$89.59
574	\$70,741.10	\$2.91	2.36%	\$123.24
2,960	\$352,894.51	\$1.33	1.11%	\$119.22
21,947	\$1,965,206.41	\$0.99	1.11%	\$89.54
47,251	\$4,298,326.00	\$1.27	1.40%	\$90.97

2.95%



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Suzanne Sherman, Acting City Manager

**DATE:** 11/5/2020

**RE:** Consideration of Fiscal Year 21 budget modifications based on increase in state shared revenues (\$525,673).

As the City was in the process of adopting the FY 21 budget, the State of Florida provided updated projections for state shared revenues, which will be fully reflected in the first quarter budget amendment in January 2021. The total additional revenue to be recorded is \$1,472,760, as reflected in the attachment. The purpose of this agenda item is to request City Council consideration to allocate a portion of this additional revenue within the FY 21 Budget for the following department needs:

**Parks:** Estimate to remove and replace the old slide infrastructure at the Aquatic Center (\$130,000)

**Facilities:** Allocate funding for the Tradesworker position that was unfunded during the budget process (\$72,000); fund a new Construction Project Manager position (\$109,673); includes \$86,000 salary/benefits, \$21,000 vehicle purchase, \$2,673 start up costs; increase Overtime budget to cover normal on-call costs for the year (\$10,000); increase Building Repairs budget to address maintenance project needs at various City facilities (\$65,000).

**Community & Economic Development:** Upgrade Administrative Assistant to Economic Development Assistant (\$5,000)

**Information Technology:** Restore funding to PC Replacements budget that was removed due to originally projected budget shortfalls (\$40,000); replace the Storage Area Network (SAN) hardware as the current SANs have reached the equipment end of life cycle (\$94,000).

With the exception of the Aquatic Center slide replacement and the Construction Project Manager position, all other items were originally planned for inclusion in the FY 21 budget, but were eliminated to balance the budget when lower state revenue projections were provided.

**REQUESTING DEPARTMENT:**  
City Manager's Office

**FISCAL IMPACT:**

Total budgetary impact of \$525,673 (Parks \$130,000; Facilities \$256,673; IT \$134,000; C&ED \$5,000), with funding and detail breakout of line item allocations to be provided in the first quarter budget amendment in January 2021.

**RECOMMENDATION:**

Motion to approve the allocation of funding in the FY 21 budget as presented.



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Suzanne Sherman, Acting City Manager

**THRU:** Frank Watanabe, Public Works Director, City Engineer

**DATE:** 11/5/2020

**RE:** Consideration of an engineering assessment of Unit 49 road paving to determine the construction cost and funding impact to advance Unit 49 to Year 3 of the Road Paving Program.

At the July 2020 City Council meeting, Unit 49 Road Paving was discussed by Council to advance it from Year 5 to Year 3 of the Road Paving Program. With the support of Council, direction was given to staff to request the Infrastructure Advisory Oversight Board (IAOB) for a review and determination of the advancement for Unit 49 Road Paving to Year 3.

At the September 28, 2020 IAOB meeting, the board discussed moving Unit 49 from Year 5 to Year 3. Unit 49 has approximately 29.7 miles of roadway with an average Pavement Condition Index (PCI) of 22.7, which is low on the spectrum. Due to the low PCI rating the recommendation for the treatment in Unit 49 is Full Depth Reclamation (FDR).

Engineering staff stated the original construction cost estimate of \$12.6 million was a very rough cost estimate and the actual construction cost would be much higher based on recent experience from the Unit 31 & 32 Road Paving requiring FDR construction, which identified poor soil conditions and high water table for this area. The sandy soil condition will require the FDR construction to use a higher ratio of cement as well as the hauling in of asphalt millings which will increase the original construction cost. The higher construction cost for Unit 49 may impact the availability of funding for the current Year 3 units and is anticipated to result in changes to the timing of funding draw downs. With this information, the majority of IAOB members had concerns of potentially impacting the timing and funding for Year 3 and did not see the justification for advancing Unit 49 to Year 3.

Public Works is requesting Council authorization to conduct an engineering assessment of Unit 49 to determine the actual construction cost and funding impact to the Road Bond Paving Program should Unit 49 advance to Year 3. Staff will return to Council with the information at a later time to review and potentially modify the anticipated Year 3 Program.

**REQUESTING DEPARTMENT:**  
Public Works

**FISCAL IMPACT:**

No impact at this time.

**RECOMMENDATION:**

Motion to approve staff conducting an engineering assessment of Unit 49 to determine the impact of timing of funding for the five year paving program should Unit 49 advance from Year 5 to Year 3 of the Road Bond Program.

**ATTACHMENTS:****Description**

Road Bond Program Year 2 - 5





# Public Works Department

## Road Bond Proposed Paving Phases 2-5 Unit Map

