

## **Notice to All Malabar Residences**

Please see attached Public Hearings for Brevard County

Will be on:

August 23, 2016

The web link is:

<http://www.brevardcounty.us/countycommission/countycommissionershome>

This will bring you to their home page,

**Click on:** Meetings & Agendas on the left side of screen and this will take you to the “Upcoming Meetings” for the August 23, 2016

Then,

**Click on:** Agenda Packet and you can view the entirety of the Public Hearings

**You are also able to view the meetings live by following instructions and click on the following link “SCGTV”.**

Meeting Date
August 23, 2016



AGENDA	
Section	Public Hearing
Item No.	IV, A.

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

SUBJECT:	Approval of Ordinance Amending Ordinance 02-03, List of Permitted Investments
DEPT/OFFICE:	County Finance Department

**Requested Action:**

It is requested that the Board of County Commissioners approve proposed changes to Ordinance 02-03 adding Supranationals and Asset-Backed Securities to the list of permitted investments for the County Investment program.

**Summary Explanation & Background:**

The County's Investment Committee has met and specifically discussed ways of improving the County's Investments. After several meetings, and upon the recommendation of the County's Investment Advisor (PFM), the Investment Committee has approved expanding the list of Permitted Investments to include Supranationals and Asset-Backed Securities (ABS). Florida Statute 218.415(16)(h) requires the Board to amend County Ordinance 02-03 and the County's Investment Policy, BCC 49 to provide authorization for these additional investment options.

Debt instruments issued by Federal Agency's (FHLB, FNMA, FFCB and FHLMC) have been reduced over the last several years. This has resulted in fewer available quality investment securities for the County to invest surplus funds. In order to deal with this reduction of investment options, PFM recommends including Supranationals and Asset Backed Securities as permitted investments in the County's Investment Policy..

Supranationals are U.S. dollar denominated debt obligations of multilateral organizations of governments where U.S. is a shareholder and voting member i.e. World Bank, International Finance Corporation. The recommended policy limits the amount allowed to be invested to 5% per issuer with a minimum credit rating of A-1/P1, AAA/Aaa or equivalent with a maximum allowed to be invested to only 15% of the portfolio. These are international financial institutions that are established by agreements among member nations who contribute capital and participate in the management of the institution. Supranational bonds finance economic and infrastructure development and support environmental protection, poverty reduction and renewable energy around the globe.

Asset-Backed Securities (ABS) are fixed income securities issued by companies backed by notes or receivables against assets other than real estate i.e. auto loans/leases, equipment loans/leases and credit card receivables. The County's Investment Policy already permits investing in Mortgage Backed Securities (MBS). The recommended policy limits the amount allowed to be invested to 5% per issuer with a minimum credit rating of A-1/P1, AAA/Aaa or equivalent with a maximum allowed to be invested to only 25% of the portfolio.

The proposed changes to Board Policy BCC-49 Investments is being addressed as a separate agenda item on the same date for which the public hearing is scheduled for the ordinance amendment.

**Fiscal Impact:** There is no fiscal impact associated with this action.

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager		Deputy County Manager	Department Director / Extension				
Stockton Whitten		Assistant County Manager	Steve Burdett County Finance, 637-2002 				

BCC-149 (Rev. 1-25-13) / Electronic Form

Clerk to the Board instruction:

Exhibits Attached:

Ordinance

Meeting Date
August 23, 2016



AGENDA	
Section	Public Hearing
Item No.	IV. C.

**AGENDA REPORT**  
*BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS*

SUBJECT:	Interlocal Sales Tax Agreement and an ordinance to place a Referendum on the November 8, 2016 ballot for a ½ cent infrastructure sales tax to fund implementation of the Save Our Lagoon Project Plan
DEPT/OFFICE:	Natural Resources Management Department (NRM)

Requested Action:

It is requested that the Board of County Commissioners: a) adopt an ordinance for a ½ cent infrastructure sales tax for the Save Our Lagoon Project Plan, b) authorize the Chairman to execute an interlocal sales tax use and distribution agreement with cities representing a majority of the county’s municipal population; and c) authorize necessary budget change requests to establish a new trust fund and accounts for any resulting revenues and expenditures.

Summary Explanation & Background:

On August 9<sup>th</sup>, the Board of County Commissioners heard extensive testimony on the need for and economic benefits anticipated from establishing a trust fund dedicated to restoring health to the Indian River Lagoon. The Board considered multiple funding options. The Board approved the appended Save Our Lagoon Project Plan (Attachment A); approved Legislative Intent and permission to advertise an ordinance (Attachment B) for a ½ cent infrastructure sales tax for this purpose; authorized staff to negotiate the attached interlocal sales tax use and distribution agreement (Attachment C) with cities representing a majority of the county’s municipal population (Attachment D); and approved ballot language.

In January through March 2016, Brevard County residents endured the most extensive and intensive algal bloom recorded in the Indian River system during winter/spring months. The collapse of this bloom in March resulted in one of the most extensive fish kills ever recorded here. The winter/spring 2016 bloom followed an algal super bloom that occurred in 2011, brown tides that followed in 2012, 2013 and 2015, and unusual mortality events for dolphins, manatees and pelicans.

On March 29, 2016 the Board voted to send a letter to the Governor requesting assistance. The Governor sent the leadership of multiple state agencies to assess the fish kill and meet with County staff and members of the Legislative delegation to discuss solutions and resource needs. The County was advised to develop a project plan to include a comprehensive list of projects to restore lagoon health, estimate the funding needs for those projects and determine a timetable for implementation. With such a plan, the County would be in a better position to seek dedicated cost-share from the FL Legislature.

On April 7, 2016 the County Commission directed staff to develop a Save Our Lagoon Project Plan to restore health to the lagoon and explore dedicated funding mechanisms, including a Save Our Lagoon Special Taxing District, to fund the entire plan or provide the local match needed to leverage State appropriations and other grants.

The proposed Save Our Lagoon Project Plan includes a portfolio of projects to **Reduce** primary sources of pollution (including excess fertilizer, septic systems, nutrient rich reclaimed water, and stormwater); **Remove** historical pollution that is now accumulated in muck deposits that smother seagrass, cloud the water column, release nutrients and deplete oxygen; **Restore** natural stabilization and filtration systems (including oyster bars and living shorelines); and a process to monitor project implementation, efficiency, and cost-effectiveness with a volunteer citizen oversight committee to **Respond** to monitoring data, new technology, changing conditions, alternative project proposals and recommend plan revisions to the County Commission annually. The projected cost of the proposed plan is \$302,881,000.

After considering multiple referendum options to provide dedicated funding and local match to implement the Save Our Lagoon Project Plan, the Board voted unanimously to place the following Infrastructure Sales Tax referendum language on the November 8, 2016 ballot to generate approximately \$34M per year for a 10 year total of \$340M:

BALLOT  
Brevard County, Florida

**Save Our Indian River Lagoon ½ Sales Tax Referendum**

To restore the Indian River Lagoon through financing, planning, constructing, maintaining, and operating capital improvements and capital maintenance projects and programs designed to improve water quality, fish, wildlife and marine habitat, remove muck and reduce pollution, shall an ordinance be approved levying a ½ cent sales tax for ten years and requiring deposit of all revenue to a Save Our Lagoon Trust Fund solely for such projects, with citizen committee oversight and annual independent audits?

The selected option requires negotiation of an interlocal agreement with cities representing a majority of the municipal population. The interlocal sales tax use and distribution agreement provides for: 1) setting up a dedicated trust fund for tax proceeds; 2) distribution of all such proceeds to the Save Our Lagoon Project Plan account; 3) County management and administration of the project; 4) a citizen oversight committee set up to review project progress and to make project substitution recommendations to the County Commission to include lagoon related city projects consistent with the Save Our Lagoon Project Plan and the Indian River Lagoon Comprehensive Conservation and Management Plan.

According to economic analysis of tourism, real estate values and commercial fishing with and without implementation of the Save Our Lagoon Project Plan, Brevard County is at a \$6.2B turning point - with \$2B to gain or \$4.2B to lose, respectively. This can be expressed as a benefit cost ratio of 20 to 1 or, when the time value of money is considered, expressed as an annual return on investment of 10% to 26%, depending on how quickly the plan is implemented.

**Name:** Virginia Barker, NRM – 633-2016

**Fiscal Impact:** FY 15-16 No fiscal impact

**FY 16-17 New Revenue and Expense Accounts for approximately \$34M in local funds with the intent to leverage additional matching funds from grant programs and Legislative Appropriations**

Clerk to the Board instruction: Three (3) copies of the signed ordinance: one (1) for Clerk of Court and two (2) for NRM.  
One (1) original interlocal agreement for the Clerk of Court and 16 certified copies for distribution to municipalities

Exhibits Attached: **Attachment A:** Save Our Lagoon Project Plan

**Attachment B:** Draft Ordinance

**Attachment C:** Proposed Interlocal Agreement

**Attachment D:** City Population Statistics

Contract /Agreement (If attached): Reviewed by County Attorney    Yes        No        PR   

County Manager

Assistant County Manager

Department Director Extension

Stockton Whitten

Virginia Barker, X52435

Meeting Date
August 23, 2016



AGENDA	
Section	Public Hearing
Item No.	IV, D.

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

SUBJECT:	PUBLIC HEARING RE: AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE VIERA DEVELOPMENT OF REGIONAL IMPACT (DISTRICT 4)
DEPT/OFFICE:	PLANNING AND DEVELOPMENT DEPARTMENT

**Requested Action:**  
It is requested that the Board of County Commissioners consider adoption of an Amended and Restated Development Order for the Viera Development of Regional Impact.

**Summary Explanation & Background:**  
The Viera Company has submitted an application for approval of an Amended and Restated Development Order for the Viera Development of Regional Impact. The last Amended and Restated Development Order for the Viera DRI was adopted by the Board of County Commissioners on December 15, 2009 and has been amended without restatement three times since then. The proposed Amended and Restated Development Order does not confer any additional development rights to the Viera Company. For this reason, it is not considered to be a Notice of Proposed Change or a Substantial Deviation as defined by Chapter 380.06, Florida Statutes. It does require adoption of the new development order resolution in a public hearing.

The Amended and Restated Development Order has been reviewed by the Planning and Development Department, Public Works Department, Fire/Rescue Department, Natural Resources Management Office and the Brevard County School Board. All identified concerns have been addressed by the Viera Company and incorporated into a revised Amended and Restated Development Order.

The Local Planning Agency considered the Amended and Restated Development Order at their July 25, 2016 meeting and voted unanimously to recommend adoption.

**Fiscal Impact:** FY16 – There will be no fiscal impact in FY16.  
**Staff Contact:** Stephen M. Swanke (321) 633-2069

**Clerk to the Board Instruction:**

**Exhibits Attached:**  
Proposed Amended and Restated Development Order in underline/strikethrough format. Local Planning Agency minutes.

<b>Contract /Agreement (If attached):</b>	<b>Reviewed by County Attorney</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	PR <input type="checkbox"/>
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County Manager  Stockton Whitten	Assistant County Manager	Department Director / Extension  Robin M. DiFabio, AICP 5-2069
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Meeting Date
8/23/16



AGENDA	
Section	Public Hearings
Item No.	IV, E

**AGENDA REPORT**  
*BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS*

SUBJECT:	PUBLIC HEARING RE: COCOA EXPO SPORTS CENTER, LLC ZONING APPLICATION 16PZ00061 (DISTRICT 1)
DEPT/OFFICE:	PLANNING & DEVELOPMENT DEPARTMENT

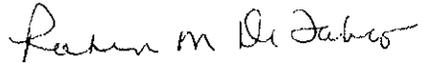
Requested Action:  
 It is requested that the Board take action on the attached rezoning request for the Cocoa Expo Sports, LLC.

Summary Explanation & Background:  
 On August 4, 2016, the Board of County Commissioners tabled the above captioned rezoning request (16PZ00061) located north of SR 520, on the east side of Friday Road.

Clerk to the Board instruction:

Exhibits Attached: Planning & Zoning Staff Comments

Contract /Agreement (If attached): Reviewed by County Attorney    Yes     No     PR

County Manager  Stockton Whitten	Department Director / Extension  Robin M. DiFabio, AICP 5-2069
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Meeting Date
8/23/16

AGENDA	
Section	Public Hearings
Item No.	112.F

**AGENDA REPORT**  
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	PUBLIC HEARING RE: COCOA EXPO SPORTS CENTER, LLC AND UPLAND INVESTMENTS, LLC SMALL SCALE COMPREHENSIVE PLAN AMENDMENT 16S.07 AND ZONING APPLICATION 16PZ00062 (DISTRICT 1)
DEPT/OFFICE:	PLANNING & DEVELOPMENT DEPARTMENT

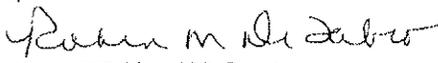
**Requested Action:**  
 It is requested that the Board take action on the attached small scale Comprehensive Plan amendment and rezoning request for the Cocoa Expo Sports Complex, LLC. And Upland Investments, LLC.

**Summary Explanation & Background:**  
 On August 4, 2016, the Board of County Commissioners tabled the above captioned small scale Comprehensive Plan amendment (16S.07) and rezoning request (16PZ00062) located north of SR 520, on the west side of Friday Road.

Clerk to the Board instruction: Chairman to sign the Small Scale Comprehensive Plan Amendment Ordinance and return to P&D.

Exhibits Attached: Planning & Zoning Staff Comments

Contract /Agreement (If attached): Reviewed by County Attorney	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager  Stockton Whitten	Department Director / Extension  Robin M. DiFabio, AICP, Director Planning & Development Dept. Ext. 56363
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