



TOWN OF MELBOURNE BEACH

REGULAR TOWN COMMISSION MEETING

JANUARY 17, 2024

AGENDA PACKET

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Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING January 17, 2024 at 6:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

PUBLIC NOTICE AGENDA

The Town Commission will conduct a Regular Town Commission Meeting on Wednesday, January 17, 2024, in the Community Center to address the items below

Commission Members:

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte
Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members:

Town Manager Elizabeth Mascaro
Town Clerk Amber Brown

Notice: Commission discussion and possible action may occur during any Commissioner Meeting. The following sections of the Agenda are always subject to such discussion and possible action without further motion by the Commission: Changes to the Agenda, Public Hearings, Unfinished Business, and New Business.

The public is advised that members of the Town Commission may be in attendance and participate in proceedings of the board. Attorney General Opinions (AGO) AGO 91-95, AGO 98-14, AGO 2000-68.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance and Moment of Silence**
4. **Meeting Agenda – Additions/Deletions/Changes**
5. **Consent Agenda**
 - A. Appointment of Jason Judge as an Alternate to the Planning and Zoning Board
6. **Proclamations/Presentations/Awards**
 - A. Presentation on Brevard County Ocean Drownings by Dr. Travis Hunsucker
7. **Finance/Budget Report**
8. **Department and Board/Committee Reports**
 - A. Public Works Department
 - B. Building Department
 - C. Code Enforcement
 - D. Fire Department
 - E. Police Department
9. **Public Comment (Non-Agenda Items)**

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda.
10. **Public Hearings/Special Orders**
11. **Unfinished Business**
 - A. Consideration of volunteer board member applications for the Board of Adjustment – Town Clerk Amber Brown
 - B. Consideration of the 2024-2025 Seasonal Lifeguard Contract with Brevard County – Town Manager Elizabeth Mascaro
 - C. Selection of a law firm to represent the Town of Melbourne Beach as the Town Attorney – Town Manager Elizabeth Mascaro
12. **New Business**
 - A. Consideration of Settlement Agreement Multiple Cases, Dennington and Funoe, LLC v. Town of Melbourne Beach - Attorney Clifford Repperger and Town Manager Elizabeth Mascaro
13. **Administrative Reports**
 - A. Town Manager
14. **Commission Reports**
15. **Task List**
16. **Public Comment**
17. **Adjournment**



TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

1. Name: Jason Judge Home Phone: _____
2. Home Address: 206 Flamingo Ln Melbourne Beach FL 32951
3. Mobile Phone: 321 508 5716 E-mail address: JScreen@aol.com
4. Business Name: J's Screen Printing Business Phone: 321 777 6328
5. Resume or Education & Experience: Business Owner
(Use additional sheets if necessary or submit resume)
6. Date of birth: 6/13/80 (optional) (to verify voter registration)
7. Are you a qualified elector of the town? YES NO
8. Are you a resident of the town? YES NO
9. Do you reside in the town for at least ten (10) months of each calendar year? YES NO
10. Do you hold a public office? YES NO
11. Do you currently serve on a Town board? YES NO

If yes, which board? _____

12. Please check the board(s) you are interested in serving on:

- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> History Center Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> History Preservation and Awareness |
| <input type="checkbox"/> Civil Service Board | <input type="checkbox"/> Parks Board |
| <input type="checkbox"/> Code Enforcement Board | <input checked="" type="checkbox"/> Planning and Zoning Board |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Police Pension Fund Board of Trustees |

13. Why do you think you are qualified to serve on this board? Passion for the town and a vast knowledge of its history & challenges

14. Would you consider serving on another board other than the one(s) you have selected above? YES NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: [Handwritten Signature]

Date: 11/17/27

Town Commission Meeting

Section: Presentation

Meeting Date: January 17, 2024

From: Elizabeth Mascaro, Town Manager

Subject: Presentation on Brevard County Ocean Drownings by Dr. Travis Hunsucker

Background Information:

Dr. Travis Hunsucker is an Assistant Professor of Ocean Engineering at Florida Tech. His research has been focusing on surf zone drowning fatalities during the winter of 2022/2023 along the beaches of Brevard County, Florida. After examining surf zone drowning fatalities in Brevard County from 2010 to March 2023, he found that higher annual beach usage at unguarded beaches is resulting in an increase in drowning fatalities. Parking meter data, offshore wave heights, and tides were also analyzed. A complex combination of conditions that occurred during these fatal drownings are likely to occur again. Increased beach usage at unguarded beaches will likely result in more fatalities. Probability of a fatal drowning is significantly reduced with the presence of a trained lifeguard. Dr. Hunsucker will also provide recommendations on methods to improve safety and awareness at the beach in Melbourne Beach, FL.

Recommendation:

Attachments:

PowerPoint Presentation

Photo Credit: Ryan Clapper

Brevard County Ocean Drownings: January 2010- March 2023

Presentation to Melbourne Beach Town Commission
November 15, 2023
J. Travis Hunsucker, Ph.D.
Assistant Professor of Ocean Engineering
Florida Tech
thunsucker@fit.edu



Personal background

- Assistant Professor of Ocean Engineering
 - Expertise in data analysis, ocean waves, and hydromechanics
- Aquatic Safety/Lifeguarding
 - 1500+ hrs/20 yrs as Lifeguard Instructor/Instructor Trainer
 - Lifeguard/Supervisor at numerous facilities
 - American Red Cross Lifesaving Award for Professional Responder and FSU Distinguished Lifesaving Award



Purpose

- Inform the town officials to aid in policy making
 - Share initial findings of research- where, when, why
 - Provide suggestions to improve beach safety and awareness

Drownings Jan 2010-Mar 2023

- 43 drowning fatalities January 2010-March 2023. **0 at beaches with lifeguards present.**
- Drowning clusters
 - Majority of drownings happen within 1 week of another.
 - Extremely hazardous surf zone during a short period of time (days).
 - Presence of clusters across many years suggest they are likely to exist again.
- Increased population/beach usage increases the risk of fatalities during the clusters.

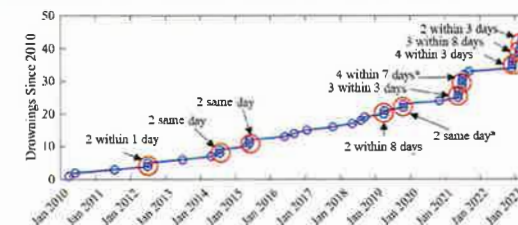


Fig Caption: Cumulative drownings in Brevard's beaches 2010- March 2023. (* indicates multiple drowning fatalities at one event).



Beach usage trends

- Parking meter data from Indialantic and Melbourne Beach
- Beach usage will double every 12 years at 6% annual increase
- Drownings occur during high and low beach usage days

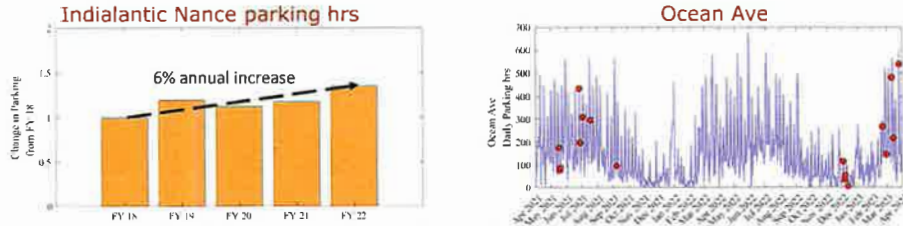


Fig Caption: Parking meter data from Indialantic (left) and Melbourne Beach (right). Red dots on right figure indicate when a fata drowning occurred.



When do fatal drownings occur

- Year round and every day of the week
- More frequent during spring/early summer, Fri-Mon, and after noon

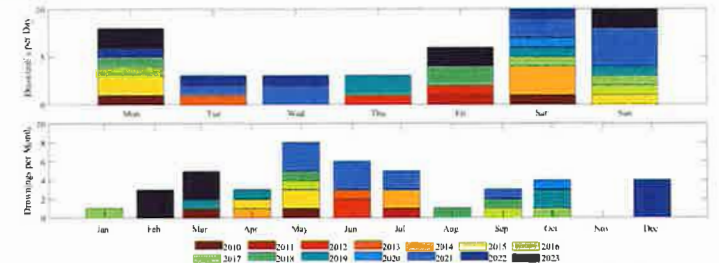


Fig Caption: Number of fatal drownings in each month (top) and day of the week (bottom) along Brevard County Beaches 2010- March 2023.



Recent drowning clusters

- 2021**
 - Focused on northern end of County
- 2022/2023**
 - Focused on southern end of County

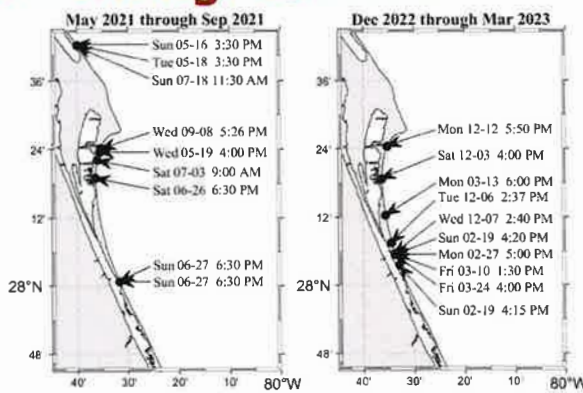


Fig Caption: Time and location of drownings.



Summary

- Higher annual beach usage at unguarded beaches is resulting in an increase in drowning fatalities.
- Hazardous conditions are likely to exist in the future. May not exist in the same place as previous.
- Increased beach usage at unguarded beaches will likely result in more fatalities.
- **Probability of a fatal drowning is significantly reduced with the presence of trained lifeguards.**



Recommendations

- Update and streamline signage
 - Reduce number of sign number and complexity (4 at 1st Ave)
 - None describe the current risk unless lifeguard is present (flag)
 - None direct people to the nearest lifeguarded beach
- Consider creating lifesaving club similar to Australia
 - Promote water safety through recreation, education, and community involvement- never too old to learn or too young to start
- Add year-round lifeguards at Ocean Ave
 - Consistent with United States Lifesaving Association (USLA) report (May 22,2023)
 - Communities often wait until multiple fatalities occur



Appendix- additional data

- Time between drownings
- Population/Parking
- Wave Heights
- Combined parking meter and wave height time series
- Tides



Time between drownings

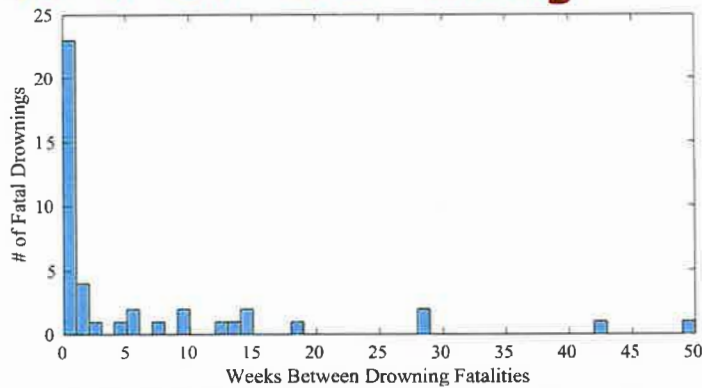


Fig Caption: Time between fatal drownings along Brevard County Beaches 2010- March 2023.



Population/parking data

- Indialantic- hours of paid parking at Nance Park and Wavecrest Ave
 - Bi-annual FY 18 through FY 22 (Oct-Mar and Apr-Sep)
 - 5.89% annual increase in FY parking hrs

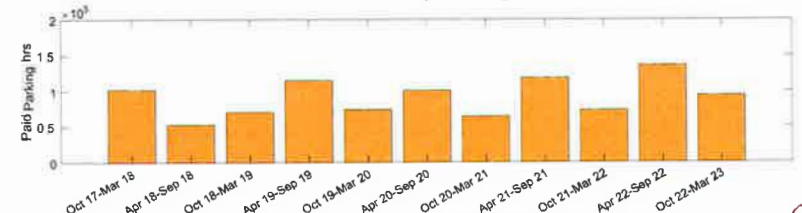


Fig Caption: Daily parking hours at Nance Park and Wavecrest Ave.



Population/parking data

- Melbourne Beach- hours of parking at Ocean Ave
 - All transactions since digital meter installment (Apr 21)
 - 6% increase from Dec 21-Mar 22 to Dec 22-Mar 23

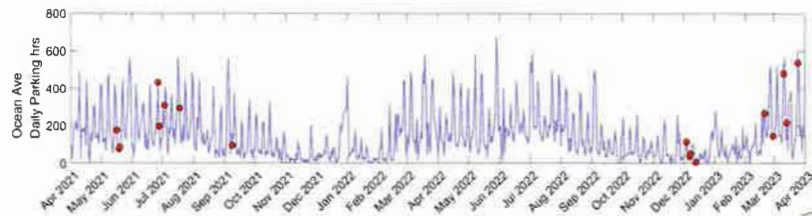


Fig Caption: Daily parking hours at Ocean Ave with red dots showing when drownings occurred.



Population/parking data

- No significant differences between days that drowning fatalities occurred and other days during similar time periods

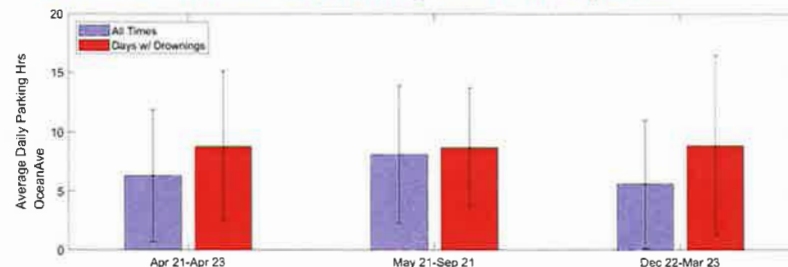
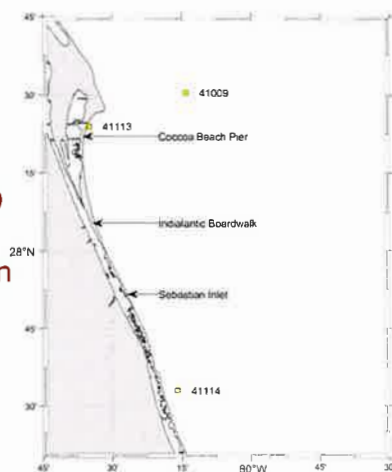


Fig Caption: Average daily parking hours at Ocean Ave for entire time period (purple) and on days with drowning fatalities (red) and the respective standard deviations.



Wave heights

- 3 different buoys were analyzed 2010-present
- Wave heights from 41009 are shown next slide
- Reasonable approximation for wave conditions



Wave heights (H_s)

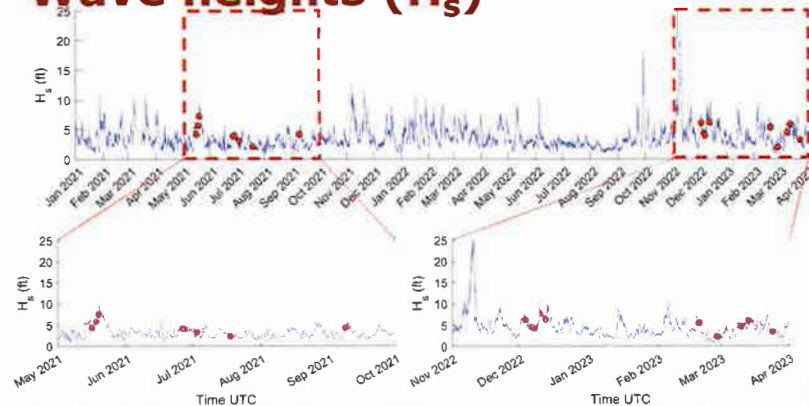


Fig Caption: Significant wave heights (H_s) at the 41009 buoy. Red dots showing when fatal drownings occurred.



Wave heights

- No significant differences between days that drowning fatalities occurred and other days during similar time periods

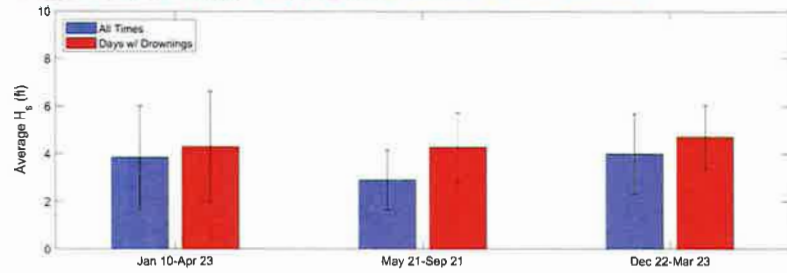


Fig Caption: Average wave heights (H_s) for entire time period (purple) and on days with drowning fatalities (red) and the respective standard deviations.



Conditions during drownings

- More complex than larger waves on crowded days

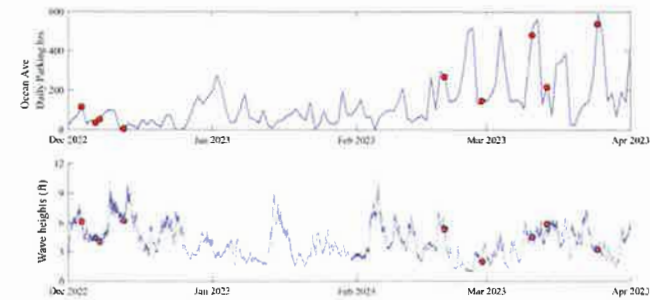


Fig Caption: Ocean Ave parking (top) and offshore wave heights (bottom).



Tides

- Hourly tidal data from Trident Pier Port Canaveral
 - Minimal differences with predicted tides at Canova Beach
 - Incorporates local forcing
 - Reasonable estimation for tides along Brevard's Beaches

Tides

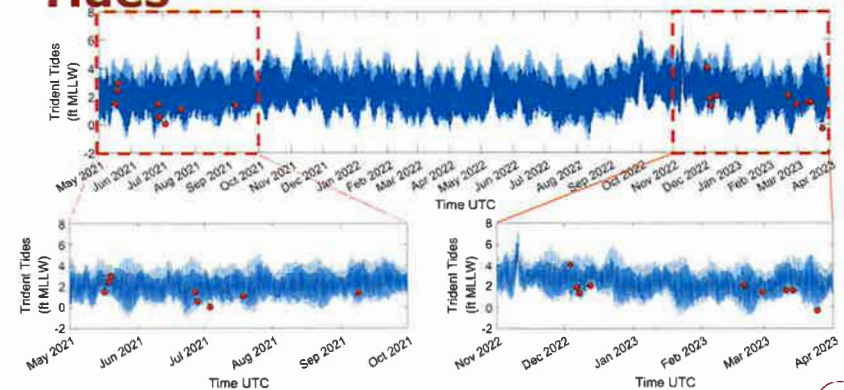


Fig Caption: Hourly measured water heights at Trident Pier reference Mean Lower Low Water (MLLW). Red dots showing when fatal drownings occurred.



Tides

- No significant differences between days that drowning fatalities occurred and other days during similar time periods

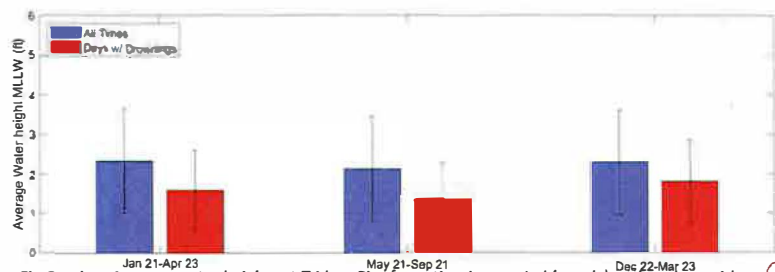


Fig Caption: Average water heights at Trident Pier for entire time period (purple) and on days with drowning fatalities (red) and the respective standard deviations.



Summary

- Majority of drowning fatalities occurred in cluster events
- Approximately 6% annual increase in parking hours
- Drowning fatalities occurred with an average offshore significant wave height of 4-5 ft
- Drowning fatalities tend to occur from mid to low tide in the afternoon, and Friday through Monday





Town of Melbourne Beach
Finance Department

Memo

To: Mayor, Vice Mayor and Commissioners
 From: Jennifer Kerr, Finance Manager
 Date: January 11, 2024
 Re: December Fiscal Year 2024

We are in the second month of our fiscal year 2024. The target expenditure rate for November is 25.00%. All departments are in the process of purchasing all budget approved capital items. Some budget lines are fully expended early in the budget year while other lines like salaries and health insurance are paid on a monthly basis. The total General Fund expenditure rate, year to date is 21.56%. The Departmental expenditure rate breakdown is as follows:

Legislative:	15.87%
Executive:	21.81%
Finance:	18.93%
Legal:	18.42%
Comp & Plan:	06.97%
General Services:	31.05%
Law Enforcement:	23.19%
Fire:	40.00%
Code:	20.90%
Public Works:	21.08%
Grounds Keeping:	14.92%
Parks:	09.13%

Discussion Items:

The Town received Parking Revenue for December FY2024 in the amount of \$8,377.56. Parking revenue for December FY2023 was \$9,816.79.

- A Fiscal Year (FY) parking comparison is attached.

IRS Abatement Process:

On December 18, 2023, I had an in-person meeting with the Internal Revenue Service (IRS) in regards to the abatement of interest and penalties that resulted from the discrepancy in the Form 941 payments in 2019 and 2020. The IRS has approved the abatement and reimbursed the Town for the interest and penalties paid due to the discrepancy. The refund consisted of three (3) checks in the amount of \$1,361.38, \$1,950.22, and \$259.97. The money has been deposited into the Town's operating account.



Town of Melbourne Beach
Finance Department

Summary of IRS Incident:

In Quarter One (1) of 2020 the Town paid \$9,364.03 to the IRS for Form 941 (employment tax). In April of 2020 the IRS sent a check in the amount of \$6,236.58 to the Town. There was no paperwork with the check. I did call the IRS but, due to COVID-19 in the year 2020, the IRS did not have live assistance at the time of the call. I was unable to make contact with a live person until September 14, 2020. At the time of this call I was instructed to send in a copy of all Form 941 payments made for Quarters three (3) and four (4) of 2019, and Quarter one (1) of 2020. I did as instructed.

On December 6, 2022, after two years of struggled communication with the IRS, I was finally told by an IRS employee that the \$6,236.58 was a refund of the \$9,364.03 overpayment made in Quarter four (4) of 2019, and the Town now had interest and penalties due to the missing payment of \$9,364.03 for Quarter one (1) of 2020.

On July 19, 2023, after another seven (7) months of struggled communication with the IRS, I was informed that the Town could abate the interest and penalties. To begin the abatement process the Town would need to pay the \$9,364.03 for Quarter one (1) of 2020.

At the August 16, 2023, Commission Meeting, the Commission approved Budget Resolution 2023-02, which included the increase in expenditures in the amount of \$9,364.03 for the payment to the IRS for the discrepancy in the deposit of Form 941 in 2019 and 2020. It was discussed at that time that the Town needed to pay the amount of \$9,364.03 before the abatement process of the interest and penalties could be filed.

Parking Revenue FY Comparison

FY23	Oct-23	Nov-23	Dec-23	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	TOTAL
Ocean	4,921.04	3,785.42	3,456.88								12,163.34
Ryckman	6,354.35	5,050.00	6,359.91								17,764.26
Total	11,275.39	8,835.42	9,816.79								29,927.60

FY24	Oct-23	Nov-23	Dec-24	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	TOTAL
Ocean	4,323.54	3,669.99	2,544.37								10,537.90
Ryckman	5,616.47	4,085.40	5,833.19								15,535.06
Total	9,940.01	7,755.39	8,377.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	26,072.96

REVENUE AND EXPENDITURE FOR TOWN OF MELBOURNE BEACH

Balance As Of 12/31/2023

Fund: 001 GENERAL FUND

Account Category: Revenues	Description	Original Budget	Encumbran	Available	% Used
001-00-311.00.00	AD VALOREM TAXES	2,685,662.00	0.00	449,949.17	83.25
001-00-312.41.00	LOCAL OPTION COUNTY GAS TAX	125,000.00	0.00	116,549.44	6.76
001-00-314.10.00	UTILITY SERVICES TAX FPL	276,000.00	0.00	211,650.10	23.32
001-00-314.30.00	UTILITY SERVICES TAX WATER	54,000.00	0.00	44,521.81	17.55
001-00-314.40.00	UTILITY SERVICES TAX GAS	0.00	0.00	(249.45)	100.00
001-00-314.40.10	UTILTIY GAS TAX AMERIGAS	8,500.00	0.00	7,442.88	12.44
001-00-314.40.20	UTILITY GAS TAX SUBURBAN	1,300.00	0.00	1,300.00	0.00
001-00-314.40.30	UTILTIY GAS TAX FERRELL	2,500.00	0.00	1,828.42	26.86
001-00-314.40.40	UTILITY GAS TAX SAM'S GAS	100.00	0.00	100.00	0.00
001-00-315.00.00	COMMUNICATIONS SERVICE TAX	145,000.00	0.00	131,212.05	9.51
001-00-316.00.00	OCCP. LIC	15,000.00	0.00	4,209.43	71.94
001-00-323.10.00	FRANCHISE FEES FPL	215,000.00	0.00	194,504.22	9.53
001-00-323.70.00	FRANCHISE FEES SOLID WASTE	44,000.00	0.00	35,949.67	18.30
001-00-323.70.10	SOLID WASTE COMMERCIAL	15,000.00	0.00	12,238.94	18.41
001-00-329.20.00	BONFIRE PERMIT	350.00	0.00	(100.00)	128.57
001-00-329.50.00	LOW SPEED VEHICLE REGISTRATION	500.00	0.00	(200.00)	140.00
001-00-329.50.10	LOW SPEED VEHICLE PERMIT FEE	600.00	0.00	250.00	58.33
001-00-331.12.00	FEMA	0.00	0.00	(10,718.74)	100.00
001-00-334.10.00	FEMA STATE GRANT	0.00	0.00	(1,786.46)	100.00
001-00-334.40.00	FMIT SAFETY GRANT	7,000.00	0.00	7,000.00	0.00
001-00-335.12.00	STATE REVENUE SHARING PROCEEDS	112,000.00	0.00	85,477.14	23.68
001-00-335.15.00	ALCOHOLIC BEVERAGE LICENSES	4,300.00	0.00	4,300.00	0.00
001-00-335.18.00	HALF CENT SALES TAX LOCAL GOV	225,000.00	0.00	206,661.52	8.15
001-00-342.20.00	SAFETY INSPECT FEE VAC RENTAL	1,200.00	0.00	600.00	50.00
001-00-342.20.10	SAFETY RENEWAL-VAC RENTALS	1,600.00	0.00	850.00	46.88
001-00-345.10.00	VAC RENTAL APP FEE-INITIAL	4,000.00	0.00	2,000.00	50.00
001-00-345.10.10	VAC RENEWAL FEE - RENTALS	4,725.00	0.00	2,975.00	37.04
001-00-361.10.00	INTEREST ON INVESTMENTS	12,000.00	0.00	7,255.89	39.53

	Description	Original Budget	Encumbran	Available	% Used
001-00-369.00.00	MISCELLANEOUS REVENUE	2,500.00	0.00	(4,533.61)	281.34
001-00-369.00.49	INSURANCE RECOVERY	100.00	0.00	100.00	0.00
001-00-381.00.00	TRANSFERS IN	194,000.00	0.00	194,000.00	0.00
					58.98
Department: 21 LAW ENFORCEMENT					
001-21-312.52.00	INSURANCE PREMIUM TAX	45,500.00	0.00	45,500.00	0.00
001-21-337.20.00	SCHOOL RESOURCE OFFICER	68,500.00	0.00	51,375.00	25.00
001-21-337.90.01	OTHER GRANTS	6,000.00	0.00	6,000.00	0.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	5,000.00	0.00	4,236.64	15.27
001-21-351.13.00	PARKING TICKETS	500.00	0.00	500.00	0.00
001-21-351.13.10	ACCIDENT REPORT	200.00	0.00	130.00	35.00
001-21-364.10.00	DISPOSAL OF ASSETS - VEHICLES	200.00	0.00	200.00	0.00
001-21-369.00.00	MISCELLANEOUS REVENUE	100.00	0.00	100.00	0.00
					14.25
Department: 22 FIRE CONTROL					
001-22-322.30.00	FIRE PROTECTIVE SERVICES	2,000.00	0.00	(680.00)	134.00
001-22-364.20.00	DISPOSAL OF ASSETS - OTHER	100.00	0.00	100.00	0.00
001-22-369.55.10	SHARED TRAINING	500.00	0.00	500.00	0.00
					103.08
Department: 29 CODE ENFORCEMENT					
001-29-359.00.00	OTHER FINES AND FORFEITURES	1,000.00	0.00	1,000.00	0.00
					0.00
Department: 41 PUBLIC WORKS					
001-41-364.10.00	DISPOSAL OF ASSETS - VEHICLES	500.00	0.00	500.00	0.00
					0.00
Department: 72 PARKS & RECREATION					
001-72-347.41.00	FOUNDER'S DAY	7,000.00	0.00	7,000.00	0.00
001-72-347.50.00	FACILITY RENTALS	6,000.00	0.00	4,990.00	16.83
001-72-366.19.00	TH DONATIONS - KIDS BUSINESS FAIR	5,000.00	0.00	1,750.00	65.00
					23.67
Overall Revenue Rate:					57.53

Account Category: Expenditures	Description	Original Budget	Encumbran	Available	% Used
Department: 00					
001-00-581.00.00	TRANSFER OUT	441,761.00	0.00	0.00	100.00
					100.00
Department: 11 LEGISLATIVE					
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	0.00	12,783.37	21.09
001-11-500.12.00	REGULAR SALARIES	60,113.00	0.00	47,552.69	20.89
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	5,838.00	0.00	4,655.99	20.25
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	8,157.00	0.00	6,452.57	20.90
001-11-500.23.01	HEALTH INSURANCE	6,534.00	0.00	4,517.00	30.87
001-11-500.23.02	LIFE INSURANCE	71.00	0.00	48.48	31.72
001-11-500.25.00	UNEMPLOYMENT COMPENSATION	244.00	0.00	225.15	7.73
001-11-510.31.00	PROFESSIONAL SERVICES	250.00	0.00	250.00	0.00
001-11-510.40.00	TRAVEL & MEETINGS	4,465.00	0.00	4,005.38	10.29
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	2,100.00	0.00	1,135.87	45.91
001-11-510.47.00	PRINTING	12,593.00	0.00	10,699.44	15.04
001-11-510.48.00	PROMOTIONAL ACTIVITIES	800.00	0.00	738.58	7.68
001-11-510.48.40	LEGAL NOTICES	10,000.00	0.00	9,992.10	0.08
001-11-510.49.50	ELECTION EXPENSE	11,000.00	0.00	11,000.00	0.00
001-11-510.54.00	DUES & SUBSCRIPTIONS	720.00	0.00	220.00	69.44
001-11-510.54.10	TRAINING & SCHOOLS	3,560.00	0.00	3,060.00	14.04
001-11-510.64.01	CAPITAL OUTLAY	85,700.00	4,740.00	71,800.00	16.22
001-11-543.00.00	LICENSES & FEES	34,267.00	0.00	27,055.36	21.05
					15.87
Department: 12 EXECUTIVE					
001-12-500.12.00	REGULAR SALARIES	147,720.00	0.00	116,701.42	21.00
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	11,301.00	0.00	8,621.19	23.71
001-12-500.22.01	RETIREMENT - ICMA	15,247.00	0.00	12,068.90	20.84
001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	4,937.00	0.00	3,905.90	20.89
001-12-500.23.01	HEALTH INSURANCE	28,117.00	0.00	20,589.31	26.77
001-12-500.23.02	LIFE INSURANCE	828.00	0.00	572.85	30.82
001-12-500.25.00	UNEMPLOYMENT COMPENSATION	212.00	0.00	164.58	22.37
001-12-510.40.00	TRAVEL & MEETINGS	1,820.00	0.00	1,785.00	1.92
001-12-510.49.99	MISCELLANEOUS	300.00	0.00	300.00	0.00

	Description	Original Budget	Encumbrance	Available	% Used
001-12-510.52.50	GAS & OIL	2,400.00	0.00	1,800.00	25.00
001-12-510.54.00	DUES & SUBSCRIPTIONS	3,511.00	0.00	2,324.73	33.79
001-12-510.54.10	TRAINING & SCHOOLS	1,680.00	0.00	1,680.00	0.00
					21.81
Department: 13 FINANCE					
001-13-500.12.00	REGULAR SALARIES	112,950.00	0.00	89,349.37	20.89
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	8,641.00	0.00	6,842.47	20.81
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	15,327.00	0.00	12,124.37	20.90
001-13-500.23.01	HEALTH INSURANCE	39,000.00	0.00	31,275.44	19.81
001-13-500.23.02	LIFE INSURANCE	297.00	0.00	251.96	15.16
001-13-500.25.00	UNEMPLOYMENT COMPENSATION	158.00	0.00	122.63	22.39
001-13-510.32.00	AUDITING SERVICES	32,600.00	0.00	27,850.00	14.57
001-13-510.32.90	BANKING FEES	12,916.00	0.00	10,158.02	21.35
001-13-510.40.00	TRAVEL & MEETINGS	1,221.00	0.00	1,191.25	2.44
001-13-510.47.00	PRINTING	216.00	0.00	216.00	0.00
001-13-510.54.00	DUES & SUBSCRIPTIONS	60.00	0.00	60.00	0.00
001-13-510.54.10	TRAINING & SCHOOLS	1,000.00	0.00	1,000.00	0.00
001-13-543.00.00	LICENSES & FEES	7,785.00	0.00	7,785.00	0.00
					18.93
Department: 14 LEGAL COUNSEL					
001-14-510.31.00	PROFESSIONAL SERVICES	97,000.00	0.00	77,287.50	20.32
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	10,000.00	0.00	10,000.00	0.00
					18.42
Department: 15 COMPREHENSIVE PLANNING					
001-15-510.31.00	PROFESSIONAL SERVICES	26,000.00	0.00	24,187.50	6.97
					6.97
Department: 16 FEMA - HURRICANE DAMAGE					
001-16-520.52.05	PROTECTIVE GEAR	0.00	0.00	67.76	100.00
					100.00

	Description	Original Budget	Encumbran	Available	% Used
Department: 19 GENERAL SERVICES					
001-19-500.24.00	WORKERS COMPENSATION	3,687.00	0.00	3,687.00	0.00
001-19-510.31.00	PROFESSIONAL SERVICES	4,620.00	0.00	3,641.25	21.19
001-19-510.31.11	SECURITY	1,000.00	0.00	1,000.00	0.00
001-19-510.34.10	JANITORIAL SERVICES	17,000.00	0.00	13,223.00	22.22
001-19-510.35.00	PRE-EMPLOYMENT EXP	400.00	0.00	400.00	0.00
001-19-510.41.00	TELEPHONE	25,080.00	0.00	19,544.35	22.07
001-19-510.41.10	COMMUNICATION SERVICES	45,372.00	0.00	31,129.36	31.39
001-19-510.43.00	STREET LIGHTS	50,400.00	0.00	41,896.93	16.87
001-19-510.43.10	ELECTRICITY	33,600.00	0.00	27,862.85	17.07
001-19-510.43.20	WATER & SEWER	3,650.00	0.00	3,107.23	14.87
001-19-510.43.50	WASTE TAX SERVICE	2,500.00	0.00	70.45	97.18
001-19-510.45.00	GENERAL LIABILITY INSURANCE	94,000.00	0.00	51,691.00	45.01
001-19-510.45.01	FLOOD INSURANCE	5,690.00	0.00	5,690.00	0.00
001-19-510.45.02	PROPERTY INSURANCE	128,000.00	0.00	79,180.17	38.14
001-19-510.45.03	AUTO INSURANCE	9,000.00	0.00	4,156.00	53.82
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANCE	4,832.00	0.00	4,136.42	14.40
001-19-510.46.15	EQUIPMENT MAINTENANCE	31,500.00	0.00	31,261.68	0.76
001-19-510.46.36	PEST CONTROL	3,120.00	0.00	2,190.00	29.81
001-19-510.47.00	PRINTING	900.00	0.00	900.00	0.00
001-19-510.49.90	ADOPT AN AREA	1,000.00	0.00	1,000.00	0.00
001-19-510.49.98	CONTINGENCY	25,000.00	0.00	25,000.00	0.00
001-19-510.49.99	MISCELLANEOUS	300.00	0.00	147.13	50.96
001-19-510.51.00	OFFICE SUPPLIES	11,000.00	0.00	9,144.83	16.87
001-19-510.51.10	POSTAGE	1,500.00	0.00	1,068.29	28.78
001-19-510.52.10	JANITORIAL SUPPLIES	5,400.00	0.00	3,915.04	27.50
001-19-510.54.00	DUES & SUBSCRIPTIONS	435.00	0.00	435.00	0.00
001-19-510.64.01	CAPITAL OUTLAY	148,000.00	0.00	140,205.08	5.27
001-19-543.00.00	LICENSES & FEES	20,585.00	0.00	14,626.14	28.95
001-19-581.00.00	TRANSFER OUT	77,000.00	0.00	0.00	100.00
					31.05

	Description	Original Budget	Encumbran	Available	% Used
Department: 21 LAW ENFORCEMENT					
001-21-500.12.00	REGULAR SALARIES	721,855.00	0.00	594,295.01	17.67
001-21-500.12.50	HOLIDAY PAY	23,000.00	0.00	3,930.77	82.91
001-21-500.14.00	SALARIES OVERTIME	15,000.00	0.00	11,547.88	23.01
001-21-500.14.16	HURRICANE PAY	18,000.00	0.00	18,000.00	0.00
001-21-500.15.00	EDUCATION INCENTIVE PAY	7,634.00	0.00	6,065.43	20.55
001-21-500.15.01	FIRST RESPONDER	6,000.00	0.00	4,646.43	22.56
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	54,888.00	0.00	43,412.73	20.91
001-21-500.22.02	POLICE PENSION	142,500.00	0.00	108,446.57	23.90
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,217.00	0.00	4,186.28	19.76
001-21-500.23.01	HEALTH INSURANCE	105,440.00	0.00	77,112.36	26.87
001-21-500.23.02	LIFE INSURANCE	2,900.00	0.00	2,142.46	26.12
001-21-500.23.10	STATUTORY AD&D	1,000.00	0.00	(162.50)	116.25
001-21-500.24.00	WORKERS COMPENSATION	8,848.00	0.00	436.00	95.07
001-21-500.25.00	UNEMPLOYMENT COMPENSATION	2,296.00	0.00	2,065.81	10.03
001-21-520.31.00	PROFESSIONAL SERVICES	725.00	0.00	625.00	13.79
001-21-520.34.40	DISPATCHING SERVICES	18,319.00	0.00	(549.11)	103.00
001-21-520.35.00	PRE-EMPLOYMENT EXPENSE	1,000.00	0.00	695.00	30.50
001-21-520.40.00	TRAVEL & MEETINGS	3,184.00	0.00	3,184.00	0.00
001-21-520.41.10	COMMUNICATION SERVICES	6,000.00	0.00	3,566.03	40.57
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANCE	7,000.00	0.00	7,000.00	0.00
001-21-520.46.15	EQUIPMENT MAINTENANCE	2,500.00	0.00	77.50	96.90
001-21-520.46.16	RADAR CALIBRATION	250.00	0.00	132.00	47.20
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	0.00	14,150.77	16.76
001-21-520.48.00	PROMOTIONAL ACTIVITIES	1,500.00	0.00	1,431.18	4.59
001-21-520.48.50	CRIME PREVENTION	1,500.00	0.00	1,469.26	2.05
001-21-520.49.99	MISCELLANEOUS	100.00	0.00	72.64	27.36
001-21-520.51.10	POSTAGE	125.00	0.00	125.00	0.00
001-21-520.52.00	UNIFORMS	8,500.00	0.00	7,938.18	6.61
001-21-520.52.05	PROTECTIVE GEAR	3,500.00	0.00	3,500.00	0.00
001-21-520.52.50	GAS & OIL	25,000.00	0.00	20,381.61	18.47
001-21-520.52.70	MEDICAL	800.00	0.00	800.00	0.00
001-21-520.52.90	OPERATING SUPPLIES	3,000.00	0.00	2,878.79	4.04

	Description	Original Budget	Encumbran	Available	% Used
001-21-520.54.00	DUES & SUBSCRIPTIONS	1,175.00	0.00	680.00	42.13
001-21-520.54.10	TRAINING & SCHOOLS	6,400.00	0.00	6,400.00	0.00
001-21-520.64.01	Capital Outlay	8,400.00	0.00	8,400.00	0.00
001-21-543.00.00	LICENSES & FEES	14,646.00	0.00	8,843.90	39.62
001-21-581.00.00	TRANSFER OUT	15,000.00	0.00	0.00	100.00
					23.19

Department: 22 FIRE CONTROL

001-22-500.12.00	REGULAR SALARIES	96,226.00	0.00	76,274.91	20.73
001-22-500.14.16	HURRICANE PAY	1,890.00	0.00	1,890.00	0.00
001-22-500.14.50	STIPEND PAYROLL	44,000.00	0.00	44,000.00	0.00
001-22-500.21.00	FICA TAXES - EMPLOYER PORTION	10,727.00	0.00	9,183.94	14.38
001-22-500.22.01	RETIREMENT - ICMA	9,248.00	0.00	7,315.78	20.89
001-22-500.22.20	RETIREMENT TOWN EMPLOYEES	3,591.00	0.00	2,815.86	21.59
001-22-500.23.01	HEALTH INSURANCE	28,200.00	0.00	19,408.04	31.18
001-22-500.23.02	LIFE INSURANCE	148.00	0.00	102.96	30.43
001-22-500.23.10	STATUTORY AD&D	207.00	0.00	(162.50)	178.50
001-22-500.24.00	WORKERS COMPENSATION	16,222.00	0.00	7,810.00	51.86
001-22-500.25.00	UNEMPLOYMENT COMPENSATION	241.00	0.00	211.12	12.40
001-22-520.34.40	DISPATCHING SERVICES	5,400.00	0.00	4,000.00	25.93
001-22-520.35.00	PRE-EMPLOYMENT EXPENSE	2,060.00	0.00	1,765.00	14.32
001-22-520.36.00	ANNUAL PHYSICALS	4,375.00	0.00	4,175.00	4.57
001-22-520.40.00	TRAVEL & MEETINGS	750.00	0.00	606.00	19.20
001-22-520.41.10	COMMUNICATION SERVICES	1,944.00	0.00	1,296.00	33.33
001-22-520.46.15	EQUIPMENT MAINTENANCE	10,000.00	0.00	6,382.25	36.18
001-22-520.46.20	VEHICLE MAINTENANCE	32,000.00	0.00	30,895.42	3.45
001-22-520.46.30	BUILDING MAINTENANCE	1,000.00	0.00	959.63	4.04
001-22-520.51.00	OFFICE SUPPLIES	800.00	0.00	779.75	2.53
001-22-520.52.00	UNIFORMS	12,650.00	0.00	12,503.42	1.16
001-22-520.52.02	S.C.B.A.	2,550.00	0.00	(507.56)	119.90
001-22-520.52.05	PROTECTIVE GEAR	2,925.00	0.00	1,580.41	45.97
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	0.00	919.87	8.01
001-22-520.52.20	TOOLS & HARDWARE	10,500.00	0.00	10,414.30	0.82
001-22-520.52.50	GAS & OIL	5,000.00	0.00	4,346.21	13.08

	Description	Original Budget	Encumbran	Available	% Used
001-22-520.52.70	MEDICAL	1,400.00	0.00	543.20	61.20
001-22-520.54.00	DUES & SUBSCRIPTIONS	610.00	0.00	235.00	61.48
001-22-520.54.10	TRAINING & SCHOOLS	5,525.00	0.00	1,722.00	68.83
001-22-520.54.12	TRAINING MATERIALS	3,200.00	0.00	2,971.61	7.14
001-22-520.64.01	Capital Outlay	82,369.00	4,074.96	2,909.98	96.47
001-22-543.00.00	LICENSES & FEES	13,473.00	0.00	6,603.00	50.99
001-22-581.00.00	TRANSFER OUT	36,500.00	0.00	0.00	100.00

40.00

Department: 29 CODE ENFORCEMENT

001-29-500.12.00	REGULAR SALARIES	15,792.00	0.00	12,788.25	19.02
001-29-500.21.00	FICA TAXES - EMPLOYER PORTION	1,208.00	0.00	925.63	23.38
001-29-500.22.20	RETIREMENT TOWN EMPLOYEES	2,143.00	0.00	1,642.10	23.37
001-29-500.23.10	STATUTORY AD&D	21.00	0.00	0.00	100.00
001-29-500.24.00	WORKERS COMPENSATION	738.00	0.00	738.00	0.00
001-29-500.25.00	UNEMPLOYMENT COMPENSATION	51.00	0.00	45.48	10.82
001-29-520.40.00	TRAVEL & MEETINGS	50.00	0.00	50.00	0.00
001-29-520.46.12	MAINTENANCE SUPPLIES	100.00	0.00	100.00	0.00
001-29-520.46.20	VEHICLE MAINTENANCE	150.00	0.00	150.00	0.00
001-29-520.48.55	FIRE PREVENTION	4,600.00	0.00	2,719.64	40.88
001-29-520.51.00	OFFICE SUPPLIES	125.00	0.00	125.00	0.00
001-29-520.51.10	POSTAGE	350.00	0.00	298.16	14.81
001-29-520.51.20	RECORDING COSTS	120.00	0.00	120.00	0.00
001-29-520.52.00	UNIFORMS	300.00	0.00	300.00	0.00
001-29-520.54.00	DUES & SUBSCRIPTIONS	150.00	0.00	150.00	0.00
001-29-520.54.10	TRAINING & SCHOOLS	600.00	0.00	600.00	0.00
001-29-543.00.00	LICENSES & FEES	1,000.00	0.00	1,000.00	0.00

20.90

Department: 41 PUBLIC WORKS

001-41-500.12.00	REGULAR SALARIES	253,947.00	0.00	205,149.52	19.22
001-41-500.14.00	SALARIES OVERTIME	4,000.00	0.00	3,359.64	16.01
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	19,427.00	0.00	15,594.58	19.73
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	34,461.00	0.00	27,752.32	19.47
001-41-500.23.01	HEALTH INSURANCE	46,000.00	0.00	33,852.85	26.41

	Description	Original Budget	Encumbran	Available	% Used
001-41-500.23.02	LIFE INSURANCE	294.00	0.00	152.91	47.99
001-41-500.23.10	STATUTORY AD&D	83.00	0.00	0.00	100.00
001-41-500.24.00	WORKERS COMPENSATION	4,424.00	0.00	4,424.00	0.00
001-41-500.25.00	UNEMPLOYMENT COMPENSATION	813.00	0.00	737.50	9.29
001-41-530.40.00	TRAVEL & MEETINGS	150.00	0.00	150.00	0.00
001-41-530.43.15	ELECTRICAL WORK	5,000.00	0.00	2,126.97	57.46
001-41-530.43.50	DUMP SERVICE	2,000.00	0.00	2,000.00	0.00
001-41-530.46.12	MAINTENANCE SUPPLIES	6,500.00	0.00	5,958.86	8.33
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	0.00	4,856.72	2.87
001-41-530.46.20	VEHICLE MAINTENANCE	9,500.00	0.00	8,083.07	14.92
001-41-530.46.30	BUILDING MAINTENANCE	9,000.00	0.00	8,533.50	5.18
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	600.00	0.00	600.00	0.00
001-41-530.46.32	RYCKMAN HOUSE	1,000.00	0.00	(700.00)	170.00
001-41-530.46.33	OLD POST OFFICE REPAIRS	2,000.00	0.00	1,869.69	6.52
001-41-530.46.35	PIER MAINTENANCE	1,000.00	0.00	1,000.00	0.00
001-41-530.46.40	GROUNDS MAINTENANCE	10,000.00	0.00	8,433.60	15.66
001-41-530.52.00	UNIFORMS	3,750.00	0.00	2,630.94	29.84
001-41-530.52.05	PROTECTIVE GEAR	2,500.00	0.00	2,185.56	12.58
001-41-530.52.20	TOOLS & HARDWARE	5,000.00	0.00	4,574.43	8.51
001-41-530.52.25	TOOL RENTALS	1,500.00	0.00	645.85	56.94
001-41-530.52.50	GAS & OIL	7,000.00	0.00	5,250.14	25.00
001-41-530.53.10	STREET REPAIR	7,500.00	0.00	5,863.86	21.82
001-41-530.53.20	STREET SIGNS	8,000.00	0.00	7,114.95	11.06
001-41-530.54.10	TRAINING & SCHOOLS	1,500.00	0.00	1,500.00	0.00
001-41-530.57.25	WELDING	200.00	0.00	200.00	0.00
001-41-530.64.01	CAPITAL OUTLAY	4,000.00	0.00	4,000.00	0.00
001-41-581.00.00	TRANSFER OUT	10,000.00	0.00	0.00	100.00
					21.08
Department: 42 GROUNDS KEEPING					
001-42-530.34.91	LANDSCAPING	22,300.00	0.00	18,239.20	18.21
001-42-530.46.15	EQUIPMENT MAINTENANCE	2,500.00	0.00	2,286.08	8.56
001-42-530.46.40	GROUNDS MAINTENANCE	26,000.00	0.00	25,254.43	2.87
001-42-530.46.43	TREE EXPENSE	3,000.00	0.00	3,000.00	0.00

	Description	Original Budget	Encumbran	Available	% Used
001-42-530.52.00	UNIFORMS	3,125.00	0.00	3,085.10	1.28
001-42-530.52.05	PROTECTIVE GEAR	575.00	0.00	575.00	0.00
001-42-530.52.20	TOOLS & HARDWARE	500.00	0.00	424.02	15.20
001-42-530.52.50	GAS & OIL	1,000.00	0.00	858.17	14.18
001-42-530.54.10	TRAINING & SCHOOLS	375.00	0.00	375.00	0.00
001-42-581.00.00	TRANSFER OUT	4,250.00	0.00	0.00	100.00
					14.98

Department: 72 PARKS & RECREATION

001-72-570.48.10	FOUNDER'S DAY	8,000.00	0.00	8,000.00	0.00
001-72-570.48.50	MOVIES IN THE PARK	1,800.00	0.00	1,335.00	25.83
001-72-570.48.52	FOURTH OF JULY	1,000.00	0.00	1,000.00	0.00
001-72-570.48.53	CHRISTMAS DECORATIONS PARK	4,000.00	0.00	530.86	86.73
001-72-570.48.60	EASTER EGG HUNT	400.00	0.00	400.00	0.00
001-72-570.48.90	RECREATION PROGRAMS	5,000.00	0.00	4,467.88	10.64
001-72-570.48.91	CHILDREN'S BUSINESS FAIR	5,000.00	0.00	5,000.00	0.00
001-72-570.63.01	TENNIS COURT EXPEDITURES	700.00	0.00	700.00	0.00
001-72-570.63.02	BBALL & VBALL COURTS	700.00	0.00	0.00	100.00
001-72-570.64.01	CAPITAL OUTLAY	30,000.00	0.00	30,000.00	0.00
				51,433.74	9.13

Overall Expenditure Rate:

21.84

Fund: 125 BUILDING DEPT

Account Category: Revenues

Department: 24 PROTECTIVE INSPECTIONS

125-24-322.00.00	BUILDING PERMITS	240,000.00	0.00	204,876.64	14.63
125-24-322.10.00	ZONING PLAN REVIEW	2,500.00	0.00	2,500.00	0.00
125-24-322.10.10	SITE PLAN REVIEW P&Z	6,000.00	0.00	6,000.00	0.00
125-24-322.20.00	BUILDING PLAN REVIEW	5,500.00	0.00	5,500.00	0.00
125-24-322.31.00	BOA ADVERTISING COSTS	100.00	0.00	100.00	0.00
125-24-322.31.20	P&Z ADVERTISING	200.00	0.00	200.00	0.00
125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	13,000.00	0.00	10,575.00	18.65
125-24-329.00.10	BOA VARIANCE FEES	1,000.00	0.00	420.00	58.00

	Description	Original Budget	Encumbran	Available	% Used
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	6,000.00	0.00	4,456.20	25.73
					14.46
Account Category: Expenditures					
125-24-500.12.00	REGULAR SALARIES	154,096.00	0.00	121,887.34	20.90
125-24-500.14.00	SALARIES OVERTIME	1,000.00	0.00	1,000.00	0.00
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	11,788.34	0.00	9,460.25	19.75
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	20,910.83	0.00	16,540.08	20.90
125-24-500.23.01	HEALTH INSURANCE	17,000.00	0.00	11,608.16	31.72
125-24-500.23.02	LIFE INSURANCE	136.00	0.00	98.84	27.32
125-24-500.23.10	STATUTORY AD&D	42.00	0.00	0.00	100.00
125-24-500.24.00	WORKERS COMPENSATION	1,475.00	0.00	1,475.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATION	493.11	0.00	444.80	9.80
125-24-520.40.00	TRAVEL & MEETINGS	700.00	0.00	108.00	84.57
125-24-520.46.20	VEHICLE MAINTENANCE	800.00	0.00	585.49	26.81
125-24-520.51.00	OFFICE SUPPLIES	430.00	0.00	430.00	0.00
125-24-520.51.10	POSTAGE	75.00	0.00	75.00	0.00
125-24-520.52.00	UNIFORMS	560.00	0.00	560.00	0.00
125-24-520.52.20	TOOLS & HARDWARE	100.00	0.00	100.00	0.00
125-24-520.52.50	GAS & OIL	700.00	0.00	618.41	11.66
125-24-520.54.00	DUES & SUBSCRIPTIONS	1,500.00	0.00	1,475.00	1.67
125-24-520.54.10	TRAINING & SCHOOLS	400.00	0.00	50.00	87.50
125-24-543.00.00	LICENSES & FEES	3,490.00	0.00	3,490.00	0.00
125-24-581.00.00	TRANSFER OUT	20,000.00	0.00	2,000.00	0.00
					19.39

Fund: 145 AMERICAN RESCUE PLAN

Account Category: Revenues

Department: 00

145-00-271.00.99	CARRY FORWARD	759,385.36	0.00	0.00	100.00
					100.00

Account Category: Expenditures

Department: 41 PUBLIC WORKS

	Description	Original Budget	Encumbran	Available	% Used
145-41-530.64.01	CAPITAL OUTLAY	758,533.87	0.00	758,533.87	0.00
					0.00
Fund: 172 OCEAN PARK PARKING FUND					
Account Category: Revenues					
Department: 00					
172-00-271.00.99	CARRY FORWARD	51,144.00	0.00	0.00	100.00
					100.00
Department: 75 TOWN PARKS					
172-75-342.10.00	PARKING TICKET REVENUE	12,000.00	0.00	9,700.00	19.17
172-75-344.50.00	PARKING METER REVENUE	95,000.00	0.00	84,462.10	11.09
					12.00
Account Category: Expenditures					
172-75-575.31.02	LIFEGUARD CONTRACT	73,000.00	0.00	73,000.00	0.00
172-75-575.32.90	BANKING FEES	5,500.00	0.00	4,492.31	18.32
172-75-575.34.10	JANITORIAL CLEANING	1,800.00	0.00	1,350.00	25.00
172-75-575.34.91	LANDSCAPING	1,500.00	0.00	1,278.27	14.78
172-75-575.41.10	IPS COMMUNICATIONS FEE	5,000.00	0.00	4,556.32	8.87
172-75-575.43.10	ELECTRICITY	3,000.00	0.00	2,546.52	15.12
172-75-575.43.20	WATER & SEWER	1,200.00	0.00	1,025.28	14.56
172-75-575.43.50	DUMP SERVICE	250.00	0.00	250.00	0.00
172-75-575.46.12	MAINTENANCE SUPPLIES	3,000.00	0.00	2,961.74	1.28
172-75-575.46.31	BUILDING MAINT RESTROOMS	400.00	0.00	(185.65)	146.41
172-75-575.46.40	GROUNDS MAINTENANCE	1,200.00	0.00	766.64	36.11
172-75-575.52.10	JANITORIAL SUPPLIES	350.00	0.00	350.00	0.00
172-75-575.52.25	TOOL RENTAL	3,000.00	0.00	3,000.00	0.00
172-75-575.53.15	PARKING LOT REPAIRS	1,500.00	0.00	1,500.00	0.00
172-75-575.53.20	SIGNS	800.00	0.00	800.00	0.00
172-75-575.63.03	VOLLEYBALL COURT	2,000.00	0.00	1,950.01	2.50
172-75-575.63.05	BOCCE BALL COURT	0.00	0.00	(3,367.54)	100.00
172-75-575.64.01	CAPITAL OUTLAY	6,000.00	0.00	5,750.15	4.16
172-75-581.00.00	TRANSFER OUT	1,400.00	0.00	0.00	100.00
		110,900.00	0.00	102,024.05	8.00

Fund: 175 RYCKMAN CROSSOVER PARKING		Description	Original Budget	Encumbrances	Available	% Used
Account Category: Revenues						
Department: 00						
175-00-271.00.99		CARRY FORWARD	120,556.74	0.00	0.00	100.00
						100.00
Department: 75 TOWN PARKS						
175-75-342.10.00		PARKING TICKET REVENUE	3,500.00	0.00	1,950.00	44.29
175-75-344.50.00		PARKING METER REVENUE	89,000.00	0.00	73,464.94	17.46
175-75-344.50.10		PARK PASS REVENUE	2,500.00	0.00	2,200.00	12.00
						18.30
Account Category: Expenditures						
175-75-575.31.00		PROFESSIONAL SERVICES	0.00	0.00	(3,000.00)	100.00
175-75-575.32.90		BANKING FEES	3,400.00	0.00	2,728.20	19.76
175-75-575.41.15		IPS COMMUNICATION FEE	2,800.00	0.00	2,504.21	10.56
175-75-575.47.00		PRINTING	0.00	0.00	(954.97)	100.00
175-75-575.48.52		FALL FESTIVAL	4,000.00	0.00	380.39	90.49
175-75-575.48.53		WINTER FESTIVAL	4,000.00	0.00	4,000.00	0.00
175-75-575.50.00		RECREATION PROGRAMS	10,500.00	0.00	8,750.00	16.67
175-75-575.64.01		CAPITAL OUTLAY	50,000.00	0.00	50,000.00	0.00
175-75-575.73.00		CULTURAL SERVICES	3,500.00	0.00	2,963.08	15.34
175-75-581.00.00		TRANSFER OUT	91,500.00	0.00	0.00	100.00
						60.30
Fund: 351 LAND & ROAD IMPROVEMENTS						
Account Category: Revenues						
Department: 00						
351-00-271.00.99		CARRY FORWARD	27,397.17	0.00	0.00	100.00
351-00-381.00.00		TRANSFERS IN	90,000.00	0.00	0.00	100.00
						100.00

	Description	Original Budget	Encumbran	Available	% Used
Account Category: Expenditures					
Department: 41 PUBLIC WORKS					
351-41-570.31.00	PROFESSIONAL SERVICES	5,000.00	0.00	5,000.00	0.00
351-41-570.31.21	ENGINEERING SERVICES	20,000.00	0.00	20,000.00	0.00
351-41-570.34.91	LANDSCAPING	10,000.00	0.00	8,896.00	11.04
351-41-570.46.40	GROUNDS MAINTENANCE	0.00	0.00	(1,183.10)	100.00
351-41-570.46.43	TREE EXPENSE	9,000.00	0.00	9,000.00	0.00
351-41-570.52.25	TOOL RENTALS	3,000.00	0.00	3,000.00	0.00
351-41-570.53.20	STREET SIGNS	20,000.00	0.00	8,246.90	58.77
351-41-570.64.01	CAPITAL OUTLAY	50,000.00	0.00	50,000.00	0.00
					12.00

Public Works Activities

December 2023

Daily trash pick ups parks/crossovers pick up debris falling from palms

Numerous large pot hole repairs Riverside Dr.

Completely trimmed and cleaned growth 3rd Ave. Crossover

Removed and stored all Christmas decorations

Installing material on pier lights to lessen appearance as roadway

Installed ventilation fan Ryckman Park restrooms

Moved speed trailer for PD multiple moves

Cleaned up and repaired damage to pier from vehicle crash

Installed more of the new signage on Riverside

Assisted with Christmas parade

Miscellaneous irrigation repairs

Moved benches from old bocce court to the new one

Maintenance of Christmas lights throughout month

Cut removed invasive Vitex Ocean Park

Repaired stormwater pipe Ocean Ave.

Ditchwitch cleaned stormwater baffle boxes

New volleyball net up

Repaired roofs on 2 of the picnic pavilions at Ocean Park

Met with Brevard County addressed the erosion around the Library

Repaired street sign Magnolia and Banyan



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Building Department Report

December 2023

- permits issued 25
- Construction value of the \$764,178.00 permits totaled \$11,001.51
- Total permit fees \$
- Inspections completed 78
- Plans reviewed 25
- Site plan review for P&Z 0
- Vacation rental inspections 0
- New home 2
- Stop work order 0

Permit List

Permit	Type	Address	Applicant	Issued	Expired	Paid
PPL23-0009	Pool	407 THIRD AVE	All American Pools of West Melbourne	12/11/202	06/11/202	\$563.75
PSH23-0007	Shed	509 THIRD AVE	George Morissette Construction	12/08/202	06/05/202	\$79.00
PCD23-0036	Paver, Concrete, & Deck	221 FOURTH AVE	HERRING, ROBERT L	12/15/202	06/12/202	\$299.82
PWS23-0111	Window, Door, and Shutter Permit	303 FIFTH AVE	PARADISE GARAGE DOOR SERVICES INC	12/19/202	06/16/202	\$80.50
PP23-0018	Plumbing	225 SIXTH AVE	DANIEL GONZALEZ REVOCABLE LIVING TRUST	12/04/202	06/11/202	\$440.75
PRB23-0047	Res New Construction	415 SIXTH AVE	STANLEY HOMES INC	12/19/202	06/16/202	\$3916.00
PAS23-0006	Accessory Structure	415 SIXTH AVE	STANLEY HOMES INC	12/19/202	06/16/202	\$358.75
PE23-0065	Electrical	604 ALDEN PL	HECK, JAMES	12/19/202	06/16/202	\$79.00
PM23-0069	Mechanical	1109 ATLANTIC ST	ROBERT C MARCELLE	12/13/202	06/10/202	\$164.15
PWS23-0106	Window, Door, and Shutter Permit	1207 ATLANTIC ST	Vann Construction LLC	12/01/202	05/29/202	\$861.52
PCB23-0009	Com Building	1905 ATLANTIC ST 315	EAST COAST CONSTRUCTION SD INC	12/14/202	06/11/202	\$461.25
PWS23-0112	Window, Door, and Shutter Permit	2005 ATLANTIC ST 412	ARMORVUE OF TAMPA, LLC	12/21/202	06/18/202	\$509.19
PF23-0043	Fence	1101 ATLANTIC ST	MACKAY, NEILSON	12/07/202	06/04/202	\$79.00
PRR23-0085	Reroof	308 AVENUE A	Mike willis Roofing & Construction LLC	12/15/202	06/30/202	\$330.57
PRB23-0048	Res Building	1908 CEDAR LANE	JACKSON, WILLIAM	12/13/202	06/10/202	\$307.50
PE23-0063	Electrical	206 ELM AVE	Hughes, Chris	12/01/202	05/29/202	\$79.00
PF23-0042	Fence	310 HIBISCUS TRL	Carrie's Fence of Palm Bay	12/01/202	06/19/202	\$245.20
PE23-0064	Electrical	415 HIBISCUS TRL	Durham, Ralph	12/01/202	06/19/202	\$79.00
PM23-0068	Mechanical	504 MAGNOLIA AVE	JAMES L BERNAT	12/07/202	06/08/202	\$281.98
PF23-0041	Fence	602 MANGO DR	MIKE WAGERS CONSTRUCTION	12/11/202	06/08/202	\$276.75
PP23-0020	Plumbing	1807 NEPTUNE DR	Mayo, Jeff	12/22/202	06/19/202	\$256.51
PRR23-0084	Reroof	415 OCEAN AVE	Florida Native Roofing Inc	12/13/202	06/30/202	\$293.35
PCB23-0010	Com Building	419 OCEAN AVE	KNIGHT, DOC	12/21/202	06/18/202	\$79.00
PP23-0019	Plumbing	514 POINSETTIA RD	MICHAEL B HEIDENREICH	12/08/202	06/09/202	\$244.47
PRR23-0083	Reroof	432 RIVER VW	DIRECT METAL ROOFING	12/18/202	06/15/202	\$635.50

Total Permits: 25

Total Paid: \$11001.51

Monthly Permit List

01/03/2024

1/4

Accessory Structure

Permit #	Applicant	Address	Fee Total	Const. Value
PAS23-0006	STANLEY HOMES INC	415 SIXTH AVE	\$358.75	\$15000.00
Work Description: cabana				

Total Permits For Type: 1
Total Fees For Type: \$358.75
Total Const. Value For Type: \$15000.00

Com Building

Permit #	Applicant	Address	Fee Total	Const. Value
PCB23-0009	EAST COAST CONSTRUCTION SD INC	1905 ATLANTIC ST 315	\$461.25	\$25000.00
Work Description: Kitchen remodel/layout stays the same				
PCB23-0010	KNIGHT, DOC	419 OCEAN AVE	\$79.00	\$500.00
Work Description: Exploratory Demolition				

Total Permits For Type: 2
Total Fees For Type: \$540.25
Total Const. Value For Type: \$25500.00

Electrical

Permit #	Applicant	Address	Fee Total	Const. Value
PE23-0065	HECK, JAMES	604 ALDEN PL	\$79.00	\$1360.00
Work Description: Install temp power pole				
PE23-0063	Hughes, Chris	206 ELM AVE	\$79.00	\$1100.00
Work Description: replace downpipe				
PE23-0064	Durham, Ralph	415 HIBISCUS TRL	\$79.00	\$1890.00
Work Description: 50a breaker for pool heater				

Total Permits For Type: 3
Total Fees For Type: \$237.00
Total Const. Value For Type: \$4350.00

Fence

Permit #	Applicant	Address	Fee Total	Const. Value
PF23-0043	MACKAY, NEILSON	1101 ATLANTIC ST	\$79.00	\$650.00
Work Description: Extend length of existing fence by 23', material pressure treated wood, Height 6', 4' just inside of lot line				
PF23-0042	Carrie's Fence of Palm Bay	310 HIBISCUS TRL	\$245.20	\$7974.00
Work Description: Install 188' of 6' gihg wood fence with 3/gates & 32' of 4' high wood fence with 1 gate				

PF23-0041

MIKE WAGERS
CONSTRUCTION

602 MANGO DR

\$276.75

\$9000.00

Work Description: fence, 6' privacy fence

Total Permits For Type: 3
Total Fees For Type: \$600.95
Total Const. Value For Type: \$17624.00

Mechanical

Permit #	Applicant	Address	Fee Total	Const. Value
PM23-0069	ROBERT C MARCELLE	1109 ATLANTIC ST	\$164.15	\$5325.00
Work Description: HVAC exact change out, no duct work				
PM23-0068	JAMES L BERNAT	504 MAGNOLIA AVE	\$281.98	\$9170.00
Work Description: Replace HVAC like for like				

Total Permits For Type: 2
Total Fees For Type: \$446.13
Total Const. Value For Type: \$14495.00

Paver, Concrete, & Deck

Permit #	Applicant	Address	Fee Total	Const. Value
PCD23-0036	HERRING, ROBERT L	221 FOURTH AVE	\$299.82	\$9750.00
Work Description: WE ARE GOING TO REPALCE THE OLD CONCRETE DDRIVEWAY FOR NEW PAVER DRIVEWAY				

Total Permits For Type: 1
Total Fees For Type: \$299.82
Total Const. Value For Type: \$9750.00

Plumbing

Permit #	Applicant	Address	Fee Total	Const. Value
PP23-0018	DANIEL GONZALEZ REVOCABLE LIVING TRUST	225 SIXTH AVE	\$440.75	\$23000.00
Work Description: Plumbing replace				
PP23-0020	Mayo, Jeff	1807 NEPTUNE DR	\$256.51	\$8342.00
Work Description: sanitary repipe				
PP23-0019	MICHAEL B HEIDENREICH	514 POINSETTIA RD	\$244.47	\$7950.00
Work Description: kitchen drain line replacement, replacement of existing sewer lines in yard				

Total Permits For Type: 3
Total Fees For Type: \$941.73
Total Const. Value For Type: \$39292.00

Pool

Permit #	Applicant	Address	Fee Total	Const. Value
PPL23-0009	All American Pools of West Melbourne	407 THIRD AVE	\$563.75	\$35000.00

Work Description: Construction of new pool

Total Permits For Type: 1
Total Fees For Type: \$563.75
Total Const. Value For Type: \$35000.00

Reroof

Permit #	Applicant	Address	Fee Total	Const. Value
PRR23-0085	Mike Willis Roofing & Construction LLC	308 AVENUE A	\$330.57	\$12250.00
	Work Description: Roof replacement sq 23 Pitch 3/12			
PRR23-0084	Florida Native Roofing Inc	415 OCEAN AVE	\$293.35	\$9540.00
	Work Description: Shingle reroof, 18sq - east bldg only			
PRR23-0083	DIRECT METAL ROOFING	432 RIVER VW	\$635.50	\$42000.00
	Work Description: Residential Re-Roof to metal			

Total Permits For Type: 3
Total Fees For Type: \$1259.42
Total Const. Value For Type: \$63790.00

Res Building

Permit #	Applicant	Address	Fee Total	Const. Value
PRB23-0048	JACKSON, WILLIAM	1908 CEDAR LANE	\$307.50	\$10000.00
	Work Description: back lanai and front porch			

Total Permits For Type: 1
Total Fees For Type: \$307.50
Total Const. Value For Type: \$10000.00

Res New Construction

Permit #	Applicant	Address	Fee Total	Const. Value
PRB23-0047	STANLEY HOMES INC	415 SIXTH AVE	\$3916.00	\$430800.00
	Work Description: Single family new construction			

Total Permits For Type: 1
Total Fees For Type: \$3916.00
Total Const. Value For Type: \$430800.00

Shed

Permit #	Applicant	Address	Fee Total	Const. Value
PSH23-0007	George Morissette Construction	509 THIRD AVE	\$79.00	\$2300.00
	Work Description: storage shed on existing concrete slab			

Total Permits For Type: 1
Total Fees For Type: \$79.00

Total Const. Value For Type: \$2300.00

Window, Door, and Shutter Permit

Permit #	Applicant	Address	Fee Total	Const. Value
PWS23-0111	PARADISE GARAGE DOOR SERVICES INC	303 FIFTH AVE	\$80.50	\$2550.00
Work Description: Replace garage door				
PWS23-0106	Vann Construction LLC	1207 ATLANTIC ST	\$861.52	\$64050.00
Work Description: Remove and replace deck material, replace fence along north side of deck, add ramp at north side				
PWS23-0112	ARMORVUE OF TAMPA, LLC	2005 ATLANTIC ST 412	\$509.19	\$29677.00
Work Description: Replace 3 doors, like for like				

Total Permits For Type:	3
Total Fees For Type:	\$1451.21
Total Const. Value For Type:	\$96277.00

Grand Total Fees:	\$11,001.51
Grand Total Permits:	25.00
Grand Total Const. Value:	\$764178.00

Inspection Totals

Bond Beam - Garage	1
BTR FIRE	6
Dry-In	4
Electrical	7
Final	8
Final Building	4
Final Fence	5
Final Mechanical	3
Final Paver, Concrete, & Deck	3
Final Pool Enclosure	1
Final Pool Resurface	4
Final Propane	2
Final window, Door, & Shutter	5
Framing	2
In Progress	1
In-Progress	1
Insulation	2
Plumbing Underground	1
Pressure Test	1
Rough Electrical	2

Inspection Totals

Rough Mechanical	1
Rough Miscellaneous	2
Rough Plumbing	4
Rough Sewer & Water	2
Screw	1
Sheathing	1
Slab	1
Steel & Ground	1
Tie-Downs	1
Underground Plumbing	1

Total # of Inspections: 78

Enforcement List

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE22-0150	213 ASH AVE	Trailers, Boats, and Recreational Vehicles	OPEN - Magistrate ruled violation(s)	Staff	12/06/22	01/03/24
ECE23-0179	204 CHERRY DR	Short Term Rental Violations	Open - First Letter Sent	Staff	07/31/23	
ECE23-0188	1350 ATLANTIC ST	Short Term Rental Violations	Open - First Letter Sent	Staff	09/12/23	
ECE23-0191	325 AVENUE A	Multiple Violations	Open - Second Letter Certified Mail	Staff	09/19/23	
ECE23-0192	323 AVENUE A	Attractive Nuisance	Open - Second Letter Certified Mail	Staff	09/21/23	
ECE23-0193	409 THIRD AVE	Attractive Nuisance	Open - First Letter Sent	Staff	09/21/23	
ECE23-0200	401 AVENUE B	Trailers, Boats, and Recreational Vehicles	Open - Second Letter Certified Mail	Public - Email	11/14/23	
ECE23-0201	302 ORANGE ST	Building Permit Violation	OPEN - Magistrate ruled violation(s)	Staff	11/14/23	01/10/24
ECE23-0202	1501 ATLANTIC ST A	Trees and Landscaping	Open - First Letter Sent		11/18/23	
ECE23-0203	400 BANYAN WAY	Irrigation Violation	Open - First Letter Sent	Public - Phone	11/18/23	
ECE23-0206	200 OCEAN AVE STE 203	Business Tax	Open - First Letter Sent	Staff	12/18/23	

Total # of Enforcements: 11



Town of Melbourne Beach



Fire Department

MONTHLY REPORT – December 2023

Incident Response

For the month of December 2023, the Melbourne Beach Volunteer Fire Department responded to 17 calls for service. The average number of responding volunteer personnel per paged out call for the month was 9.

Breakdown:

- 12 Fire/Rescue 911 Calls (Paged out)
- 1 EMS Assist (First Responder EMS)
- 1 Law Enforcement Assist
- 2 New Fire Alarm System Inspections
- 1 Standby Special Detail (Parade)

Department Membership

- 1 Fire Chief (*Full-Time*)
- 1 Maintenance Technician (*Part-Time*)
- 20 Certified Volunteer Firefighters
- 7 Support Services Volunteers
- 5 Probationary Members
- 1 Administrative Volunteer
- 1 Volunteer Fire Chaplain

Notable Incidents

- 12/27/2023 – 3 vehicle accident at intersection of Oak Street and Sunset Blvd in Melbourne Beach. E-58, E-258, & S-58 responded. No injuries. Roadway shut down and traffic re-routed until wrecker could arrive.
- 12/31/2023 – Electrical fire contained to EV charging unit in residential garage. E-58, MB Fire-1, & T-57 responded. Homeowner had shut off electrical breaker and extinguished fire before fire department arrival. No extension into structure. Cause believed to be overheating or short circuit of charging system.

Notable Events

In partnership with the Melbourne Beach Volunteer Firefighter's Association, the Fire Department assisted with the planning and execution of the MBVFA's 59th Annual Children's Christmas Parade / Pancake Breakfast, and the Christmas Eve Santa Run. The date for the Annual Christmas Parade was rescheduled due to severe weather, and the new date was still well attended by the community. The Christmas Eve Santa Run delivered approx. 600 gifts this year, the largest quantity to date. In addition, the Fire Department assisted with the Town's Christmas Tree lighting event. Thanks to all of the volunteer men and women of the MBVFD and MBVFA that give up a significant amount of additional time during the holiday season to coordinate and run these events for the our community.

The Fire Department had its annual hose testing completed by a 3rd party vendor. 2 sections of hose failed the rigorous inspection and testing process and will need to be replaced.

The Fire Department participated in an 8 hour multi-agency live fire training exercise out at Eastern Florida State College. The students in the States Volunteer Firefighter Certification Program were able to complete all of their required live fire scenarios for their program, and senior firefighters from both Melbourne Beach and Indian Harbour Beach were able to participate in firefighter survival, search and rescue, and live fire scenario training.

Chief Brown & Volunteer Deputy Chief Miller attended an 800mhz meeting hosted by the SCFCA to better prepare for the upcoming transition of the County's public safety radio system. In addition, Chief Brown attended the quarterly Brevard County Emergency Management Coordinators meeting and the swearing-in ceremony for 2 Indian Harbour Beach volunteer firefighters that are graduating from the Volunteer Firefighter Certification Program hosted and taught by Melbourne Beach.

Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 1/12/2024 6:21:26 PM



Incident Address and Type for Date Range (Landscape)

Incident Status(s): All Incident Statuses | Start Date: 12/01/2023 | End Date: 12/31/2023

INCIDENT #	DATE	LOCATION TYPE	ADDRESS	INCIDENT TYPE	ALARM	CLEARED SCENE
2023-180	12/02/2023		507 Ocean AVE , Melbourne Beach, FL, 32951	EMS call, excluding vehicle accident with injury	12/02/2023 11:57	12/02/2023 12:10
2023-181	12/05/2023		300 S Palm AVE , Melbourne Beach, FL, 32951	Assist police or other governmental agency	12/05/2023 13:12	12/05/2023 13:33
2023-182	12/07/2023		1708 Atlantic ST 4C, Melbourne Beach, FL, 32951	Smoke scare, odor of smoke	12/07/2023 09:34	12/07/2023 10:17
2023-183	12/07/2023		2005 Atlantic ST , Melbourne Beach, FL, 32951	Special type of incident, other	12/07/2023 12:21	12/07/2023 15:39
2023-184	12/08/2023		405 Atlantic ST , Melbourne Beach, FL, 32951	Smoke detector activation, no fire - unintentional	12/08/2023 14:42	12/08/2023 14:56
2023-185	12/12/2023	Intersection	Oak ST / Orange Street, Melbourne Beach, FL, 32951	Vehicle accident, general cleanup	12/12/2023 12:24	12/12/2023 12:59
2023-186	12/14/2023		2101 Atlantic ST , Melbourne Beach, FL, 32951	Special type of incident, other	12/14/2023 13:16	12/14/2023 13:20
2023-187	12/14/2023		204 S Riverside DR , Indialantic, FL, 32903	Smoke detector activation, no fire - unintentional	12/14/2023 14:33	12/14/2023 14:38
2023-188	12/17/2023		514 Ocean AVE , Melbourne Beach, FL, 32951	Arcing, shorted electrical equipment	12/17/2023 11:24	12/17/2023 12:00
2023-189	12/20/2023		402 Riverview LN , Melbourne Beach, FL, 32951	Good intent call, other	12/20/2023 18:25	12/20/2023 18:38
2023-190	12/22/2023		108 Tradewinds TER , Indialantic, FL, 32903	Smoke detector activation, no fire - unintentional	12/22/2023 09:15	12/22/2023 09:22
2023-191	12/22/2023	Intersection	Oak ST / 5th Avenue, Melbourne Beach, FL, 32951	Motor vehicle accident with no injuries.	12/22/2023 19:05	12/22/2023 19:26
2023-192	12/27/2023		1606 Atlantic ST , Melbourne Beach, FL, 32951	Assist invalid	12/27/2023 16:30	12/27/2023 16:40
2023-193	12/27/2023	Intersection	Atlantic ST / Sunset Blvd., Melbourne Beach, FL, 32951	Motor vehicle accident with no injuries.	12/27/2023 17:27	12/27/2023 18:45
2023-194	12/28/2023		50 Eleventh AVE , Indialantic, FL, 32903	Alarm system sounded due to malfunction	12/28/2023 20:32	12/28/2023 20:41
2023-195	12/30/2023		507 Ocean AVE , Melbourne Beach, FL, 32951	Cover assignment, standby, moveup	12/30/2023 08:26	12/30/2023 11:33
2023-196	12/31/2023		103 Oak ST , Melbourne Beach, FL, 32951	Arcing, shorted electrical equipment	12/31/2023 22:06	12/31/2023 22:27

Location Type is only filled in when it is marked Intersection, Directions, or National Grid on Basic Info 3.



Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 1/12/2024 6:22:18 PM



Personnel Count per Incident for Date Range

Start Date: 12/01/2023 | End Date: 12/31/2023

INCIDENT				NUMBER OF PEOPLE		
NUMBER	DATE	INCIDENT TYPE	FDID	ON APPARATUS	NOT ON APPARATUS	TOTAL
2023-180	12/2/2023 11:57:05	321 - EMS call, excluding vehicle accident with injury	19112	4	0	4
2023-181	12/5/2023 13:12:05	551 - Assist police or other governmental agency	19112	2	0	2
** 2023-182	12/7/2023 09:34:53	651 - Smoke scare, odor of smoke	19112	8	3	11
2023-183	12/7/2023 12:21:59	900 - Special type of incident, other	19112	1	0	1
** 2023-184	12/8/2023 14:42:51	743 - Smoke detector activation, no fire - unintentional	19112	7	0	7
** 2023-185	12/12/2023 12:24:54	463 - Vehicle accident, general cleanup	19112	7	0	7
2023-186	12/14/2023 13:16:07	900 - Special type of incident, other	19112	1	0	1
** 2023-187	12/14/2023 14:33:14	743 - Smoke detector activation, no fire - unintentional	19112	6	3	9
** 2023-188	12/17/2023 11:24:52	445 - Arcing, shorted electrical equipment	19112	8	2	10
** 2023-189	12/20/2023 18:25:10	600 - Good intent call, other	19112	7	4	11
** 2023-190	12/22/2023 09:15:19	743 - Smoke detector activation, no fire - unintentional	19112	4	6	10
** 2023-191	12/22/2023 19:05:06	324 - Motor vehicle accident with no injuries.	19112	4	2	6
** 2023-192	12/27/2023 16:30:33	554 - Assist invalid	19112	2	3	5
** 2023-193	12/27/2023 17:27:04	324 - Motor vehicle accident with no injuries.	19112	12	0	12
** 2023-194	12/28/2023 20:32:47	735 - Alarm system sounded due to malfunction	19112	6	0	6
2023-195	12/30/2023 08:26:15	571 - Cover assignment, standby, moveup	19112	14	1	15
** 2023-196	12/31/2023 22:06:16	445 - Arcing, shorted electrical equipment	19112	5	5	10

TOTAL # OF INCIDENTS: 17

AVERAGES:

5.8

1.7

7.5

Total # of incidents
paged out for
volunteer response: 12

** Without EMS Assist or Service Calls:
(Paged out calls only)

6.3

2.3

8.7

Only REVIEWED incidents included

Note: 900 series "Special Incidents" include fire inspections performed.



emergencyreporting.com

Doc Id: 358

Page # 1 of 1



Melbourne Beach Police Department

Monthly Report

December 2023



Operations:

In December 2023, the department responded to 1,156 calls for service and 118 house checks.

Activity:

- 26 Citations / 10 Written Warnings
- 166 Traffic Stops
- 109 Traffic Enforcement
- 3 Traffic Complaint
- 19 Parking Citations

Our radar trailer continues to be placed in various locations throughout the Town.

PD News

- The Police Department has lost and found miscellaneous items that have been brought into the department, for example, keys, sunglasses, and children's toys. These items were found at our beach accesses and Rychman Park. If you believe you may have lost things, come to the Police Department during business hours Monday – Friday, 8 am to 5 pm.
- SRO Sullivan read "A Charlie Brown Christmas " to the second-grade class." Photos on our Facebook page.
- Thank you to everyone who dropped off goodies to the Police Department during Christmas. They did not last long.

On behalf of the officers and myself, we hope everyone has a safe and prosperous New Year.

Please see the attachments:

- Speed Trailer report
- Sergeant's monthly reports

Stay Safe, Chief Melanie Griswold



Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
Total Calls for Service	1578	1188	1366	1370	1571	1480	1383	1306	1202	1199	1203	1274	16120
Total Felonies	0	5	1	1	3	0	0	2	0	1	0	0	13
Total Misdemeanors	5	2	4	12	4	8	0	3	1	3	1	3	46
Total Capias Requests	0	0	0	2	0	2	1	0	0	2	0	1	8
Total Traffic Arrests	1	0	0	3	0	2	1	0	0	2	0	0	9
Total Other Arrests	3	0	0	0	0	0	0	0	0	0	0	0	3
911 Investigation	27	42	32	39	40	35	37	10	13	9	15	5	304
Alarm Business	5	7	4	1	2	1	4	4	5	10	6	5	54
Alarm Residence	1	1	5	9	4	2	2	5	3	2	11	6	51
Alarm Vehicle	0	1	0	0	0	0	0	0	0	0	0	0	1
Assault	0	0	0	1	0	0	0	0	0	0	0	0	1
Animal Complaint	7	4	6	3	5	4	3	3	6	2	3	2	48
AOA Fire/Medical	6	5	1	2	6		0	2	0	0	0	0	22
AOA LEO	13	11	6	1	1	6	8	4	8	9	6	5	78
Assist Citizen	7	11	12	8	14	9	8	6	7	16	8	7	113
Assist DCF	1	2	0	1	1	2	1	0	0	0	2	1	11
Assist Motorist	1	0	1	1	0	1	4	5	1	2	0	1	17
Attempt To Contact	4	7	4	2	4	3	3	11	5	8	4	1	56
Baker Act	0	3	0	0	2	1	1	0	0	0	0	0	7
Battery	0	1	0	0	0	1	0	0	1	1	0	0	4
Battery-Domestic	1	0	0	2	0	0	0	0	0	0	0	0	3
Burglary - Residential	0	1	0	0	0	0	0	0	0	2	0	0	3
Burglary - Vehicle	1	3	0	0	0	0	0	1	0	0	1	0	6
Civil Matter	1	4	2	3	5	2	0	1	4	0	2	0	24
Crash	6	1	6	7	5	4	7	6	11	7	5	9	74
Criminal Mischief	0	3	5	4	2	1	0	1	0	1	1	2	20
Deceased Person	0	0	3	0	0	0	1	1	0	0	0	0	5
Disturbance	3	2	6	0	7	10	5	5	4	6	4	5	57
Disturbance Domestic	1	1	2	0	1	0	1	2	3	0	2	0	13
Disturbance Noise	2	3	0	1	7	1	4	2	4	2	0	3	29
Fraud/Forgery	1	2	1	0	3	1	0	1	1	1	0	2	13
House Checks	161	70	127	89	382	267	265	229	148	115	40	118	2011
Illegal Dumping	0	0	0	0	0	2	0	0	0	1	0	0	3
Illegal Parking	21	27	52	46	43	66	33	41	32	56	38	29	484
Indecent/Lewd Act	1	0	0	0	0	0	0	0	0	0	0	0	1
Information	8	6	17	11	11	14	8	16	7	9	9	13	129
Injured/Ill Person	20	17	15	24	12	16	19	23	8	23	20	13	210



Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		YTD
Intoxicated Driver	0	0	0	0	0	0	1	0	0	0	0	1		2
Intoxicated Person	1	0	0	1	1	0	0	0	0	1	0	0		4
Investigation	1	0	1	3	4	5	1	4	1	2	4	0		26
Low Speed Vehicle Insp/Decal	3	0	2	1	1	1	0	0	0	4	0	3		15
Missing Person	0	0	1	2	1	1	0	0	0	0	0	0		5
Narcotics	0	0	1	0	0	0	0	0	0	1	1	0		3
Open Door	3	0	3	1	1	1	1	1	0	2	3	0		16
Ordinance Violation/Code Enf	1	0	0	0	0	1	0	0	0	0	0	0		2
Overdose	0	1	0	0	0	0	0	0	0	0	0	0		1
Parking Citations	21	24	81	35	44	51	38	48	34	47	35	19		477
Patrol Area	87	70	147	124	229	186	165	157	103	125	93	110		1596
Patrol Area Business	185	160	201	225	233	272	240	214	197	212	204	210		2553
Patrol Area Residential	522	453	454	453	563	508	451	382	386	303	415	473		5363
Patrol Area School	22	20	32	52	59	34	37	38	36	43	38	37		448
Phone Call - Threatening	1	0	0	0	0	2	1	0	1	0	1	0		6
Property Confiscated	0	0	0	1	0	0	0	0	0	0	0	0		1
Property Found	3	5	4	2	3	4	1	2	3	1	1	1		30
Property Lost	0	1	3	3	1	1	3	3	1	0	1	0		17
Reckless Driving	5	4	4	6	7	5	6	5	3	8	6	7		66
Retail Theft	0	0	0	1	0	1	0	0	0	0	0	0		2
School Zone	23	30	22	46	36	2	0	23	27	37	32	12		290
Shooting in the Area	1	0	1	0	0	0	0	0	0	0	0	0		2
Soliciting	1	1	0	0	1	0	0	0	0	0	0	1		4
Special Detail	0	0	3	0	3	1	1	0	0	1	2	2		13
Special Response ATV	0	0	0	0	0	0	0	0	0	0	1	0		1
Special Response Drone	0	0	0	0	0	0	0	0	0	0	0	0		0
Standby-Keep the Peace	1	1	2	0	0	2	1	0	2	1	1	1		12
Suicide	0	1	0	0	0	0	0	0	0	0	0	0		1
Suicide - Attempt/Threat	0	1	0	0	0	1	1	0	1	0	1	1		6
Suspicious Incident	19	9	8	18	10	16	12	18	4	15	7	6		142
Suspicious Person	11	6	6	14	16	8	9	4	9	12	9	8		112
Suspicious Vehicle	14	21	14	13	12	14	6	16	14	12	11	4		151
Theft	1	1	0	2	3	2	0	1	0	2	3	0		15
Traffic Citations	47	19	24	30	22	25	26	48	32	20	16	26		335
Traffic Complaint	3	2	1	3	10	3	1	5	6	1	3	3		41
Traffic Enforcement	327	127	135	104	79	113	110	98	116	123	125	109		1566
Traffic Stop	205	101	126	121	114	93	169	183	167	118	90	166		1653
Traffic Obstruction	0	0	2	2	2	0	0	0	2	1	1	1		11
Trespass	0	3	4	3	4	3	2	1	0	2	0	0		22



Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		YTD
Vehicle Abandoned	1	0	0	0	0	0	0	1	0	0	2	0		4
Vehicle Inspection	4	5	3	1	2	2	0	1	0	4	0	0		22
Vehicle Repo/Tow	0	0	0	0	1	1	0	0	0	0	0	0		2
Wanted Person	0	0	0	0	1	1	0	0	1	0	1	0		4
Written Warnings	26	5	5	33	35	34	53	42	46	23	14	10		326

Vehicle Mileage	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		YTD
Car 300	1000	1246	1605	1163	921	1414	1637	1333	1114	1295	1045	703		14476
Car 301	-	-	-	-	-	-	-	1298	617	750	902	1114		4681
Car 302	-	-	-	-	-	-	-	1468	928	990	979	1127		5492
Car 360	425	1209	1051	979	954	737	1073	210	98	99	77	52		6964
Car 361	1066	748	562	517	1296	1122	0	-	-	-	-	-		5311
Car 363	118	141	132	387	182	260	1073	75	64	58	112	0		2602
Car 364	74	74	74	86	72	1	0	-	-	-	-	-		381
Car 366	548	484	1052	1000	839	431	632	512	364	499	785	394		7540
Car 367	625	506	563	494	460	727	466	726	445	651	390	322		6375
ATV 1	0	23	28	13	55	31	14	0	0	0	0	0		164
ATV 2	0	1	14	0	8	23	53	40	0	0	9	0		148



MELBOURNE BEACH POLICE DEPARTMENT
Jason Hinchman
Sergeant

507 Ocean Ave, Melbourne Beach, FL 32951
Phone: (321) 723-4343 Fax: (321)725-3253



Monthly Report December 2023

House Check: 34 (12/11)

- 12/02: Traffic crash hit & run at Riverside Drive and Ocean Avenue. Major damage to town property at the west end of Ocean Avenue. Driver was arrested by another agency, which included our charges of leaving the scene.
- 12/02: Traffic crash hit & run at Atlantic Street and Ocean Avenue. Minor damage to town property in Ocean Park parking lot. Driver was arrested by another agency, which included our charges of leaving the scene.
- 12/03: Traffic Crash hit & run at Atlantic Street and Ocean Avenue. Minor damage to DOT sign and town wooden fence. No suspect info at this time.
- 12/11: Disturbance in the 300 block of Avenue A between male and female. The male subject wanted to go to Circles of Care on a voluntary intake.
- 12/25: Disturbance in the 200 block of Ash Avenue between sisters. Verbal only, and parties were separated.
- 12/27: Traffic crash at Oak Street and Sunset Blvd. (3) Vehicles involved with no injuries reported on scene. (2) Vehicles were towed from the scene. Traffic crash long form completed.



MELBOURNE BEACH POLICE DEPARTMENT
Jason Sadler
Sergeant

507 Ocean Ave, Melbourne Beach, FL 32951
Phone: (321) 723-4343 Fax: (321)725-3253



Sgt. Sadler Monthly Report December 2023

12/04- Criminal Mischief in the 100 block of Ocean Avenue. Case closed due to a lack of investigative leads.

12/15- Domestic Disturbance in the 300 block of Avenue A. The disturbance was only verbal and both parties were separated.

12/15- Criminal Mischief in the 1700 block of Atlantic Street. Charges were filed as a capias request.

12/20- Check fraud in the 400 block of Atlantic Street. Case pending investigation.

12/21- Criminal Mischief in the 500 block of Ocean Avenue. Case pending investigation.

12/22- Traffic crash in the area of Fifth Avenue and Oak Street. One driver was arrested for DUI alcohol and DUI with property damage. No major injuries, both vehicles towed due to damage.

12/28- Suspicious incident in the 300 block of Surf Road. Juvenile female kicking on doors causing no damage. Female identified, case closed as information only.

12/30- Traffic stop in the 100 block of Ocean Avenue for failing to stop at a stop sign. 3.0 grams of marijuana was seized for destruction.

12/30- Traffic stop in the area of Oak Street and Magnolia for unlawful speed. 8.9 grams of marijuana and 1 item of paraphernalia seized for destruction.

- Total House Checks (Sadler Squad)- 84



**MELBOURNE BEACH POLICE DEPARTMENT
OFC. L. TEJEDA**

507 Ocean Ave, Melbourne Beach, FL 32951
Phone: (321) 723-4343 Fax: (321)725-3253



MEMORANDUM

TO: Chief Griswold

FROM: OFC. Tejada #329

RE: Patrol Vehicles

DATE: 1/1/2023

VEHICLE REPORT FOR: December 2023

Car 300 Ford Explorer 2022
Starting mileage # 15,938
Ending mileage # 16,641
Total mileage # 703
Total maintenance bill for the month \$0.00
Next oil change due at: 16,310

Car 363 Dodge Charger 2016
Starting mileage # 68,254
Ending mileage # 68,254
Total mileage #0
Total maintenance bill for the month \$0.00
Next oil change due at: 71,316

Car 360 Dodge Charger 2019
Starting mileage # 44,526
Ending mileage # 44,578
Total mileage # 52
Total maintenance bill for the month \$0.00
Next oil change due at: 45,299

Car 301 Ford Explorer 2022
Starting mileage # 3,567
Ending mileage # 4,681
Total mileage # 1,114
Total maintenance bill for the month \$0.00
Next oil change due at: 5,000

Car 302 Ford Explorer 2022
Starting mileage # 4,365
Ending mileage # 5,492
Total mileage #1,127
Total maintenance bill for the month \$0.00
Next oil change due at: 5,000

Car 366 Dodge Charger 2019
Starting mileage # 39,109
Ending mileage # 39,503
Total mileage # 394
Total maintenance bill for the month \$0.00
Next oil change due at: 37,693

Car 367 Dodge Charger 2021
Starting mileage # 25,934
Ending mileage # 26,256
Total mileage # 322
Total maintenance bill for the month \$0.00
Next oil change due at: 27,500

Atv #1 Honda TRX 420 2021
Starting Miles # 464
Ending Miles # 464
Total Miles #0
Total Maintenance bill for the month \$0.00
Next service due at: 586

Atv #2 Honda TRX 420 2021
Starting Miles # 384
Ending Miles # 384
Total Miles #0
Total maintenance bill for the month \$0.00
Next service due at: 592

SPEED TRAILER MAINTENANCE

TRAILER 2

\$0.00

Total fleet maintenance cost for December 2023: \$0.00

Total mileage for December 2023: 3,712

Town Commission Meeting

Section: Unfinished Business
Meeting Date: January 17, 2023
From: Amber Brown, Town Clerk
Subject: Consideration of Volunteer Board Member Applications for the Board of Adjustment

Background Information:

The Board of Adjustment has two alternate positions available. The Town has received four applications, however, two individuals have removed their applications from consideration. The two applications that are still pending are for Katherine Wilborn and Travis Hunsucker.

Recommendation:

The Town Commission can choose to table the appointment to allow for additional applications to be received, or review and consider the two applications for qualification of appointment as an alternate to the Board of Adjustment.

Attachments:

- Town Code Article IX Board of Adjustment Code
- Board Application for Katherine Wilborn
- Board Application for Travis Hunsucker

ARTICLE IX. BOARD OF ADJUSTMENT

§ 7A-150. ESTABLISHMENT; TERMS AND MEMBERSHIPS.

(a) There is hereby established a Board to be called the Board of Adjustment. The Board of Adjustment is a five-member body plus two alternates established by the Town Commission. Such Board shall be composed of, when reasonably possible, one architect, one engineer, one member at large from the building industry, one building contractor and one member at large from the public. The term of office of the first members of the Board shall be one year for one member, two years for two members, three years for two members, and three years for each alternate with appointment thereafter to be for a term of three years for each member. The alternates will have a voice but not a vote in all Board of Adjustment deliberations, unless one or more regular members are absent, in which case the alternates are authorized to vote in accordance with their designation as alternate number one and alternate number two, in that order.

(b) Members and alternates shall be appointed by the Town Commission and may be removed by the Commission for cause and after a public hearing held on written charges. Vacancies shall be filled by the Town Commission for the unexpired term of the members affected.

(c) The Board of Adjustment shall appoint the Chairperson of the Board on a yearly basis.

(d) Three members of the Board shall constitute a quorum. In varying the application of any provisions of this code or in modifying an order of the Building Official, affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the Planning and Zoning Board member designated to attend Board of Adjustment meetings pursuant to § 7A-137 shall fail to attend a meeting of the Board of Adjustment, any action taken by the Board of Adjustment in the absence of said Planning and Zoning Board member shall not be invalid or void by reason of said absence.

(`75 Code, Appendix A, Art. IX) (Ord. passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-151. PROCEEDINGS OF BOARD.

The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of the Land Development Code. Meetings shall be held at the call of the Chairperson and at such other times as a majority of Board members may determine. The Chairperson, or in his absence the acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating other official actions, all of which shall be a public record and be immediately filed in the office of the Town Clerk for the Board. The Town Clerk or said individuals designee shall act as Secretary to the Board.

(`75 Code, Appendix A, Art. IX § 1) (Ord. passed 9-26-72; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-152. POWERS AND DUTIES.

(a) The Board of Adjustment shall have the power necessary to effectuate, within the constraint of federal, state and local law, all of the duties set forth in this section.

(b) Administrative Review. The Board of Adjustment shall have the authority to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Building Official or the Zoning Official in the interpretation or enforcement of this Land Development Code.

(1) Appeal to Board of Adjustment. Appeals to the Board of Adjustment may be taken by any person aggrieved by any decision of the Building Official or the Zoning Official in the interpretation or enforcement of any portion of this Land Development Code. Appeals to the Board of Adjustment, relating to any decision of the Building Official or the Zoning Official in the interpretation or enforcement of any portion of the Land Development Code, may also be taken by the Town Manager or any Town Commissioner. As utilized in this sub-section, a "person aggrieved" shall be:

- a. An individual requesting the interpretation;
- b. Any person having a legally recognizable interest in the interpretative opinion, which interest is directly and adversely affected by the interpretation, and which is different than the interest of the community as a whole; or
- c. Any person having a definite interest exceeding the general interest in the community good shared in common with all citizens.

Factors to be considered in determining the sufficiency of a person's interest include, but shall not be limited to: (i) proximity of the person's property to the property subject to the interpretative opinion; (ii) character of the neighborhood including the existence of common restrictive covenants and set-back requirements that directly relate to the interpretative opinion; and (iii) the fact that the person is among those entitled to receive notice of a rezoning, special exception, comprehensive plan amendment, site plan approval, or variance called for by the interpretative opinion.

(2) Initiation of appeal. Such appeal shall be taken within a reasonable time not to exceed 30 days following the date of rendition of the interpretation by filing with the Building Official and with the Secretary to the Board of Adjustment a notice of appeal specifying the grounds thereof.

(3) Notice. The Building Official, in cases of an appeal from the determination or interpretation of the Building Official,

and the Zoning Official, in cases of an appeal from the determination or interpretation of the Zoning Official, shall within 15 days thereafter transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken. The Secretary to the Board of Adjustment, after receipt of the record, shall fix a time for hearing of the appeal giving public notice thereof at least 15 days in advance of the public hearing as well as due notice to the parties in interest. Any party may appear in person or by agent or attorney at the hearing.

(4) Stay of proceeding. An appeal stays all proceedings in furtherance of the action appealed from unless the Building Official or Zoning Official, as the person from whose determination or interpretation an appeal is being taken, certifies to the Board of Adjustment after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would, in the Building or Zoning Official's opinion, cause imminent peril to life and property. In such cases proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or a court of record on application.

(`75 Code, Appendix A, Art. X, § 1) (Ord. passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 99-02, passed 2-17-99; Am. Ord. 2004-02, adopted 7-21-04)

(c) Special Exceptions.

(1) Limitations. The Board of Adjustment shall have the authority to hear and decide only such special exceptions as it is specifically authorized to pass on by the terms of this Land Development Code; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this chapter or other applicable ordinances; or to deny special exceptions when not in harmony with the purpose and intent of the Land Development Code. A special exception shall not be granted by the Board unless and until:

a. A written application for a special exception is submitted by the applicant indicating the section of this chapter under which the special exception is sought and stating the grounds on which it is requested.

b. Notice shall be given by the Town at least 15 days in advance of the public hearing. The owner of the property for which a special exception is sought or his agent shall be notified by U.S. first class mail with return receipt requested. Notice of such hearing shall be posted on the property for which a special exception is sought, at the Town Hall, and shall be published in a newspaper of general circulation within the Town.

c. A courtesy notice shall be mailed by the Town to the property owners of record within a radius of 500 feet. The Town's failure to mail or the fact that the intended recipient shall not receive a courtesy notice shall in no way invalidate any action taken by the Town or its boards and commissions.

d. Any party may appear in person or be otherwise represented at the public hearing. The Board shall make such findings and determinations as it is empowered under the various sections of this chapter so to do.

(2) Submittal requirements.

a. Development plans that include complete architectural drawings of all faces of a building and an overhead view shall be submitted with all special exception applications that include a new building(s), facade renovations, or substantial improvements to an existing building. The drawings shall be submitted in color and at the minimum shall include:

1. Architectural style.
2. Exterior construction material specifications.
3. Color charts.
4. A site plan (§ 7A-51).
5. Structure dimensions and setbacks from all property lines.
6. Refuse service area location.
7. Mechanical outdoor equipment location.
8. Master outdoor lighting plan.
9. Screening devices.
10. Master signage plan.
11. Master landscaping plan.
12. Wall or fence details.

13. Other information determined necessary by the Town to ensure consistency with the purpose and intent and the provisions of the Land Development Code.

14. Specific requirements found in § 7A-152(c)(3), and § 7A-52 relating to walls and fences, and Chapter 9A relating to landscaping and trees, all in the Land Development Code.

b. Applications that propose a change of use in an existing building to a special exception use where architectural changes are not required or planned shall not be subject to architectural requirements with the exception of paint color. The building and site shall be retrofitted to meet other special exception criteria to the extent determined by the Board of

Adjustment. Landscaping of any existing open space areas and compliance with the signage and lighting requirements shall be required.

c. The applicant shall also submit as a part of the application a narrative that explains how the use and the development will be compatible with surrounding uses in its function, its hours of operation, the type and amount of traffic to be generated, building size and setbacks, its relationship to land values and other factors that may be used to measure compatibility.

(3) Review criteria. Before any special exception shall be issued the Board of Adjustment shall make written findings certifying compliance with the specific rules governing individual special exceptions, and that the grant of the special exception as depicted on the development plans meets or exceeds the following standards:

a. Architectural style. Building design and construction, including but not limited to, exterior building materials specifications, shall conform to the Bungalow, Frame Vernacular, 1800's Tidewater Style, Key West or Gothic Revival architecture. Other historical architectural styles may be permitted upon application to the Board of Adjustment, if the applicant demonstrates and the Board of Adjustment determines that the utilization of such style contributes positively to the historic character of the Town and is consistent with the intent of the Land Development Code. Examples of architectural style shall be available in the office of the Building Official.

b. Compatibility. The special exception, as depicted on the development plans, is compatible with adjacent and nearby uses, developments, structures, and neighborhoods and will not alter the character of the community and neighborhood or be contrary to emerging development trends in the community and the neighborhood.

c. Building orientation. Buildings shall be oriented so as to enhance the appearance of the streetscape.

1. All facades of a building that face a road shall have an entrance to the building that is parallel to the roadway. The building shall not be limited to entrances facing roadways. Alternative entrances facing parking lots, driveways, or open space are permitted. The entrance to the building shall face parallel to the public right-of-way.

2. Each facade that is visible from a public right-of-way shall be designed with full architectural treatment including door and window placements, facade architectural treatments and detail, roof design and building materials applications necessary to give the appearance that each visible facade is a primary facade.

3. The architectural treatment requirements shall also be applied to any building facade that is situated where it is clearly visible from a public area of an adjoining site, unless the Board of Adjustment allows landscape buffering to serve as an alternative to the architectural treatment.

4. Building orientation shall ensure that service areas are placed out of view from public rights-of-way, parking areas, and adjacent properties. Where, because of site constraints service areas cannot be so located, such areas shall be screened from view by vegetative or structural means. Any structural screening shall be architecturally compatible with the principal building in terms of style, color, construction materials and finish.

5. Mass, bulk and scale of all structures shall be compatible with other structures and uses both in the same zoning district and in the neighborhood.

d. Exterior materials and colors. Exterior building materials and colors contribute significantly to the visual impact of a building on a community which in turn, reflects upon the visual character and quality of a community. In order to protect an image of high quality Town aesthetics, exterior building materials and colors shall conform to the following requirements:

1. All buildings shall be faced with materials that exhibit a durable, high quality appearance.

2. Acceptable exterior facing materials shall include those that are consistent with the architectural style of the building.

3. Exterior colors shall be historically consistent colors used along Ocean Avenue. These colors are dominated by pastels and shades of white. Accent colors and colors consistent with the proposed architectural style may be approved if determined to be compatible with the character of surrounding and nearby structures.

4. Building materials and colors shall be consistent around the entire building. The application may include proposed exceptions to this requirement. The Board of Adjustment may grant exceptions, if it is demonstrated that the proposal remains compatible with the Ocean Avenue corridor and adjacent residential uses.

5. Once a final development plan has been approved a change in color(s) shall be made only after application to, and approval by, the Board of Adjustment.

e. Roof design. Roofs are an integral part of building design, and shall be designed and constructed to compliment the character of the building. Roof design and construction shall conform to the following requirements:

1. Roofs shall be constructed of durable high quality material in order to enhance the appearance and attractiveness of the Town. Roofing materials shall be similar in appearance with materials that are historically consistent with the architectural style of the building.

2. The design of roof structures shall be consistent with the architectural style of the building and shall extend to all sides of the building.

3. Roofs shall be designed to be of a height, bulk, and mass so as to appear structural even when the design is

non-structural.

f. Refuse service areas.

1. Refuse service areas shall be located in a manner that minimizes impacts to adjacent residential areas.

2. Refuse service areas shall be screened from adjacent properties and rights-of-way by an enclosure that is constructed of durable building materials such as concrete, stone, or brick. The enclosure shall be faced with the same style as the facade of the primary structure on the site. The gate to the enclosure shall have a similar appearance as the facade of the building. The enclosure shall be the same color as the primary structure.

3. Enclosures shall be large enough and located in a manner that service vehicles can access the dumpster while it is in the enclosure.

g. Mechanical equipment operation and location.

1. Mechanical equipment shall be located in a manner that minimizes impacts to adjacent residential properties.

2. Mechanical equipment, including equipment located on roofs shall be screened from view of adjacent residential properties and rights-of-way. Screening shall be of a material that is consistent with the architecture of the building.

h. Lighting.

1. Outdoor lighting shall be arranged so that the light source is shielded from adjacent residential properties and rights-of-way. Light fixtures shall be a type that directs the light downward.

2. Outdoor lighting shall be arranged so that no portions of adjacent residential properties are covered by the light shadow. There shall be no glare or spillover effect of lighting from the property on which a special exception is approved to adjacent properties, and all lighting shall comply with §§ 46-91 through 46-97, Brevard County Code, relating to safeguarding nesting female and hatchling marine turtles from sources of artificial light.

i. Landscaping and trees. Landscaping and trees are subject to specific requirements for special exceptions found in Chapter 9A of this Land Development Code.

j. Signs. Signs are subject to specific requirements for special exceptions found in § 7A-52 of this Land Development Code.

k. Walls and fences. Walls and fences are subject to specific requirements for special exceptions found in § 7A-53 of this Land Development Code.

l. Comprehensive plan. No special exception shall be granted unless it is first determined by the Board of Adjustment that the special exception and development plans are consistent with the Comprehensive Plan. A special exception shall not be presumed to be consistent with the Comprehensive Plan merely because it is listed in the Land Development Code as a special exception in a given zoning district.

(4) Prohibited activities. Special exception uses that include the following activities shall not be approved:

a. Utilizes shared parking from a zoning district that allows a higher intensity use.

b. Combines the property with property in a zoning district that allows a higher intensity of use where it will result in a larger structure on the property proposed for the special exception than otherwise would be permitted.

c. Has a drive-in, drive-up, drive through, or any other similar feature that provides for receipt of goods, services, food, or information from a motor vehicle.

(5) Site plans. No special exception shall be effective unless it conforms to a site plan in compliance with the requirements of § 7A-51, which site plan is approved by the Town Commission. All development shall comply with the site plans considered by the Board of Adjustment, unless the site plan is otherwise modified and approved by the Planning and Zoning Board and/or the Town Commission.

(6) Conditions and safeguards. In granting any special exception, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed to be a violation of this Land Development Code and punishable as provided by this code. The Board shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

(75 Code, Appendix A, Art. X, § 2) (Ord. passed 9-26-72; Am. Ord. 85-7, passed 11-12-85; Am. Ord. 2008-08, adopted 9-3-08)

(d) Variances to the provisions of Chapter 7A of the Land Development Code.

(1) When granted. A variance from the terms of Chapter 7A may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations would result in unnecessary and undue hardship; provided specifically, however, that financial or self-imposed reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance.

(2) A variance is authorized only for area, size of structure, size of yards, and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. Variances to maximum building heights are not authorized.

(3) Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code.

(4) No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(5) Conditions governing applications. A variance shall not be considered by the Board of Adjustment unless and until a written application for a variance is submitted demonstrating:

a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district;

b. That literal interpretation of the provisions of this Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Land Development Code; and

c. That the special conditions and circumstances referred to in division (5)a. above, do not result from the actions of the applicant.

d. If a variance is granted with regard to a condition relating to a structure, the variance shall terminate when the structure, or all of that portion of the structure specifically affected by the variance, is razed or otherwise removed from the affected property, unless the Board of Adjustment otherwise specifies in its final order. With regard to any variance granted before January 1, 2015, no term of said variance shall be construed to be limited, unless the Board of Adjustment's order specifically so provides.

(6) Procedures:

a. Notice of the public hearing shall be given as specified for special exceptions.

b. The applicant shall be required to supply to the Town Clerk a certified list from the Brevard County Property Appraiser of all property owners within a radius of 500 feet from the subject property. A courtesy notice shall be mailed U.S. first mail class with return receipt requested by the Town Clerk to all property owners within that area. The Town's failure to mail or the fact that the intended recipient shall not receive a courtesy notice shall in no way invalidate any action taken by the Town or its boards and commissions.

c. Any party may appear in person, or be otherwise represented at the public hearing.

d. The Board of Adjustment shall make findings as to whether the requirements of division (5) above have been met by the applicant for a variance.

e. The Board of Adjustment shall determine whether the reasons set forth in the application justify the granting of the variance and whether the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

f. The Board of Adjustment shall further determine whether the granting of the variance will be in harmony with the general cure and intent of this Land Development Code, will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

g. In no case shall the Board of Adjustment grant a variance which will result in a change of land use as set forth in the Comprehensive Plan that would not be permitted in the applicable land use classification.

h. When a portion of a nonconforming structure is to be demolished or razed as a part of a variance application, the percent of the structure to be demolished or razed shall be stated in the variance application.

(7) In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards which will be in conformity with this Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Land Development Code and punishable as provided by this Land Development Code. Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Land Development Code in that district.

(e) Variances to the Provisions of Article IX, Chapter 4A may be granted as provided in §§4A-198 through 4A-205.

(f) Variances to the Provisions of coastal setback line established by Chapter 5A of this Land Development Code; provided that the standards for granting a variance thereunder which are set forth in this § 7A-152 shall not apply.

(g) Building Code; Plumbing Code; Mechanical Code; and Gas Code. Variances from provisions of, or appeals from decisions of the Building Official related to, the standard building and construction codes adopted in §§ 4A-20, 4A-21, 4A-65, 4A-81, and 4A-83, of this code, may be granted by the Board of Adjustment pursuant to the specific procedures and based on the standards set forth in the aforementioned standard building and construction related codes.

(h) Unsafe Building Abatement Code. Appeals from decisions of the Building Official related to the Standard Unsafe Building Abatement Code adopted in § 4A-63 of this code, may be granted by the Board of Adjustment pursuant to the specific procedures and based on the standards set forth in the aforementioned code.

('75 Code, Appendix A, Art. X, § 3) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 96-01, passed 4-17-96; Am. Ord. 96-03, passed 4-17-96; Am. Ord. 2006-08, adopted 8-30-06; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-153. HEARINGS.

All hearings for special exceptions or variances before the Board of Adjustment shall be initiated by either:

- (1) The owner or owners of at least 75% of the property described in the application;
- (2) The tenant or tenants, with the owner's sworn-to consent;
- (3) Duly authorized agents evidenced by a written power of attorney;
- (4) Town Commission;
- (5) Planning and Zoning Board; or
- (6) Any department or agency of the Town.

('75 Code, Appendix A, Art. X, § 4) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-154. DECISIONS OF BOARD.

(a) In exercising any of the powers listed in this article, the Board of Adjustment may, so long as the action is in conformity with the terms of this article, reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision or determination as should be made and to that end shall have all the powers of the Building or Zoning Official from whom the appeal was taken.

(b) The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Official or Zoning Official, or to decide in favor of the applicant on any matter upon which it is required to pass, or to effect any variation in the application of the Land Development Code.

('75 Code, Appendix A, Art. X, § 5) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 2004-02, adopted 7-21-04; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-155. REHEARINGS.

The Board of Adjustment shall not rehear a special exception, appeal from a determination of the Building Official or Zoning Official, or variance once decided unless an error in substantive or procedural law is found following the decision, or unless the Board makes a finding based on presentation by the applicant that new evidence, not discoverable by the applicant prior to the initial hearing, is found. A different or more effective presentation or clarification of the same evidence or matters considered at the initial hearing shall not be grounds for a rehearing before the Board of Adjustment. All proceedings to rehear a variance, special exception, appeal from a determination of the Building Official or Zoning Official, including entering a granting or denial of a rehearing, must be completed, if at all, within 30 days from the date of rendition of the Board's order being reheard.

(Ord. 87-02, passed 5-12-87; Am. Ord. 2004-02, adopted 7-21-04; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-156. INFORMING BOARD OF POWERS AND DUTIES.

The Town Attorney shall annually review and advise the members of the Board of Adjustment as to the powers and duties of the Board as defined in §§ 7A-150 through 7A-156 and applicable state statutes.

('75 Code, Appendix A, Art. X, § 6) (Ord. passed 9-26-72; Am. Ord. 87-02, passed 5-12-87; Am. Ord. 2017-05, adopted 12-20-17)

§ 7A-157. REPEALED.

§§ 7A-158. – 7A-169. RESERVED.



TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

1. Name: Katherine Wilborn Home Phone: 321-243-7301
2. Home Address: 502 2nd Ave Melbourne Beach, FL 32951
3. Mobile Phone: same E-mail address: drkate@bellsouth.net
4. Business Name: Katherine Wilborn (PhD, LCSW) Business Phone: same
5. Resume or Education & Experience: Resume on file Resident since 1981 ^{area mch. Beach} business
(Use additional sheets if necessary or submit resume) owner since 1994 ^{since 2013}
6. Date of birth: 2/23/55 (to verify voter registration)
(optional)
7. Are you a qualified elector of the town? YES NO
8. Are you a resident of the town? YES NO
9. Do you reside in the town for at least ten (10) months of each calendar year? YES NO
10. Do you hold a public office? YES NO
11. Do you currently serve on a Town board? YES NO
If yes, which board? _____

12. Please check the board(s) you are interested in serving on:

- | | |
|---|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> History Center Board |
| <input checked="" type="checkbox"/> Board of Adjustment | <input type="checkbox"/> History Preservation and Awareness |
| <input type="checkbox"/> Civil Service Board | <input type="checkbox"/> Parks Board |
| <input type="checkbox"/> Code Enforcement Board | <input type="checkbox"/> Planning and Zoning Board |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Police Pension Fund Board of Trustees |

13. Why do you think you are qualified to serve on this board? Resident of Melbourne Beach since 1981, frequent attendee and participant of various town meetings
14. Would you consider serving on another board other than the one(s) you have selected above? Homeowner since 1988, landscaper
 YES NO not at this time.

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: *Katherine Wilborn* Date: 11/17/23

Clinical Experience*1/2/01-present**Therapist,**Private practice. Individual and family therapy. Member of 36 provider panel and employee assistance contracts.**9/99- present**Guidance Counselor, Ascension Catholic School**Provide part time guidance counseling services to this K-8 school. working , Organized mentor program. IQ and Achievement screenings, LD, ADD/ADHD assessment. Coordinate community resources , liaison with public school system.**10/97- 1/01**Therapist, Brevard Counseling Center**Private practice. Individual and family therapy.**1997-10/97**Therapist, Counseling Centers of Melbourne**Private practice. Individual and family therapy**1994-1997**Therapist, Apogee, Inc.**Worked in six area nursing homes, providing individual, group and family therapy. Supportive therapy, end of life issues, pain management, depression, etc.**1988-1994**Therapist/ Case Manager, Devereux Hospital & Children's Center**Individual, group and family therapy in in-patient children's psychiatric hospital. Completed 40 Behavior Modification training course. Completed Devereux Family Therapy Training Institute supervised training , treatment planning. Developed first substance abuse program for residents, assessment, tx., and a continuum of care through community support groups.**Licensed in Florida ,LCSW, since 1989, Board Certified nationally since1993, BCD****Education****1973-1977 Bachelor of Arts, University of Minnesota, Double Major Speech-Communications and Journalism. 3.6 GPA.**1978-1981 Masters of Social Work. University of Minnesota, 4.0 GPA. Internships at Boynton Health Service and Minnesota Women's Center.**2000- 2003 Ph.D., Maimonides University 9/14/02, 1/26/03,dissertation and PHd.confirmed ,Counseling.****Certifications****Certified Clinical Sexologist, American Academy of Clinical Sexology,2001.**Certified in Clinical hypnotherapy, 1992, Rose Institute, Ft. Lauderdale, FL**Certified in Rapid Reduction Technique for Emotional Trauma, 6/00,Women's Center. Certified EMDR 2003, NASA, Cape Canaveral FL.**Certified in Critical Incident De-briefing, member NASA emergency response team.**Board Certified Diplomate, American Board of Examiners in Clinical Social Work.****Other Experience****Co--produced video documentary re: gender identity development aired on KTCA-TV, Mpls., MN. Public affairs writer, free lance, KTCA-TV.*



TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

1. Name: J. Travis Hunsucker Home Phone: 727-510-9390
2. Home Address: 320 1st Ave Melbourne Beach, FL
3. Mobile Phone: 727-510-9390 E-mail address: j.travis.hunsucker@gmail.com
4. Business Name: Florida Tech Business Phone: 321-309-3029
5. Resume or Education & Experience: Assistant Professor of Ocean Engineering
(Use additional sheets if necessary or submit resume)
6. Date of birth: 12/10/1984 (to verify voter registration)
(optional)
7. Are you a qualified elector of the town? YES NO
8. Are you a resident of the town? YES NO
9. Do you reside in the town for at least ten (10) months of each calendar year? YES NO
10. Do you hold a public office? YES NO
11. Do you currently serve on a Town board? YES NO
If yes, which board? _____
12. Please check the board(s) you are interested in serving on:

<input type="checkbox"/> Audit Committee	<input type="checkbox"/> History Center Board
<input checked="" type="checkbox"/> Board of Adjustment	<input type="checkbox"/> History Preservation and Awareness
<input type="checkbox"/> Civil Service Board	<input type="checkbox"/> Parks Board
<input type="checkbox"/> Code Enforcement Board	<input type="checkbox"/> Planning and Zoning Board
<input type="checkbox"/> Environmental Advisory Board	<input type="checkbox"/> Police Pension Fund Board of Trustees
13. Why do you think you are qualified to serve on this board? See attached cover letter
Assistant Professor of Ocean Engineering
14. Would you consider serving on another board other than the one(s) you have selected above?
 YES NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: _____

Date: 1-8-2024

To: Amber Brown
Town Clerk
Town of Melbourne Beach
507 Ocean Ave, Melbourne Beach, FL 32951

From: J. Travis Hunsucker, Ph.D.
320 1st Ave Melbourne Beach, FL 32951
j.travis.hunsucker@gmail.com

Re: Board of Adjustment Application

Dear Ms. Brown,

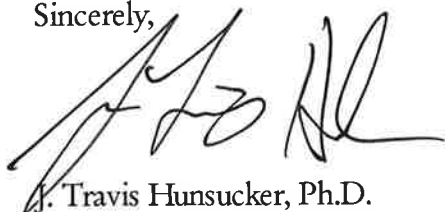
This letter is for my application to the Board of Adjustment in Melbourne Beach, FL and includes my resume on the following pages.

I am qualified to serve on the Board of Adjustment for two reasons:

1. I have a vested interest in in keeping the development of Melbourne Beach inline with the land development code. I have lived in Melbourne Beach for almost 15 years and my wife and I are raising our young family here. Our property on 1st Ave adjoins the area on Ocean Ave that typically has the most non-residential development.
2. I am experienced at reviewing site plans and complex documentation. I am an Assistant Professor of Ocean Engineering and mostly teach design courses. Previously, I worked at the Kennedy Space Center on numerous projects and consistently reviewed documents and site plans as part of my role as the System Architect for the Analysis Group.

I would enjoy the opportunity to utilize my professional experience in service to our community. Please let me know if I can provide any further information.

Sincerely,



J. Travis Hunsucker, Ph.D.

320 1st Ave Melbourne Beach, FL 32951
j.travis.hunsucker@gmail.com

J. TRAVIS HUNSUCKER, PH.D.

150 W. University Blvd. Melbourne, FL 32901 | thunsucker@fit.edu | 321-309-3029

Education

Florida State University	Meteorology, minor in Mathematics	B.S., 2008
Florida Institute of Technology	Ocean Engineering	M.S., 2011
Florida Institute of Technology	Ocean Engineering	Ph.D., 2016

Research Interests

Applied marine hydrodynamics, Frictional drag, Shipping emissions, Seakeeping, Applied hydromechanics, Experimentation in fluids, Wave-structure interaction

Appointments

Assistant Professor of Ocean Engineering **08/2022 - Present**

Dept. of Ocean Engineering and Marine Sciences, Florida Tech,
Melbourne, FL,

- Teach graduate and undergraduate courses in Ocean Engineering
- Director of Hydromechanics and Naval Architecture Lab
- Lead research efforts in the field of experimental hydrodynamics, ship dynamics, shipping emissions quantification and reduction, and ship motion forecasting

Systems Architect- Engineering Analysis Directorate **01/2022 – 07/2022**

Jacob Space Operations Group, Kennedy Space Center, FL

- Lead solutions to complex and high priority problems/projects as directed by Engineering Directors, Chiefs, and Upper-level Management
- Provide subject matter expertise in the fields of analytical problem solving, data analysis/processing, vibro-acoustic loading, kinematics, fluids, hydromechanics, statistical analyses, and experimental design for fluid and mechanical systems
- Serve as engineering analysis technical representative in various review boards and meetings

Engineer IV- Mechanical Structure and Design **9/2018 - 12/2021**

Jacob Space Operations Group, Kennedy Space Center, FL

- Act as subject matter expert and technical lead for ship and capsule hydrodynamics, seakeeping, capsule stability, wave dynamics, and marine meteorology on NASA's Landing and Recovery Team
- Responsibilities include determination of wave loads and pressures on various floating and moored structures in deep water and shallow water wave breaking environments
- Technical lead on numerous hydrodynamic research and development projects relating to the recovery and seakeeping of Orion Crew Module
- Lead wave dynamicist and marine meteorologist during offshore Landing and Recovery Team operations

Ocean Engineer

7/2017 - 9/2018

Adaptive Surface Technologies, Cambridge, MA

- Served as lead ocean engineer and hydrodynamicist for externally funded research and development program designing marine materials
- Authored numerous technical proposals, reports, and supported multiple projects funded by defense contractors and ARPA-E
- Performed fundamental research in the design of a hydrodynamic drag reducing coating
- Designed a variety of ocean testing systems to meet the funding milestones and product requirements

Doherty Visiting Professor

8/2017 - 5/2018

Dept. of Ocean Engineering and Sciences, Florida Tech, Melbourne, FL,

- Developed and taught new graduate class in applied marine hydrodynamics (OCE 5575), topics included: non-linear and linear wave dynamics, wave spectral analysis, turbulent boundary layers, frictional drag, derivation of inviscid fluid equations, CFD, and uncertainty estimations
- Organized weekly seminar series for the department

Meteorologist

1/2017 - 7/2017

Init Weather, Melbourne, FL

- Worked part-time on an NSF funded project developing valued-added weather products
- Wrote automated MATLAB code to overlay data from multiple NOAA and NASA data sources to form key performance indicators for the energy, commodity, and agriculture industries

Senior Hydrodynamicist

1/2016 - 7/2017

Shipwright, Port Everglades, FL

- Lead hydrodynamicist in the design of a relatively large-scale ($Re_L \sim 10^7$) water tunnel
- Authored multiple technical proposals and proprietary research reports
- Lead experimentalist in the design, execution, and evaluation of multiple experiments in the water tunnel designed to develop frictional drag reducing technology
- Served as Principal Investigator on a research contract from the International Maritime Organization (IMO) to examine the uncertainty in annual fuel oil consumption estimation from international shipping
- Served as lead Naval Architect for multiple research projects with private shipping firms in Europe and South Florida

Research Engineer

1/2017 - 7/2017

Center for Corrosion and Biofouling Control at Florida Tech,
Melbourne, FL

4/2013 - 8/2016

- Conducted sponsored research for the Office of Naval Research, passenger shipping, and the offshore industries to improve methodologies of mitigating fuel consumption for ships
- Designed and constructed a research boat and multiple dynamic testing platforms for the immersion of coatings in an oceanic and laboratory environment
- Responsible for hydrodynamic experimental design, technical oversight, and execution of multiple sponsored projects

Consulting Meteorologist/Marine Forecaster**5/2014 - 5/2016**

Surflife/Wavetrak Huntington Beach, CA Surflife, Huntington Beach, CA

- Generated seven-day metocean forecasts for the US East Coast, Gulf of Mexico, Caribbean, Europe, and Australia
- Analyzed satellite and buoy data to identify model strengths, weakness, and trends
- Wrote MATLAB scripts to pull metocean data from satellites, various NOAA models, and generate directional spectra from NOAA buoys

Field Service Engineer/Naval Architect**3/2010 - 8/2015**

Ocean Motions Company, Micco, FL

- Performed ship stability, strength, seakeeping, and motions analysis for multiple vessel types
- Researched and developed algorithms in MATLAB that predicted vessel rolling motion
- Performed applied research and development to create a real-time stability sensor and software package for Anchor Handling Supply Vessels
- Taught ship intact and damage stability and strength classes internationally
- Traveled domestically and internationally to offshore locations (e.g., semi-sub, drill-ships, construction ships, pipe-lay barges, offshore supply vessels, passenger ships, and overseas shipyards) to install vessel stability and strength computers

Test Engineer**5/2010 - 8/2010**

Naval Surface Warfare Center, Panama City Division, Panama City, FL,

- Worked during the summer as part of the Naval Research Enterprise Internship Program (NREIP)
- Investigated the influence of ship motions on human performance and impact injury

Well Production Services Field Engineer**9/2008 - 5/2009**

Schlumberger, Conway, AR

- Managed fluid systems as a field engineer for hydraulic fracturing operations in the oil and gas industry
- Performed various hydraulic tests and rheological analyses in a field setting

Teaching Experience

OCE 1001, Florida Institute of Technology, Introduction to Ocean Engineering

- Spring 2012, 2013, 2014, 2015, and 2016

OCE 3030/OCN 3430, Florida Institute of Technology, Fluid Mechanics

- Six weeks of Fall 2012 while lead instructor was on travel/leave

OCE 4561, Florida Institute of Technology, Fundamentals of Offshore Engineering

- Half of Spring 2013, 2014, and 2016, and all of Spring 2015

OCE 4571- Fundamentals of Naval Architecture

- Spring 2023

OCE 4572- Structural Design of Marine Vehicles

- Fall 2022

OCE 4593- Seamanship for Engineers and Scientists

- Spring 2023

OCE 5575, Florida Institute of Technology, Applied Marine Hydrodynamics

- Spring 2018

Invited Guest Lectures- Florida Institute of Technology (2011-Present)

- Design of High-Speed Small Craft, Dynamics of Marine Vehicles, Ocean Biology for Engineers, Computer Applications in Ocean Engineering, and Surf Engineering Analysis

Invited Guest Lecture- Embry–Riddle Aeronautical University (2018)

- Applied Mathematics Departmental Seminar

Ship Intact and Damaged Stability, and Structural Courses (2010-2015)

- Travelled to approximately thirty different destinations in the United States, Australia, China, Singapore, Malaysia, and Indonesia to teach shoreside engineers and offshore marine crew
- Courses focused on ship intact and damaged stability, strength, and ship loading software used for real-time stability and strength calculations

Aquatic Safety/Leadership courses with the National Aquatic Safety Company (2005-Present)

- Lifeguard Instructor Courses- Annually at International Aquatic Safety School. Approximately 20 hours course with ten students comprised of aquatic professionals
- Aquatic Safety Leadership Courses- Approximately 2-3 courses per year at 20-25 hours long and around 15-20 students

Peer Reviewed Publications

Swain G, Gardner H, Harper M, Hearin J, Hunsucker K, Hunsucker JT, Lieberman K, Nanney M, Ralston E, Stephens A, and Tribou M. 2022. Proactive In-Water Ship Hull Grooming as a Method to Reduce the Environmental Footprint of Ships. *Frontiers in Marine Science*.

Hunsucker KZ, Vora GJ, Hunsucker JT, Gardner H, Leary DH, Kim S, Lin B, Swain G. 2018. Biofilm Community Structure and Associated Drag Penalties of a Groomed Fouling Release Ship Hull Coating. *Biofouling*, 34(2), 162-172.

Hunsucker KZ, Hunsucker JT, Gardner H, Swain GW. 2017. Static and Dynamic Comparisons for the Evaluation of Ship Hull Coatings. *Marine Technology Society Journal*, 51(2), 71-75.

Hunsucker JT, Gardner H, Swain G. 2017. A High-Speed Boat for the Hydrodynamic Testing of Fouling Control Coatings. *Proceedings of the 30th American Towing Tank Conference*, West Bethesda, MD, October 3-5, 2017.

Hunsucker JT, Hunsucker KZ, Gardner H, Swain GW. 2016. Influence of Hydrodynamic Stress on the Frictional Drag of Biofouling Communities. *Biofouling*, 32(10), 1209-1221.

Hunsucker JT, Swain GW. 2015. Development of a Field Instrument to Quantify Frictional Drag of an InService Ship Hull. *Proceedings of the 5th World Maritime Technology Conference*, Providence, RI, November 3-7, 2015.

Additional Publications and Patent Applications

Adaptive Surface Technologies. Lomakin, J, Hunsucker JT, Khatri CA, Kim P. 2019. Compositions of Polymer Composites for Effluents Delivery and Applications Thereof. World Intellectual Property Organization. US20210024847A1. Filed 10 March 2019. Assigned 05 February 2021.

Hunsucker JT, Przelomski D, Bashkoff A, Dixon J. 2018. Uncertainty analysis of methods used to measure ship fuel oil consumption. Report submitted to the 72nd Session of the Marine Environmental Protection Committee, International Maritime Organization, London, UK.

Florida Institute of Technology. Swain G, Hunsucker JT. 2015. Anti-Biofouling, Fluid Dynamic Efficient Surface Covering for Structures and Method of Manufacturing. Washington, DC: U.S. Patent and Trademark Office. U.S. Patent Application No. 20150284058. Filed 8 October 2015.

Hunsucker JT. 2015. Safety in Numbers. World Waterpark Magazine. December 2015.

Professional Service

Session Chair- APS Division of Fluid Dynamics, Biofilms

Mentor- Students with Disability Day at Kennedy Space Center, 2019

Session and Student Awards Chair- International Congress on Marine Corrosion and Fouling, 2018

Reviewer- Biofouling, Chemical Engineering and Technology, Journal of Naval Architecture and Marine Engineering, Ocean Engineering

Panelist- Tau Beta Pi Engineering Honor Society Roundtable, 2018

Student Advisement- Oceanography Ph.D. Committee, Senior design team at Florida Tech

Science Fair Judge- Florida Junior Academy of Sciences- Physical Science Section

Selected Awards/Fellowships/Recognitions

Space Flight Awareness Team Award- NASA 2022

Performance Award- Jacobs, 2019, 2020, 2021

Travel award- International Congress for Marine Corrosion and Fouling, Toulon, France, June 2016

Travel award- American Physical Society, Division of Fluid Dynamics, Boston, MA, September 2015

Edward W. and Lee Hill Snowdon Fellowship, 2011

National Research Internship Program Fellow, American Society of Engineering Education, 2010

Lifesaving Award for the Professional Responder for selfless and humane action in sustaining a life, American Red Cross, April 2007

Distinguished Lifesaving Award, Florida State University, April 2006

Hunsucker Curriculum Vitae- December 2023

Town Commission Meeting

Section: Unfinished Business

Meeting Date: January 17, 2024

From: Town Manager, Elizabeth Mascaro

Re: 2024-2025 Seasonal Lifeguard Contract with Brevard County

Background Information:

I, Chief Gavin Brown and Building Official Bitgood met with Brevard County Manager Frank Abbate and Brevard County Attorney Morris Richardson to continue the discussion on the cost share Melbourne Beach will be required to pay the County for a seasonal lifeguard during the 2024-2025 beach season.

The County has estimated the seasonal expense for two lifeguards as well as supervisory oversight and roaming patrol coverage for the 20 week season, 8 hours per day or 140 days per year (which is our current schedule) to be \$127,934.17.

The County has requested the Town to contribute 50% of the \$127,934.17 total or \$63,967.09. The Town's cost for the 2023-2024 season is \$40,760.00.

Brevard County Manager, Frank Abbate would like to present the Town's decision on how it will proceed with lifeguard coverage during the 2024-2025 season to the County Commission during their February 2024 meeting.

Recommendation:

Consider some of the following options:

1. Consider the County maintaining the seasonal operation of lifeguards at Ocean Park with the Town contributing 50% of the expense.
2. Consider eliminating the seasonal operation of lifeguards at Ocean Park via the County.
3. Have the Town provide seasonal lifeguards at Ocean Park.
4. Ask the County to reduce the Town's required contribution.

Attachments:

Brevard County Ocean Rescue Services Seasonal Tower Fiscal Year 2024-2025 Program Cost Estimate

Interlocal Lifeguard Agreement Town of Melbourne Beach and Brevard County

Brevard County Ocean Rescue Services Seasonal Tower
Fiscal Year 2024-2025 Program Cost Estimate

Seasonal Tower Overview

Seasonal Towers operate 8 hours a day for 20 weeks or 140 days per year. This results in total operational Seasonal Tower hours of 1,120 per year for each tower. Each Seasonal Tower includes two lifeguards on duty during operating hours as well as supervisory oversight and roaming patrol coverage*. In addition to the personnel costs necessary to provide the level of service described above, the operation of this program includes capital infrastructure and equipment as well as operating expenses related to operating supplies, repair and maintenance, insurance, and other related operational expenses.

FY24/25 Service Estimate:

\$127,934.17 – Annual cost to operate and maintain

Annual Operational Seasonal Tower Hours:

Seasonal Tower (1,120 Hours)	Cost/Tower Hour	Total
Comp & Benefits	\$ 99.33	\$ 111,254.11
Operating Expenses	\$ 8.65	\$ 9,683.48
Infrastructure & Capital	\$ 6.25	\$ 6,996.58
Total Seasonal Tower		\$ 127,934.17

Response Model:

- Initial response accomplished by lifeguards on duty
- Patrols and follow on emergency response conducted by trucks, utility task vehicles (UTV) and personal rescue watercraft (PWRC)

Supervisor and Department Leadership:

- Each Seasonal Tower provides a portion of the Ocean Rescue's Chief and Deputy Chief's paid time.

*Roaming patrol coverage includes a proportionate share of the six countywide roaming patrol units. Each unit includes a supervisory position who is a certified Emergency Medical Technician (EMT), equipped with a UTV and first responder medical supplies.

Brevard County Ocean Rescue Services
Fiscal Year 2024-2025 Program Cost Estimate

	Towers	Days	Hours/Day	Total Annual Hours/Tower	Total Tower Hours	% of Tower Hours
Full Time Towers	7	365	8	2920	20,440	62.39%
Seasonal Towers	11	140	8	1120	12,320	37.61%
Total Tower Hours					32,760	100%

OCEAN RESCUE PROGRAM EXPENSES						
Compensation and Benefits						
Personnel Costs	Annualized Comp & Benefit	Positions		Annual Expense		Cost/Tower Hour
Ocean Lifeguard FT	\$ 66,862.69	10		\$ 668,626.89		
Ocean Lifeguard Captain - SR	\$ 79,510.88	7		\$ 556,576.14		
Ocean Lifeguard I	\$ 10,429.49	48		\$ 500,615.36		
Ocean Lifeguard II	\$ 10,840.04	20		\$ 216,800.89		
Ocean Lifeguard III	\$ 11,290.33	32		\$ 361,290.66		
Ocean Lifeguard Lieutenant SR	\$ 74,021.47	9		\$ 666,193.19		
Ocean Rescue Shift Supervisor SR	\$ 86,451.84	1		\$ 86,451.84		
Chief Ocean Lifeguard SR	\$ 102,860.68	1		\$ 102,860.68		
Assistant Chief Lifeguard SR	\$ 94,767.21	1		\$ 94,767.21		
Total Compensation & Benefits					\$ 3,254,183	\$ 99.33
Operating Expenses						
				Annual Expense		
Operating Supplies				\$ 129,547.95		
Repair & Maintenance				\$ 71,664.60		
Professional/Contracted Services				\$ 22,303.05		
Insurance				\$ 18,321.45		
Current Charges (Licenses/Indirect)				\$ 13,527.15		
Phones				\$ 11,340.00		
Electricity				\$ 6,930.00		
Other Operating Expenses				\$ 9,607.50		
Total Operating Expenses					\$ 283,242	\$ 8.65
Infrastructure & Capital Expenses						
	Amount	Useful Life	Count		Annual Expense	
Tower Unit	\$ 54,000.00	10	7	\$	37,800.00	
Watercraft c Sled	\$ 20,300.00	4	4	\$	20,300.00	
UTV 3-seater	\$ 18,000.00	3	9	\$	54,000.00	
ATV 1-seater	\$ 8,000.00	4	1	\$	2,000.00	
Storage Facilities	\$ 100,000.00	20	4	\$	20,000.00	
Trucks	\$ 70,000.00	5	4	\$	56,000.00	
Computers/ePCRs/Technologies	\$ 3,750.00	5	9	\$	6,750.00	
Enclosed Trailer	\$ 10,000.00	10	2	\$	2,000.00	
AEDs	\$ 3,500.00	10	10	\$	3,500.00	
Paddleboards	\$ 1,150.00	3	6	\$	2,300.00	
Total Infrastructure & Capital					\$ 204,650	\$ 6.25
TOTAL OCEAN RESCUE PROGRAM EXPENSES					\$ 3,742,075	\$ 114.23

Full Time Tower (2,920 Hours)	Cost/Tower Hour	Total
Comp & Benefits	\$ 99.33	\$ 290,055.37
Operating Expenses	\$ 8.65	\$ 25,246.21
Infrastructure & Capital	\$ 6.25	\$ 18,241.09
Total Full-Time Tower		\$ 333,542.66

Seasonal Tower (1,120 Hours)	Cost/Tower Hour	Total
Comp & Benefits	\$ 99.33	\$ 111,254.11
Operating Expenses	\$ 8.65	\$ 9,683.48
Infrastructure & Capital	\$ 6.25	\$ 6,996.58
Total Seasonal Tower		\$ 127,934.17

**INTERLOCAL LIFEGUARD AGREEMENT
TOWN OF MELBOURNE BEACH AND BREVARD COUNTY**

THIS AGREEMENT is made and entered into this _____ day of _____, 2024, by and between the following Parties: the **TOWN OF MELBOURNE BEACH, FLORIDA**, a municipal corporation existing under the laws of the State of Florida, hereinafter referred to as Town and the **BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA**, a political subdivision of the State of Florida, hereinafter referred to as "County".

RECITALS:

WHEREAS, the Town desires to obtain County services to provide qualified lifeguard personnel at designated recreation facilities; and

WHEREAS, the County may provide parks, preserves, recreation areas, and other recreational facilities as well as ambulance service and health and welfare programs pursuant to the provisions of Section 125.01(1)(b), (f), Florida Statutes; and

WHEREAS, the County desires an equitable cost sharing for providing qualified lifeguard personnel and services at designated recreation facilities; and

WHEREAS, the Town collects for parking at the designated recreation facilities and collects municipal taxes from citizens; and

WHEREAS, the Town may use municipal parking revenue or any other municipal funds to fund their portion of lifeguard personnel costs; and

WHEREAS, this Agreement is an Interlocal Agreement pursuant to the authority of Section 163.01, Florida Statutes.

NOW, THEREFORE, the Parties mutually agree as follows:

1. **RECITALS.** The foregoing recitations are true, correct, and incorporated to this Agreement.
2. **TERM:** The term begins on October 1, 2024 and lasts for a period of one (1) year, terminating on September 30, 2025. This contract is for seasonal and/or year-round coverage where the seasonal service dates shall change slightly from year to year to coincide with the Brevard County Public School schedule, commencing with Spring Break and ending with Labor Day. The Service Dates will be defined in an annual addendum. After the first year of the contract, an annual Addendum will be mutually agreed upon in February to update the seasonal and/or service dates and cost share. This Agreement shall be filed with the Brevard County Clerk of Court upon execution.

3. **COST SHARE:** The Town shall pay fifty percent (50%) of the cost of the lifeguard services provided by the County pursuant to this Agreement. This amount will be adjusted annually based on the actual cost to the County of providing the lifeguard services. The Town's annual cost share shall be defined in an annual addendum including the total amount and monthly installments. The Town's cost share shall be payable in five equal monthly installments due on the last day of each month starting in April of the applicable service year. Brevard County Fire Rescue shall issue a monthly invoice for each installment payment at least 30 days prior to the due date. The Town shall remit all cost share payments to Brevard County Fire Rescue, Attention: Finance, 1040 South Florida Avenue, Rockledge, Florida, 32955.

4. **SERVICES:**

- A. The County agrees to provide First Responder Certified Lifeguard services in accordance with United States Lifesaving Association (USLA) guidelines for the portions of the Town municipal beach located as designated in Addendum 1, within a portion of the beach 100 yards north and south of the lifeguard tower.
- B. Lifeguard location for the lifeguarded beach will be at the discretion of the County.
- C. Lifeguard personnel shall be on duty for the time periods as defined in the annual addendum for the applicable service year.
- D. The parties mutually agree and understand that in inclement weather or any other incident or occurrence which, in the sole discretion of the County, requires the closing of all or part of the beach for the protection of the public, the County may discontinue all or part of its lifeguard services in the affected areas for the duration of such condition, incident or occurrence. The County shall immediately notify the Town when such beach closings occur. The County agrees to cooperate fully with the Town in all matters relating to beach safety and the performance of the lifeguard. The County will provide radios and training to ensure that the lifeguards have the capacity to contact Brevard County Dispatch. Lifeguard response to emergencies occurring at adjacent beaches will be in accordance with County procedures.
- E. The parties agree and understand that in the event of a water related incident, the Brevard County Lifeguard Division personnel will maintain command/control of the scene until the victim(s) is removed from the water. After removal, the County Lifeguard Division will transfer the incident command/control of the scene to the law enforcement agency with jurisdiction of the location of the scene, and/or Fire Rescue. After removal, if law enforcement or Fire Rescue have not yet arrived on scene, then the Lifeguard Division will maintain incident command/control of the scene until law enforcement or Fire Rescue arrives.

5. **LIABILITY AND INSURANCE:**

- A. Neither Party, nor its respective officers, employees, or agents shall assume any liability for the acts, omissions, or negligence of the other Party, or the other Party's officers, employees, or agents.

- B. The Parties further agree that nothing contained herein shall be construed or interpreted as a waiver of sovereign immunity or the statutory limitations of liability under Section 768.28, Florida Statutes by either Party.
- C. Each Party shall acquire and maintain throughout the term of the Agreement such liability insurance as required to respond to their obligations under this Agreement and Section 768.28, Florida Statutes.
6. **ASSIGNMENTS:** Neither Party shall enter into any agreement with third parties to delegate any or all of the rights or responsibilities in this Agreement without the prior written approval of the other Party.
7. **AUDITING, RECORDS AND INSPECTIONS:** The Parties shall keep books, records, and accounts of all activities related to this Agreement's performance in compliance with generally accepted accounting procedures. The Parties shall make these books, records, and accounts open to inspection during regular business hours by an authorized office representative and shall be retain them for a five (5) year period after this Agreement's termination. The Parties agree that all records or documents created in connection with this Agreement are public records, subject to the Florida Public Records Act. The Parties agree to comply with any request for such public records or documents made in accordance with the Act. The Town shall not copyright any reports, data, programs or other materials produced, in whole or in part for the benefit and use of the County under this Agreement.
8. **JURISDICTION, VENUE, FEES, AND CHOICE OF LAW:** The parties agree: (1) Florida state law governs this Agreement's validity, construction and enforcement; (2) in any litigation, the venue shall be Brevard County, Florida, any trial shall be non-jury, and each Party will bear its own attorney's fees and costs; (3) if a court determines any provision in this Agreement to be invalid, the court should modify the provision to best accomplish the parties' original intent, and the remaining provisions shall remain in effect.
9. **ENTIRE AGREEMENT:** This Agreement, including any attached exhibits, riders, and/or addenda, sets forth the entire Agreement between the Parties. This Agreement shall not be modified unless it is in writing, executed by all Parties, and filed with the Brevard County Clerk of Court.
10. **TERMINATION/REVISION OF AGREEMENT:**
- A. This Agreement may be terminated by either party, with or without cause, upon written notice of termination to the other party at least 60 days prior to the date of such termination. In the event this Agreement is terminated by either party, the seasonal lifeguard services provided for herein will cease as of the termination date unless otherwise mutually agreed upon by the parties in writing.
- B. Either party may request that this Agreement be amended. Such requests must be placed in writing and address the reason for the amendment as well as provide proposed revised language. In order to be deemed effective, the amendment must be approved by both

respective governing bodies, and filed with the Clerk of the Circuit Court in and for Brevard County, Florida.

- 11. **NOTICE:** The County receives written notice at: The Office of the County Manager, 2725 Judge Fran Jamieson Way, Building C, Viera, Florida 32940. The Town receives written notice at: The Town Manager, Town of Melbourne Beach, 507 Ocean Avenue, Melbourne Beach, Florida 32951.
- 12. **COUNTERPARTS:** This Agreement may be executed in counterparts, all of which, taken together, shall constitute one and the same Agreement. Each Party represents that the person signing on its behalf has been fully authorized by all required action to sign on behalf of and to bind that party to the obligations in this Agreement. The Parties agree that scanned images of signatures to this Agreement shall be treated as original signatures in all respects.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

Reviewed for legal form and content:

BREVARD COUNTY, FLORIDA

Assistant County Attorney

Frank Abbate, County Manager
As approved by the Board on: _____

ATTEST:

TOWN OF MELBOURNE BEACH, FLORIDA

_____, Town Clerk

_____, Town Manager
As approved by the Commission on: _____

Town Commission Meeting

Section: Unfinished Business

Meeting Date: January 17, 2024

Prior meeting: December 20, 2023

From: Town Manager, Elizabeth Mascaro

Re: Selection of Law Firm to Represent the Town of Melbourne Beach as the Town Attorney

Background Information:

Interviews were conducted on Tuesday, January 16th. The Commission interviewed Andrew W. Mai of Fishback Dominick, LLP and Ryan Knight of Shepard, Smith, Kohlmyer & Hand, and P.A.

See a brief description of the firm below.

Shepard, Smith, Kohlmyer & Hand, P.A. from Maitland, Florida.

Public sector legal work experience of @87years. General Counsel to 11 Florida municipalities, Special Counsel to a number of cities, towns, municipal boards and redevelopment agencies.

Representative matters: Ordinance drafting, agreement and legal instrument drafting, bond issues, community redevelopment, police matters, collective bargaining, sunshine law and public records, personnel matters, utilities, public works, construction, Charter review, land use, litigation (prosecution and defense) and appeal, intergovernmental disputes, negotiations, annexations and election related matters.

Ryan Knight would serve as Town Attorney. Drew Smith would serve as a primary assistant Town Attorney.

Fee Proposal:

\$225.00 per hour for shareholders and partners

\$200.00 per hour for all associates

\$100.00 per hour for paralegals

\$300.00 per hour for shareholders and partners for developers/applicants (BOA for example), \$250.00 per hour for associates, \$125.00 for paralegals.

No charge for travel time or mileage within Brevard County.

Fishback Dominick. LLP from Winter Park, Florida.

Public sector legal work experience since 1935. City Attorney for 6 Central Florida municipalities, Special Counsel to several other Special Districts and municipalities.

Representative matters: Civil litigation, appellate matters, administrative proceedings, Code Enforcement, eminent domain, inverse condemnation, comprehensive plan, land use and procurement law, contract, Interlocal agreements, Government in the Sunshine, public records law, ethics law, election law, real estate acquisition, oversight of special counsel and contract negotiations.

Andrew W. Mai would serve as Town Attorney. J. Griffin Chumley would serve as assistant Town Attorney.

Fee Proposal:

\$275.00 per hour for attorneys

\$140.00 for paralegals and law clerks

\$85.00 for legal assistants

1/3% (33%) higher per hour for matters with developers/applicants

Town will reimburse for postage, printing, reproducing documents (\$.20 per copy), court filing fees, court reporter fees, process server fees (Please see Fee Schedule Tab 3 for complete breakdown)

Recommendation:

Using a paper ballot, please chose either Andrew W. Mai or Ryan Knight to represent the Town of Melbourne Beach.

The votes will be tallied by the Town Clerk

Town Commission Agenda Item

Section: New Business

Meeting Date: January 17, 2023

Subject: Consideration of Settlement Agreement Multiple Cases
Dennington and Funoe, LLC v. Town of Melbourne Beach

Submitted By: Appointed Counsel Clifford R. Repperger, Jr. and
Town Manager, Elizabeth Mascaro

Background Information:

The Town is a Defendant in three (3) active litigation cases adverse to Plaintiff Alison Dennington. The Town is also the Appellee in the appeal of a Code Enforcement Case Order (Case No. 2020-CE-198) brought by Funoe, LLC (a corporate entity managed by Alison Dennington). Those cases are:

- *Dennington v. Town of Melbourne Beach, Et al.*, 05-2022-CA-053294-XXXX-XX (Election Contest Suit)

- *Dennington v. Town of Melbourne Beach*, 05-2023-CA-044349-XXXX-XX (Mandamus claim related to public records request for August 2022 communications)

- *Dennington v. Town of Melbourne Beach*, 05-2023-CA-051904-XXXX-XX (Mandamus claim related to public records request for Commissioner Corey Runte Lease Agreement)

- *Funoe, LLC v. Town of Melbourne Beach*, 05-2022-AP-025737-XXXX-XX (Appeal of Code Enforcement Case 2020-CE-198);

Town Manager Mascaro and Appointed Counsel Repperger attended mediation with Ms. Dennington and her legal counsel on January 11, 2024. A tentative Settlement Agreement which has the potential to resolve all outstanding litigation and appeals was reached contingent upon Town Commission approval.

Requested action:

Consideration of Tentative Settlement Agreement



Town Manager Report for January 2024

1. Attended Special Magistrate Hearing with Code Enforcement Officer James Turner and Building Official Robert Bitgood. Two hearings were held. Both hearings found in favor of the Town. Additional days were granted to cure the default prior to any fee assessment.
2. Attended January 3rd workshop.
3. Met with Mayor Dennington to discuss items from the workshop.
4. Meeting with Commissioner Runte
5. Attended mediation with Former Town Attorney Cliff Repperger.
6. Attorney Interviews January 16th
7. Office closed on Monday, January 15th in observance of MLK Day.
8. Submitted all of 2023's completed (new home construction) retention/drainage area plans to DEP for credit to Town's BMP's.

JANUARY 2024 TASK LIST

ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
Options and costs for live streaming	9/21/2022	12/20/2023	12/20/2023	Joyce Barton	Town Clerk
DATE	DIRECTION/NOTES				
9/21/2023	Town Clerk – Received 4 quotes and have a second meeting with another company				
7/19/2023	Town Clerk – Received 2 quotes still waiting on 3 others				
5/17/2023	Town Clerk – Working with a company that assists with RFPs and finding companies that do the work.				
3/15/2023	Town Clerk – Spoke with an individual who is familiar with audio/visual equipment and wanted to get a feel for the price range prior to spending time looking into products. Commission decided to send this out for RFP.				
1/18/2023	Town Clerk – Contacted several companies who advised not interested, cannot get the products, or didn't respond. Will start contacting individuals that use audio visual equipment rather than companies.				
11/16/2022	Town Clerk - contacted other municipalities to see how they stream and what they use and also reaching out to private companies. This item ties into the upgrades to the audio system that was approved, but not done yet to make sure the systems are compatible.				
9/21/2022	Added to Action Items				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Sixth Ave boat ramp improvements	8/17/2022	2/7/2024		Commissioner Runte	Town Manager/ PW Director
DATE	DIRECTION/NOTES				
8/16/2023	At the workshop next week.				
7/19/2023	Mayor – Neighboring property put in a taller dock that is getting destroyed, so if the Town put in a small dock it would not last long				
6/28/2023	Look into grant opportunities				
3/15/2023	Put on the Town Commission Workshop				
2/15/2023	Tom Davis- met with Bowman Engineering at Sixth Ave boat ramp to get them to draw something up				

JANUARY 2024 TASK LIST

1/18/2023	Tom Davis – installed the geogrid and painted the wall, considering installing a kayak rack Commissioner Corey Runte – come up with future vision plans and get concept drawings/proposals to beautify it and address parking				
11/16/2022	Joyce Barton – Spoke about possible grant options Corey Runte – Research funding options Mayor Hoover – Start with fixing the seawall				
9/21/2022	Discussed under new business agenda item D.				
8/17/2022	Research what the exact issue is with parking that prevents the Town from getting grant money				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Lifeguard coverage	3/15/2023	3/20/2024		Wyatt Hoover	
DATE	DIRECTION/NOTES				
9/21/2023	Fire Chief – Presented the different options and costs. Continue with BCOR for the next fiscal year then reassess.				
7/12/2023	Create a staffing plan, budget, equipment list, and all other details to bring a lifeguard program in-house. What would Ocean Park parking fees need to increase to in order to cover the cost.				
6/28/2023	Town Manager – Met with County Manager, waiting on the County Commission. Corey Runte – Asked to look into the cost of having our own lifeguard program.				
5/17/2023	Town Manager – Fire Chief Gavin Brown is the liaison for this. Right now the Brevard County Commission is looking into it				
3/15/2023	Added to Action Items – Fact finding related to funding from other municipalities, open a dialogue with Indialantic, reach out to US Lifesaving Association and Florida Beach Patrol to see what other heavy-traffic beaches are doing, make sure flag signs are up to date, options and costs to get a lifeguard at our beach year round.				