CITY COUNCIL MEETING

City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026, at 7:00 PM
City Hall Council Chamber | 2055 South Patrick Drive

AGENDA

Mayor and City Council
Scott Nickle, Mayor
Adam Dyer, Deputy Mayor
Susan Ruimy, Council Member
David Nutt, Council Member
Neil Yorio, Council Member
Administration
John W. Coffey, ICMA-CM -City Manager
Karl Bohne — City Attorney
Nikki Gold — City Clerk

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION**
3. **ROLL CALL**
4. **EXCUSAL OF COUNCIL MEMBERS**
5. **ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA, IF ANY**
6. **PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS**
   a. Memorial Day Proclamation
7. **APPROVAL OF MINUTES**
   a. Regular City Council Meeting: 04-28-2026
   b. FY27 FM & CIP Budget Meeting: 04-28-2026
8. **REPORTS**
   a. City Manager Report
   b. City Attorney's Report
   c. Council Comments

d. Public Comments (Non-Public Hearing Agenda Item Only)

9. UNFINISHED BUSINESS

a. **Pine Tree Drive and Banana River Drive traffic study findings (action item)**

10. NEW BUSINESS

a. **Ordinance No. 2026-07 Storage of Watercraft and Watercraft Trailers - Public Hearing and First Reading (action item)**

b. **Ordinance No. 2026-05: Administrative Platting Code Amendment - First Reading (action item)**

c. **Ordinance No. 2026-08: Reasonable Accommodation and Recovery Residences Code Amendment - First Reading (action item)**

d. **Fourth Amendment to the Brevard County stormwater education and outreach interlocal agreement (action item)**

e. **210 Timpoochee Drive lien forgiveness request (action item)**

f. **Algonquin Sports Complex pedestrian and bicyclist access update (consensus)**

g. **Development of a policy regarding Council Member participation at advisory board meetings (discussion item)**

h. **City Manager’s annual evaluation (action item)**

11. PUBLIC FORUM

12. ADJOURN

ALL PERSONS WISHING TO BE HEARD SHOULD APPEAR IN PERSON AT THESE HEARINGS OR SEND WRITTEN COMMENTS TO THE CITY CLERK. ALL PERSONS AND PARTIES ARE HEREBY ADVISED THAT IF THEY SHOULD DECIDE TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THE PUBLIC MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FSS 286.0105. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), ANYONE WHO NEEDS SPECIAL ACCOMMODATION FOR THIS MEETING SHOULD CONTACT THE CITY CLERK AT 321-773-3181 AT LEAST 48 HOURS IN ADVANCE OF THIS MEETING.

PROCLAMATION
City of Indian Harbour Beach, Florida

WHEREAS, Memorial Day, originally known as Decoration Day, was first widely observed on May 30, 1868, to commemorate the sacrifices of Civil War soldiers, and has since evolved to honor all men and women who have died in military service to the United States of America; and

WHEREAS, each year on Memorial Day, our nation pauses to remember with solemn pride the heroic service and ultimate sacrifice of those who gave their lives to preserve the freedoms and values we hold dear; and

WHEREAS, the United States Congress, in the National Moment of Remembrance Act of 2000, encourages all Americans to pause at 3:00 p.m. local time on Memorial Day to reflect on the sacrifices made by our fallen heroes; and

WHEREAS, the City of Indian Harbour Beach recognizes the courage, dedication, and selflessness of all members of the United States Armed Forces who made the ultimate sacrifice in defense of our nation; and

WHEREAS, it is fitting and proper that all citizens of Indian Harbour Beach come together in unity and gratitude to remember and honor these brave men and women; and

WHEREAS, the City of Indian Harbour Beach encourages all residents to display the United States flag, attend local ceremonies, and reflect on the price of our freedoms on this day of remembrance;

NOW, THEREFORE, the City Council of the City of Indian Harbour Beach, Florida, does hereby proclaim Monday, May 25, 2026, as

Memorial Day

in the City of Indian Harbour Beach, and calls upon all citizens to observe this day with reverence, respect, and gratitude for those who gave their lives in service to our great nation.

IN WITNESS WHEREOF, the City Council of the City of Indian Harbour Beach, Florida, has hereunto set their hands and caused the Seal of the City to be affixed this 12th day of May, 2026.

_____
Scott Nickle, Mayor

_____
Adam Dyer, Deputy Mayor

_____
Susan Ruimy, Council Member

_____
David Nutt, Council Member

_____
Neil Yorio, Council Member

CITY COUNCIL MEETING

City of Indian Harbour Beach, Florida
Tuesday, April 28, 2026, at 7:00 PM
City Hall Council Chamber | 2055 South Patrick Drive

MEETING MINUTES

Mayor and City Council
Scott Nickle, Mayor
Adam Dyer, Deputy Mayor
Susan Ruimy, Council Member
David Nutt, Council Member
Neil Yorio, Council Member
Administration
John W. Coffey, ICMA-CM - City Manager
Karl Bohne - City Attorney
Nikki Gold - City Clerk

1. CALL TO ORDER

Meeting called to order by Deputy Mayor Dyer at 7:00 pm.

2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION

3. ROLL CALL

Deputy Mayor Dyer, Council Member Ruimy, Council Member Nutt, and Council Member Yorio were present. Also in attendance were City Manager Coffey and City Attorney Bohne.

4. EXCUSAL OF COUNCIL MEMBERS

Motion by Council Member Ruimy to excuse Mayor Nickle from the meeting, seconded by Council Member Yorio, carried 4-0.

5. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA, IF ANY

None.

6. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

a. Administrative Professionals Day Proclamation

City Clerk Gold read the proclamation. Deputy Mayor Dyer presented to Special

Projects Coordinator, Dana Artz.

b. 2026 Employee of the Year presentation

City Manager Coffey presented the Employee of the Year Award to Special Projects Coordinator, Dana Artz.

c. Tree Preservation Board Update on Items Requested by Council

Adam Lucey - Chairperson on the Tree Preservation Board gave updates on the following items at the request of Deputy Mayor Dyer:

- Planting in the medians on Atlantic Blvd, Burns, Palms Springs, and Cheyenne. Recommended planting trees from the tree management plan and have staff look into irrigation.
- Tall Grass & Wildflower ordinance: The board is holding a workshop on May 7th to further discuss and come up with a draft for Council.

7. APPROVAL OF MINUTES

a. April 14, 2026 Regular City Council Meeting Minutes

Approved by acclamation.

8. REPORTS

a. City Manager Report

- 210 Timpoochee Drive lien reduction request update
- Communications Manager position update: Hilarye Fuller introduced
- Algonquin Sports Complex expansion project update
- Grant funded police car update
- March Revenue and Expenditure report
- FY26 Second quarter cash & investment report
- 2026 Legislative Session update
- Employee Recognition: Fire Department staff

b. City Attorney's Report

None.

c. Council Comments

Ruimy: Welcomed the new Communications Manager, Hilarye Fuller. Attended the FLC institute last week. Suggested a town hall or workshop to discuss property tax reform.

Yorio: Agreed with Council Member Ruimy to hold a workshop on property tax reform.

Nutt: Also agreed to hold a workshop. Inquired about the upcoming FDOT meeting; looking for more information.

Dyer: Agreed with workshop. Informed that the Florida League of Cities also has a lot of resources.

Consensus to hold workshop on property tax reform on June 24th at 6:00 pm.

d. Public Comments (Non-Public Hearing Agenda Item Only)

None.

9. UNFINISHED BUSINESS

None.

10. NEW BUSINESS

a. Award of Contract - Public Works vehicle replacement (Action item)

Motion by Council Member Nutt to award a piggyback contract not to exceed $35,000 to purchase one 2026 Ford F-150 truck and authorize staff to transfer the same amount from the City Manager's contingency account to cover the expense, seconded by Council Member Ruimy, carried 4-0.

b. Award of contract via a piggyback contract from Brevard County - Algonquin Sports Complex parking lot milling, paving, and striping (Action item)

Motion made by Council Member Ruimy to award a not-to-exceed $32,000 contract to Goodson Paving, Inc., via a piggyback contract from Brevard County for paving services at Algonquin Sports Complex., seconded by Council Member Yorio, carried 4-0.

c. Award of contract - City Hall first-floor restroom ADA renovations (Action item)

Motion made by Council Member Nutt to award a contract not-to-exceed $70,000 to Jobear Contracting, Inc. for ADA-compliant renovations of the first-floor restrooms at City Hall, seconded by Council Member Yorio, carried 4-0.

11. PUBLIC FORUM

No public comments.

12. ADJOURN

Motion by Council Member Nutt to adjourn the meeting at 7:42 pm, seconded by Council Member Yorio, carried 4-0.

X_____
Scott Nickle
Mayor

ATTEST:

X_____
Nicole "Nikki" Gold
City Clerk

CITY COUNCIL WORKSHOP

City of Indian Harbour Beach, Florida
Tuesday, April 28, 2026, at 5:30 PM
City Hall Council Chamber | 2055 South Patrick Drive

WORKSHOP MINUTES

Mayor and City Council
Scott Nickle, Mayor
Adam Dyer, Deputy Mayor
Susan Ruimy, Council Member
David Nutt, Council Member
Neil Yorio, Council Member
Administration
John W. Coffey, ICMA-CM - City Manager
Karl Bohne - City Attorney
Nikki Gold - City Clerk

1. CALL TO ORDER

Deputy Mayor Dyer called the meeting to order at 5:30 pm.

2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION

3. ROLL CALL

City Clerk Gold called the roll. Deputy Mayor Dyer, Council Member Ruimy, Council Member Nutt, and Council Member Yorio were present. Also in attendance, City Manager Coffey.

4. EXCUSAL OF COUNCIL MEMBERS

Motion by Council Member Nutt to excuse Mayor Nickle from the meeting, seconded by Council Member Ruimy, carried 4-0.0

5. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA, IF ANY

None.

6. REPORTS

a. Public Comments (Non-Public Hearing Agenda Item Only)

None.

7. NEW BUSINESS

a. Review of Preliminary FY27-31 Financial Model and Capital Improvement Plan

City Manager Coffey gave a presentation on the preliminary FY27-31 Financial Model and Capital Improvement Plan.

- Consensus to use a 3.25% (0.25% COLA and 3% Step/Progression) increase for the FY27 Proposed Budget.
- Consensus to include in the FY27 Proposed Budget a consultant to conduct a feasibility study in FY27 for a non-ad valorem fire service assessment fee.

8. PUBLIC FORUM

None.

9. ADJOURN

Motion to adjourn the meeting by Council Member Ruimy at 6:31 pm, seconded by Council Member Nutt, carried 4-0.

X_____
Scott Nickle
Mayor

ATTEST:

X_____
Nicole "Nikki" Gold
City Clerk

CITY MANAGER'S REPORT: May 12, 2026

A. ACTION ITEMS

1. N/A

B. INFORMATIONAL ITEMS

1. South Patrick and Banan River Drive traffic shift update

   Due to delays in the contractor receiving materials, the temporary traffic pattern shift was postponed by several weeks.

2. Employee insurance broker presentation request update

   In response to Council Member Nutt's request at the April 28th workshop, Ms. Cindy Dropeski of Intercoastal Insurance is scheduled to speak to the City Council at the June 23rd meeting.

3. 1976 time capsule opening ceremony

   The City will host a short ceremony on Friday, July 3rd, starting at 9:00 am, to recognize those who played a role in the bicentennial celebration and the burial of a time capsule, as well as current and former elected officials, before opening the capsule. Coffee, bottled water, and donuts will be provided. The public is invited to attend, but is reminded that parking is extremely limited. Staff is working to secure temporary parking in nearby lots for the events. Former elected officials and other VIPs will be offered complimentary rides to and from the City Hall parking lot. More details to follow.

   The City's America 250 golf cart parade and celebration is tentatively scheduled for Thursday, July 9th at Gleason Park. More information will be provided at future meetings.

4. Algonquin Sports Complex expansion project update

   Staff attended the bi-weekly progress meeting on Friday, May 8th.
   - With the playing field and ball court base material scheduled to be delivered soon, staff placed door hanger notices on the homes along North Osceola and Wimico to notify the residents of the planned uptick in dump truck and work vehicle traffic.
   - The northern FPL conduit relocation issue (power feed to the communications tower) was resolved. As this relocation was outside the scope of work, the City assumed responsibility for the $$25,861 costs.
   - The southern FPL conduit installation issue is still unresolved as the contractor is waiting on the cost proposal from FPL.
   - The AT&T fiber optic conduit issue remains unresolved, although staff had finally reached people at AT&T with decision-making authority. Staff is waiting on AT&T to schedule a site visit to move toward a resolution.

5. City Hall Baffle Box project update

   The baffle box is scheduled to be delivered on Tuesday, May 12th. The contractor is approximately three weeks ahead of schedule and recently submitted pay application #1 for $409,625.00 (total contract cost of $1,137,900.00).

6. Muck project update

   After discussing the pros and cons, the Satellite Beach City Manager and I have agreed to split the two muck projects while continuing to coordinate our efforts. This decision was based on having the cleanest audit trail and Satellite Beach's desire to do some of the outreach work to adjacent property owners (i.e., getting some boats moved and inquiring if people want to sign waivers so the muck removal can be done closer to their docks) themselves, versus paying the engineering firm to do the outreach. The first piggy-back contract is planned for the 26May26 Council meeting for your consideration.

7. Ord. 2026-06 P2 Zoning ROW setback update

   Due to an alternate member of the Planning and Zoning Board seconding the motion at the May 6th meeting, the ordinance will need to be reconsidered by the Board at their June 3rd meeting. Consideration of first reading will be on the June 9th City Council meeting agenda.

8. 2026 Legislative Session

   The Legislative Session ended on March 13, 2026, without a budget being passed. A special session to finalize the FY27 State budget is scheduled from May 12th through May 29th.

   The traditional IHB legislative tracker will be provided at each Council meeting through final signing decisions by Governor DeSantis.

9. Employee Recognition

   A. Assistant to the City Manager Covert received the following message on the City's Facebook page.

      Hi, IHB resident here (Kristi Dr.). I'm writing to compliment the City on the Baffle Box project. I read about it in the Harbour Highlights and then asked ChatGPT for more info. I think it's a fantastic move to protect the lagoon. Perhaps you have a post on FB with more info, but if not, if the residents had more info about this project, they'd be as impressed as I am.... I look forward to watching the process through the glass when complete. Thanks for reading, and keep up the good work. IHB is very well run!! - IHB resident and homeowner."

C. Tentative Agenda Items for the Next Regular City Council Meeting

10. The following items are currently planned for the May 26th City Council Meeting (items requested by a Council Member are indicated in parentheses)
    a. Ord. 2026-05 Subdivision plat approval public hearing and 2nd reading
    b. Ord. 2026-07 Watercraft and watercraft trailers public hearing and 2nd reading
    c. Ord. 2026-08 Reasonable accommodations certified recovery residences public hearing and 2nd reading
    d. Piggy-back contract for engineering services related to the muck removal project
    e. Disposal of fixed assets

D. Upcoming Events

11. Peace Officers Memorial Day
    Friday, May 15th
    USA flag display in Gleason Park

12. Armed Forces Day
    Saturday, May 16th
    USA flag display in Gleason Park

13. Special Magistrate hearings
    9:00 a.m., Wednesday, May 20th
    Council Chamber

14. Tree Preservation Board
    7:00 p.m., Wednesday, May 20th
    Council Chamber

15. Memorial Day
    Monday, May 25th
    USA flag display in Gleason Park
    Offices closed

16. City Council Meeting
    7:00 p.m., Tuesday, May 26th
    Council Chamber

17. Planning and Zoning Board Meeting
    7:00 p.m., Wednesday, June 3rd
    Council Chamber

18. D-Day Remembrance Day
    Saturday, June 6th
    USA flag display in Gleason Park

19. City Council Meeting
    7:00 p.m., Tuesday, June 9th
    Council Chamber

20. Tree Preservation Board
    7:00 p.m., Wednesday, June 10th (special date)
    Council Chamber

21. Flag Day
    Sunday, June 14th
    USA flag display in Gleason Park

22. Juneteenth
    Friday, June 19th
    USA flag display in Gleason Park

23. City Council Meeting
    7:00 p.m., Tuesday, June 23rd
    Council Chamber

24. Planning and Zoning Board Meeting
    7:00 p.m., Wednesday, July 1st
    Council Chamber

25. Independence Day holiday observed
    Friday, July 3rd
    Offices closed
    Time capsule opening ceremony 9:00 a.m.at the Fire Station

26. Independence Day holiday
    Saturday, July 4th
    USA flag display in Gleason Park

27. IHB's America 250 golf cart parade and celebration
    Date TBD
    Gleason Park

28. City Council Meeting
    7:00 p.m., Tuesday, July 14th

29. Tree Preservation Board
    7:00 p.m., Wednesday, July 15th
    Council Chamber

30. FDOT Townhall meeting (not a City Council meeting)
    5:30-7:00 p.m., Wednesday, July 22nd
    Recreation Center

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

Pine Tree Drive and Banana River Drive traffic study findings (action item)

Cost: N/A

Attachments: 6664.01 Indian Harbour Beach - Banana River Drive at Pine Tree Drive - Operational Analysis (2026-4-23) SS

Staff Recommendation:

Consider implementing the revised recommendations to realign the traffic control signage at the Pine Tree Drive and Banana River Drive intersection.

Background Information:

On January 13, 2026 at the request of a resident, the City Council directed staff to hire a traffic consultant for a low-level analysis for basic striping and signage at the Pine Tree Drive and Banana River Drive intersection. On February 10, 2026 the City Council approved a proposal from LTG Engineering & Planning and the attached traffic study was received on March 11th. The recommendations of the report are excerpted below:

Banana River Drive/Pine Tree Drive W Connector:

- *Eastbound Pine Tree Drive W traffic should no longer be able to merge with Banana River Drive traffic at the cross-over. Instead, eastbound traffic on Pine Tree Drive W should be stop-controlled prior to accessing the connector to continue onto Banana River Drive.*

- *Northbound traffic in the connector from Pine Tree Drive W should be stop-controlled prior to making a left or right turn onto Banana River Drive.*
- *The 2 residential driveways east of the connector and west of Osceola Drive should utilize the connector to access Banana River Drive. This westbound Pine Tree Drive W traffic generated by the driveways should also be stop-controlled at the connector intersection.*
- *Eastbound traffic on Banana River Drive that wants to continue west on Pine Tree Drive W should access the connector to make a free-flow right-turn.*
- *Appropriate signage should be added*

<u>Banana River Drive/Pine Tree Drive W Cross-over:</u>

- *Westbound Banana River Drive traffic should no longer be able to cross-over eastbound Banana River Drive traffic to continue Pine Tree Drive W. This traffic can make a left turn at the connector to access Pine Tree Drive W.*
- *With eastbound Pine Tree Drive W traffic no longer merging with Banana River Drive at the intersection of Osceola Drive, an eastbound slip lane for right turns can be implemented adjacent to the eastbound left/through lane.*
    - *The slip lane includes approximately 145 feet of taper and 25 feet of storage.*
    - *A solid white line should mark the south side of the slip lane.*
    - *White delineators (FDOT APL S102-2509) are recommended along the edge of the slip lane to indicate that there is no connection to Pine Tree Drive W and to direct traffic from the 2 residential driveways to the connector.*
        - *The yellow hatched pavement markings and white arrows directing the existing cross-over movements should be removed.*

• *The yield signs (R1-2) for the eastbound and westbound Banana River Drive traffic should be removed.*
• *Appropriate signage should be added:*

- *Banana River Drive straight ahead, Pine Tree Drive W left sign (D1-2) placed 100’ east of connector.*

On March 24, 2026, the City Council reviewed the initial recommendation and rejected it. They directed staff to request a follow-up study focused on flipping the yield signs on the eastbound approach.

The consultant subsequently proffered two options.

1. Similar elements to the recommendation rejected by the City Council on March 24th.

2. Eastbound traffic on Banana River Drive should no longer yield to eastbound traffic on Pine Tree Drive W. Instead, Pine Tree Drive W traffic should be yielding to Banana River Drive traffic.

    - The yield sign (R1-2) for eastbound Banana River Drive traffic should be removed.
    - A yield sign (R1-2) should be placed on the right-hand side of the Pine Tree Drive W approach. Placement should not be more than 50’ in advance of the Banana River Drive/Pine Tree W intersection

Staff requests direction on how to proceed.

LTG Engineering & Planning

Via Email: (dbulter@indianharbourbeach.gov)

Ref: 6664.01

Banana River Drive at Pine Tree Drive Operational Analysis

To: Chief David Butler
Indian Harbour Beach Police Department
1835 S. Patrick Drive
Indian Harbour Beach, Florida 32937

From: George Galan, PE

Date: April 23, 2026

Subject: Banana River Drive at Pine Tree Drive Operational Analysis
Indian Harbour Beach, Florida

INTRODUCTION

LTG, Inc. has been retained by the Indian Harbour Beach Police Department (IHBPD) to conduct traffic engineering and transportation planning services at the intersection of the Banana River at Pine Tree Drive located in the City of Indian Harbour Beach, Florida. Using the current version of *Synchro*, which is based on the Highway Capacity Manual, the operational analysis shall include the collection and analysis of turning movement counts for the AM and PM peak periods for the Banana River Drive, Pine Tree Drive, and Osceola Drive junction. A field review was completed to verify roadway geometry, intersection control, and existing signs and pavement markings. In addition, the collection and analysis of historical crash data was included, reported by Signal Four Analytics over a five-year period, within the junction influence area. The crash data was evaluated to identify potential trends or patterns at the junction. The purpose of this technical memorandum is to present the procedures and results of the analysis, including the recommendations for improvements to existing signs and pavement markings. The recommendations will be consistent with the standards provided in the latest edition of the Florida Department of Transportation (FDOT) Design Manual (FDM), FDOT Standard Plans for Road Construction, and Manual on Uniform Traffic Control Devices (MUTCD). The location of the analysis is shown in **Figure 1**.



Banana River Drive/Pine Tree Drive and Osceola Drive Operational Analysis	N NTS	**Location Map** Project No.: 6664.01 | Figure 1	LTG Engineering & Planning

FIELD REVIEW OBSERVATIONS

The Banana River Drive, Pine Tree Drive, Osceola Drive junction was observed on Thursday, March 5, 2026, from 7:45 to 8:45 AM and from 5:00 to 6:00 PM to verify roadway geometry, intersection control, and existing signs and pavement markings. The following conditions were observed:

Operation

General Observations:

- The Banana River Drive and Pine Tree Drive cross-over is currently under yield control:
    - The eastbound approach traffic on Banana River Drive yields to the merging eastbound approach traffic on Pine Tree Drive as the two legs become one at the Banana River Drive and Osceola Drive all-way stop-controlled intersection.
    - The westbound approach traffic on Banana River Drive that wishes to cross-over to continue onto Pine Tree Drive West yields to the eastbound approach traffic on Banana River Drive.
    - The connector just west of the cross-over that connects Banana River Drive and Pine Tree Drive West is uncontrolled.
- Most of the eastbound traffic was observed traveling along Banana River Drive rather than Pine Tree Drive West. Most of the westbound traffic from Pine Tree Drive East was observed continuing down Banana River Drive rather than crossing over to Pine Tree Drive West.
- During both peak hours, a four to five vehicle queue was observed in the eastbound Banana River leg, as vehicles yielded to eastbound Pine Tree Drive West traffic before reaching the Osceola Drive stop sign.
- Because of the proximity the cross-over has to the Banana River Drive/Osceola Drive intersection, a queue of two to three vehicles was observed in the eastbound Pine Tree Drive West leg, as the two legs merge to stop.
- During the AM peak hour, one vehicle traveling westbound on Banana River Drive attempted to cross over onto Pine Tree Drive West. Rather than yielding to eastbound traffic, the vehicle crossed freely, causing eastbound Banana River Drive traffic to stop.
- During the PM peak hour, one vehicle traveling eastbound on Banana River Drive did not yield to eastbound traffic on Pine Tree Drive West, causing Pine Tree Drive West traffic to stop.
- During the AM peak hour, no vehicles travelled through the connector.
- During the PM peak hour, two vehicles made movements through the connector. One vehicle traveled eastbound on Banana River Drive and then made a right turn through the connector to continue westbound on Pine Tree Drive West. The other vehicle traveled eastbound on Pine Tree Drive West and made a left turn through the connector to continue westbound on Banana River Drive.
- It is notable that there is a postal drop box in the west shoulder of the connector.
- There are no bicycle lanes present along Banana River Drive or Pine Tree Drive West in either direction. Pavement marking indicates that bicycles are free to share the road. 3 (three) bicyclists were observed at the intersection during the AM peak hour, and 17 (seventeen) bicyclists were observed during the PM peak hour.
- There were 2 (two) golf carts observed at the junction during the AM peak hour, and 12 (twelve) golf carts observed during the PM peak hour.
- A 4 ft. wide sidewalk is present along both sides Pine Tree Drive East and Osceola Drive. A 4 ft. wide sidewalk is present along the north side of Banana River Drive and the south side of Pine Tree Drive West. 4 (four) pedestrians were observed at the junction during the AM peak hour, while 12 (twelve) pedestrians were observed during the PM peak hour.

- A school bus was observed at the Pine Tree Drive East/Osceola Drive intersection stopping to pick up kids at approximately 8:15 AM.

Safety

There was no broken glass, plastic, or other debris observed at the intersection. Additionally, no skid marks were observed at the intersection.

Maintenance

Signs

- The signs at the intersection are in good condition.

Pavement

- The pavement at the intersection is in good condition.

Pavement Markings

- The pavement markings at the intersection are in good condition.

Images of the junction are included on the following page.



Image 1: Eastbound – Cross-over



Image 2: Eastbound – Cross-over, with traffic



Image 3: Eastbound – Banana River Drive, west of connector



Image 4: Eastbound – Pine Tree Drive West, west of connector



Image 5: Westbound – Cross-over



Image 6: Westbound – Pine Tree Drive East at Osceola Drive

OPERATIONAL ANALYSIS

Intersection Recommendations

To improve traffic operations at the Banana River Drive/Pine Tree Drive/Osceola Drive junction, LTG presents two options that involve modifying the current configuration. The recommended improvements for Option 1 are depicted in the conceptual plan shown in **Figure 2.** A summary of the proposed modifications for each option is provided below:

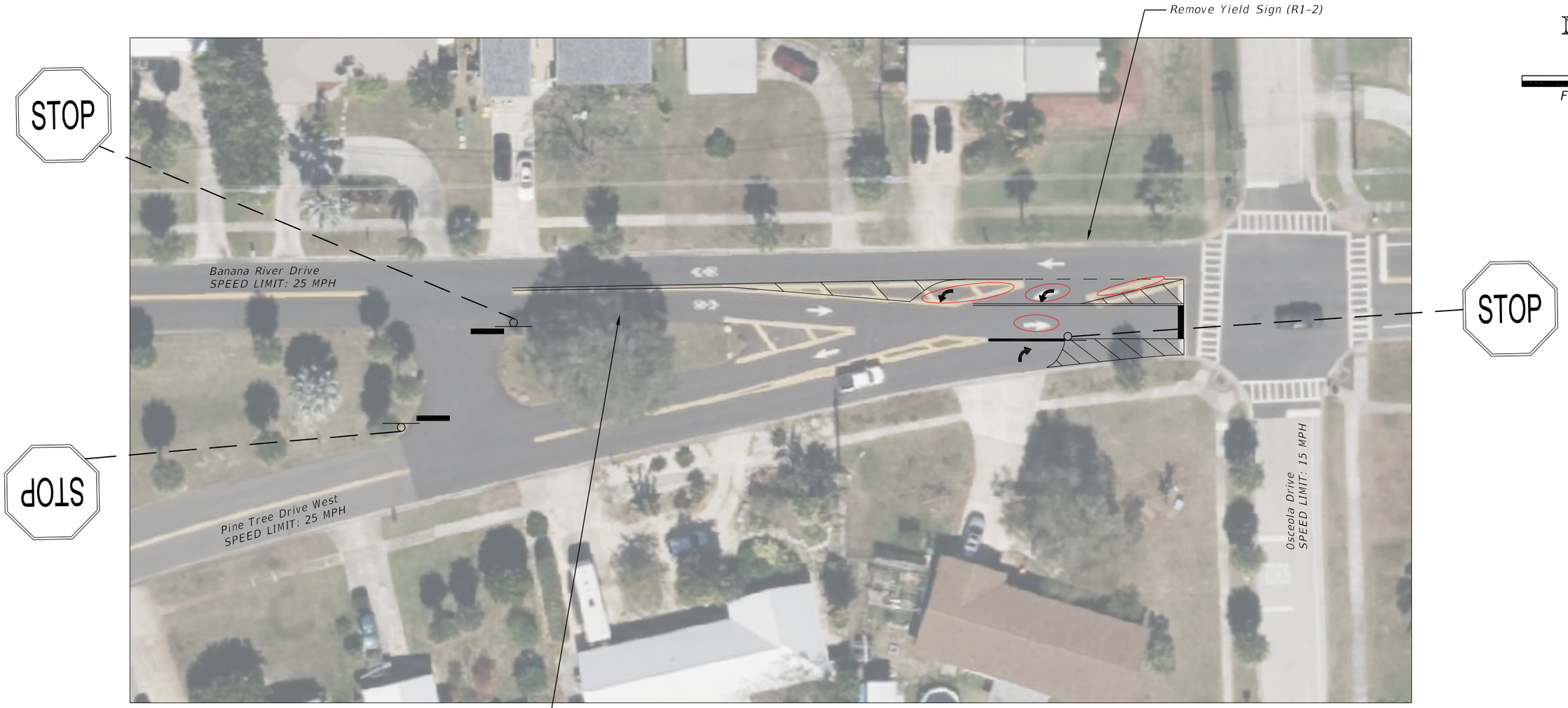
Option 1:

- Westbound Banana River Drive traffic should no longer operate under yield control when crossing to continue west onto Pine Tree Drive W. Instead, install a 10' westbound left turn lane just south of the Osceola Drive intersection, requiring vehicles to stop before crossing eastbound Banana River Drive traffic.
    - The proposed westbound turn lane will provide approximately 60' of storage with a 40' taper.
    - Add appropriate pavement markings (hatching) to define the turn lane, including two white left turn arrows spaced approximately 40' apart.
    - Remove the existing yellow hatched pavement markings and white directional arrow associated with the current cross-over movement in the area of the proposed turn lane.
- Eastbound Pine Tree Drive W traffic should no longer freely merge with eastbound Banana River Drive traffic at the cross-over. Instead, Pine Tree Drive W should be stop-controlled prior to making a right turn onto Banana River Drive.
    - Add a stop bar at the intersection of Pine Tree Drive W meets Banana River Drive.
    - Install a stop sign (R1-1).
    - Add appropriate pavement hatching east of the proposed stop condition, to channelize traffic into a northbound right turn onto Banana River Drive and to indicate a single eastbound lane accommodating left, through, and right movements.
- The yield signs (R1-2) for the eastbound and westbound Banana River Drive traffic should be removed.
- Add stop bars and stop signs (R1-1) for northbound and southbound traffic within the Banana River Drive/Pine Tree Drive W connector to improve safety.

Option 2:

- Eastbound traffic on Banana River Drive should no longer be yielding to eastbound traffic on Pine Tree Drive W. Instead, Pine Tree Drive W traffic should be yielding to Banana River Drive traffic.
    - The yield sign (R1-2) for eastbound Banana River Drive traffic should be removed.
    - A yield sign (R1-2) should be placed on the right-hand side of the Pine Tree Drive W approach. Placement should not be more than 50' in advance of the Banana River Drive/Pine Tree W intersection.

To determine which approach should be yield-controlled, guidance from the MUTCD, Chapter 2B, indicates that right-of-way should be assigned to the approach with higher traffic volumes and better geometric continuity. Conversely, the yielding approach should typically have lower traffic volumes and adequate sight distance to safely accommodate yielding maneuvers. In this case, Banana River Drive carries higher traffic volumes than Pine Tree Drive W. That said, Pine Tree Drive W does not provide sufficient sight distance for drivers to safely yield to eastbound Banana River Drive traffic, whereas Banana River Drive does provide adequate sight distance under the current roadway alignment. Therefore, LTG finds that Pine Tree W does not meet the sight distance requirements for a yield-controlled approach. In addition, Option 2 does not resolve the operational issues associated with the westbound Banana River Drive cross-over movement. For these reasons, Option 1 is the preferred alternative. Because Option 2 does not introduce changes that would affect intersection level of service (LOS), it was not included in the intersection capacity or queue length analysis.



BANANA RIVER DRIVE AND PINE TREE DRIVE OPERATIONAL ANALYSIS

SIGN

REMOVE PAVEMENT MARKINGS

Location ID: Banana River Drive/Pine Tree Drive and Osceola Drive
County: Brevard
City: Indian Harbour Beach
Drawn By: EJO
Date: 4-14-2026

LTG Engineering & Planning

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CERTIFICATE OF AUTHORIZATION NO. 9227

CONCEPT PLAN

Figure 2

Existing Traffic Determination

Turning movement counts were collected for the junction intersections on Wednesday, February 18th of 2026 during the AM and PM peak hours. The turning movement counts were adjusted by the FDOT Seasonal Factor specified for the week the data was collected (≥1). The raw turning movement counts and the FDOT Peak Season Factor Category Report are provided as **Exhibit A**.

Intersection Analysis

The operating conditions at the improved junction (Option 1) were evaluated using *Synchro*. **Table 1** presents the existing AM and PM peak hour Level of Service (LOS) at the intersections. The *Synchro* summary sheets are provided as **Exhibit B**. As indicated in the table, the improved intersections operate within the adopted LOS and with v/c ratios less than or equal to 1.000 under current traffic volumes.

Table 1 –
Banana River Drive at Pine Tree Drive Operational Analysis
Option 1 Improved Intersection Conditions LOS

Intersection	Adopted LOS	AM Peak Hour					PM Peak Hour				
		Critical Approach	Delay (sec.)	LOS	Overall Highest V/C	Movement(s) with V/C > 1	Critical Approach	Delay (sec.)	LOS	Overall Highest V/C	Movement(s) with V/C > 1
1. Banana River Dr. at Pine Tree Dr.	E	NB	9.2	A	0.07	-	NB	9.4	A	0.091	-
2. Osceola Dr. at Banana River Dr./Pine Tree Dr. E	E	WB	9.3	A	0.28	-	WB	9.5	A	0.335	-

Queue Length Analysis

Queue lengths for each approach were also evaluated to confirm that sufficient lane storage is provided based on the 95th percentile queue length. The queue length results were obtained from the *Synchro* summary sheets, and the AM and PM peak hour results are presented below in **Table 2**. As indicated in the table, the improved intersections operate with sufficient lane length to accommodate the 95th percentile queue lengths.

Table 2 –
Banana River Drive at Pine Tree Drive Operational Analysis
Option 1 Queue Length Analysis

Intersection	Approach	Lane Length(ft)	# of Lanes	95th Percentile Queue Length(veh x 25 ft)	Is Lane Length Sufficient?
AM					
Banana River Dr. at Pine Tree Dr.	WBL	100	1	25	Yes
	NBR	173	1	25	Yes
Osceola Dr. at Banana River Dr./Pine Tree Dr. E	EBLTR	85	1	25	Yes
	WBLTR	630	1	50	Yes
	NBLTR	320	1	25	Yes
	SBLTR	275	1	25	Yes
PM					
Banana River Dr. at Pine Tree Dr.	WBL	100	1	25	Yes
	NBR	173	1	25	Yes
Osceola Dr. at Banana River Dr./Pine Tree Dr. E	EBLTR	85	1	50	Yes
	WBLTR	630	1	50	Yes
	NBLTR	320	1	25	Yes
	SBLTR	275	1	25	Yes

Note: For through lanes without dedicated turn-lane storage, lane lengths were measured from the stop bar to the nearest upstream intersection, representing the available storage distance before queue spillback would affect upstream traffic.

CRASH DATA

Historical crash data was collected at the junction influence area within the last 5 years. A total of 2 crashes occurred near the intersections of interest. One rear end collision occurred at the Pine Tree Drive East stop sign at Osceola Drive. The other collision involved a parked vehicle near the stop sign on Pine Tree Drive East. A summary of the historical crash data and a diagram depicting their respective locations can be found in **Exhibit C**.

CONCLUSIONS

LTG has performed an operational analysis for recommended improvements at the Banana River Drive, Pine Tree Drive, and Osceola Drive junction. The results of the analysis indicate the following:

- The Banana River Drive and Pine Tree Drive cross-over currently operate under a yield-controlled configuration, with an uncontrolled connector located just west of the cross-over and an all-way stop at the Banana River Drive/Osceola Drive intersection.
- Field observations indicate that most eastbound traffic travels along Banana River Drive rather than Pine Tree Drive West, and most westbound traffic from Pine Tree Drive East continues along Banana River Drive instead of crossing over to Pine Tree Drive West.
- During both peak hours, vehicle queues were observed on the eastbound Banana River Drive approach due to vehicles yielding to Pine Tree Drive West traffic prior to the Osceola Drive stop-controlled intersection.
- The following operational modifications are recommended for the junction:

  Option 1:

  - Westbound Banana River Drive traffic should no longer operate under yield control when crossing to continue west onto Pine Tree Drive W. Instead, install a 10’ westbound left turn lane just south of the Osceola Drive intersection, requiring vehicles to stop before crossing eastbound Banana River Drive traffic.
    - The proposed westbound turn lane will provide approximately 60’ of storage with a 40’ taper.
    - Add appropriate pavement markings (hatching) to define the turn lane, including two white left turn arrows spaced approximately 40’ apart.
    - Remove the existing yellow hatched pavement markings and white directional arrow associated with the current cross-over movement in the area of the proposed turn lane.
  - Eastbound Pine Tree Drive W traffic should no longer freely merge with eastbound Banana River Drive traffic at the cross-over. Instead, Pine Tree Drive W should be stop-controlled prior to making a right turn onto Banana River Drive.
    - Add a stop bar at the intersection of Pine Tree Drive W meets Banana River Drive.
    - Install a stop sign (R1-1).
    - Add appropriate pavement hatching east of the proposed stop condition, to channelize traffic into a northbound right turn onto Banana River Drive and to indicate a single eastbound lane accommodating left, through, and right movements.
  - The yield signs (R1-2) for the eastbound and westbound Banana River Drive traffic should be removed.
  - Add stop bars and stop signs (R1-1) for northbound and southbound traffic within the Banana River Drive/Pine Tree Drive W connector to improve safety.

Option 2:

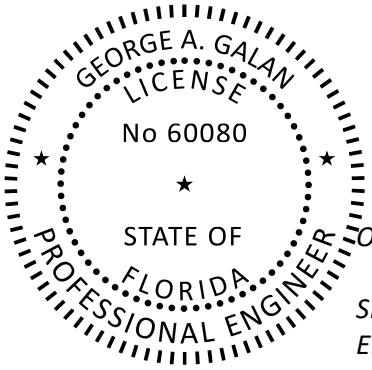
- Eastbound traffic on Banana River Drive should no longer be yielding to eastbound traffic on Pine Tree Drive W. Instead, Pine Tree Drive W traffic should be yielding to Banana River Drive traffic.
  - The yield sign (R1-2) for eastbound Banana River Drive traffic should be removed.
  - A yield sign (R1-2) should be placed on the right-hand side of the Pine Tree Drive W approach. Placement should not be more than 50' in advance of the Banana River Drive/Pine Tree W intersection.

- The operational analysis of the Option 1 modifications performed in *Synchro* proves to be sufficient, as all intersections operate within the adopted LOS and with v/c ratios less than 1.
- A queue length analysis indicates that the Option 1 improved intersections operate with sufficient lane length to accommodate the 95th percentile queue lengths.
- Historical crash data was reviewed for the junction influence area over the past five years, and a total of two crashes occurred east of Osceola Drive on Pine Tree Drive East.
- Option 1 is recommended as the preferred alternative, as the operational analysis performed in *Synchro* demonstrates that all intersections operate within the adopted LOS with v/c ratios less than 1, and queue length analysis confirms sufficient storage to accommodate the 95th percentile queues. Option 2 is not recommended due to insufficient sight distance to support yield control.

Exhibits:
Exhibit A: Raw Turning Movement Counts and FDOT's Peak Season Factor Category Report
Exhibit B: Synchro Summary Sheets
Exhibit C: Collision Diagram and Summary Table

I hereby acknowledge that the procedures and references used to develop the results contained in these computations are standard to the professional practice of Transportation Engineering as applied through professional judgment and experience.

Prepared by:
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THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY:

George A Galan Date: 2026.04.23 09:52:02-04'00'

ON THE DATE ADJACENT TO THE SEAL

SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

LTG, INC.
1450 WEST GRANADA BOULEVARD, SUITE 2
ORMOND BEACH, FL 32174
VENDOR NO. F030424608005
GEORGE A. GALAN, P.E. NO. 60080

LTG Engineering & Planning

EXHIBIT A

Raw Turning Movement Counts and FDOT's Peak Season Factor Category Report

National Data & Surveying Services

Intersection Turning Movement Count

Location: Pine Tree Dr West/1106 Banana River Dr & Banana River Dr
City: Indian Harbour Beach
Control: No Control

Project ID: 26-130066-001
Date: 2/18/2026

Data - Total

NS/EW Streets:	Pine Tree Dr West/1106 Banana River Dr					Pine Tree Dr West/1106 Banana River Dr				Banana River Dr						Banana River Dr										
AM	NORTHBOUND					SOUTHBOUND				EASTBOUND						WESTBOUND					SOUTHBOUND2	EASTBOUND2		WESTBOUND2			
	0 NL	0 NT	0 NR	0 NU	0 NR2	0 SL	0 ST	0 SR	0 SU	0 EL	0 ET	0 ER	0 EU	0 ET2	0 EU2	0 WL	0 WT	0 WR	0 WU	0 WR2	S2L2	E2T	E2U2	W2T	W2T2	W2U2	TOTAL
7:00 AM	0	0	0	0	0	0	0	0	0	0	11	0	0	0	1	0	11	0	0	0	0	4	0	6	1	0	34
7:15 AM	0	0	0	0	1	0	0	0	0	0	14	0	0	0	0	0	28	0	0	0	0	15	1	8	0	0	67
7:30 AM	0	0	0	0	0	0	0	0	0	0	14	0	0	0	0	0	36	0	0	0	0	10	1	9	0	0	70
7:45 AM	0	0	0	0	0	0	0	0	0	0	15	0	0	0	1	0	35	0	0	0	1	7	1	10	0	0	70
8:00 AM	0	0	0	0	0	0	0	0	0	0	16	0	0	0	1	0	33	0	0	0	0	10	0	4	0	0	64
8:15 AM	0	0	0	0	0	0	0	0	0	0	41	0	0	1	0	0	40	0	0	0	0	14	0	5	0	0	101
8:30 AM	0	0	0	0	0	0	0	0	0	0	26	0	0	0	0	0	33	0	0	0	0	19	1	9	0	0	88
8:45 AM	0	0	0	0	0	0	0	0	0	0	18	0	0	0	0	0	27	0	0	1	0	8	1	9	1	0	65
	NL	NT	NR	NU	NR2	SL	ST	SR	SU	EL	ET	ER	EU	ET2	EU2	WL	WT	WR	WU	WR2	S2L2	E2T	E2U2	W2T	W2T2	W2U2	TOTAL
TOTAL VOLUMES :	0	0	0	0	1	0	0	0	0	0	155	0	0	1	3	0	243	0	0	1	1	87	5	60	2	0	559
APPROACH %'s :	0.00%	0.00%	0.00%	0.00%	100.00%					0.00%	97.48%	0.00%	0.00%	0.63%	1.89%	0.00%	99.59%	0.00%	0.00%	0.41%	100.00%	94.57%	5.43%	96.77%	3.23%	0.00%	
PEAK HR :	07:45 AM - 08:45 AM																										TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	0	0	98	0	0	1	2	0	141	0	0	0	1	50	2	28	0	0	323
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.598	0.000	0.000	0.250	0.500	0.000	0.881	0.000	0.000	0.000	0.250	0.658	0.500	0.700	0.000	0.000	0.800
											0.601							0.881									

PM	NORTHBOUND					SOUTHBOUND				EASTBOUND						WESTBOUND										
	0 NL	0 NT	0 NR	0 NU	0 NR2	0 SL	0 ST	0 SR	0 SU	0 EL	0 ET	0 ER	0 EU	0 ET2	0 EU2	0 WL	0 WT	0 WR	0 WU	0 WR2	0 S2L2	0 E2T	0 E2U2	0 W2T	0 W2T2	0 W2U2	TOTAL
4:00 PM	0	0	0	0	0	0	0	0	0	0	38	0	0	0	1	0	38	0	0	0	0	21	1	12	0	0	111
4:15 PM	0	0	0	0	0	0	0	0	0	0	29	0	0	0	1	0	41	0	0	0	0	23	0	12	0	1	107
4:30 PM	0	0	0	0	0	0	0	0	0	0	29	0	0	0	1	0	36	0	0	0	0	26	0	6	0	0	98
4:45 PM	0	0	0	0	0	0	0	0	0	0	35	0	0	0	1	0	43	0	0	0	0	26	1	14	0	0	120
5:00 PM	0	0	0	0	0	0	0	0	0	0	26	0	0	1	1	0	48	0	0	0	0	19	0	5	0	0	100
5:15 PM	0	0	0	0	0	0	0	0	0	1	40	0	0	0	0	0	49	0	0	0	0	19	0	11	0	0	120
5:30 PM	0	0	0	0	0	0	0	0	0	0	32	0	0	0	0	0	45	0	0	1	0	14	1	8	0	0	101
5:45 PM	0	0	0	0	0	0	0	0	0	0	32	0	0	0	0	0	60	0	0	0	0	22	1	9	0	0	124
	NL	NT	NR	NU	NR2	SL	ST	SR	SU	EL	ET	ER	EU	ET2	EU2	WL	WT	WR	WU	WR2	S2L2	E2T	E2U2	W2T	W2T2	W2U2	TOTAL
TOTAL VOLUMES :	0	0	0	0	0	0	0	0	0	1	261	0	0	1	5	0	360	0	0	1	0	170	4	77	0	1	881
APPROACH %'s :										0.37%	97.39%	0.00%	0.00%	0.37%	1.87%	0.00%	99.72%	0.00%	0.00%	0.28%		97.70%	2.30%	98.72%	0.00%	1.28%	
PEAK HR :	05:00 PM - 06:00 PM																										TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	0	1	130	0	0	1	1	0	202	0	0	1	0	74	2	33	0	0	445
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.250	0.813	0.000	0.000	0.250	0.250	0.000	0.842	0.000	0.000	0.250	0.000	0.841	0.500	0.750	0.000	0.000	0.897
											0.811							0.846									

National Data & Surveying Services

Intersection Turning Movement Count

Location: Pine Tree Dr West/1106 Banana River Dr & Banana River Dr
City: Indian Harbour Beach
Control: No Control

Project ID: 26-130066-001
Date: 2/18/2026

Data - HT

NS/EW Streets: Pine Tree Dr West/1106 Banana River Dr | Pine Tree Dr West/1106 Banana River Dr | Banana River Dr | Banana River Dr

AM

	NORTHBOUND					SOUTHBOUND				EASTBOUND						WESTBOUND					SOUTHBOUND2	EASTBOUND2		WESTBOUND2			
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	NR2	SL	ST	SR	SU	EL	ET	ER	EU	ET2	EU2	WL	WT	WR	WU	WR2	S2L2	E2T	E2U2	W2T	W2T2	W2U2	TOTAL
7:00 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
7:15 AM	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	3
7:30 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	2	0	0	4
7:45 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	3
8:00 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2
8:15 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
8:45 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	4	0	0	0	0	0	1	0	0	0	6
	NL	NT	NR	NU	NR2	SL	ST	SR	SU	EL	ET	ER	EU	ET2	EU2	WL	WT	WR	WU	WR2	S2L2	E2T	E2U2	W2T	W2T2	W2U2	TOTAL
TOTAL VOLUMES :	0	0	0	0	1	0	0	0	0	0	6	0	0	0	1	0	5	0	0	0	0	3	3	2	0	0	21
APPROACH %'s :	0.00%	0.00%	0.00%	0.00%	100.00%					0.00%	85.71%	0.00%	0.00%	0.00%	14.29%	0.00%	100.00%	0.00%	0.00%	0.00%		50.00%	50.00%	100.00%	0.00%	0.00%	
PEAK HR :	07:45 AM - 08:45 AM																										TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	0	0	3	0	0	0	1	0	1	0	0	0	0	1	1	0	0	0	7
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.750	0.000	0.000	0.000	0.250	0.000	0.250	0.000	0.000	0.000	0.000	0.250	0.250	0.000	0.000	0.000	0.583
												0.500						0.250									

PM

	NORTHBOUND					SOUTHBOUND				EASTBOUND						WESTBOUND											
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	NR2	SL	ST	SR	SU	EL	ET	ER	EU	ET2	EU2	WL	WT	WR	WU	WR2	S2L2	E2T	E2U2	W2T	W2T2	W2U2	TOTAL
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	2
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	NL	NT	NR	NU	NR2	SL	ST	SR	SU	EL	ET	ER	EU	ET2	EU2	WL	WT	WR	WU	WR2	S2L2	E2T	E2U2	W2T	W2T2	W2U2	TOTAL
TOTAL VOLUMES :	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	1	0	0	0	0	6
APPROACH %'s :																0.00%	100.00%	0.00%	0.00%	0.00%		100.00%	0.00%				
PEAK HR :	05:00 PM - 06:00 PM																										TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	2
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.500
																		0.500									

National Data & Surveying Services

Intersection Turning Movement Count

Explanation for extra leg movements N2

Movements entering the extra leg

WR2	Movements coming from WB on Banana River Dr entering into the Extra Leg (1106 Banana River Dr)

Movements exiting the extra leg N2

S2L2	Movements exiting from Extra Leg (1106 Banana River Dr) entering into Banana River Dr going EB.



Explanation for extra leg movements W2

Movements entering the extra leg

EU2	Movements coming from EB on Banana River Dr entering into the Extra Leg (Pine Tree Dr West)

Movements exiting the extra leg W2

E2U2	Movements exiting from Extra Leg (Pine Tree Dr West) entering into Banana River Dr going WB.



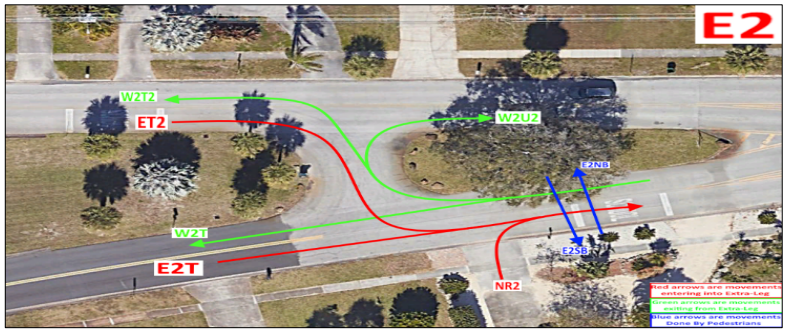
Explanation for extra leg movements E2

Movements entering the extra leg

NR2	Movements coming from NB on 1101 Pine Tree Dr entering into the Extra Leg (Pine Tree Dr East)
E2T	Movements coming from EB2 on Pine Tree Dr West entering into the Extra Leg (Pine Tree Dr East)
ET2	Movements coming from EB on Banana River Dr entering into the Extra Leg (Pine Tree Dr East)

Movements exiting the extra leg E2

W2T	Movements exiting from Extra Leg (Pine Tree Dr East) entering into Pine Tree Dr West WB2.
W2T2	Movements exiting from Extra Leg (Pine Tree Dr East) entering into Banana River Dr WB.
W2U2	Movements exiting from Extra Leg (Pine Tree Dr East) entering into Banana River Dr EB.



National Data & Surveying Services

Intersection Turning Movement Count

Location: Pine Tree Dr East & Banana River Dr
City: Indian Harbour Beach
Control: 2-Way Yield(EB/WB)

Project ID: 26-130066-002
Date: 2/18/2026

Data - Total

NS/EW Streets:	Pine Tree Dr East				Pine Tree Dr East				Banana River Dr				Banana River Dr							
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND					EASTBOUND2		
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
7:00 AM	0	0	0	0	0	0	0	0	0	11	0	0	0	11	0	1	7	4	0	34
7:15 AM	0	0	0	0	0	0	0	0	0	14	0	0	0	29	0	0	8	15	0	66
7:30 AM	0	0	0	0	0	0	1	0	0	14	0	0	0	34	0	0	9	10	0	68
7:45 AM	0	0	0	0	0	0	0	0	0	16	0	0	0	36	0	0	10	7	0	69
8:00 AM	0	0	0	0	0	0	0	0	0	16	0	0	0	32	0	0	4	10	0	62
8:15 AM	0	0	0	0	0	0	0	0	0	41	0	0	0	40	0	0	5	15	0	101
8:30 AM	0	0	0	0	0	0	0	0	0	26	0	0	0	34	0	0	9	19	0	88
8:45 AM	0	0	0	0	0	0	0	0	0	17	0	0	0	27	1	0	11	8	0	64
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
TOTAL VOLUMES :	0	0	0	0	0	0	1	0	0	155	0	0	0	243	1	1	63	88	0	552
APPROACH %'s :					0.00%	0.00%	100.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	78.90%	0.32%	0.32%	20.45%	100.00%	0.00%	
PEAK HR :	07:45 AM - 08:45 AM																			TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	0	99	0	0	0	142	0	0	28	51	0	320
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.604	0.000	0.000	0.000	0.888	0.000	0.000	0.700	0.671	0.000	0.792
										0.604					0.924					

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND							
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
4:00 PM	0	0	0	0	0	0	0	0	0	37	0	0	0	39	0	0	11	21	0	108
4:15 PM	0	0	0	0	0	0	0	0	0	31	0	0	0	40	0	0	13	23	0	107
4:30 PM	0	0	0	0	0	0	0	0	0	29	0	0	0	36	0	0	6	26	0	97
4:45 PM	0	0	0	0	0	0	0	0	0	35	0	0	0	43	0	0	14	25	1	118
5:00 PM	0	0	0	0	0	0	0	0	0	26	0	0	0	48	0	0	5	20	0	99
5:15 PM	0	0	0	0	0	0	0	0	1	39	0	0	0	49	0	0	11	19	0	119
5:30 PM	0	0	0	0	0	0	0	0	0	32	0	0	0	46	0	0	8	14	0	100
5:45 PM	0	0	0	0	0	0	0	0	0	30	0	0	0	60	0	0	9	22	0	121
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
TOTAL VOLUMES :	0	0	0	0	0	0	0	0	1	259	0	0	0	361	0	0	77	170	1	869
APPROACH %'s :									0.38%	99.62%	0.00%	0.00%	0.00%	82.42%	0.00%	0.00%	17.58%	99.42%	0.58%	
PEAK HR :	05:00 PM - 06:00 PM																			TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	1	127	0	0	0	203	0	0	33	75	0	439
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.250	0.814	0.000	0.000	0.000	0.846	0.000	0.000	0.750	0.852	0.000	0.907
										0.800					0.855					

National Data & Surveying Services

Intersection Turning Movement Count

Location: Pine Tree Dr East & Banana River Dr
City: Indian Harbour Beach
Control: 2-Way Yield(EB/WB)

Project ID: 26-130066-002
Date: 2/18/2026

Data - HT

NS/EW Streets:	Pine Tree Dr East				Pine Tree Dr East				Banana River Dr				Banana River Dr							
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND					EASTBOUND2		
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
7:00 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
7:30 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2	1	0	4
7:45 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	2
8:00 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
8:15 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	4
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
TOTAL VOLUMES :	0	0	0	0	0	0	0	0	0	5	0	0	0	5	0	0	2	3	0	15
APPROACH %'s :									0.00%	100.00%	0.00%	0.00%	0.00%	71.43%	0.00%	0.00%	28.57%	100.00%	0.00%	
PEAK HR :	07:45 AM - 08:45 AM																			TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	0	3	0	0	0	1	0	0	0	1	0	5
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.750	0.000	0.000	0.000	0.250	0.000	0.000	0.000	0.250	0.000	0.625
										0.750					0.250					

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND							
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	WT2	E2T2	E2R2	TOTAL
TOTAL VOLUMES :	0	0	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	1	0	6
APPROACH %'s :													0.00%	100.00%	0.00%	0.00%	0.00%	100.00%	0.00%	
PEAK HR :	05:00 PM - 06:00 PM																			TOTAL
PEAK HR VOL :	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.500	0.000	0.000	0.000	0.000	0.000	0.500
															0.500					

National Data & Surveying Services

Intersection Turning Movement Count

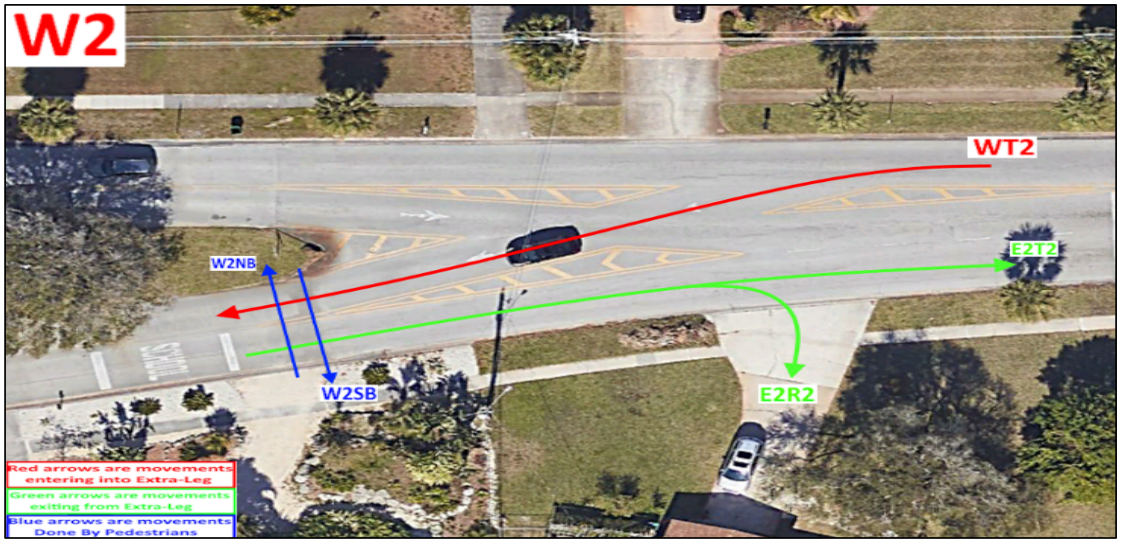
Explanation for extra leg movements N2

Movements entering the extra leg

WT2	Movements coming from WB on Banana River Dr entering into the Extra Leg (Pine Tree Dr)

Movements exiting the extra leg N2

E2T2	Movements exiting from Extra Leg (Pine Tree Dr) entering into Banana River Dr EB.
E2R2	Movements exiting from Extra Leg (Pine Tree Dr) entering into 100 S Osceola Dr SB.



National Data & Surveying Services

Intersection Turning Movement Count

Location: N/S Osceola Dr & Banana River Dr/Pine Tree Dr
City: Indian Harbour Beach
Control: 4-Way Stop

Project ID: 26-130066-003
Date: 2/18/2026

Data - Total

NS/EW Streets:	N/S Osceola Dr				N/S Osceola Dr				Banana River Dr/Pine Tree Dr				Banana River Dr/Pine Tree Dr				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
7:00 AM	2	0	9	0	2	1	0	0	1	11	4	0	9	17	1	0	57
7:15 AM	3	2	5	0	1	1	1	0	1	23	4	0	11	33	0	0	85
7:30 AM	10	2	26	0	5	1	2	0	4	14	4	0	26	31	1	0	126
7:45 AM	10	2	27	0	1	1	3	0	1	19	6	0	24	33	2	0	129
8:00 AM	2	0	20	0	5	0	1	0	1	22	1	0	4	33	2	0	91
8:15 AM	1	2	7	0	3	2	1	0	2	52	4	0	2	43	1	0	120
8:30 AM	1	1	5	0	6	0	1	0	3	41	0	0	3	41	0	0	102
8:45 AM	4	0	1	0	4	0	2	0	1	24	1	0	1	34	2	0	74
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	33	9	100	0	27	6	11	0	14	206	24	0	80	265	9	0	784
APPROACH %'s :	23.24%	6.34%	70.42%	0.00%	61.36%	13.64%	25.00%	0.00%	5.74%	84.43%	9.84%	0.00%	22.60%	74.86%	2.54%	0.00%	
PEAK HR :	07:30 AM - 08:30 AM																TOTAL
PEAK HR VOL :	23	6	80	0	14	4	7	0	8	107	15	0	56	140	6	0	466
PEAK HR FACTOR :	0.575	0.750	0.741	0.000	0.700	0.500	0.583	0.000	0.500	0.514	0.625	0.000	0.538	0.814	0.750	0.000	0.903
		0.699				0.781				0.560				0.856			

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
4:00 PM	4	1	9	0	2	2	1	0	3	55	1	0	7	45	3	0	133
4:15 PM	1	0	3	0	1	1	2	0	0	53	1	0	8	50	3	0	123
4:30 PM	2	0	3	0	3	0	1	0	0	54	0	0	7	39	3	0	112
4:45 PM	0	0	8	0	2	1	2	0	4	56	1	0	6	55	6	0	141
5:00 PM	3	1	7	0	2	0	1	0	1	44	1	0	5	50	4	0	119
5:15 PM	4	1	6	0	0	1	2	0	2	48	7	0	4	54	4	0	133
5:30 PM	1	2	5	0	2	2	1	0	3	41	3	0	5	51	5	0	121
5:45 PM	2	0	7	0	6	0	0	0	2	46	4	0	5	67	2	0	141
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	17	5	48	0	18	7	10	0	15	397	18	0	47	411	30	0	1023
APPROACH %'s :	24.29%	7.14%	68.57%	0.00%	51.43%	20.00%	28.57%	0.00%	3.49%	92.33%	4.19%	0.00%	9.63%	84.22%	6.15%	0.00%	
PEAK HR :	05:00 PM - 06:00 PM																TOTAL
PEAK HR VOL :	10	4	25	0	10	3	4	0	8	179	15	0	19	222	15	0	514
PEAK HR FACTOR :	0.625	0.500	0.893	0.000	0.417	0.375	0.500	0.000	0.667	0.932	0.536	0.000	0.950	0.828	0.750	0.000	0.911
		0.886				0.708				0.886				0.865			

National Data & Surveying Services

Intersection Turning Movement Count

Location: N/S Osceola Dr & Banana River Dr/Pine Tree Dr
City: Indian Harbour Beach
Control: 4-Way Stop

Project ID: 26-130066-003
Date: 2/18/2026

Data - HT

NS/EW Streets:	N/S Osceola Dr				N/S Osceola Dr				Banana River Dr/Pine Tree Dr				Banana River Dr/Pine Tree Dr				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
7:00 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	1	0	1	0	0	0	0	0	2	0	1	0	0	1	0	0	6
7:45 AM	0	0	0	0	0	0	1	0	0	1	0	0	1	0	0	0	3
8:00 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
8:15 AM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	2
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	2	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0	5
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	3	0	1	0	0	0	1	0	2	4	2	0	1	3	1	0	18
APPROACH %'s :	75.00%	0.00%	25.00%	0.00%	0.00%	0.00%	100.00%	0.00%	25.00%	50.00%	25.00%	0.00%	20.00%	60.00%	20.00%	0.00%	
PEAK HR :	07:30 AM - 08:30 AM																TOTAL
PEAK HR VOL :	1	0	1	0	0	0	1	0	2	3	1	0	1	1	1	0	12
PEAK HR FACTOR :	0.250	0.000	0.250	0.000	0.000	0.000	0.250	0.000	0.250	0.750	0.250	0.000	0.250	0.250	0.250	0.000	0.500
	0.250				0.250				0.500				0.750				

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
4:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
4:30 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2
5:00 PM	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
5:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	1	0	0	0	0	0	0	0	0	1	0	0	1	4	1	0	8
APPROACH %'s :	100.00%	0.00%	0.00%	0.00%					0.00%	100.00%	0.00%	0.00%	16.67%	66.67%	16.67%	0.00%	
PEAK HR :	05:00 PM - 06:00 PM																TOTAL
PEAK HR VOL :	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	3
PEAK HR FACTOR :	0.250	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.250	0.250	0.000	0.750
	0.250												0.500				

2024 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
CATEGORY: 7000 BREVARD COUNTYWIDE

MOCF: 0.92

WEEK	DATES	SF	PSCF
1	01/01/2024 - 01/06/2024	1.08	1.17
2	01/07/2024 - 01/13/2024	1.06	1.15
3	01/14/2024 - 01/20/2024	1.03	1.12
4	01/21/2024 - 01/27/2024	1.00	1.09
5	01/28/2024 - 02/03/2024	0.97	1.05
* 6	02/04/2024 - 02/10/2024	0.95	1.03
* 7	02/11/2024 - 02/17/2024	0.92	1.00
* 8	02/18/2024 - 02/24/2024	0.91	0.99
* 9	02/25/2024 - 03/02/2024	0.90	0.98
*10	03/03/2024 - 03/09/2024	0.89	0.97
*11	03/10/2024 - 03/16/2024	0.88	0.96
*12	03/17/2024 - 03/23/2024	0.89	0.97
*13	03/24/2024 - 03/30/2024	0.90	0.98
*14	03/31/2024 - 04/06/2024	0.91	0.99
*15	04/07/2024 - 04/13/2024	0.92	1.00
*16	04/14/2024 - 04/20/2024	0.93	1.01
*17	04/21/2024 - 04/27/2024	0.94	1.02
*18	04/28/2024 - 05/04/2024	0.96	1.04
19	05/05/2024 - 05/11/2024	0.97	1.05
20	05/12/2024 - 05/18/2024	0.99	1.08
21	05/19/2024 - 05/25/2024	1.00	1.09
22	05/26/2024 - 06/01/2024	1.01	1.10
23	06/02/2024 - 06/08/2024	1.02	1.11
24	06/09/2024 - 06/15/2024	1.03	1.12
25	06/16/2024 - 06/22/2024	1.03	1.12
26	06/23/2024 - 06/29/2024	1.03	1.12
27	06/30/2024 - 07/06/2024	1.03	1.12
28	07/07/2024 - 07/13/2024	1.02	1.11
29	07/14/2024 - 07/20/2024	1.02	1.11
30	07/21/2024 - 07/27/2024	1.03	1.12
31	07/28/2024 - 08/03/2024	1.05	1.14
32	08/04/2024 - 08/10/2024	1.06	1.15
33	08/11/2024 - 08/17/2024	1.07	1.16
34	08/18/2024 - 08/24/2024	1.07	1.16
35	08/25/2024 - 08/31/2024	1.07	1.16
36	09/01/2024 - 09/07/2024	1.07	1.16
37	09/08/2024 - 09/14/2024	1.07	1.16
38	09/15/2024 - 09/21/2024	1.07	1.16
39	09/22/2024 - 09/28/2024	1.08	1.17
40	09/29/2024 - 10/05/2024	1.09	1.18
41	10/06/2024 - 10/12/2024	1.09	1.18
42	10/13/2024 - 10/19/2024	1.10	1.20
43	10/20/2024 - 10/26/2024	1.09	1.18
44	10/27/2024 - 11/02/2024	1.08	1.17
45	11/03/2024 - 11/09/2024	1.07	1.16
46	11/10/2024 - 11/16/2024	1.06	1.15
47	11/17/2024 - 11/23/2024	1.06	1.15
48	11/24/2024 - 11/30/2024	1.07	1.16
49	12/01/2024 - 12/07/2024	1.07	1.16
50	12/08/2024 - 12/14/2024	1.08	1.17
51	12/15/2024 - 12/21/2024	1.08	1.17
52	12/22/2024 - 12/28/2024	1.06	1.15
53	12/29/2024 - 12/31/2024	1.03	1.12

* PEAK SEASON

EXHIBIT B

Synchro Summary Sheets

Intersection	
Int Delay, s/veh	2.1

Movement	EBT	EBR	WBL	WBT	NEL	NER
Lane Configurations						
Traffic Vol, veh/h	99	0	28	142	0	51
Future Vol, veh/h	99	0	28	142	0	51
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	45	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	79	79	79	79	79	79
Heavy Vehicles, %	3	2	2	2	2	2
Mvmt Flow	125	0	35	180	0	65

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	125	0	-	125
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	4.12	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	2.218	-	-	3.318
Pot Cap-1 Maneuver	-	0	1461	-	0	925
Stage 1	-	0	-	-	0	-
Stage 2	-	0	-	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	1461	-	-	925
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NE
HCM Ctrl Dly, s/v	0	1.24	9.18
HCM LOS			A

Minor Lane/Major Mvmt	NELn1	EBT	WBL	WBT
Capacity (veh/h)	925	-	1461	-
HCM Lane V/C Ratio	0.07	-	0.024	-
HCM Ctrl Dly (s/v)	9.2	-	7.5	-
HCM Lane LOS	A	-	A	-
HCM 95th %tile Q(veh)	0.2	-	0.1	-

Intersection	
Int Delay, s/veh	2.2

Movement	EBT	EBR	WBL	WBT	NEL	NER
Lane Configurations						
Traffic Vol, veh/h	127	0	33	203	0	75
Future Vol, veh/h	127	0	33	203	0	75
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	45	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	140	0	36	223	0	82

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	-	140	0	-	140
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	4.12	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	2.218	-	-	3.318
Pot Cap-1 Maneuver	-	0	1444	-	0	909
Stage 1	-	0	-	-	0	-
Stage 2	-	0	-	-	0	-
Platoon blocked, %	-			-		
Mov Cap-1 Maneuver	-	-	1444	-	-	909
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NE
HCM Ctrl Dly, s/v	0	1.06	9.36
HCM LOS			A

Minor Lane/Major Mvmt	NELn1	EBT	WBL	WBT
Capacity (veh/h)	909	-	1444	-
HCM Lane V/C Ratio	0.091	-	0.025	-
HCM Ctrl Dly (s/v)	9.4	-	7.6	-
HCM Lane LOS	A	-	A	-
HCM 95th %tile Q(veh)	0.3	-	0.1	-

Intersection	
Intersection Delay, s/veh	8.9
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	8	107	15	56	140	6	23	6	80	14	4	7
Future Vol, veh/h	8	107	15	56	140	6	23	6	80	14	4	7
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles, %	25	3	7	2	2	17	4	2	2	2	2	14
Mvmt Flow	9	119	17	62	156	7	26	7	89	16	4	8
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	9.1	9.3	8.3	8.1
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	21%	6%	28%	56%
Vol Thru, %	6%	82%	69%	16%
Vol Right, %	73%	12%	3%	28%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	109	130	202	25
LT Vol	23	8	56	14
Through Vol	6	107	140	4
RT Vol	80	15	6	7
Lane Flow Rate	121	144	224	28
Geometry Grp	1	1	1	1
Degree of Util (X)	0.15	0.195	0.28	0.038
Departure Headway (Hd)	4.472	4.864	4.49	4.898
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	802	738	801	730
Service Time	2.502	2.892	2.516	2.935
HCM Lane V/C Ratio	0.151	0.195	0.28	0.038
HCM Control Delay, s/veh	8.3	9.1	9.3	8.1
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.5	0.7	1.1	0.1

Intersection	
Intersection Delay, s/veh	9.1
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	8	179	15	19	222	15	10	4	25	10	3	4
Future Vol, veh/h	8	179	15	19	222	15	10	4	25	10	3	4
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Heavy Vehicles, %	2	2	2	2	2	7	10	2	2	2	2	2
Mvmt Flow	9	197	16	21	244	16	11	4	27	11	3	4
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay, s/veh	8.9	9.5	8.2	8.2
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	26%	4%	7%	59%
Vol Thru, %	10%	89%	87%	18%
Vol Right, %	64%	7%	6%	24%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	39	202	256	17
LT Vol	10	8	19	10
Through Vol	4	179	222	3
RT Vol	25	15	15	4
Lane Flow Rate	43	222	281	19
Geometry Grp	1	1	1	1
Degree of Util (X)	0.058	0.267	0.336	0.026
Departure Headway (Hd)	4.856	4.337	4.295	5.067
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	738	830	838	706
Service Time	2.886	2.353	2.31	3.099
HCM Lane V/C Ratio	0.058	0.267	0.335	0.027
HCM Control Delay, s/veh	8.2	8.9	9.5	8.2
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.2	1.1	1.5	0.1

EXHIBIT C

Collision Diagram and Summary Table

LOCATION:		Indian Harbour Beach		S.R. NO.:				COUNTY:	Brevard	
INTERSECTING ROUTE:		Banana River Dr/Pine Tree Dr and Osceola Drive		M.P.:				ENGINEER:	GAG	
STUDY PERIOD FROM:		8/20/2021		TO:		12/20/2024		DATE:	3/5/2026	
NO.	DATE	DAY	TIME	FATALITIES	INJURIES	PROPERTY DAMAGE	DAY / NIGHT	WET / DRY	CONTRIBUTING CAUSE	
1	8/20/2021	Friday	6:45 AM	-	-	$ 7,000.00	Night	Dry	Parked Motor Vehicle	
2	12/20/2024	Friday	2:35 PM	-	2	-	Day	Dry	Motor Vehicle in Transport	
TOTALS										
CRASHES		FATALITIES	INJURIES	P.D.	ANGLE	ANIMAL	BICYCLE	HEAD ON	LEFT TURN	OFF ROAD
2		0	2	$ 7,000.00	0	0	0	0	0	0
		DAY / NIGHT	WET / DRY	D.U.I.	OTHER/UNKNOWN	PEDESTRIAN	REAR END	RIGHT TURN	ROLLOVER	SIDESWIPE
		1 / 1	0 / 2	0	1	0	1	0	0	0



N

40 80

FEET

CRASH SUMMARY				
	PROP. DMG. ONLY	INJURY	FATAL	TOTAL
DAYTIME	1	0	0	1
NIGHTTIME	0	1	0	1
TOTAL	1	1	0	2

BANANA RIVER DRIVE/PINE TREE DRIVE AND OSCEOLA DRIVE

REAR–END COLLISION

PARKED MOTOR VEHICLE

Location ID: Banana River Drive/Pine Tree Drive at Osceola Drive
County: Brevard
City: Indian Harbour Beach
Drawn By: EJO
Date: 03-05-26

LTG Engineering & Planning

GEORGE GALAN
1450 W. GRANADA BLVD. SUITE 2
ORMOND BEACH, FLORIDA 32174
PH: 386.257.2571 FAX: 386.257.6996
CERTIFICATE OF AUTHORIZATION NO. 9227

COLLISION DIAGRAM

Exhibit

C

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

Ordinance No. 2026-07 Storage of Watercraft and Watercraft Trailers - Public Hearing and First Reading (action item)

Cost: N/A

Attachments: Ord 2026-07 Watercraft and Trailers
Ordinance 2026-07 Business Impact Estimate 12May26

Staff Recommendation:

Consider holding a public hearing and approving on first reading Ordinance No. 2026-07 to allow residents to store watercraft and watercraft trailers in front of their homes under specific circumstances.

Background Information:

January 9, 2018

Ordinance No. 2017-10 was adopted by the City Council, changing the Code from allowing the parking of watercraft and trailers under 35 feet in length in front of homes to a prohibition of parking all watercraft and trailers unless they were parked to the rear of the front principal building line. Additionally, a maximum of 48-hour temporary parking was added to the Code.

March 4, 2025

At the FY26 Budget kickoff workshop, City Council members expressed frustration with the current level of code enforcement and directed staff to include an additional code enforcement officer in the FY26 Proposed Budget (ultimately, the new position was not included in the FY26 Approved Budget due to lower-than-anticipated property tax receipts).

May 13, 2025

At a City Council workshop, staff presented specific code enforcement issues (i.e., vague or unenforceable), one of which was the parking of watercraft and trailers. Staff presented options (i.e., strictly enforce, legalize with size/location limitations, or legalize all parking)—the City Council reached a consensus to start strictly enforcing the current prohibition after a sufficient public education effort.

Early July

Article in July/August Harbour Highlights

October 14, 2025

Code Enforcement agenda item at the City Council meeting. Staff proposed revising the enforcement mechanism for watercraft and trailer parking violations to mirror the process for RV parking violations, with the City Council's consensus to allow staff to develop an ordinance making the changes.

Late October

Article in November/December Harbour Highlights

Mid-November

Staff mailed courtesy letters giving homeowners 90 days' notice before a formal notice of violation letter would be mailed.

City Attorney Bohne developed Draft Ordinance No. 2026-01

December 9, 2025

In response to residents' concerns, the City Council directed staff to pause stricter enforcement and scheduled a workshop to discuss revising the current code prohibition against parking boats in front of single-family homes.

January 14, 2026

After hearing from residents at a workshop, the City Council reached a consensus to have staff draft an ordinance allowing residents with home-based businesses to store business-related trailers and/or watercraft in front of their homes and to advertise this meeting and two City Council meetings in the next applicable *Harbour Highlights*.

Late February

Article in March/April Harbour Highlights

March 4, 2026

The Planning and Zoning Board reviewed Ordinance No. 2026-01 and voted unanimously to recommend that the City Council not approve the ordinance.

March 10, 2026

The City Council voted not to approve Ordinance No. 2026-01 and advised staff to draft a new ordinance.

March 24, 2026

The City Council reviewed the draft Ordinance No. 2026-07 and offered suggested changes dealing with the maximum watercraft size, definition of improved surface, side setbacks, number of boat trailers, and language requiring watercraft and watercraft trailers to be owned by the property owner.

April 14, 2026

The City Council further reviewed the draft ordinance and discussed height and length restrictions and permitting. The City Council agreed to add a permit requirement.

Late April

Article in May/June Harbour Highlights

May 6, 2026

The Planning and Zoning Board reviewed Ordinance No. 2026-07 but failed to approve a motion. Although the motion to recommend that the City Council “not approve Ordinance No. 2026-07” failed by a 2-2 vote, one of the nay votes should not have been cast, as the alternate was ineligible to vote. Therefore, the motion to recommend not approving the ordinance should have passed.

ORDINANCE NO. 2026 - 07

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 16 OF ARTICLE XIII, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO PARKING AND STORAGE OF WATERCRAFT AND WATERCRAFT TRAILERS OR COMBINATION THEREOF; AMENDING SECTION 16(c) REGARDING THE PARKING OF WATERCRAFT AND WATERCRAFT TRAILERS ON RESIDENTIAL PROPERTY; AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY; ADDING A NEW SECTION 19-18.1 PROVIDING FOR PARKING REGULATIONS FOR WATERCRAFT, WATERCRAFT TRAILERS OR COMBINATION THEREOF IN RESIDENTIAL ZONES; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council desires to promote harmony of residents within residential zoning districts; and,

WHEREAS, the City Council desires to afford watercraft owners a reasonable period of time for loading and unloading of personal items prior to and after using their trailer or watercraft; and,

WHEREAS, the City Council recognizes the current Code of Ordinances language regulating watercraft parking in residential zones has enforcement challenges; and,

WHEREAS, the City Council desires to preserve the residential character and aesthetics of residentially zoned areas of the City; and,

WHEREAS, limiting the parking of watercraft and watercraft trailers in residentially zoned areas of the City will promote the general health, safety and welfare and promote the residential character and aesthetics of residentially zoned areas of the City; and,

WHEREAS, the City Council desires to modify the parking regulations regarding watercraft and watercraft trailers in residential zones and enforcement mechanisms available to staff regarding violation of trailer and watercraft parking regulations; and,

WHEREAS, the City's Planning and Zoning Board on _____2026, held a duly noticed public hearing, reviewed Ordinance No. 2026-____, and forwarded its recommendation to the City Council; and,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Indian Harbour Beach, Brevard County, Florida that:

SECTION 1: Section 16 (c) of Article XIII of Appendix A of the Code of Ordinances of the City is hereby amended and shall read as follows:

"Sec. 16. Parking and storage of vehicles.

• • •

(c) No watercraft and watercraft trailers, or combination thereof ~~watercraft,~~ ~~shall~~ may be parked or stored in any residential zoning classification except in accordance with Section 19-18.1 of Chapter 19 of the Code of Ordinances of the City. ~~, except to the rear of the front principal building line. Any such vehicles, regardless of their location, shall have attached, at all times, a current vehicle registration license plate or vessel registration, if applicable. A trailer or watercraft may be temporarily parked or stored on the paved portion of the owner's driveway for up to forty-eight (48) consecutive hours."~~

SECTION 2: A new Section 19-18.1 is hereby added to Chapter 19 of the Code of Ordinances of the City to read as follows:

"Sec. 19-18.1. Parking of Watercraft and Watercraft Trailers.

Watercraft and Watercraft Trailers, as defined in Article XIII, Section 16 of Appendix A, may be parked in residentially zoned areas in accordance with the following:

(1) *Watercraft and Watercraft Trailers exceeding 26 feet.* No watercraft exceeding 26 feet overall in length shall be parked, stored or kept on premises in a residential zone except in the rear yard of such premises or in the side yard of such premi~~ses~~ or if parked or kept within a garage or other opaque structure enclosed on at least three sides. In no case shall any part of a watercraft and watercraft trailer block or impair pedestrian travel on any sidewalk.

(2) *Watercraft and Watercraft Trailers, or a combination thereof, not exceeding 26 feet in length.* Watercraft not exceeding 26 feet overall in length may be parked, stored or kept in the front in a residential zone under the following conditions and restrictions:

a. The watercraft and watercraft trailer cannot fit in any side yard or rear yard. For purposes of this subsection, the phrase "cannot fit in any side yard" shall mean the watercraft or watercraft trailer cannot physically fit between the house and the side lot property line or side lot fence. A margin of 12" on each side of the watercraft or watercraft trailer is to be used when determining if sufficient room is available to park a watercraft and watercraft trailer on the side of a house. This measurement may include consideration of permanent improvements such as air conditioning equipment, electric meters, pool equipment and irrigation wells, located in the side yard.

b. The watercraft and watercraft trailer or combination thereof must be parked on a concrete or paved driveway or surface or on a pervious surface composed of solid pavers, gravel, and/or crushed coquina rock. Such impervious surface shall be maintained and free of grass, weeds, vegetation, debris or other trash and garbage and kept and maintained in a reasonably neat and clean appearance so as not to be or become an eyesore detracting from the aesthetic quality of the premises and neighborhood. In no event shall any such watercraft and watercraft trailer or combination thereof be allowed to encroach on a street or into any right of way or block or impair pedestrian travel on any sidewalk.

c. The watercraft and watercraft trailer or combination thereof shall not be parked on any premises so as to impair or obstruct the visibility or line of sight of the operator of any motor vehicle traveling upon any street or thoroughfare.

d. The height of the watercraft and watercraft trailer shall not exceed 14 feet measured vertically from the finished ground elevation to the top of the watercraft or to the top of any embellishment affixed to the watercraft including, but not limited to, antenna, decks or towers.

e. All open and interior areas of the watercraft must be kept covered with an opaque cover of canvas, nylon, plastic or similar sturdy material securely fastened to the watercraft in such a manner as to effectively prevent ready or easy access into the boat by children under ten years of age and so as to prevent visibility into the interior of the watercraft by persons traveling on public property. The term "open and interior areas of the boat" shall mean areas of the watercraft, other than decks and exterior walkways, designed to be occupied by passengers and operators of the watercraft.

f. The watercraft must bear a current and valid State registration number and decal.

g. The watercraft trailer must bear a current and valid State license plate.

h. The watercraft must be used primarily for recreational purposes.

i. Watercraft trailers must have wheels on all axles and such wheels shall be required to be inflated.

j All watercraft must be affixed to a watercraft trailer.

k. The watercraft and watercraft trailer registration and license plate must identify the same address of the property at which such watercraft and watercraft trailer is parked, stores or kept.

l. The watercraft and watercraft trailer or combination thereof, and watercraft cover must be kept and maintained in a reasonably neat and clean appearance so as not to be or become an eyesore detracting from the aesthetic quality of the premises and neighborhood.

(3) *Permit required, City inspection rights and Authorizations:* Any person desiring to park, store or keep a watercraft and watercraft trailer in the front yard pursuant to subsection (2) must apply for a permit from the City on an application form provided by the City. Such application shall at a minimum contain the following requirements:

a. Name and address of applicant;

b. A provision requiring the submission of a copy of the current watercraft title and watercraft trailer registration;

c. length of the watercraft;

d. length of the watercraft trailer;

e. side yard measurements;

f. a sketch depicting where the watercraft and watercraft trailer will be parked, stored or kept in the front yard;

g. height of water craft as provided for in subsection (2) d, above;

h. A provision requiring the submission of a color photograph of the watercraft and watercraft trailer which is desired to be parked, stored or kept in the front yard.

The applicant, by submitting an application pursuant to this code, authorizes City personnel to enter upon the subject premises to verify the information contained in the application prior to the permit being issued. Upon approval the City shall issue a permit authorizing the parking, storing or keeping of the watercraft and watercraft trailer in the front yard of the premises. The City shall also issue a permit decal which must be placed upon the watercraft. The applicant

does authorize City personnel to enter upon the premises after the permit and decal has been issued for the limited purpose of verifying that the decal has been placed upon the watercraft. The permit and decal are non-transferable to any other watercraft or watercraft trailer.

SECTION 3: Section 19-21(a)(1) of Chapter 19 of the Code of Ordinances of the City is hereby amended to read as follows:

"Sec. 19-21. - Penalties.

(a) Any person cited for a violation of sections 19-18, 19-19, or 19-20 of this article and Section 16 (c) of Article XIII of Appendix A of the Code of Ordinances of the City shall be deemed to be charged with a noncriminal violation and shall be assessed a civil penalty, if such penalty is paid within the time period in subsection 19-23(a), according to the following schedule:

(1) Thirty-five dollars ($35.00) for a violation of subsections 19-18(a)(1) through (9); or 19-18(b)(5), or (f) ."

(2) Twenty dollars ($20.00) for a violation of subsections 19-18(b)(1), (3), (4), and (6) through (8); 19-19.

(3) Fifty dollars ($50.00) for a violation of subsections 19-18(b)(2) and (b)(9) and Section 16 (c) of Article XIII of Appendix A of the Code of Ordinances of the City

(4) One hundred dollars ($100.00) for a violation of subsection 19-20.

Section 4: Conflicts. Any and all Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

Section 5: Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this and the provision of this Ordinance are declared severable.

Section 6. The City Clerk is hereby directed to incorporate the provisions of this ordinance into the City's Code of Ordinances.

Section 7: Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA ON THIS ____ DAY OF _____, 2026

CITY OF INDIAN HARBOUR BEACH
BREVARD COUNTY, FLORIDA

Scott Nickle
Mayor

ATTEST:

Nikki Gold
City Clerk

First Reading: _____, 2026

Second Reading: _____, 2026

Indian Harbour Beach Business Impact Estimate

This estimate shall be posted on the City's website no later than the date the required notice is published in accordance with F.S. 166.041(3)(a).

Proposed ordinance's title/reference:

ORDINANCE NO. 2026-07

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 16 OF ARTICLE XIII, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO PARKING AND STORAGE OF WATERCRAFT AND WATERCRAFT TRAILERS OR COMBINATION THEREOF; AMENDING SECTION 16(c) REGARDING THE PARKING OF WATERCRAFT AND WATERCRAFT TRAILERS ON RESIDENTIAL PROPERTY; AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY; ADDING A NEW SECTION 19-18.1 PROVIDING FOR PARKING REGULATIONS FOR WATERCRAFT, WATERCRAFT TRAILERS OR COMBINATION THEREOF IN RESIDENTIAL ZONES; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION AND AN EFFECTIVE DATE.

In accordance with F.S. 166.041(4)(c) and related to the above proposed ordinance and a requirement for a Business Impact Estimate (select one):

- ✘ No exceptions apply, see Business Impact Estimate below
- ☐ Exception(s) apply, however, the city has completed a Business Impact Estimate below to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance
- ☐ Exception(s) apply and a Business Impact Estimate is not required

Mark any exceptions (select all that apply, or none):

- ☐ Ordinance is required for compliance with federal or state law or regulation
- ☐ Ordinance relates to the issuance or refinancing of debt
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- ☐ Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the city
- ☐ Ordinance is an emergency ordinance
- ☐ Ordinance relates to procurement
- ☐ Ordinance enacted to implement:
  a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare of the city):

Response:
Ordinance No. 2026-07 will enable residents and residents with home-based businesses that use boats or trailers to store their boat and/or trailer in front of their home. The public purpose of this ordinance to be more friendly to residents.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the city, including the following, if any:
a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Response:
The direct economic impact on businesses is 1) the elimination of storage fees if the business owner current pays for off-site storage.

3. Good faith estimate of the number of businesses in the city likely to be impacted by the proposed ordinance:

Response:
As of February 20, 2026, there were 137 home businesses within the City.

7. Additional information the city determines may be useful:

Response:
N/A

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

Ordinance No. 2026-05: Administrative Platting Code Amendment - First Reading (action item)

Cost: N/A

Attachments: Ordinance 2026-05 Subdivision Plat Approval
SB 784 - Platting
Business Impact Estimate - Ord. 2026-05 Subdivision plat approval

Staff Recommendation:

Consider approving Ordinance No. 2026-05 on first reading to comply with Florida law by providing for administrative approval of final plats.

Background Information:

Senate Bill 784 (“Pro-Housing Development Law”) was signed by into law on June 20, 2025, and is provided for in F.S. Section 177.071.

Beginning July 1, 2025, this legislation mandates that local governments implement an administrative approval process for plats and re-plats that are ready for recording. The intent of this legislation is to streamline the approval process for code-compliant plats by removing the requirement for public hearings.

Regarding F.S. 177.071, the legislation does the following:

1. Requires a governing body to establish an administrative approval process for a final plat or re-plat.
2. Requires a governing body to designate an administrative authority to receive, review, and process the final plat submittals.
3. Requires the administrative authority to give notice in a timely manner to an applicant acknowledging a final plat submittal, with written instructions for resubmitting incomplete documents or information necessary to process the final plat.
4. The written notice from the administrative authority is required to include information regarding the steps of the final plat process, including the completeness check on the initial submittal, timeframes for staff review and resubmittals, and the steps to obtain administrative approval of the final plat for recording.
5. Requires the city to designate an administrative official who is responsible for approving, approving with conditions, or denying a proposed plat or re-plat, which must be made in writing within the timeframe established in the city's written response to the applicant (unless the applicant requests an extension of time).
6. Should the final plat be denied by the administrative official, a written notification is required from the city, identifying the reasons for declining to approve the final plat, including areas of non-compliance, with citations to each requirement of the plat or replat.
7. The administrative official must provide for evidence of the approval on the final plat to be recorded.

<u>Text Amendments</u>

The proposed code amendment conforms to the requirements of F.S. 177.071. To summarize the proposed code amendments:

- Clarifies that preliminary plats remain subject to review by the planning and zoning board and city council
- Clarifies that final plats are administratively reviewed and determined
- Provides definitions for new terms used in the amendment
- Sets forth submittal, review, and approval processes for preliminary and final plats
- Revises some existing subdivision regulations related to utility and drainage easements and right-of-way width
- Clarifies the process for subdivision construction plan approval and timing with the preliminary and final plat

Staff plans to return with more detailed proposed text amendments regarding submittal

requirements and technical regulations. This ordinance is intended to efficiently comply with the intent of state law.

Findings of Consistency

The proposed code amendment is consistent and compatible with the adopted Comprehensive Plan and aligns with the goals, objectives, and policies of the City, as well as with Florida Statutes.

Comprehensive Plan Citation	Text	Consistency Rationale
Objective IG-1 and Policy IG-1.2	The City shall review policies of the State, regional entities and Brevard County to ensure conformance of the City's plan with those of these other governments.	The proposed amendment fulfills state law.
Policy H-13.2	The City shall continue to encourage the private housing development sector to establish positive measures to expand housing opportunities to all segments of the population of the metropolitan area in which Indian Harbour Beach is located.	This code amendment allows for a more streamlined approval process for final plats, which should expedite the process for future subdivisions.

Business Impact Statement

This item is exempt from requiring a business impact estimate, as the proposed ordinance changes are required to comply with state law. In the spirit of transparency, one is attached anyway.

On May 6, 2026, the Planning and Zoning Board voted 4-0 to recommend that the City Council approve Ordinance No. 2026-05.

Staff recommends the City Council approve Ordinance No. 2026-05 on first reading.

ORDINANCE NO. 2026 - 05

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, RELATING TO LAND DEVELOPMENT; AMENDING SUBSECTION (3) OF ARTICLE XVII OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING AUTHORITY AND DUTIES OF THE PLANNING AND ZONING BOARD; AMENDING CHAPTER 100, DEFINITIONS, OF APPENDIX B OF THE CODE OF ORDINANCES ADDING A DEFINITION OF "ADMINISTRATIVE AUTHORITY" AND ADMINISTRATIVE OFFICIAL; AMENDING THE DEFINITION OF "DEVELOPMENT PLAN", "FINAL PLAT", "PLAT", "PRELIMINARY PLAT" AND "SUBDIVISION"; AMENDING SECTION 103-2, SUBDIVISION PLAT APPROVAL AS A PREREQUISITE FOR ISSUANCE OF BUILDING PERMIT; AMENDING SECTION 103-3, PRELIMINARY PLAT APPROVAL; AMENDING SECTION 103-4 RENAMING SAID SECTION "SUBDIVISION CONSTRUCTION PLAN APPROVAL"; PROVIDING FOR REQUIREMENTS FOR SUBMITTAL OF SUBDIVISION CONSTRUCTION PLANS; PROVIDING FOR A SUBMITTAL AND REVIEW PROCESS OF SUBDIVISION CONSTRICTION PLANS; AMENDING SECTION 103-5 FINAL PLAT APPROVAL; AMENDING SECTION 103-06, RECORDING OF FINAL PLAT, DELETION OF SECTION 103-7 IN ITS ENTIRETY, CHANGE IN APPROVED PLAT; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION, AND AN EFFECTIVE DATE.

WHEREAS, on June 20, 2025, Governor Ron DeSantis signed Senate Bill 784, requiring certain local governments to provide for the administrative approval of plats and re-plats that are ready for recording; and

WHEREAS, the purpose of the legislation is to eliminate the public hearing process in order to expedite the approval process for code-complaint plats; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed amendments as outlined in this ordinance at its meeting on May 6, 2026, conducted a public hearing with regard to the proposed amendments, and found same to be consistent with the City of Indian Harbour Beach Comprehensive Plan; and

WHEREAS, the City Council hereby adopts the findings of the Planning and Zoning Board as its own and finds the proposed amendments to be in the promotion of the public health, safety, welfare, morals, public order and aesthetics of the community and the region.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Indian Harbour Beach, Brevard County, Florida that:

SECTION 1: Subsection (3) of Article XVII of Appendix A of the Code of Ordinances of the City is hereby amended and shall read as follows:

ARTICLE XVII. PLANNING AND ZONING BOARD

The Planning and Zoning Board of Indian Harbour Beach shall consist of five (5) voting members who shall be appointed by the city council and one (1) nonvoting member who shall be appointed by the School Board of

Brevard County. Each voting member shall serve a three-year term, except that of the five (5) members initially appointed, two (2) members shall serve terms of two (2) years. Each member of the board shall possess the qualifications set forth in article XVI, section 1 of the Charter, during his or her term on the board. The sixth nonvoting member shall serve a term of one (1) year. The School Board of Brevard County shall either reappoint the existing member or appoint a new member upon the expiration of the term of the current nonvoting member appointed by the school board. The sixth nonvoting member of the planning and zoning board shall only attend meetings at which the planning and zoning board considers comprehensive plan amendments and/or rezonings that would, if approved, increase residential density on the property that is the subject of the application. Members of the planning and zoning board shall be subject to removal and a vacancy on the board of a voting member shall be filled as provided in the said section of the Charter. A vacancy on the planning and zoning board of the nonvoting member appointed by the School Board of Brevard County shall be filled at the discretion of the school board:

* * *

(3) *Authority and duties of the planning and zoning board.* The voting members of the planning and zoning board shall have the following authorities and duties:

A. To act in an advisory capacity to the city council on questions relating to planning and zoning, to conduct investigations on matters concerning planning proposals or zoning changes, and to report its findings and recommendations on such proposals to the city council.

B. To recommend to the city council such amendments to this ordinance as the board may deem proper, expedient or necessary to clarify or to carry into effect the purposes hereof.

C. To hear applicants and submit recommendations to the city council or the zoning board of appeals with respect to the following:

(1) Proposed change of the permitted use of any specifically designated property.

(2) Applications for conditional land use.

(3) Proposed amendments to the zoning ordinance.

(4) Proposed preliminary ~~subdivision~~ plats.

(5) Proposed site plans and other planning matters, not including subdivision construction plans.

(6) Applications for special exceptions.

* * * * *

SECTION 2: Chapter 100 of Appendix B of the Code of Ordinances of the City is hereby amended and shall read as follows:

CHAPTER 100. DEFINITIONS

For the purposes of this Land Development Code, the following terms, phrases, words and their derivation shall have the meanings given herein when not inconsistent with the text. Words used in the present tense include the future tense. Words used in the singular number include the plural and words used in the plural include the singular. The word "shall" is mandatory and the word "may" is permissive. The word "person" includes a firm, partnership, trust, estate, company, association and organization, whether for profit or nonprofit, individual, co-partnership, joint venture or corporation.

For the purpose of this code, certain words or phrases shall be defined as follows: Webster's New Collegiate Dictionary (G&C Merriam Co., most recent edition) shall be used for the definition of any words not defined in this Glossary.

Administrative authority. The building department, which has the oversight responsibility to receive, review, and process a plat or replat submittal.

Administrative official. The city manager, who is responsible for approving, approving with conditions, or denying the proposed plat or replat.

Alley. A minor roadway which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

* * * * *

Development plan. Any subdivision plat, subdivision construction plan, or site plan which is the subject of this code.

* * * * *

Filling. The deposit or burial of materials, such as land clearing debris, soil, rock or other solid minerals, onto any land. Does not include landfilling with garbage or other similar waste matter; landfilling.

Final plat. The final map or drawing on which the subdivider's plan of subdivision is presented to the city for approval, and which, if approved, will be submitted to the Clerk of the Circuit Court of Brevard County for recording in the public records of Brevard County, Florida.

Finger. A manmade portion of land nearly surrounded by water, consisting of a roadway ending in a cul-de-sac and lots on both sides of the road; the lots abut the roadway and the water.

* * * * *

Plat. A map or delineated representation of the subdivision of land showing the designation of such land as lot(s), block(s), parcel(s), or other portions thereof, and other information as required by Chapter 177, part I of the Florida Statutes, as amended from time to time. "Plat" may include the terms "replat," "amended plat," or "revised plat." See also “preliminary plat” and “final plat”.

Platted land. Any land which can be referenced to a plat.

Potable water. Water which is satisfactory for drinking and culinary purposes and which meets the quality standards of the Florida Department of Environmental Regulation, Chapter 17-22, Florida Administrative Code.

Preliminary plat. The preliminary map, drawing or chart indicating the proposed layout of the subdivision to be submitted to the building department and the planning and zoning board for recommendations, and to the city council for approval.

Project. The particular structures and improvements proposed by the applicant on a land area which are part of a common plan of development and shall include the subdivision of land.

* * * * *

Subdivision. The division of a parcel of land, into ~~two (2)~~three (3) or more lots or parcels of land for the purpose of transfer of ownership or building development, or if a new street is involved, any division of any parcel of land. "Subdivision" includes resubdivision and when appropriate to the context, shall relate to the process of subdividing, or to the land subdivided.

* * * * *

SECTION 3: Section 103-02 of Appendix B of the Code of Ordinances of the City is hereby amended and shall read as follows:

Sec. 103-2. Subdivision plat approval as a prerequisite for issuance of building permit.

No permit for construction of a residential or commercial building shall be issued for any building site in a subdivision unless and until a preliminary plat, subdivision construction plans, and a final plat have been submitted to and approved by the city in accordance with the provisions of this chapter. Construction shall not commence

until all outside agency permits have been obtained and provided to the city. If modifications to approved construction plans are necessary due to outside permit agency requirements, the subdivider shall notify the city and resubmittal of the construction plans may be required, at the discretion of the building official. Any site which has been previously developed or approved for development pursuant to a city approved site plan may be converted to a platted subdivision upon submittal and approval of a subdivision plat meeting all the requirements of chapter 103 of the land development regulations of the city and the requirements of Chapter 177 of the Florida Statutes now in existence or as amended.

SECTION 4: Section 103-03 of Appendix B of the Code of Ordinances of the City is hereby amended and shall read as follows:

Sec. 103-3. Preliminary plat approval.

A preliminary plat shall be submitted and approved in accordance with the following requirements:

(1) Pre-application conference. The applicant shall, prior to submitting his preliminary plat, meet with the building official to discuss his basic plat requirements and to consider preliminary features of the site and the proposed development.

(2) Requirements for submission of preliminary plat. Following the pre-application conference, the applicant shall submit ~~seven (7) copies of a preliminary plat~~ a digital copy of the preliminary plat to the building official together with such fee as the city may from time to time establish. The application shall be accompanied by proof of ownership and owner authorization, along with authorization to represent, if necessary. T~~t~~he preliminary plat shall be prepared by a surveyor, civil engineer or architect registered in the State of Florida and shall comply with the following:

* * * * *

(g) Easements along rear and side lot lines shall be provided for water, sewer and drainage, where necessary; and if provided, shall be no less than ~~ten (10)~~five (5) feet in width.

* * * * *

(q) Street right-of-way widths shall be as shown in the comprehensive plan of the city, and where not shown therein, shall be not less than as shown on the following table:

Street Type	Right-of-Way in Feet
Arterial	100 feet
Collector	66 feet
~~Minor for Townhouses and Apartments~~	~~60 feet~~
Local Road~~Minor for Single-Family Residences~~	50 feet
Marginal Access	40 feet

* * * * *

(3) Administrative review. The building official shall provide for administrative review of each preliminary plat by such administrative personnel as he may deem appropriate or as may be required by the administrative regulations of the city or Florida Statutes. At a minimum, each preliminary plat application shall be reviewed and commented upon by the building official, the police department, city engineer and the fire department prior to review by the planning and zoning board. The building official will coordinate with the subdivider to address city comments. Such comments/corrections shall be provided and be based on factors relating to the plat which bear upon the public interest, consistency of the plat with the comprehensive plan, and relationship of the plat to city land development regulations. Once the plat and associated exhibits are code compliant and all comments have been addressed, the preliminary plat shall be scheduled for public hearing. The results of the

administrative review shall be submitted in writing to both the planning and zoning board and the city council as part of the review procedures set forth herein below. Provided; however, any such submittal which does not contain the information required by subsection 103-3(2) shall ~~be rejected by the building official and will~~ not be forwarded for further review until such information has been submitted. ~~In such a case the application and fee shall be returned, less administrative costs, and a new preliminary plat application and fee shall be submitted in accordance with this chapter.~~

(4) Review by the planning and zoning board/local planning agency. ~~Upon completion of the administrative review set forth in the preceding paragraph t~~The preliminary ~~site plan~~ plat shall be submitted for review and recommendation by the planning and zoning board. In its review, the planning and zoning board shall consider conformity with the comprehensive plan and the land development regulations. ~~the following factors:~~

~~(a) A verification that proposed lot sizes and block dimensions are adequate to meet the requirements of this chapter and of the city's zoning ordinance.~~

~~(b) The convenience of access, circulation, control and safety of street traffic.~~

~~(c) Whether all lots shown on the preliminary plat have adequate access to a public street.~~

~~(d) The adequacy of public utilities and access roads or streets to provide service to the proposed subdivision.~~

~~(e) Density of development within the framework of density permitted by the city's comprehensive plan and the city's zoning ordinance.~~

~~(f) Recreation and open spaces with attention to the location and size of such areas in regard to their adequacy and their relationships to community-wide open spaces and recreation facilities.~~

Upon completing its review, ~~T~~the planning and zoning board shall make findings and recommend~~ations~~ to the city council ~~for~~ their approval, approval with conditions, or disapproval of the preliminary plat, and shall make specific findings in the recommendation with respect to the factors described above. In recommending approval subject to conditions or in recommending disapproval, the reasons for such action shall be stated in writing and reference shall be made to the specific sections of this code or comprehensive plan with which the preliminary plat does not comply. The subdivider shall be notified of the recommendation. ~~Where justified by specific findings, the planning and zoning board may recommend that one (1) or more modifications of the preliminary plat be made as a condition of approval by the city council. The planning and zoning board shall submit recommendations to the city council within forty-five (45) days after receipt of the preliminary plat and no later than one (1) week from the date of any public meeting held with respect to the preliminary plat.~~

(5) Review by the city council and approval. ~~Upon completion of the review by the planning and zoning board as set forth in the preceding subsection, t~~The preliminary plat shall be reviewed by the city council and the recommendation of the planning and zoning board and city staff shall be considered. ~~The city council shall specifically include in the records of its deliberations the results of the review by the city administrative staff and the review by the planning and zoning board.~~ The city council shall also consider those specific factors set forth in the preceding subsection of this section. Following such consideration the city council shall vote to approve or disapprove the preliminary plat, and may, as part of any approval, impose such reasonable conditions upon the applicant as may be necessary to ~~insure~~ensure compatibility of the proposed subdivision with surrounding areas.

(6) Approval of the preliminary plat shall not be construed as authority for filing of the plat with the clerk of the circuit court of Brevard County, nor as authority for the sale of lots. A preliminary plat shall not form the basis for the issuance of a building permit by the city or for the commencement of any construction by the applicant unless and until the construction plans have also been approved.

(7) Changes to the approved preliminary plat. Upon approval of the preliminary plat, the development shall be built substantially in accordance with the plat, approved construction plans and applicable

specifications. Should the subdivider or their successors desire to make any changes to said preliminary plat after approval, such changes shall first be submitted to the building official to determine if the change can be approved administratively by staff or if it requires another hearing before the planning and zoning board and city council. In determining whether a change qualifies for administrative or board approval, staff shall use the following criteria. Modifications that significantly impact the design of the subdivision or affect adjacent properties will need to be processed for reconsideration of the changes to the preliminary plat through planning and zoning board and city council. Any proposed modifications to a preliminary plat shall not violate any other provision of this ordinance and the city's comprehensive plan. Criteria for substantial changes shall include the following:

(a) Changes in use category or the addition of a new use category.

(b) Changes in proposed final ownership of tracts.

(c) Requests to change ownership/responsibilities of infrastructure (such as public versus private infrastructure).

(d) Increase in density (10% or greater of the number of dwelling units) or intensity (10% or greater usable floor area).

(e) Increase or decrease in the number of vehicular access points.

(f) Increase of 20% or greater traffic generation.

(g) Reduction in open space/recreation areas by more than 10%.

(h) Changes in location or function of open space/recreation areas.

(i) To reduce the previously approved linear distance by more than 10% of a buffer green area or passive use area adjacent to established single family residential lots for single family residential zoning district.

(j) Any modification to the preliminary plat that fails to comply with the conditions specifically required by City Council.

(8) Preliminary plat approval expiration and extension. Preliminary plat approvals shall expire 18 months after approval. Approval may be extended one time for up to an additional 6 months with approval from the building official.

SECTION 5: Section 103-04 of Appendix B of the Code of Ordinances of the City is hereby amended and shall read as follows:

Sec. 103-4. ~~Use of preliminary plat following approval.~~Subdivision construction plan approval.

~~When approved by the city council a preliminary plat may be used by the applicant to obtain priority for, or approval of, sewer connections from Brevard County, and to obtain approval of the subdivision depicted on the preliminary plat from any other applicable government agency. A preliminary plat shall not form the basis for the issuance of a building permit by the city or for the commencement of any construction by the applicant unless and until the plat has received approval from the city as a final plat as provided in the next following section of this chapter.~~

(1) Subdivision construction plans prepared and certified by a licensed and registered State of Florida engineer or architect and substantially in conformance with the preliminary plat shall be submitted to the building official and must include the following, in addition to any other necessary information requested by the city:

(a) Name, location, owner and designer of the proposed subdivision.

(b) A vicinity map showing contiguous areas and streets including means of ingress and egress thereto.

(d) A surface and storm drainage plan meeting the requirements of all applicable state agencies and showing the following:

(i) One (1) foot contours based upon coast and geodetic data,

(ii) Proposed finished elevation of each street,

(iii) All existing and proposed drainage facilities with size and grades,

(iv) Proposed disposal of surface water run-off,

(v) Stormwater retention/drainage facilities and such calculations for drainage and stormwater run-off as may be required by the city engineer.

(vi) Provide on the stormwater plans the name or the waterbody receiving the stormwater from the site on the city's stormwater system.

(e) Engineering details of an adequate potable water supply system designed by a registered professional engineer and approved by the city engineer. Such system shall be so sized as to provide adequate fire protection in compliance with the recommendations of the National Fire Protection Association.

(f) Engineering details of an adequate sanitary sewer collection system designed by a registered professional engineer and approved by the city engineer. Such system shall include interceptor sewers, lift stations and such appurtenances as required to deliver sewage to the public sanitary sewer system within the city.

(g) Streets complying with all provisions of this chapter applicable to subdivision streets and meeting all applicable technical specifications and construction methods for streets.

(h) Street names for each street selected in accordance with the provisions of this chapter.

(2) Fees. The fees for subdivision construction plan review are set forth by resolution and approved by city council from time to time.

(3) Review of subdivision construction plan. The building official shall coordinate the review of the subdivision-related construction plans and associated documents, receiving comments from applicable city staff and such other public officials or agencies determined to be necessary by the building official or their designee. Staff will coordinate with the applicant to address city comments.

(4) Approval of construction plans. Once staff comments are addressed the process to approve subdivision related construction plans are as follows:

(a) Substantial approval. Staff will issue a substantial approval to the construction plans. All sub-applications, including but not limited to tree removal, erosion and sedimentation control, stormwater, etc., shall be reviewed for compliance.

(b) Pre-construction conference. A preconstruction conference is held with the owner, design professionals, and contractors for the project. The purpose of the meeting is to detail the steps of construction. No dedicated utility or road work shall be undertaken prior to a preconstruction conference which shall be scheduled by the building official or their designee.

(c) Plan approval. Upon completion of the previously identified steps, the building official will apply an approval stamp to the construction plans and applicable sub-applications which includes an expiration date and any stipulations required with city approval

(d) Receipt of outside agency permits. Construction shall not commence until all outside agency permits have been obtained and provided to the city. If modifications to the approved plans are necessary due to outside permit agency requirements, the applicant shall notify the city and resubmittal of the construction plans may be required at the discretion of the building official.

(5) Construction of required improvements, inspections, certificate of completion.

a) Installation of improvements. The subdivider is allowed to install all required improvements including fill dirt in accordance with the approved construction plans and specifications and shall complete the required improvements within one year from the date of construction plan approval. Time extensions to complete construction may be granted if approved by the building official.

b) All work shall conform to all city regulations and shall be subject to the inspection and approval of the building official or their designee, who shall be regularly consulted by the subdivider and kept advised by the subdivider of each new phase of work being done. The building official or their designee shall make regular inspections to verify that the work meets all code requirements.

c) Sidewalks. The developer or owner of undeveloped lots shall provide sidewalks on such lots remaining vacant after three years from the date of the issuance of a certificate of completion of the subdivision improvements. The owner/developer of the vacant lots shall construct the required sidewalk within six months after a period of three years from issuance of a certificate of completion of the required subdivision improvements. The subdivider shall post a bond for sidewalks in the amount of 125% of the cost of construction of said sidewalks, as estimated by the building official, as a condition of final approval and acceptance of a certificate of completion. The owner/developer may periodically reduce the bond amount to account for the units already constructed.

(6) Guarantee of incomplete improvements. When the required improvements have not been completed prior to the submission of the final plat and the applicant has not received a certificate of completion by the building official, the approval of the plat shall be subject to the subdivider guaranteeing the installation of said improvements in the form of a performance and payment bond or other adequate security approved by the city attorney. This bond shall be deposited with the city clerk in the amount of one hundred twenty-five (125) percent of the estimated cost of completion of such improvements, including fill dirt, as determined by the building official. The bond instrument may provide that portions of the security may be partially released, proportionate to the work completed, to the subdivider from time to time as work progresses.

(7) Certificate of completion. A certificate of completion shall be provided once all improvements and required documentation have been completed in form and substance acceptable to the building official.

SECTION 6: Section 103-05 of Appendix B of the Code of Ordinances of the City is hereby amended and shall read as follows:

Sec. 103-5. Final plat approval.

(1) Requirements for submission of final plat. An applicant who has received approval of a preliminary plat may submit a final plat once construction plans have been approved. ~~for approval by the city once he has obtained approval of the plat from all other applicable government agencies and has received from Brevard County approval for appropriate sewage disposal connections (either sewer system connection or septic tank permits)~~. The~~A~~ final ~~site plan~~ plat application shall include the following ~~detailed information~~:

(a) Name, location, owner and designer of the proposed subdivision.

(b) A vicinity map showing contiguous areas and streets including means of ingress and egress thereto.

(c) A digital version of the final plat and two copies printed at 24 inches by 36 inches, prepared, signed, and sealed by a State of Florida registered surveyor. ~~A recordable~~ The final plat shall meeting all applicable requirements of ~~state law~~ Florida Statutes and the requirements of the clerk of the circuit court of Brevard County, for formal recording. The final plat shall constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of this code.

~~(d) A surface and storm drainage plan meeting the requirements of all applicable state agencies and showing the following:~~

~~(i) One (1) foot contours based upon coast and geodetic data,~~

~~(ii) Proposed finished elevation of each street,~~

~~(iii) All existing and proposed drainage facilities with size and grades,~~

~~(iv) Proposed disposal of surface water run-off,~~

~~(v) Stormwater retention/drainage facilities and such calculations for drainage and stormwater run-off as may be required by the city engineer.~~

~~(vi) Provide on the stormwater plans the name or the waterbody receiving the stormwater from the site on the city's stormwater system.~~

~~(e) Engineering details of an adequate potable water supply system designed by a registered professional engineer and approved by the city engineer. Such system shall be so sized as to provide adequate fire protection in compliance with the recommendations of the National Fire Protection Association.~~

~~(f) Engineering details of an adequate sanitary sewer collection system designed by a registered professional engineer and approved by the city engineer. Such system shall include interceptor sewers, lift stations and such appurtenances as required to deliver sewage to the public sanitary sewer system within the city.~~

~~(g) Streets complying with all provisions of this chapter applicable to subdivision streets and meeting all applicable technical specifications and construction methods for streets.~~

(h) Street names for each street selected in accordance with the provisions of this chapter.

(i) A certificate by the ~~city engineer~~ building official certifying that the developer has complied with one (1) of the following alternatives:

(i) All subdivision improvements have been installed in accordance with the requirements of this chapter and the approved construction plan, or

(ii) A bond for subdivision improvements indicated on the approved construction plan approved by the city attorney or other adequate security approved by the city attorney has been deposited with the city clerk in the amount of one hundred twenty-five (125) percent of the estimated cost of completion of such improvements by the city engineer.

(j) The final form of all protective covenants, if any, to be imposed on the subdivision by the developer, with a letter of approval thereof by the city attorney.

(k) Any other documents, forms or agreements required by the city or Florida Statutes, including proof of ownership and owner authorization, along with authorization to represent, if necessary.

(2) Administrative review and approval. The application for final plat approval shall be submitted to the administrative authority to review and process the application.~~reviewed by the building official and all other appropriate members of the city administrative staff~~. The administrative official shall determine if the final plat is substantially consistent with the preliminary plat and complies with the requirements of Florida Statutes 177.091. Based on this analysis, the administrative official shall approve, approve with conditions, or deny the final plat~~.~~. If the administrative official does not approve the final plat, they shall notify the subdivider in writing of the reasons for declining to approve the submittal, identifying all areas of noncompliance and include specific citations to each requirement the plat submittal fails to meet.~~may be approved in writing by the building official following such administrative review if the building official determines that there are no significant differences between the preliminary plat and the final plat. For purposes of this paragraph, a change in the number of lots of ten (10) percent or more, any change in traffic flow or lot configuration within the development and any change in the location of ingress and egress to the subdivision shall be deemed to be a significant difference.~~

(3) ~~Review by the planning and zoning board and the city council~~Substantial change. If there are ~~significant~~ substantial differences between the approved preliminary plat and construction plans and the final plat as defined in Section 103-3 (7)~~as defined in the preceding paragraph~~, the subdivider ~~final plat shall be reviewed~~

~~by the planning and zoning board and the city council prior to approval~~must either amend the final plat or go back through the preliminary plat and/or construction plan review and approval process by submitting new applications and paying new fees.~~ Such review of a final plat by the planning and zoning board and the city council shall be the same as provided in this section for review and approval of a preliminary plat. The developer shall pay an additional fee equal to that for preliminary plat review in order to defray the city's costs of such final plat review by the city's public bodies.~~

SECTION 7: Section 103-06 of Appendix B of the Code of Ordinances of the City is hereby amended and shall read as follows:

Sec. 103-6. Recording of final plat.

As soon as practicable after administrative approval of a final plat by the city, the developer shall record the said plat with the clerk of the court of Brevard County, together with applicable joinders of mortgage holders and protective covenants, if any. Upon such recording the developer shall provide the city, at the developer's cost, with copies of such recorded instruments.

SECTION 8: Section 103-07 of Appendix B of the Code of Ordinances of the City is hereby deleted in its entirety:

~~**Sec. 103-7. Changes in approved plats.**~~

~~After the final plat has been approved as provided in this chapter, the subdivision shall be built in accordance with the approved final plat. If, after such approval, the developer desires to make changes in the final plat, such changes shall first be submitted to the building official. If the building official determines that the proposed change constitutes a significant difference (as defined in subsection 103-5(2) from the requirements of the approved final plat, the developer or his successor shall be required to return to the planning and zoning board and the city council for review of the proposed change and shall be required to pay the applicable fee for such review.~~

Section 9: Conflicts. Any and all Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

Section 10: Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this and the provision of this Ordinance are declared severable.

Section 11. The City Clerk is hereby directed to incorporate the provisions of this ordinance into the City's Code of Ordinances.

Section 12: Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA ON THIS ____ DAY OF _____, 2026

CITY OF INDIAN HARBOUR BEACH
BREVARD COUNTY, FLORIDA

Scott Nickle

Mayor

ATTEST:

Nikki Gold
City Clerk

First Reading: May 12, 2026

Second Reading: May 26, 2026

An act relating to platting; amending s. 177.071, F.S.; requiring that certain plat or replat submittals be administratively approved with no further action by certain entities under certain circumstances; requiring the governing body of such county or municipality to designate an administrative authority to receive, review, and process plat or replat submittals; providing requirements for such designation; defining the term "administrative authority"; requiring the administrative authority to submit a certain notice to an applicant; providing requirements for such notice; requiring the administrative authority to approve, approve with conditions, or deny a plat or replat submittal in accordance with the timeframe in the initial written notice to the applicant; requiring the administrative authority to notify the applicant in writing if it declines to approve a plat or replat submittal; requiring that the written notification contain the reasons for denial and other information; prohibiting the administrative authority or other official, employee, agent, or designee from requesting or requiring that the applicant request an extension of time; amending s. 177.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats ~~plat~~ by designated county or municipal official ~~governing bodies~~.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term "administrative authority" means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or

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replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4) ~~(1)~~ Before a plat or replat is offered for recording, it must be administratively approved as required by this section ~~by the appropriate governing body~~, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this

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part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the ~~governing body of the~~ municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the ~~governing body of the~~ county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both ~~governing body~~, two plats or replats must be prepared and each county or municipality ~~governing body~~ has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees ~~the governing bodies having said jurisdiction agree~~ that one plat is mutually acceptable.

(5)~~(2)~~ Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing plats ~~plat~~.—After the approval by the appropriate administrative authority ~~governing body~~ required by s. 177.071, the plat or replat must ~~shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat or replat. The

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circuit court clerk or other recording officer shall maintain in his or her office a book of the proper size for such papers so that they will ~~shall~~ not be folded, to be kept in the vault. A print or photographic copy must be filed in a similar book and kept in his or her office for the use of the public. The clerk shall make available to the public a full size copy of the record plat or replat at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Indian Harbour Beach Business Impact Estimate

This estimate shall be posted on the City's website no later than the date the required notice is published in accordance with F.S. 166.041(3)(a).

Proposed ordinance's title/reference:
ORDINANCE NO. 2026-05

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, RELATING TO LAND DEVELOPMENT; AMENDING SUBSECTION (3) OF ARTICLE XVII OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING AUTHORITY AND DUTIES OF THE PLANNING AND ZONING BOARD; AMENDING CHAPTER 100, DEFINITIONS, OF APPENDIX B OF THE CODE OF ORDINANCES ADDING A DEFINITION OF "ADMINISTRATIVE AUTHORITY" AND ADMINISTRATIVE OFFICIAL; AMENDING THE DEFINITION OF "DEVELOPMENT PLAN", "FINAL PLAT", "PLAT", "PRELIMINARY PLAT" AND "SUBDIVISION"; AMENDING SECTION 103-2, SUBDIVISION PLAT APPROVAL AS A PREREQUISITE FOR ISSUANCE OF BUILDING PERMIT; AMENDING SECTION 103-3, PRELIMINARY PLAT APPROVAL; AMENDING SECTION 103-4 RENAMING SAID SECTION "SUBDIVISION CONSTRUCTION PLAN APPROVAL"; PROVIDING FOR REQUIREMENTS FOR SUBMITTAL OF SUBDIVISION CONSTRUCTION PLANS; PROVIDING FOR A SUBMITTAL AND REVIEW PROCESS OF SUBDIVISION CONSTRICTION PLANS; AMENDING SECTION 103-5 FINAL PLAT APPROVAL; AMENDING SECTION 103-06, RECORDING OF FINAL PLAT, DELETION OF SECTION 103-7 IN ITS ENTIRETY, CHANGE IN APPROVED PLAT; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION, AND AN EFFECTIVE DATE.

In accordance with F.S. 166.041(4)(c) and related to the above proposed ordinance and a requirement for a Business Impact Estimate (select one):

- ☐ No exceptions apply, see Business Impact Estimate below
- ☐ Exception(s) apply, however, the city has completed a Business Impact Estimate below to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance
- ☐ Exception(s) apply and a Business Impact Estimate is not required

Mark any exceptions (select all that apply, or none):

- ☒ Ordinance is required for compliance with federal or state law or regulation
- ☐ Ordinance relates to the issuance or refinancing of debt
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget

Indian Harbour Beach Business Impact Estimate

- ☐ Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the city
- ☐ Ordinance is an emergency ordinance
- ☐ Ordinance relates to procurement
- ☐ Ordinance enacted to implement:
    a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
    c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
    d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare of the city):

Response: The proposed amendment implements the requirements of SEnate Bill 874 requiring certain local governments to provide for the administrative approval of plats and re-plats that are ready for recording.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the city, including the following, if any:
a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Response: No direct economic impacts to private, for-profit businesses are anticipated.

3. Good faith estimate of the number of businesses in the city likely to be impacted by the proposed ordinance:

Response: None.

7. Additional information the city determines may be useful: Response: This proposed ordinance does not impose costs on for-profit businesses in the city.

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

Ordinance No. 2026-08: Reasonable Accommodation and Recovery Residences Code Amendment - First Reading (action item)

Cost: N/A

Attachments: Ord 2026-08 Reasonable accomodations and certified recovery residences
SB 954
Business Impact Estimate - Ord. 2026-08 reasonable accomodations

Staff Recommendation:

Consider approving Ordinance No. 2026-08 on first reading to comply with applicable law and adopt language that allows a process for reasonable accommodation, including for certified recovery residences.

Background Information:

A “reasonable accommodation” allows individuals with disabilities, as defined by the ADA and Fair Housing Amendments Act, to request changes to land use or zoning rules.

This ordinance adds two new Articles within the Zoning Code:

- Article XXVIII - The proposed “Reasonable Accommodation” language outlines the process for individuals with disabilities to apply for reasonable

accommodation, ensuring they have equal access to housing by modifying specific city requirements when appropriate.
- Article XXVIV - The proposed “Reasonable Accommodation; Certified Recovery Residences” language is a requirement resulting from a 2025 state law, Senate Bill (SB) 954: Certified Recovery Residences.

Some of the key components of SB 954 that went into effect July 2025:

- A local government must include a process for requesting reasonable accommodation from any local land use regulation;
- A local government must be consistent with the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq.;
- A local government must establish a written application process for requesting accommodation;
- A local government is required to date-stamp each application request upon receipt. If additional information is required, the local government must notify the applicant in writing within the first 30 days after receipt and allow the applicant 30 days to respond;
- A local government must issue a final written determination on the application within 60 days after receipt. If a final written determination is not issued within 60 days after receipt of a completed application, the request is deemed approved, unless the parties agree in writing, to a reasonable extension of time;
- A local government will require that the application include basic name and contact information; and
- A local government may not require public hearings beyond the minimum required by law to grant the requested accommodation.

Analysis

SB 954 (2025) requires local governments to create an ordinance that formalizes and regulates reasonable accommodation requests for certified recovery residences regarding land use regulations.

Florida Statutes defines the following:

- “Recovery residence” – a “residential dwelling unit, the community housing component of a licensed day or night treatment facility with community housing, or other form of group housing, which is offered or advertised through any means, including oral, written, electronic, or printed means, by any person or entity as a residence that provides a peer-supported, alcohol-free, and drug-free

living environment."
- "Certified recovery residence" – a "recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator."

The City does not currently identify regulations and standards for a recovery residence. They are certified by the Florida Association of Recovery Residences (FARR), which ensures they meet standards for safety, ethical practices, and recovery-oriented services.

The proposed reasonable accommodation process will be in place to address certified recovery residences that may request relief from land use regulations such as zoning, setbacks, parking, etc.

In summary, the Ordinance will:

- Define how an applicant makes a reasonable accommodation request;
- Provides that the City Manager shall be the review authority;
- Provides review procedures for the request;
- Provides finding upon which a reasonable accommodation determination is made;
- Provides that a reasonable accommodation is specific to the application for a certified recovery residence at the identified property and does not run with the land;
- Provides that a granted reasonable accommodation may be revoked for cause; and
- Provides that within 60 days of the termination of the use of the property as a certified recovery residence, the reasonable accommodation shall be removed.

Findings of Consistency

The proposed code amendment is consistent and compatible with the adopted Comprehensive Plan and aligns with the goals, objectives, and policies of the City, as well as with Florida Statutes.

Comprehensive Plan Citation	Text	Consistency Rationale
Objective IG-1 and Policy IG-1.2	The City shall review policies of the State, regional entities and	The proposed amendment fulfills state law.

	Brevard County to ensure conformance of the City's plan with those of these other governments.	
Objective H-2	The City shall work with the public and private sectors to assure adequate and affordable housing for the existing population, anticipated population growth, and households with special needs. The measurement of this objective is the adequacy of housing to meet the aforementioned needs and the degree to which the following Policies are implemented.	The code amendment facilitates the timely expansion of public safety infrastructure and directly supports the “public health, safety and welfare" by modernizing essential services.
Objective H-11	The City shall continue to encourage a supply of housing in the City to meet the needs of existing and future residents, especially those of lower incomes and/or with special housing needs. The measurement of this objective is the extent to which housing needs are met for the general populace, lower income families and those with special needs, plus the degree to which the following Policies are implemented.	The code amendment encourages a housing supply that specifically meets the requirements of residents with special housing needs. By codifying a formal procedure for "reasonable accommodations" for certified recovery residences, the City proactively removes potential regulatory barriers for a population recognized under law as having specialized housing requirements.
Objective H-13 and Policies	The City shall continue to encourage equal housing opportunities for all persons regardless of age, sex, race, religion or ethnic background. The measurement of this objective will be the degree to which the following Policies are implemented. Policy H-13.1 In cooperation with areawide agencies, the City shall continue to enforce the local fair housing ordinance. Policy H-13.2 The City shall continue to encourage the private housing development sector to establish positive measures to expand housing	This code amendment promotes and maintains equal housing opportunities for all people. Establishing a clear administrative pathway for reasonable accommodation requests is a primary mechanism for ensuring that the City’s land development regulations uphold federal and local fair housing practices. By formalizing this process, the City fulfills its stated policy to enforce fair housing standards and ensures that protected

	opportunities to all segments of the population of the metropolitan area in which Indian Harbour Beach is located.	classes have equitable access to the residential environment.

Business Impact Statement

This item is exempt from requiring a business impact estimate, as the proposed ordinance changes are required to comply with state law. For transparency purposes said form is attached anyway.

On May 6, 2026, the Planning and Zoning Board voted 4-0 to recommend that the City Council approve Ordinance No. 2026-08.

Staff recommends the City Council approve Ordinance No. 2026-08 on first reading.

ORDINANCE NO. 2026 - 08

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, ESTABLISHING ARTICLE XXVIII, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO REASONABLE ACCOMMODATIONS TO THE CITY'S ZONING CODE; PROVIDING FOR INTENT, AN APPLICATION PROCESS, REVIEW AND AN REVIEW PROCESS; PROVIDING FOR FINDING MADE BY THE CITY MANAGER IN REGARDS TO AN APPLICATION FOR A REASONABLE ACCOMMODATION; PROVIDING FOR THE DURATION OF A REASONABLE ACCOMMODATION AND OTHER GENERAL PROVISIONS; ESTABLISHING ARTICLE XXIX, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO REASONABLE ACCOMMODATIONS FOR CERTIFIED RECOVERY RESIDENCES UNDER THE CITY'S LAND DEVELOPMENT CODE; PROVIDING FOR INTENT, AN APPLICATION PROCESS, REVIEW AND AN REVIEW PROCESS; PROVIDING FOR FINDING MADE BY THE CITY MANAGER IN REGARDS TO AN APPLICATION FOR A REASONABLE ACCOMMODATION; PROVIDING FOR THE DURATION OF A REASONABLE ACCOMMODATION AND OTHER GENERAL PROVISIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION AND AN EFFECTIVE DATE.

WHEREAS, a "reasonable accommodation" is the method by which an individual with a disability and/or handicap, as those terms are defined with the federal Americans with Disabilities Act of 1990 as amended and/or the federal Fair Housing Amendments Act of 1988, can request a modification or alteration in the application of a specific land use or zoning provision; and

WHEREAS, the proposed accommodation sought by an individual with a disability and/or handicap must be reasonable and necessary to afford such person has equal access to housing; and

WHEREAS, the City of Indian Harbour Beach does not currently have reasonable accommodation procedures that have been codified within the City Code of Ordinances; and

WHEREAS, the proposed "Reasonable Accommodation—Certified Recovery Residences" is a requirement resulting from the recently passed law, Senate Bill (SB) 954: Certified Recovery Residences, which had an effective date of July 2025; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed this ordinance at its meeting on May 6, 2026, 2026, conducted a public hearing with regard to this ordinance, and found same to be consistent with the City of Indian Harbour Beach Comprehensive Plan; and

WHEREAS, the City Council hereby adopts the findings of the Planning and Zoning Board as its own and finds this ordinance to be in the promotion of the public health, safety, welfare, morals, public order and aesthetics of the community and the region; and

WHEREAS, the City Council finds it to be in the best interests of its citizens to adopt reasonable accommodation procedures that will permit individuals with disabilities to request reasonable accommodations and, where appropriate, based on the facts and law, to receive reasonable accommodations, as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Indian Harbour Beach, Brevard County, Florida that:

SECTION 1: Article XXVIII of Appendix A of the Code of Ordinances of the City is hereby established and shall read as follows:

Appendix A – Zoning

Article XXVIII. Reasonable accommodation.

(a) *Intent.* This section implements the policy of the city for the processing of requests for reasonable accommodation to its ordinances, rules, policies, and procedures for persons with disabilities and/or handicaps as provided by the federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) ("FHAA") and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.) ("ADA"). For purposes of this section, a "disabled" person is an individual that qualifies as disabled and/or handicapped under the FHAA and/or ADA. Any person who is disabled qualifying for a reasonable accommodation may request a reasonable accommodation with respect to the city's land use or zoning laws as provided by the FHAA and the ADA and to establish relevant criteria to be used when considering such requests. The purpose of a reasonable accommodation is to modify a specific city requirement to ensure an individual with a disability and/or handicap has equal access to housing. This procedure refers to a limited set of applications; this procedure is not for qualified individuals to make aesthetic changes to property or to unnecessarily avoid regulations.

(b) *Application.* A request by an applicant for reasonable accommodation under this section shall be made in writing by completion of a reasonable accommodation request form, which form is maintained by (and shall be submitted to) the office of the city manager. The reasonable accommodation form shall contain such questions and requests for information as are necessary for processing the reasonable accommodation request including the following:

(1) Name, address and telephone number of applicant.

(2) Address of subject property.

(3) Consent of the owner of the subject property.

(4) Current use of the property.

(5) Basis for the claim that the applicant is considered disabled qualifying for reasonable accommodation pursuant to the FHAA and/or the ADA.

(6) The code provision, regulation or policy from which reasonable accommodation is being requested.

(7) Identification of the specific accommodation requested and why the accommodation is necessary to make the subject property accessible to the individual.

(c) *Review authority.* The request for reasonable accommodation shall be reviewed by the city manager.

(d) *Review procedures.*

(1) The request for a reasonable accommodation shall be reviewed by the city manager within 45 days of receipt of the completed reasonable accommodation request form.

(2) Upon receipt of a completed request for reasonable accommodation, the city manager may evaluate the application and request staff to prepare a staff report to address the factors listed in sub-section (e) and recommendation of such conditions as may be determined to be necessary to grant a reasonable accommodation given the context of the application.

(3) If reasonably necessary to reach a determination on the application for reasonable accommodation, the city manager may request additional information from the applicant, specifying in sufficient detail what information is required. The applicant shall have 15 days after the date of the request for additional information to provide the requested information to the city manager. In the event a request for additional information is made, the city manager shall have an additional 45-day period after the receipt of the additional information to review the application. If the applicant fails to provide the requested additional information within said 15-day period, a written notice will be issued advising that the applicant failed to timely submit the additional information, and therefore the request for reasonable accommodation shall be deemed abandoned and/or withdrawn and no further action by the city with regard to said reasonable accommodation request shall be required.

(4) In making a determination on the application for reasonable accommodation, the city manager shall consider the application, the staff report, if applicable, and any other relevant evidence concerning the request for a reasonable accommodation.

(5) A written determination conforming to the decision of the city manager shall be rendered within 15 days of the completed review. Any modification to City Code shall be set forth in the written determination with specificity. The written determination may, in accordance with federal law: (i) grant the accommodation request; (ii) grant a portion of the request and deny a portion of the request, and/or impose conditions upon the grant of the request; or (iii) deny the request. Any such denial shall be in writing and shall state the grounds for the determination.

(6) The written determination shall be sent to the applicant to the address set forth on the application.

(e) *Findings.* The written decision of the city manager on an application for a reasonable accommodation shall be consistent with the FHAA and/or ADA and based on the following factors:

(1) Whether the housing, which is the subject of the request, will be used by the individual with a disability qualified for protection under the FHAA and/or ADA. For purposes of this section individuals with disabilities and/or handicapped individual must show: (i) a physical or mental impairment which substantially limits one or more major life activities; (ii) a record of having such impairment; or (iii) that they are regarded as having such impairment.

(2) Whether the requested accommodation is reasonable and necessary to provide equal opportunity to the individual with a disability to use and enjoy a dwelling.

(3) Whether the requested accommodation would impose an undue financial or administrative burden on the city, in which instance it would not be deemed to be reasonable.

(4) Whether the requested accommodation would require a fundamental alteration in the nature of the land use and zoning regulations of the city, in which instance it would not be deemed to be reasonable.

(5) Potential impact on surrounding uses.

(6) Physical attributes of the property and structures.

(7) Alternative accommodations which may provide an equivalent level of benefit.

(f) *Duration of reasonable accommodation.*

(1) A reasonable accommodation is specific to the individual with a disability living at the identified property and does not run with the land unless the written determination also finds that the modification is physically integrated into the structure and cannot be easily removed or altered to comply with the city's zoning regulations.

(2) Unless otherwise provided in the written determination, within 60 days of the termination of the tenancy of the individual with the disability, the reasonable accommodation shall be removed.

(g) *Applicable general provisions.*

(1) An individual with a disability may apply for a reasonable accommodation on his own behalf or may be represented at all stages of the reasonable accommodation process by an attorney, legally appointed guardian, or other person designated by the individual with a disability as a power of attorney.

(2) The city shall provide such assistance and accommodation as is required pursuant to FHAA and ADA in connection with a disabled person's request for reasonable accommodation to ensure the process is accessible.

(3) In the event that a reasonable accommodation is granted, the applicant shall comply with any and all applicable building and/or engineering permitting processes required by City Code.

(4) A reasonable accommodation does not alter an individual's obligation to comply with other applicable federal, state, county or city requirements, rules, regulations, or laws.

SECTION 2: Article XXIX of Appendix A of the Code of Ordinances of the City is hereby established and shall read as follows:

Article XXIX. Reasonable accommodation; certified recovery residences.

(a) *Intent*. This section implements the policy of the city for the processing of requests for reasonable accommodations from any land use regulation that serves to prohibit the establishment of a certified recovery residence as that term is defined in F.S. § 392.311, consistent with the federal Fair Housing Amendments Act of 1988 (42 U.S.C. 3601, et seq.) ("FHAA") and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.) ("ADA").

(b) *Application.* A request by an applicant for reasonable accommodation under this section shall be made in writing by completion of a reasonable accommodation request form, which form shall be submitted to the office of the city manager. The reasonable accommodation

form shall contain such questions and requests for information as are necessary for processing the reasonable accommodation request including, at minimum, the following:

(1) Name, address and contact information of the applicant or the applicant's authorized representative.

(2) Address and parcel identification number of the subject property.

(3) Consent of the owner of the subject property.

(4) Current use of the property.

(5) A description of the accommodation requested and the specific code provision, regulation or policy from which reasonable accommodation is being requested.

(6) Explain how the land use regulation from which the accommodation is sought prohibits the establishment of the certified recovery residence.

(c) *Review authority.* The request for reasonable accommodation shall be reviewed by the city manager.

(d) *Review procedures.*

(1) The application shall be date-stamped upon receipt by the city. If additional information is required, the city manager shall notify the applicant within the first 30 days after receipt of the application specifying in sufficient detail what information is required and the applicant shall have 30 days to respond.

(2) If reasonably necessary to reach a determination on the application for reasonable accommodation, the city manager may, within the first 30 days after receipt of the application, request additional information from the applicant, specifying in sufficient detail what information is required. The applicant shall have 30 days after the date of the request for additional information to provide the requested information to the city manager. If the applicant fails to provide the requested additional information within said 30-day period, a written notice will be issued advising that the applicant failed to timely submit the additional information, and therefore the request for reasonable accommodation shall be deemed abandoned and/or withdrawn and no further action by the city with regard to said reasonable accommodation request shall be required.

(3) Upon receipt of a completed written application for reasonable accommodation, the city manager may evaluate the application and request staff to prepare a staff report to address the factors listed in sub-section (e) and recommendation of such conditions as may be determined to be necessary to grant a reasonable accommodation given the context of the application.

(4) In making a determination on the application for reasonable accommodation, the city manager shall consider the application, the staff report, if applicable, and any other relevant evidence concerning the request for a reasonable accommodation.

(5) A written determination conforming to the decision of the city manager shall be rendered within 60 days after receipt of a complete application. The written determination must: (i) approve the request in whole or in part, with or without conditions; or (ii) deny the request, and shall state with specificity the objective, evidence-based reasons for denial and identify any deficiencies or actions necessary for reconsideration. If a determination is not issued within 60 days after receipt of a completed application, the request is deemed approved unless the parties agree in writing to a reasonable extension of time.

(6) The written determination shall be sent to the applicant to the address set forth on the application.

(e) *Findings.* The written decision of the city manager on an application for a reasonable accommodation shall be consistent with F.S. § 397.487 and the FHAA and/or ADA and based on the following factors:

(1) Whether the housing, which is the subject of the request, qualifies as a certified recovery residence as defined in F.S. § 397.311.

(2) Whether the requested accommodation is reasonable and necessary to enable the establishment of a certified recovery residence.

(3) Whether the requested accommodation would impose an undue financial or administrative burden on the city.

(4) Whether the requested accommodation would require a fundamental alteration in the nature of the land use and zoning regulations of the city, in which instance it would not be deemed to be reasonable.

(5) Potential impact on surrounding uses.

(6) Physical attributes of the property and structures.

(7) Alternative accommodations which may provide an equivalent level of benefit.

(f) *Duration of reasonable accommodation.*

(1) A reasonable accommodation is specific to the application for a certified recovery residence at the identified property and does not run with the land unless the written determination also finds that the modification is physically integrated into the structure and cannot be easily removed or altered to comply with the city's zoning regulations.

(2) A reasonable accommodation granted hereunder may be revoked for cause, including but not limited to, a violation of the conditions of approval or the lapse, revocation, or failure to maintain certification or licensure required by law, if not reinstated within 180 days.

(3) Unless otherwise provided in the written determination, within 60 days of the

termination of the use of the property as a certified recovery residence, the reasonable accommodation shall be removed.

(g) *Applicable general provisions.*

(1) An applicant may apply for a reasonable accommodation on his own behalf or may be represented at all stages of the reasonable accommodation process by an attorney, legally appointed guardian, or other person designated by the individual with a disability as a power of attorney.

(2) The city shall provide such assistance and accommodation as is required pursuant to FHAA and ADA in connection with a request for reasonable accommodation to ensure the process is accessible.

(3) In the event that a reasonable accommodation is granted, the applicant shall comply with any and all applicable building and/or engineering permitting processes required by this Code.

(4) A reasonable accommodation does not alter an owner's obligation to comply with other applicable federal, state, county or city requirements, rules, regulations, or laws.

Section 4: Conflicts. Any and all Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

Section 5: Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this and the provision of this Ordinance are declared severable.

Section 6. The City Clerk is hereby directed to incorporate the provisions of this ordinance into the City's Code of Ordinances.

Section 7: Effective Date. This Ordinance shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA ON THIS ____ DAY OF _____, 2026

CITY OF INDIAN HARBOUR BEACH
BREVARD COUNTY, FLORIDA

Scott Nickle
Mayor

ATTEST:

_____
Nikki Gold
City Clerk

First Reading: _____, 2026

Second Reading: _____, 2026

An act relating to certified recovery residences; amending s. 397.487, F.S.; requiring, by a specified date, the governing body of each county or municipality to adopt an ordinance to establish procedures for the review and approval of certified recovery residences; requiring that such ordinance include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence; specifying criteria for the ordinance; providing that the ordinance may establish additional requirements for the review and approval of reasonable accommodation requests; requiring that such additional requirements be consistent with federal law and not conflict with the act; prohibiting the ordinance from requiring public hearings beyond the minimum required by law; providing that the ordinance may include provisions for revocation of a granted accommodation for cause, if the accommodation is not reinstated within a specified timeframe; providing construction; amending s. 397.4871, F.S.; providing that the personnel-to-resident ratio for a certified recovery residence must be met only when the residents are at the residence; providing that a certified recovery residence administrator for Level IV certified recovery residences which maintains a specified personnel-to-patient ratio has a limitation on the number of residents it may manage; providing an

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (15) and (16) are added to section 397.487, Florida Statutes, to read:

397.487 Voluntary certification of recovery residences.—

(15)(a) By January 1, 2026, the governing body of each county or municipality shall adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction. The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence.

(b) At a minimum, the ordinance must:

1. Be consistent with the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq.

2. Establish a written application process for requesting a reasonable accommodation for the establishment of a certified recovery residence, which application must be submitted to the appropriate local government office.

3. Require the local government to date-stamp each application upon receipt. If additional information is required, the local government must notify the applicant in writing within the first 30 days after receipt of the application and allow the applicant at least 30 days to respond.

4. Require the local government to issue a final written determination on the application within 60 days after receipt of

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

a completed application. The determination must:

a. Approve the request in whole or in part, with or without conditions; or

b. Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.

5. Provide that if a final written determination is not issued within 60 days after receipt of a completed application, the request is deemed approved unless the parties agree in writing to a reasonable extension of time.

6. Require that the application include, at a minimum:

a. The name and contact information of the applicant or the applicant's authorized representative;

b. The property address and parcel identification number; and

c. A description of the accommodation requested and the specific regulation or policy from which relief is sought.

(c) The ordinance may establish additional requirements for the review or approval of reasonable accommodation requests for establishing a certified recovery residence, provided such requirements are consistent with federal law and do not conflict with this subsection.

(d) The ordinance may not require public hearings beyond the minimum required by law to grant the requested accommodation.

(e) The ordinance may include provisions for the revocation of a granted accommodation of a certified recovery residence for cause, including, but not limited to, a violation of the conditions of approval or the lapse, revocation, or failure to

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

maintain certification or licensure required under this section, if not reinstated within 180 days.

(f) The ordinance and establishment of a reasonable accommodation process does not relieve the local government from its obligations under the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq. The regulation for which the applicant is seeking a reasonable accommodation must not facially discriminate against or otherwise disparately impact the applicant.

(16) The application of this section does not supersede any current or future declaration or declaration of condominium adopted pursuant to chapter 718; any cooperative document adopted pursuant to chapter 719; or any declaration or declaration of covenant adopted pursuant to chapter 720.

Section 2. Paragraph (c) of subsection (8) of section 397.4871, Florida Statutes, is amended to read:

397.4871 Recovery residence administrator certification.—

(8)

(c) Notwithstanding paragraph (b), a Level IV certified recovery residence operating as community housing as defined in s. 397.311(9), which residence is actively managed by a certified recovery residence administrator approved for 100 residents under this section and is wholly owned or controlled by a licensed service provider, may:

1. Actively manage up to 150 residents so long as the licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8 and maintains onsite supervision at the residence during times when residents are at

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

the residence ~~24 hours a day, 7 days a week,~~ with a personnel-to-resident ratio of 1 to 10.

2. Actively manage up to 300 residents, so long as the licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8 and maintains onsite supervision at the residence during times when residents are at the residence with a personnel-to-resident ratio of 1 to 6.

A certified recovery residence administrator who has been removed by a certified recovery residence due to termination, resignation, or any other reason may not continue to actively manage more than 50 residents for another service provider or certified recovery residence without being approved by the credentialing entity.

Section 3. This act shall take effect July 1, 2025.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Indian Harbour Beach Business Impact Estimate

This estimate shall be posted on the City's website no later than the date the required notice is published in accordance with F.S. 166.041(3)(a).

Proposed ordinance's title/reference:
ORDINANCE NO. 2026 – 08

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA, ESTABLISHING ARTICLE XXVIII, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO REASONABLE ACCOMMODATIONS TO THE CITY'S ZONING CODE; PROVIDING FOR INTENT, AN APPLICATION PROCESS, REVIEW AND AN REVIEW PROCESS; PROVIDING FOR FINDING MADE BY THE CITY MANAGER IN REGARDS TO AN APPLICATION FOR A REASONABLE ACCOMMODATION; PROVIDING FOR THE DURATION OF A REASONABLE ACCOMMODATION AND OTHER GENERAL PROVISIONS; ESTABLISHING ARTICLE XXIX, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY RELATING TO REASONABLE ACCOMMODATIONS AND FOR CERTIFIED RECOVERY RESIDENCES UNDER THE CITY'S LAND DEVELOPMENT CODE; PROVIDING FOR INTENT, AN APPLICATION PROCESS, REVIEW AND AN REVIEW PROCESS; PROVIDING FOR FINDING MADE BY THE CITY MANAGER IN REGARDS TO AN APPLICATION FOR A REASONABLE ACCOMMODATION; PROVIDING FOR THE DURATION OF A REASONABLE ACCOMMODATION AND OTHER GENERAL PROVISIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, INCORPORATION AND AN EFFECTIVE DATE.

In accordance with F.S. 166.041(4)(c) and related to the above proposed ordinance and a requirement for a Business Impact Estimate (select one):

- ☐ No exceptions apply, see Business Impact Estimate below
- ☐ Exception(s) apply, however, the city has completed a Business Impact Estimate below to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance
- ☐ Exception(s) apply and a Business Impact Estimate is not required

Mark any exceptions (select all that apply, or none):

- ☒ Ordinance is required for compliance with federal or state law or regulation
- ☐ Ordinance relates to the issuance or refinancing of debt
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- ☐ Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the city

Indian Harbour Beach Business Impact Estimate

- ☐ Ordinance is an emergency ordinance
- ☐ Ordinance relates to procurement
- ☐ Ordinance enacted to implement:
  a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
  c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
  d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare of the city):

Response: The proposed amendment implements the requirements of Senate Bill 954, requiring certain local governments to provide for adopt language that allows a process for reasonable accommodation, including for certified recovery residences.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the city, including the following, if any:
a. An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
b. Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and
c. An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Response: No direct economic impacts to private, for-profit businesses are anticipated.

3. Good faith estimate of the number of businesses in the city likely to be impacted by the proposed ordinance:

Response: None.

7. Additional information the city determines may be useful:

Response: This proposed ordinance does not impose costs on for-profit businesses in the city.

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

Fourth Amendment to the Brevard County stormwater education and outreach interlocal agreement (action item)

Cost: N/A

Attachments: Amendment 4 IHB

Staff Recommendation:

Consider authorizing the City Manager to execute the interlocal agreement amendment on behalf of the City, allowing the City of Satellite Beach to rejoin the program.

Background Information:

On November 1, 2011, Brevard County, the City of Indian Harbour Beach, and other Brevard County municipalities entered into an interlocal agreement for the funding and provision of stormwater education and outreach efforts in each city. Previous amendments have addressed program elements and the fees municipalities pay for those services.

Three amendments have previously been approved by all signatories to the agreement. The proposed fourth amendment will permit the City of Satellite Beach to rejoin the program.

Therefore, staff recommends that the City Council authorize the City Manager to execute the interlocal agreement amendment on behalf of the City.

FOURTH AMENDMENT TO EXISTING INTERLOCAL AGREEMENT FOR STORMWATER EDUCATION AND OUTREACH

THIS AMENDMENT is made and entered into on the date of the last signature below by and between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA (hereinafter referred as "County"), the CITY OF CAPE CANAVERAL ("Cape Canaveral"), the CITY OF COCOA ("Cocoa"), the CITY OF COCOA BEACH ("Cocoa Beach"), the TOWN of GRANT-VALKARIA ("Grant-Valkaria"), the CITY OF INDIAN HARBOUR BEACH ("Indian Harbour Beach"), the TOWN OF MALABAR ("Malabar"), the CITY OF SATELLITE BEACH ("Satellite Beach"), and the CITY OF WEST MELBOURNE ("West Melbourne") (Collectively the "Municipalities").

WITNESSETH:

WHEREAS, the parties hereto previously entered into an Interlocal Agreement on November 1st, 2011("Agreement") for stormwater education and public outreach and the Agreement was subsequently amended on December 11, 2012, October 10, 2017, and November 28, 2023; and

WHEREAS, the parties hereto desire to amend the terms of said Agreement to include the City of Satellite Beach.

NOW THEREFORE, in consideration of the premises and covenants herein contained, it is mutually agreed between the parties as follows:

1. The City of Satellite Beach re-joins the Interlocal Agreement for Stormwater Education and Outreach under the terms outlined on Exhibit A.
2. All terms and conditions of the previous Agreement and Amendments, which are incorporated herein by this reference, not inconsistent with the provisions of this Fourth Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals on the date of the last signature below.

ATTEST:

Rachel M. Sadoff, Clerk

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA

By: _____
Thadd Altman, Chair

Date: _____

(As approved by Board on: _____, 2026)

Reviewed for legal form and content
for Brevard County, Florida:

Heather A. Balser, Assistant County Attorney

ATTEST:

_____

CITY OF INDIAN HABOUR BEACH

_____

, City Manager

As Approved by the City Council on _____

Exhibit A

Stormwater Pollution Prevention Outreach Scope of Work

City of Satellite Beach | FY27

Brevard County will work to develop stormwater pollution prevention outreach/ education & marketing programs that meet the goals of the County and the City of Satellite Beach to engage the community in efforts that improve the health of the Indian River Lagoon. The County will invoice the City of Satellite Beach in the amount of $4,618.35 for services to be rendered on 24 weighted points.

The work is described as follows:

Youth Education Activities

- Presentations and hands-on activities with school aged children, grades pre-k through high school, at local schools, home-school groups, and summer camps. This includes in-person, live virtual, and pre-recorded presentations.
- Educational classes, story times and workshops at local libraries, community parks, community centers, museums and/or the planetarium.

Adult Education Activities

- Presentations to adult audiences including civic groups.
- Presentations to property managers, real estate professionals, homeowner/condominium association boards, developers, and businesses.
- Community forums or workshops.

Special Event Activities

- Participating in a variety of fairs, festivals, or other locally sponsored events.
- Posting of events and creation of announcements to be posted on various social media outlets.
- Integrating outreach communications with diverse media types (including but not limited to traditional, non-traditional, mobile and online).

Deliverables to be completed by September 30, 2027

	Youth Activities	Adult Activities	Special Events	Citizen Engagement
Satellite Beach	0	2	2	0
	0	8	**16**	**0**

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

210 Timpoochee Drive lien forgiveness request (action item)

Cost: N/A

Attachments: Letter Request Reduction_210 Timpoochee Dr_260421
hard costs detail

Staff Recommendation:

Consider forgiving liens on 210 Timpoochee Drive upon payment of $2,135.51 in hard costs and contingent upon closing on the purchase of the property.

Background Information:

Since 2017, there have been three code enforcement cases for tall grass taken to a special magistrate hearing (2017, 2019, and 2020) for 210 Timpoochee Drive. Each time the City won the case, daily fines were levied upon the property along with the City's hard costs. The current payoff of the three cases is approximately $1,055,083.55.

Problematic is that once the property was brought into compliance (i.e., tall grass cut), the liens should have stopped accruing. However, for unknown reasons, staff did not cease the accrual of the daily fines.

A summary of the liens owed per case are included in Mr. Liu's letter as attached. Additionally, a detailed breakdown of the City's hard costs is attached.

Per the attached letter, Mr. John Liu has a contract to purchase the property. He is requesting a reduction in the liens to afford him the opportunity to renovate the home so he and his wife can move into it.

As the purpose of code enforcement is compliance and upholding neighboring property values, not revenue generation, staff recommends that the City Council release all liens except $ 2,135.51 in hard costs, subject to a successful closing on the purchase of the property.

John Liu

2290 Avocado Ave., Ste. 8, Melbourne, FL 32935
M: 727-580-5495 Email: john@goliu.com

April 21, 2026

Nikki Gold
City Clerk
City of Indian Harbour Beach
2055 South Patrick Drive
Indian Harbour Beach, FL 32937

Re: Code Enforcement liens reduction request for 210 Timpoochee Dr.

Dear Nikki:

I, along with my wife, Gail Tanner, have entered into an "AS IS" FARBAR Contract to purchase the above-referenced single-family residence from the owner, Charles E. Hearnshaw III.

As the buyer, and as a follow-up to my appearance at the most recent City Council meeting, I respectfully am requesting a reduction in the payoff amount of all code enforcement liens encumbering the home. To the best of my knowledge, based wholly on documents recorded in the Brevard County Official Records, the breakdown as of today's date is approximately as follows:

Case No.	Daily Fine	Start Date	# of Days thru Today	Daily Fine Total	Hard Costs (Face Value)	Total Payoff
2017-10	$25.00	02/08/2018	2,959	$74,850.00	$13.18	$73,988.18
2019-29	$200.00	08/14/2019	2,443	$488,400.00	$83.60	$488,683.60
2020-32	$250.00	11/30/2020	1,969	$492,000.00	$161.77	$492,411.77
Total Payoff (Estimated)						$1,055,083.55

Naturally, the actual values, particularly the City's hard costs, may be different than what is estimated in the table above.

The basis of the request is the economic hardship the liens create, especially in light of the present physical condition of the home.

I am asking the City to please consider approving one of the following *alternative* remedies:

- Reducing the lien to the City's actual hard costs without any conditions.
- Reducing the lien to hard costs subject to a successful closing.
- Reducing the lien to hard costs contingent on the property first being brought into compliance and contingent on closing.
- Such other remedy the City deems appropriate.

Please note that:

- My wife and I intend for the home to be owner-occupied by us and serve as our primary homestead.
- All repairs and improvements will be permitted.
- I will agree to not lease the property on a short-term basis for a period of five years (i.e., no Airbnb).

As such, I please request that I be added to the next City Council meeting so that my request can be heard. Thank you for your time and consideration.

Respectfully submitted,



John Liu

210 Timpoochee Dr hard cost breakdown

Case #	***Date***	***Description***	***Cost***
	6/17/2015	Mowing	25.00
	7/18/2016	Lien Recording Fee & Certified Mailing Fee	32.96
2017-10	2/8/2018	Magistrate Fee	13.18
2017-10		City Attorney Fees	192.00
2017-10		Special Magistrate Judge Fees	175.00
2019-29	8/8/2019	Postage & Certified Mailing Fees/Magistrate Fees	83.60
2019-29		City Attorney Fees	160.00
2019-29		Special Magistrate Judge Fees	175.00
2020-32	11/18/2020	Postage & Certified Mailing Fees/Magistrate Fees & Code/Admin Labor	161.77
2020-32		City Attorney Fees	192.00
2020-32		Special Magistrate Judge Fees	175.00
lien reduction request legal fees			750.00
		GRAND TOTAL	**$ 2,135.51**

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

Algonquin Sports Complex pedestrian and bicyclist access update (consensus)

Cost: $80,373 estimated construction costs plus easement acquisition

Attachments:
NE Connector proposed site plan
NE Connector estimated cost
NW Connector proposed site plan
NW Connector estimated cost

Staff Recommendation:

Consider reviewing proposed pedestrian and bicyclist access paths at the northeast and northwest corners of Algonquin Sports Complex and provide direction to staff regarding whether to proceed with the projects.

Background Information:

In 2025, the City Council added a capital improvement project to provide pedestrian and bicyclist access to the northeast corner of the Algonquin Sports Complex from Verbenia Drive in Satellite Beach. As part of the FY26 Budget preparation process, staff proposed a similar project for the northwest corner of Algonquin Sports Complex from Wimico Drive in Satellite Beach. Both of these projects would improve sidewalk connectivity in the City and remove pedestrians and bicyclists from Wimico Drive, which lacks sidewalks. The budget to estimated cost per project is listed below:

	NE Connector	NW Connector
Budget	30,350	55,000
Design costs*	11,300	22,050
Est. construction costs	33,079	47,294
easement cost	-	TBD
Total costs**	44,379	69,344
Cost over Budget**	14,029	14,344

* includes survey costs

** excludes easement acquisition costs

The reader should note the following:

- NE access has four switchbacks due to
    - ADA requirements
    - Elevation difference from the end of the planned multi-purpose pathway being constructed by the expansion project contractor and the road surface
    - Confined area between the canal bank and utility structure
- NW access would be built primarily on City of Satellite Beach property, necessitating an interlocal agreement between the two cities
- NW access requires the City to obtain an easement from the adjacent property owners (staff has not yet approached them to see if they are interested, and if the staff can negotiate acceptable terms)

Staff requests direction from the City Council regarding whether they desire staff to proceed with the projects.



LEGEND

(EXISTING)

= PROPERTY LINE

(PROPOSED)

= PROPERTY LINE

= STANDARD DUTY CONCRETE

NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY OF PORT ST. LUCIE REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, CANOPIES, APRONS, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
3. ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOPSOIL. CONTRACTOR SHALL APPLY STABILIZATION FABRIC TO ALL SLOPES 1V:3H OR STEEPER. CONTRACTOR SHALL GRASS DISTURBED AREAS IN ACCORDANCE WITH CITY SPECIFICATIONS UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.
4. ALL ISLANDS WITH CURB & GUTTER SHALL BE LANDSCAPED.
5. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
7. SITE BOUNDARY, TOPOGRAPHIC, UTILITY AND ROAD INFORMATION WERE TAKEN FROM A SURVEY PREPARED BY BOWMAN.
8. REFER TO ARCHITECTURAL PLANS FOR SITE LIGHTING AND ELECTRICAL PLANS.
9. ALL SIDEWALKS AND ADA ACCESSIBLE AREAS SHALL HAVE A MAXIMUM RUNNING SLOPE OF 1V:20H & A MAXIMUM CROSS SLOPE OF 1V:50H.
10. ALL CURB RAMPS TO HAVE DETECTABLE WARNINGS & BE CONSTRUCTED PER LATEST EDITIONS OF FDOT STANDARDS PLANS FOR ROAD CONSTRUCTION, INDEX 522-002, FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, SECTION 527 & PER ADA REQUIREMENTS.
11. F.I.R.M. NO. 12085C0310G, EFFECTIVE DATE MARCH 16, 2015 INDICATES THE SITE IS LOCATED IN ZONE X.
12. ALL STRIPING TO BE HIGH SLIP-RESISTANT FINISH TO PREVENT SLIPPING IN WET & DRY CONDITIONS.
13. ALL STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF FDOT STANDARD PLANS FOR ROAD CONSTRUCTION, INDEX# 711-001, FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION SECTION 711 "THERMO PLASTIC PAVEMENT MARKINGS". INSTALL RETRO-REFLECTIVE PAVEMENT MARKINGS (RPM'S).
14. ALL STRIPING SHALL BE INSTALLED AFTER NEW PAVEMENT.

GRAPHIC SCALE

0 10 20

1" = 10'

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NOTE:
ALL ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD).

Cad file name: V:\011308 – city of ihb\011308-01-004 (eng) – algonquin sidewalk\engineering\CAD_plans (dwg)\011308-01-004 – PGD.dwg 04/22/26

Bowman

PROFESSIONAL SURVEYORS AND MAPPERS: CERTIFICATE NO. LB 8029
BOARD OF PROFESSIONAL ENGINEERS: CERTIFICATE OF AUTHORIZATION NO. 30462

Bowman Consulting Group, Ltd., Inc.
301 SE Ocean Blvd. Suite 301
Stuart, Florida 34994
Phone: (772) 283-1413
Fax: (772) 220-7851
www.bowman.com
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ALGONQUIN SPORTS COMPLEX SIDEWALK EXTENSION

CITY OF INDIAN HARBOUR BEACH
GRADING PLAN

BREVARD COUNTY FLORIDA

PROJECT NO
011308-01-004

OCTAVIO 'OATS' REIS, P.E.
FL. LICENSE NO. 65661

PLAN STATUS	
00/00/00	PLAN REVISIONS
DATE	DESCRIPTION

OR	RO	GMB
DESIGN	DRAWN	CHKD

SCALE: 1" = 100'
JOB No. 000000
DATE: 2026/04/21
FILE No. 011308-01-004 - PGD

SHEET C3

301 SE Ocean Blvd, Suite 301
Stuart, FL 34994
(772) 283-1413

ENGINEER'S OPINION OF PROBABLE COSTS

Project Name: Algonquin Sidewalk
Bowman Project No.: 011308-01-004

Date: April 28, 2026
Prepared by: MM

Item#	Description	Quantity	Unit	Unit Price	Total
	DEMOLITION				
1	Removal of Existing Concrete	5	SY	$ 38.64	$ 193.20
				SUBTOTAL:	**$ 193.20**
	GENERAL CONDITIONS				
1	Earthwork (Minor Cut and Fill)	1	LS	$ 3,500.00	$ 3,500.00
2	Concrete Sidewalk, 4" Thick	123	SY	$ 69.26	$ 8,518.98
3	Concrete Curb	15	LF	$ 42.39	$ 635.85
4	Detectable Warning	15	SF	$ 38.14	$ 572.10
5	Pipe Handrail - Guiderail, Aluminum	266	LF	$ 60.58	$ 16,114.28
				SUBTOTAL:	**$ 29,341.21**
				TOTAL:	**$ 29,534.41**
				12% Contingency:	**$ 3,544.13**
				GRAND TOTAL:	***$ 33,078.54***

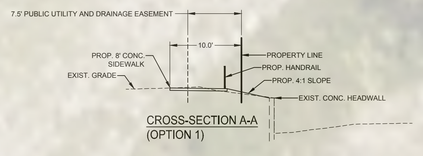
301 SE Ocean Blvd, Suite 301
Stuart, FL 34994
(772) 283-1413

ENGINEER'S OPINION OF PROBABLE COSTS

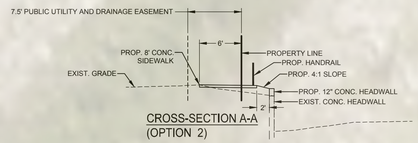
Project Name: Algonquin Sidewalk
Bowman Project No.: 011308-01-004

Date: April 28, 2026
Prepared by: MM

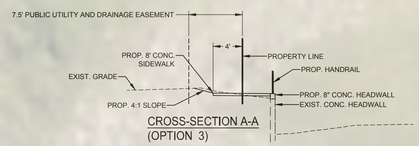
Item#	Description	Quantity	Unit	Unit Price	Total



CROSS-SECTION A-A
(OPTION 1)



CROSS-SECTION A-A
(OPTION 2)



CROSS-SECTION A-A
(OPTION 3)

EXIST. CONC. POWER POLE

EXIST. CONC. SIDEWALK

EXIST. 8' CONC. SIDEWALK

PARCEL ID: 27-37-02-00-751
INSTRUMENT # 2016246277
OWNER: CITY OF SATELLITE BEACH

LOT 1,
VILLA DEL MAR SECTIO
P.B. 18, PG. 103

BOUNDARY LINES ARE APPROXIMATE

EXIST. 8' ASPHALT SIDEWALK

PROP. 8' CONC. SIDEWALK

FOUND 5/8" IRON ROD AND CAP
STAMPED "KSI LB 7638"

EXIST. PINE TREE

PUBLIC LIBRARY SIGN

SET MAG NAIL AND DISK
STAMPED "BOWMAN LB 8030 TRAV"
N. = 1390177.41'
E. = 786511.93'
EL. = 5.17'

MITERED END SECTION
15X24 RCP INV. = 2.13'

MITERED END SECTION
15X24 RCP INV. = 2.50'

EXIST. ABANDONED WOOD POLE (TO BE REMOVED)

REMOVE MIT. END SECTION & CONNECT TO EXIST. 14"X23" RCP W/ NEW 4'Ø STORM MANHOLE

EXIST. CONC. POWER POLE (TO BE REMAIN)

PROP. 8' CONC. SIDEWALK

STORM WATER MANHOLE
RIM EL. = 4.47'
BTM. EL. = -1.64'
UNABLE DETERMINE INVERT
ELEVATIONS DUE TO PIPE OFFSETS

24" HDPE

36 X 48 RCP

GRASS

ASPHALT

CONCRETE

BUILDING

FOUND 5/8" IRON ROD AND CAP
STAMPED "ALLEN ENG LB 266"
N. = 1390186.26'
E. = 786702.45'
EL. = 2.96'

EXIST. CONC. POWER POLE

6' WOOD FENCE

PROP. 4'Ø STORM MANHOLE

PROP. 18" HDPE

GRASS

CONCRETE HEAD WALL
INV = -1.10'

BOTTOM OF BANK

BOTTOM OF BAN

TOP OF B

CONCRETE SLAB WITH WATER VALVE

CONNECT TO EXIST. ASPHALT PARKING

6' WOOD FENCE

GRAPHIC SCALE
0 10 20
1" = 10'

811 KNOW WHAT'S BELOW ALWAYS CALL 811 BEFORE YOU DIG
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www.callsunshine.com

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING GROUP, LTD. SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING GROUP, LTD.

NOTE:
ALL ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD).

Cad file name: \\EgnyteDrive\SHARED_PROJECTS\011308 - City of IHB\011308-01-005 (ENG) - ASC Sidewalk\Engineering\CAD_Plans (dwg)\011308-01-005 - SIT.dwg 04/15/26

Bowman

PROFESSIONAL SURVEYORS AND MAPPERS, CERTIFICATE NO. LB. 8030
BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NO. 30462

Bowman Consulting Group, Ltd., Inc.
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Stuart, Florida 34994
Phone: (772) 283-1413
Fax: (772) 220-7861
www.bowman.com
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ASC SIDEWALK EXTENSION
CITY OF INDIAN HARBOUR BEACH
SITE PLAN
BREVARD COUNTY
FLORIDA

PROJECT NO
011308-01-004

OCTAVIO 'OATS' REIS, P.E.
FL. LICENSE NO. 65661

PLAN STATUS

00/00/00	PLAN REVISIONS
DATE	DESCRIPTION

OR	RO	GMB
DESIGN	DRAWN	CHKD

SCALE: 1" = 100'
JOB No. 000000
DATE: 2026/02/11
FILE No. 011308-01-005 - SIT
SHEET SP1

Bowman

301 SE Ocean Blvd, Suite 301
Stuart, FL 34994
(772) 283-1413

ENGINEER'S OPINION OF PROBABLE COSTS

Project Name: ASC Parking Lot Sidewalk Option #1
Bowman Project No.: 011308-01-005

Date: April 17, 2026
Prepared by: MM

Item#	Description	Quantity	Unit	Unit Price	Total
	DEMOLITION				
1	Tree Removal	13	EA	$ 300.00	$ 3,900.00
2	Removal of Existing Concrete (Mitered End)	5	SY	$ 38.64	$ 193.20
3	Existing Wood Pole Removal	1	EA	$ 1,500.00	$ 1,500.00
				SUBTOTAL:	**$ 5,593.20**
	GENERAL CONDITIONS				
1	Earthwork (Cut and Fill)	1	LS	$ 3,500.00	$ 3,500.00
2	Concrete Sidewalk, 4" Thick	198	SY	$ 69.26	$ 13,713.48
3	18" HDPE Stormwater Pipe	104	LF	$ 55.75	$ 5,798.00
4	4' Storm Manhole	2	EA	$ 5,000.00	$ 10,000.00
5	12" Crosswalk Stripping, Thermoplastic Standard White	69	LF	$ 4.12	$ 284.28
6	Pedestrian Crossin Sign	2	EA	$ 300.00	$ 600.00
7	Pipe Handrail - Guiderail, Aluminum	45	LF	$ 60.85	$ 2,738.25
				SUBTOTAL:	**$ 36,634.01**
				TOTAL:	**$ 42,227.21**
				12% Contingency:	**$ 5,067.27**
				GRAND TOTAL:	***$ 47,294.48***

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

Development of a policy regarding Council Member participation at advisory board meetings (discussion item)

Cost: N/A

Attachments: None

Staff Recommendation:

Consider discussing the merits of developing a policy on Council Member participation at advisory board meetings, as requested by Deputy Mayor Dyer and as directed to staff.

Background Information:

Deputy Mayor Dyer requested that this item be placed on the agenda for consideration.

While Council Members retain their First Amendment rights to attend and speak as residents, many residents, advisory board members and staff will view them through the lens of their official title and not necessarily differentiate between elected official and private citizen at different times and events.

Staff requests that the City Council discuss the merits of the possible development of a

policy to help govern their actions in City advisory board meetings and workshops.

CITY COUNCIL
City of Indian Harbour Beach, Florida
Tuesday, May 12, 2026

AGENDA ITEM

City Manager's annual evaluation (action item)

Cost: TBD

Attachments:
2026 City Manager Evaluation totals
Nickle evaluation
Dyer evaluation
Ruimy evaluation
Nutt evaluation
Yorio evaluation

Staff Recommendation:

Consider reviewing the evaluation aggregate summary result and, by motion, accept the results.

Background Information:

City Manager Coffey started his employment with the City on May 16, 2022.

Per Section 9 (Performance Evaluation) of the City Manager's Employment Agreement:

Council shall review and evaluate the performance of the employee at least annually. Said review and evaluation shall be in accordance with specified criteria developed

jointly by the Employer and Employee. Said criteria may be added to or deleted from as the Council may from time to time determine in consultation with the Employee. Further, the Employer shall provide the Employee with a summary written statement of the findings of the Council and provide adequate opportunity for the Employee to discuss his/her evaluation with the Council. The evaluation shall be used for deliberations and determinations for salary and benefit increases.

Annually, the Council and Employee shall define such goals and performance objectives that they determine necessary for the proper operation of the City and in the attainment of the Council's policies and objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations provided."

A summary of the individual rankings by the Mayor and Council Members is attached.

Mr. Coffey's 2026 aggregate ranking is **4.77 out of 5.00 or 95.40%.** Individual rankings ranged from 4.18 (83.60%) to 5.00 (100.00%).

Of note, all other eligible employees received a 4.00% increase (1.00% COLA and 3.00% step/progression increase) effective October 1, 2025. Additionally, most department directors received one-time increases as a result of the 2024 salary survey findings and Council direction to correct pay deficiencies. A summary of the department directors' increases and an updated Brevard County City Manager's salary survey will be provided to the City Council separately.

City Manager John W. Coffey's Performance Evaluation Summary 2025-2026

Performance Categories		CATEGORY SCORE	Council Member Scores				
			Seat #1 - Dyer	Seat #2 - Nutt	Seat #3 - Ruimy	Seat #4 - Yorio	Seat #5 - Nickle
1	Individual Characteristics	4.78	4.00	5.00	4.90	5.00	5.00
2	Professional Skills and Status	4.84	4.20	5.00	5.00	5.00	5.00
3	Relations w/ Elected Members of the Governing Body	4.76	4.00	5.00	5.00	4.80	5.00
4	Policy Execution	4.72	4.00	5.00	5.00	4.60	5.00
5	Reporting	4.80	4.20	5.00	5.00	4.80	5.00
6	Citizen Relations	4.84	4.20	5.00	5.00	5.00	5.00
7	Staffing	4.67	4.00	5.00	5.00		
8	Supervision	4.50	4.00		5.00		
9	Fiscal Management	4.92	4.60	5.00	5.00	5.00	5.00
10	Community	4.92	4.60	5.00	5.00	5.00	5.00
	Total	**4.77**	**4.18**	**5.00**	**4.99**	**4.90**	**5.00**
		95.40%	83.60%	100.00%	99.80%	98.00%	100.00%

City Manager Performance Evaluation

Evaluation Period: May 16, 2025 – May 16, 2026

Gov Scott Nickle
Dat
Dat 5/4/2026
5/4/2026

Part 1: Rating Evaluation

Criteria	Score
Individual Characteristics	
Diligent and thorough in the discharge of duties "self starter"	5.00
Exercises good judgment	
Displays enthusiasm, cooperation, and will to adapt	5.00
Mental & physical stamina appropriate for the position	5.00
Exhibits composure, appearance, & attitude appropriate for executive position	5.00
Category Score:	5.00
Comments:	
Professional Skills	
Maintains knowledge of current developments affecting the practice of local government management	5.00
Demonstrates a capacity for innovation and creativity	5.00
Anticipates & analyzes problems to develop effective approaches for solving them	5.00
Willingness to try new ideas proposed by governing body members and/or staff	5.00
Sets a professional example by handling affairs of the public office in a fair & impartial manner	5.00
Category Score:	5.00
Comments:	
Governing Body Relations	
Carries out directives of the body as a whole as opposed to those of any one member or minority group	5.00
Sets meeting agendas that reflect the guidance of the governing body & avoids unnecessary involvement in administrative actions	5.00
Disseminates complete & accurate information equally to all members in a timely manner	5.00

Assists by facilitating decision-making without usurping authority	5.00
Responds well to requests, advice, and constructive criticism	5.00

Category Score: 5.00

Comments:

Policy Execution

Implements governing body actions in accordance with the intent of Council	5.00
Supports the actions of the governing body after a decision has been reached, both inside & outside the organization	5.00
Understands, supports, & enforces local government's laws, policies, & ordinances	5.00
Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness	5.00
Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical	5.00

Category Score: 5.00

Comments:

Reporting

Provides regular reports & information to the governing body concerning matters of importance to the local government, using the City Charter as a guide	5.00
Responds in a timely manner to requests from the governing body for special reports	5.00
Takes initiative to provide information, advice & recommendations to the governing body on matters that are non-routine & not administrative in nature	5.00
Reports produced by the City Manager are accurate, comprehensive, concise & written to their intended audience	5.00
Produces & handles reports in a way to convey the message that affairs of the city are open to public scrutiny	5.00

Category Score: 5.00

Comments:

Citizen Relations

Responsive to requests from citizens	5.00
Demonstrates a dedication to service to the community and its citizens	5.00
Maintains a nonpartisan approach in dealing with the news media	5.00
Meets with and listens to members of the community to discuss their concerns & strives to understand their interests	5.00
Gives an appropriate effort to maintain citizen satisfaction with city services	5.00

Category Score: 5.00

Comments:

Staffing

Recruits and retains competent personnel for staff positions	
Applies an appropriate level of supervision to improve any areas of substandard performance	
Stays accurately informed & appropriately concerned about employee relations	
Professionally manages the compensation and benefits plan	
Promotes development & training opportunities for employees at all levels of the organization	

Category Score: #DIV/0!

Comments:

Supervision

Encourages heads of departments to make decisions within their jurisdictions with minimal City Manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff	
Instills confidence & promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level	
Develops & maintains a friendly & informal relationship with the staff & work force in general, yet maintains the professional dignity of the City Manager's office	
Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals & objectives for them, periodically assessing their progress, and providing appropriate feedback	
Encourages teamwork, innovation, & effective problem-solving among the staff members	

Category Score: #DIV/0!

Comments:

Fiscal Management

Prepares a balanced budget to provide services at a level directed by the Council	5.00
Makes the best possible use of available funds, conscious of the need to operate the local government efficiently & effectively	5.00
Prepares a budget and budgetary recommendations in an intelligent & accessible format	5.00
Ensures actions and decisions reflect an appropriate level of responsibility for financial planning & accountability	5.00
Appropriately monitors & manages fiscal activities of the organization	5.00

Category Score:

Comments:

Community

Shares responsibility for addressing the difficult issues facing the city	5.00
Avoids unnecessary controversy	5.00
Cooperates with neighboring communities & the county	5.00
Helps the Council address future needs & develop adequate plans to address long-term trends	5.00
Cooperates with other regional, state & federal government agencies	5.00

Category Score: 5.00

Comments:

City Manager Evaluation May 16, 2025 to May 16, 2026

Part 2 - Narrative Evaluation

Governing Body Member's Name:

	Question	***Answer***
1	What would you identify as the City Manager's strength(s), expressed in terms of the principal results achieved during the rating period?	John has done a very good job keeping City Council well informed regarding issues and situations that arise. He is very good with the financial side of City Management, keeping within budget and City Manger contigency limits, and maintaining our debt-free status.
2	What performance area(s) would you identify as most critical for improvement?	Not a suggested improvement per se, but just continue continuous, clear communication with Council to keep them thoroughly informed.
3	What constructive suggestions or assistance can you offer the City Manager to enhance performance?	
4	What other comments do you have for the City Manager; ex: Priorities, expectations, goals or objectives for the new rating period?	Continue to be transparent with residents regarding issues affecting the community. Focus on being prepared to pivot with budget priorities should state legislation dictate potential adverse revenue changes. Continue to pursue all appropriate grants for projects important to the City.

City Manager Performance Evaluation

Evaluation Period: May 16, 2025 – May 16, 2026

Governing Body Member Name: Adam Dyer
Date Completed: 05/05/26
Date Submitted: 05/06/26

Part 1: Rating Evaluation

Criteria	Score
Individual Characteristics	
Diligent and thorough in the discharge of duties "self starter"	4.00
Exercises good judgment	4.00
Displays enthusiasm, cooperation, and will to adapt	4.00
Mental & physical stamina appropriate for the position	4.00
Exhibits composure, appearance, & attitude appropriate for executive position	4.00
Category Score:	4.00

Comments:

Professional Skills	
Maintains knowledge of current developments affecting the practice of local government management	5.00
Demonstrates a capacity for innovation and creativity	4.00
Anticipates & analyzes problems to develop effective approaches for solving them	4.00
Willingness to try new ideas proposed by governing body members and/or staff	4.00
Sets a professional example by handling affairs of the public office in a fair & impartial manner	4.00
Category Score:	4.20

Comments:

Governing Body Relations	
Carries out directives of the body as a whole as opposed to those of any one member or minority group	4.00
Sets meeting agendas that reflect the guidance of the governing body & avoids unnecessary involvement in administrative actions	4.00
Disseminates complete & accurate information equally to all members in a timely manner	4.00

Assists by facilitating decision-making without usurping authority	4.00
Responds well to requests, advice, and constructive criticism	4.00

Category Score: 4.00

Comments:

Policy Execution

Implements governing body actions in accordance with the intent of Council	4.00
Supports the actions of the governing body after a decision has been reached, both inside & outside the organization	4.00
Understands, supports, & enforces local government's laws, policies, & ordinances	4.00
Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness	4.00
Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical	4.00

Category Score: 4.00

Comments:

Reporting

Provides regular reports & information to the governing body concerning matters of importance to the local government, using the City Charter as a guide	4.00
Responds in a timely manner to requests from the governing body for special reports	5.00
Takes initiative to provide information, advice & recommendations to the governing body on matters that are non-routine & not administrative in nature	4.00
Reports produced by the City Manager are accurate, comprehensive, concise & written to their intended audience	4.00
Produces & handles reports in a way to convey the message that affairs of the city are open to public scrutiny	4.00

Category Score: 4.20

Comments:

Citizen Relations

Responsive to requests from citizens	5.00
Demonstrates a dedication to service to the community and its citizens	4.00
Maintains a nonpartisan approach in dealing with the news media	4.00
Meets with and listens to members of the community to discuss their concerns & strives to understand their interests	4.00
Gives an appropriate effort to maintain citizen satisfaction with city services	4.00

Category Score: 4.20

Comments:

Staffing

Recruits and retains competent personnel for staff positions	4.00
Applies an appropriate level of supervision to improve any areas of substandard performance	4.00
Stays accurately informed & appropriately concerned about employee relations	4.00
Professionally manages the compensation and benefits plan	4.00
Promotes development & training opportunities for employees at all levels of the organization	4.00

Category Score: 4.00

Comments:

Supervision

Encourages heads of departments to make decisions within their jurisdictions with minimal City Manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff	4.00
Instills confidence & promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level	4.00
Develops & maintains a friendly & informal relationship with the staff & work force in general, yet maintains the professional dignity of the City Manager's office	4.00
Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals & objectives for them, periodically assessing their progress, and providing appropriate feedback	4.00
Encourages teamwork, innovation, & effective problem-solving among the staff members	4.00

Category Score: 4.00

Comments:

Fiscal Management

Prepares a balanced budget to provide services at a level directed by the Council	4.00
Makes the best possible use of available funds, conscious of the need to operate the local government efficiently & effectively	5.00
Prepares a budget and budgetary recommendations in an intelligent & accessible format	5.00
Ensures actions and decisions reflect an appropriate level of responsibility for financial planning & accountability	5.00
Appropriately monitors & manages fiscal activities of the organization	4.00
Category Score:	4.60

Comments:

Community

Shares responsibility for addressing the difficult issues facing the city	4.00
Avoids unnecessary controversy	5.00
Cooperates with neighboring communities & the county	4.00
Helps the Council address future needs & develop adequate plans to address long-term trends	5.00
Cooperates with other regional, state & federal government agencies	4.00
Category Score:	4.40

Comments:

From: Adam Dyer
To: Nikki Gold
Subject: Re: City Manager Evaluation - Due May 5, 2026
Date: Tuesday, May 5, 2026 10:08:23 PM
Attachments: image001.png

Responses to Part 2 of City managers Evaluation

1. John Coffey excels in fiscal management and grant acquisition, securing millions in infrastructure funding while maintaining strong city finances. He provides steady, professional leadership and ensures responsive, high quality city services for Indian Harbour Beach residents.
2. Enhancing proactive communication and community engagement on major projects.
3. Increase use of regular updates, social media, newsletters and public forums. The council supports additional resources or tools for outreach.
4. Thank you for your dedication and leadership John. Priorities ahead: advance key infrastructure and resilience projects, maintain fiscal responsibility, support public safety and the new fire department direction, and continue to preserve our coastal character.

I will be by in the morning with the Part 1 responses.

Respectfully

Adam Dyer
Deputy Mayor
Indian Harbour Beach, Fl
Cell: 321-543-9561

From: Nikki Gold <ngold@indianharbourbeach.gov>
Sent: Monday, May 4, 2026 10:02:31 AM
To: Council <council@indianharbourbeach.gov>

Subject: RE: City Manager Evaluation - Due May 5, 2026

Good morning,
This is the final reminder to please turn in the City Manager Evaluations by tomorrow, May 5th. Please note, there are two tabs that need to be completed.

I have attached it again for your reference.
Please let me know if you have any questions.
Thank you!

Nikki Gold
City Clerk/Human Resources Manager

From: Nikki Gold
Sent: Wednesday, April 22, 2026 7:26 AM
To: Council <council@indianharbourbeach.gov>
Subject: FW: City Manager Evaluation - Due May 5, 2026
Importance: High

Good morning Mayor and Council,
This is just a friendly reminder that the City Manager's evaluation forms are due to me by May 5th.
If you have any questions, please let me know.
Thanks.

Nikki Gold
City Clerk/Human Resources Manager

From: Nikki Gold
Sent: Monday, April 6, 2026 3:52 PM
To: Council <council@indianharbourbeach.gov>
Subject: City Manager Evaluation - Due May 5, 2026
Importance: High

Good afternoon, Mayor and Council Members,

Attached is the City Manager Evaluation Form. While it may look a little different, it is the exact questions that were asked last year and agreed upon to use again this year. Also, just so you know, there are two tabs (Part 1 and Part 2). Please make sure you complete both tabs.

Part one is the rating evaluation, where you will rate the City Manager on each criterion on a scale of 1-5, with 5 being the highest. For example, if you feel he deserves more than a 4, but less than a 5, you can enter another number, such as 4.25. If you feel that you are unable to rate him on something, leave the box blank. The system will automatically calculate the average of all answered questions. If you would rather have this form printed out and filled out manually, please let me know, and I will make sure you have it at the next meeting.

Part 2 is the narrative evaluation. There are four questions to answer.

These forms are to be turned in to me no later than May 5th. If you have any questions, please let me know.

Thank you!

Regards,

Nikki Gold
City Clerk/Human Resources Manager
City of Indian Harbour Beach
2055 South Patrick Drive
Indian Harbour Beach, FL 32937
321.773.3181

PLEASE NOTE: EMAILS HAVE CHANGED CITY-WIDE. PLEASE UPDATE YOUR CONTACT INFORMATION WITH THE NEW EMAIL.

City Manager Performance Evaluation

Evaluation Period: May 16, 2025 – May 16, 2026

Governing Body Member Name: Susan Rumy
Date Completed: 4/22
Date Submitted:

Part 1: Rating Evaluation

Criteria	Score
Individual Characteristics	
Diligent and thorough in the discharge of duties "self starter"	5
Exercises good judgment	5
Displays enthusiasm, cooperation, and will to adapt	4.5
Mental & physical stamina appropriate for the position	5
Exhibits composure, appearance, & attitude appropriate for executive position	5
Category Score:	#DIV/0!

Comments:

Sometimes John's enthusiasm is a bit hidden.

Professional Skills	
Maintains knowledge of current developments affecting the practice of local government management	5
Demonstrates a capacity for innovation and creativity	
Anticipates & analyzes problems to develop effective approaches for solving them	5
Willingness to try new ideas proposed by governing body members and/or staff	5
Sets a professional example by handling affairs of the public office in a fair & impartial manner	5
Category Score:	#DIV/0!

Comments:

Governing Body Relations	
Carries out directives of the body as a whole as opposed to those of any one member or minority group	5
Sets meeting agendas that reflect the guidance of the governing body & avoids unnecessary involvement in administrative actions	5
Disseminates complete & accurate information equally to all members in a timely manner	5

Assists by facilitating decision-making without usurping authority	5
Responds well to requests, advice, and constructive criticism	5

Category Score: #DIV/0!

Comments:

John is always open to ideas and is great @ putting forth council ideas.

Policy Execution

Implements governing body actions in accordance with the intent of Council	5
Supports the actions of the governing body after a decision has been reached, both inside & outside the organization	5
Understands, supports, & enforces local government's laws, policies, & ordinances	5
Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness	5
Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical	5

Category Score: #DIV/0!

Comments:

John is excellent at ensuring that Council is compliant ~~and~~ with the law while maintaining order and managing expectations.

Fiscal Management

Prepares a balanced budget to provide services at a level directed by the Council	5
Makes the best possible use of available funds, conscious of the need to operate the local government efficiently & effectively	5
Prepares a budget and budgetary recommendations in an intelligent & accessible format	5
Ensures actions and decisions reflect an appropriate level of responsibility for financial planning & accountability	5
Appropriately monitors & manages fiscal activities of the organization	5

Category Score:

Comments:

Community

Shares responsibility for addressing the difficult issues facing the city	5
Avoids unnecessary controversy	5
Cooperates with neighboring communities & the county	5
Helps the Council address future needs & develop adequate plans to address long-term trends	5
Cooperates with other regional, state & federal government agencies	5

Category Score: #DIV/0!

Comments:

Reporting

Provides regular reports & information to the governing body concerning matters of importance to the local government, using the City Charter as a guide	5
Responds in a timely manner to requests from the governing body for special reports	5
Takes initiative to provide information, advice & recommendations to the governing body on matters that are non-routine & not administrative in nature	5
Reports produced by the City Manager are accurate, comprehensive, concise & written to their intended audience	5
Produces & handles reports in a way to convey the message that affairs of the city are open to public scrutiny	5

Category Score: #DIV/0!

Comments:

John's reports are thorough, accurate and always timely.

Citizen Relations

Responsive to requests from citizens	5
Demonstrates a dedication to service to the community and its citizens	5
Maintains a nonpartisan approach in dealing with the news media	5
Meets with and listens to members of the community to discuss their concerns & strives to understand their interests	5
Gives an appropriate effort to maintain citizen satisfaction with city services	5

Category Score: #DIV/0!

Comments:

No one is more responsive to both big or little concerns from citizens.

Staffing

Recruits and retains competent personnel for staff positions	5
Applies an appropriate level of supervision to improve any areas of substandard performance	5
Stays accurately informed & appropriately concerned about employee relations	5
Professionally manages the compensation and benefits plan	5
Promotes development & training opportunities for employees at all levels of the organization	5

Category Score: #DIV/0!

Comments:

John has brought great people INTO ITB.

Supervision

Encourages heads of departments to make decisions within their jurisdictions with minimal City Manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff	5
Instills confidence & promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level	5
Develops & maintains a friendly & informal relationship with the staff & work force in general, yet maintains the professional dignity of the City Manager's office	5
Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals & objectives for them, periodically assessing their progress, and providing appropriate feedback	5
Encourages teamwork, innovation, & effective problem-solving among the staff members	5

Category Score: #DIV/0!

Comments:

Having witnessed John's interactions with staff - it is clear he is a great and respected leader who maintains solid relationships w staff.

City Manager Evaluation May 16, 2025 to May 16, 2026

Part 2 - Narrative Evaluation

Governing Body Member's Name:

	Question	***Answer***
1	What would you identify as the City Manager's strength(s), expressed in terms of the principal results achieved during the rating period?	John is meticulous, diligent and works tirelessly to improve the city.
2	What performance area(s) would you identify as most critical for improvement?	improve familiarity of social media.
3	What constructive suggestions or assistance can you offer the City Manager to enhance performance?	Open a Facebook/Next Door account for CM of City.
4	What other comments do you have for the City Manager; ex: Priorities, expectations, goals or objectives for the new rating period?	Looking forward to the communications manager further carrying out improved communications with the city.

City Manager Performance Evaluation

Evaluation Period: May 16, 2025 – May 16, 2026

Governing Body Member Name: Nith
Date Completed:
Date Submitted:

Part 1: Rating Evaluation

Criteria	Score
Individual Characteristics	
Diligent and thorough in the discharge of duties "self starter"	5.00
Exercises good judgment	5.00
Displays enthusiasm, cooperation, and will to adapt	5.00
Mental & physical stamina appropriate for the position	5.00
Exhibits composure, appearance, & attitude appropriate for executive position	5.00
Category Score:	5.00

Comments:

Professional Skills	
Maintains knowledge of current developments affecting the practice of local government management	5.00
Demonstrates a capacity for innovation and creativity	5.00
Anticipates & analyzes problems to develop effective approaches for solving them	5.00
Willingness to try new ideas proposed by governing body members and/or staff	5.00
Sets a professional example by handling affairs of the public office in a fair & impartial manner	5.00
Category Score:	5.00

Comments:

Governing Body Relations	
Carries out directives of the body as a whole as opposed to those of any one member or minority group	5.00
Sets meeting agendas that reflect the guidance of the governing body & avoids unnecessary involvement in administrative actions	5.00
Disseminates complete & accurate information equally to all members in a timely manner	5.00

Assists by facilitating decision-making without usurping authority	5.00
Responds well to requests, advice, and constructive criticism	5.00

Category Score: 5.00

Comments:

Policy Execution

Implements governing body actions in accordance with the intent of Council	5.00
Supports the actions of the governing body after a decision has been reached, both inside & outside the organization	5.00
Understands, supports, & enforces local government's laws, policies, & ordinances	5.00
Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness	5.00
Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical	5.00

Category Score: 5.00

Comments:

Reporting

Provides regular reports & information to the governing body concerning matters of importance to the local government, using the City Charter as a guide	5.00
Responds in a timely manner to requests from the governing body for special reports	5.00
Takes initiative to provide information, advice & recommendations to the governing body on matters that are non-routine & not administrative in nature	5.00
Reports produced by the City Manager are accurate, comprehensive, concise & written to their intended audience	5.00
Produces & handles reports in a way to convey the message that affairs of the city are open to public scrutiny	5.00

Category Score: 5.00

Comments:

Citizen Relations

Responsive to requests from citizens	5.00
Demonstrates a dedication to service to the community and its citizens	5.00
Maintains a nonpartisan approach in dealing with the news media	5.00

Meets with and listens to members of the community to discuss their concerns & strives to understand their interests	5.00
Gives an appropriate effort to maintain citizen satisfaction with city services	5.00

Category Score: 5.00

Comments:

The City Manager has always made himself completely available to all citizens.

Staffing

Recruits and retains competent personnel for staff positions	5.00
Applies an appropriate level of supervision to improve any areas of substandard performance	
Stays accurately informed & appropriately concerned about employee relations	
Professionally manages the compensation and benefits plan	5.00
Promotes development & training opportunities for employees at all levels of the organization	

Category Score: 5.00

Comments:

Supervision

Encourages heads of departments to make decisions within their jurisdictions with minimal City Manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff	
Instills confidence & promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level	
Develops & maintains a friendly & informal relationship with the staff & work force in general, yet maintains the professional dignity of the City Manager's office	
Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals & objectives for them, periodically assessing their progress, and providing appropriate feedback	
Encourages teamwork, innovation, & effective problem-solving among the staff members	

Category Score: #DIV/0!

Comments:

Fiscal Management

Prepares a balanced budget to provide services at a level directed by the Council	5.00
Makes the best possible use of available funds, conscious of the need to operate the local government efficiently & effectively	5.00
Prepares a budget and budgetary recommendations in an intelligent & accessible format	5.00
Ensures actions and decisions reflect an appropriate level of responsibility for financial planning & accountability	5.00
Appropriately monitors & manages fiscal activities of the organization	5.00

Category Score:

Comments:

Community

Shares responsibility for addressing the difficult issues facing the city	5.00
Avoids unnecessary controversy	5.00
Cooperates with neighboring communities & the county	5.00
Helps the Council address future needs & develop adequate plans to address long-term trends	5.00
Cooperates with other regional, state & federal government agencies	5.00

Category Score: 5.00

Comments:

City Manager Evaluation May 16, 2025 to May 16, 2026

Part 2 - Narrative Evaluation

Governing Body Member's Name:

	Question	*Answer*
1	What would you identify as the City Manager's strength(s), expressed in terms of the principal results achieved during the rating period?	John's strength's are far reaching from being fiscally responsible with the city's budget to managing the Council's initiatives and priorities.
2	What performance area(s) would you identify as most critical for improvement?	None
3	What constructive suggestions or assistance can you offer the City Manager to enhance performance?	None
4	What other comments do you have for the City Manager; ex: Priorities, expectations, goals or objectives for the new rating period?	The CIty Manager possesses a wealth of information and he has an experienced perspective that makes him an excellent sounding board for reasoning difficult subjects. His dedication to the city, along with his exceptional availability to the Council, is unmatched by others in similar leadership positions.

City Manager Performance Evaluation

City of Indian Harbour Beach

Evaluation period: May 16, 2025 to May 16, 2026

Governing Body Member's Name: DAVID NUTT

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to Nikki Gold, City Clerk. Please return the completed evaluation by the close of business on May 5, 2026. Evaluations will be summarized and included on the agenda for discussion at the May 12th City Council Meeting.

Date Completed: 22 APRIL 2026

Date Submitted: 23 APRIL 2026

City Manager Performance Evaluation

Evaluation Period: May 16, 2025 – May 16, 2026

Governing Body Member Name: Neil Yorio
Date Completed: 4-May-26
Date Submitted: 5-May-26

Part 1: Rating Evaluation

Criteria	Score
Individual Characteristics	
Diligent and thorough in the discharge of duties "self starter"	5.00
Exercises good judgment	5.00
Displays enthusiasm, cooperation, and will to adapt	5.00
Mental & physical stamina appropriate for the position	5.00
Exhibits composure, appearance, & attitude appropriate for executive position	5.00
Category Score:	5.00
Co: City manager provides excellent professionalism in the performance of the role.	
Professional Skills	
Maintains knowledge of current developments affecting the practice of local government management	5.00
Demonstrates a capacity for innovation and creativity	5.00
Anticipates & analyzes problems to develop effective approaches for solving them	5.00
Willingness to try new ideas proposed by governing body members and/or staff	
Sets a professional example by handling affairs of the public office in a fair & impartial manner	5.00
Category Score:	5.00
Co: City manager maintains a very timely and consistent pulse on factors affecting the ability to ma	
Governing Body Relations	
Carries out directives of the body as a whole as opposed to those of any one member or minority group	5.00
Sets meeting agendas that reflect the guidance of the governing body & avoids unnecessary involvement in administrative actions	5.00
Disseminates complete & accurate information equally to all members in a timely manner	4.00

Assists by facilitating decision-making without usurping authority	5.00
Responds well to requests, advice, and constructive criticism	5.00
Category Score:	4.80

Cor This observation likely due to my being new to the council, but there have been a few instance

Policy Execution

Implements governing body actions in accordance with the intent of Council	5.00
Supports the actions of the governing body after a decision has been reached, both inside & outside the organization	5.00
Understands, supports, & enforces local government's laws, policies, & ordinances	5.00
Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness	4.00
Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical	4.00
Category Score:	4.60

Cor Am not aware of the city manager's review of ordinances to offer suggestions for improvement

Reporting

Provides regular reports & information to the governing body concerning matters of importance to the local government, using the City Charter as a guide	5.00
Responds in a timely manner to requests from the governing body for special reports	5.00
Takes initiative to provide information, advice & recommendations to the governing body on matters that are non-routine & not administrative in nature	5.00
Reports produced by the City Manager are accurate, comprehensive, concise & written to their intended audience	4.00
Produces & handles reports in a way to convey the message that affairs of the city are open to public scrutiny	5.00

Category Score: 4.80

Coı A suggestion for improvement in communications - In city manager reports and presentations,

Citizen Relations

Responsive to requests from citizens	5.00
Demonstrates a dedication to service to the community and its citizens	5.00
Maintains a nonpartisan approach in dealing with the news media	5.00
Meets with and listens to members of the community to discuss their concerns & strives to understand their interests	
Gives an appropriate effort to maintain citizen satisfaction with city services	5.00

Category Score: 5.00

Comments:

Staffing

Recruits and retains competent personnel for staff positions	
Applies an appropriate level of supervision to improve any areas of substandard performance	
Stays accurately informed & appropriately concerned about employee relations	
Professionally manages the compensation and benefits plan	
Promotes development & training opportunities for employees at all levels of the organization	

Category Score: #DIV/0!

Coı Am not aware of how the city manager performs in this category, as it's a day-to-day effort that

Supervision

Encourages heads of departments to make decisions within their jurisdictions with minimal City Manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff	
Instills confidence & promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level	
Develops & maintains a friendly & informal relationship with the staff & work force in general, yet maintains the professional dignity of the City Manager's office	
Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals & objectives for them, periodically assessing their progress, and providing appropriate feedback	
Encourages teamwork, innovation, & effective problem-solving among the staff members	

Category Score: #DIV/0!

Coı Am not aware of how the city manager performs in this category, as it's a day-to-day effort that

Fiscal Management

Prepares a balanced budget to provide services at a level directed by the Council	5.00
Makes the best possible use of available funds, conscious of the need to operate the local government efficiently & effectively	5.00
Prepares a budget and budgetary recommendations in an intelligent & accessible format	5.00
Ensures actions and decisions reflect an appropriate level of responsibility for financial planning & accountability	5.00
Appropriately monitors & manages fiscal activities of the organization	5.00

Category Score:

Comments:

Community

Shares responsibility for addressing the difficult issues facing the city	5.00
Avoids unnecessary controversy	5.00
Cooperates with neighboring communities & the county	5.00
Helps the Council address future needs & develop adequate plans to address long-term trends	5.00
Cooperates with other regional, state & federal government agencies	

Category Score: 5.00

Co: Am not aware of how the city manager interacts with other agencies as it's an element of his ro

City Manager Evaluation May 16, 2025 to May 16, 2026

Part 2 - Narrative Evaluation

Governing Body Member's Name: Neil Yorio

	Question	***Answer***
1	What would you identify as the City Manager's strength(s), expressed in terms of the principal results achieved during the rating period?	His overall knowledge and experience with all aspects of the city's functions. In particular, the focus on the pending outcome of the property tax reform and its affect on the city's ability to operate and his delegation of some of his duties to the assistant city manager in the professional development of that employee. Additionally, providing exceptional guidance to the council members and identifying and prioritizing issues of concern for enabling sound decision making by the council.
2	What performance area(s) would you identify as most critical for improvement?	Public communication, particularly for the Harbour Highlights editorial improvements. It is assumed this will be managed by the new communications staff hire as well as the assistant city manager. These responsibilities fall under the oversight of the city manager.
3	What constructive suggestions or assistance can you offer the City Manager to enhance performance?	I don't have any particular suggestions for continued improvement other than what is already stated. City Manager Coffey does an excellent job of overseeing the city's leadership and I am grateful he continues to provide that invaluable service to our community.
4	What other comments do you have for the City Manager; ex: Priorities, expectations, goals or objectives for the new rating period?	I would like to see a continued focus and promotion of stormwater projects and accelerating them as much as possible in the fiscal year budget planning.