

Shore News 2021-2022

South Patrick Residents Association
www.spranews.com

2022 SPRA MEMBERSHIP ALERT

SPRA's fiscal year has changed, and now runs from January 1 through December 31. This changes the SPRA Membership Month to January of each year going forward. Positive involvement at our local community level is essential to maintain our unique way of life. We saw that clearly when the second Vacation Rental battle was won at the end of 2020. SPRA ignited the charge on the issue, but people throughout the County stood up to defend their homes and communities. In addition, after the 2020 US Census, a redistricting vote to remain in the same commission district with Indian Harbour and Satellite Beach was supported by a majority of the community, which we represented.

This will not be our last battle to wage, so we must work together to preserve and improve our community. For example, SPRA continues to advocate to preserve Hightower Beach Park as an oceanfront public park, with the covenants in place for equitable access and conservation. Now is the time to renew your SPRA membership and to get involved in the issues that impact us. If you are not a SPRA member, please become one, as we have worked to represent residents' interests since 1965 as a volunteer, non-profit dealing with government policies, providing information to residents, and working to make local improvements. SPRA also strives to keep Members updated throughout the year with emails about issues that arise.

Your \$16.00 per household annual dues goes toward paying for printing and distribution of the *Shore News* and to support projects like signs, landscaping, safety issues, and Santa's fire engine ride, among many other accomplishments listed on the **2022 Membership Form and envelope inside this *Shore News***. You can also print this Membership Form from our website at www.spranews.com, and paying your annual dues is easy when using the **PayPal option** on the website. Join us at SPRA meetings, and share your ideas about community improvements and concerns. Help support a safer community and our quality of life. Thank you for being an important part of the community!

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SPRA is a 501 (c) (4) non-profit

SANTA'S SLEIGH RIDE: December 13th - 15th

SPRA's annual Santa's Sleigh Ride will take place on **December 13th, 14th, and 15th** and depart from Fire Rescue Station 62 on Sea Park Avenue at 6:00 PM. Santa will ride his sleigh atop the fire engine throughout South Patrick Shores, including Tortoise Island. Watch for Santa in your area and enjoy the fun!

- **December 13th in Area 1, 2, & 3:** NE 3rd to Exeter St. east of S. Patrick Drive; Arlington residences will view Santa at Berkeley & 3rd Ave.; Melody Estates residences will view Santa on Sea Park; North end of Melaleuca Dr. can view Santa at Sable Palm & Melaleuca.
- **December 14th in Area 4:** South Patrick Park; South Waterway; Tortoise View; & Tortoise Island
- **December 15th in Area 5 & 6:** Moorings; Sleepy Lagoon – Red Sail Way; Lighthouse Landing, North Waterway; Waterway Townhomes can view Santa at Ibis & Skylark

CHRISTMAS BOAT PARADE:

December 18th 18 @ 6:00 PM

On Saturday, the Banana River Sail & Power Squadron will sponsor the December 18, 2021 Christmas Boat Parade. All classes of boats are welcome to participate in the Parade. This year there will be no competition for decorated boats. To begin the Parade, proceed to the staging area at the north end of the Grand Canal and fall into line in time to start by 6:00 PM. The Satellite Beach Patrol Boat will announce the start of the parade at 6:00 PM on VHF 71.

SPRA Annual Community Meeting • David Schechter Center
Monday, February 14, 2022, 7:15 p.m.
SPRA, PO Box 372357, Satellite Beach, FL 32937

The Satellite Beach Patrol Boat will lead the parade, followed by the Santa Claus boat, *DELFIN DE ORO*. Parade communications will be on VHF channel 71, and VHF channel 16 will be monitored.

The Parade route follows the Grand Canal SOUTHBOUND, circling Lake Shepherd CLOCKWISE. The Parade ends just north of the Mathers' Bridge in the Banana River. Participants are encouraged to:

- Obey all Rules of the Road
- Maintain a safe distance between boats
- Proceed in single file
- Maintain a speed of 4-5 mph, or as directed by the Satellite Beach Patrol Boat

In addition, there are plans to mount a video camera on the bow of the lead boat and to record the decorated homes along the entire route and to post it later on the website at www.abcsb.org. For more information call 321-220-7775.

SPRA ADVERTISERS: SPRA continues to feature business ads online on each website page at spranews.com, and with a cursor over an ad, the graphic enlarges, so that customers can more readily view it. In addition, with a click of the mouse on an ad, a customer is linked to an advertiser's website. SPRA will also be featuring two advertisers per month online with submitted information about their business. Ads in the publication and on the

website, will run for one year and will be included in the Shore News, which is mailed each year to some 4,000 addresses on the beachside. We seek to promote our local businesses.

Because we have reduced the number of printed issues, due to costs and other variables, the cost for ads has also been reduced as follows: a 1 business card size ad is \$100; a 2 business card size ad is \$175; a 3 business card size ad is \$275; and the 1/3 page size ad is \$325. Visit *Advertising in the Shore News* on our website for more information. SPRA looks forward to mutual support between our association and area businesses. Contact asamuelson@spranews.com if you have any questions and to ensure your ad is included.

HIGHTOWER BEACH COVENANTS: Currently, the original covenants remain in place. The public needs the Hightower Beach restrictive covenants to remain in place along with the County's oversight to help ensure equal, public access to our oceanfront parks for all. The protections, found in the Interlocal Agreement that accompanied the 2012 deed, set a clear precedent, and should not be amended. To do so would disadvantage county residents and tourists.

The city actively chose to become the caretaker of three original properties that were combined to create an oceanfront park for the public, without differentiation in

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fees or access. The land was deeded on a conditional basis, rather than an absolute one, and this ensured that specific public recreational and conservational components were contained in the Agreement. In addition, an amendment change would set a dangerous precedent for other County agreements, especially when such contractual agreements are advantageous to the public, freely entered into, and do not negatively impact the parties involved.

RESILIENT FLORIDA: Governor DeSantis signed Senate Bill 1954 into law. This legislation can provide a coordinated approach to Florida's coastal and island resiliency. Projects can enhance protection of inland waterways, coastlines, and shores, which serve as natural defenses. The legislation can also help to prepare communities for the impacts of climate change, including sea level rise, storms, and flooding.

Barrier Island Resiliency - The Time is Now

Evacuating the barrier island in a timely manner is a legitimate concern all along the Brevard County coastline. The Pineda and Eau Gallie Causeways in the South Patrick Shores area have been diagnosed with critical evacuation deficiency. This is a serious characterization that can imperil safe evacuation from a barrier island with only two north/south roadway corridors.

The new Resilient Florida legislation authorizes and encourages local governments to develop resilience coalitions designed to promote a coordinated approach to

Florida's coastal and inland resiliency for sea level rise, intensified storms, flooding, as well as protecting and enhancing our critical assets, such as inland waterways, coastlines, conservation lands, and reefs.

Our first step could entail forming a Brevard Resiliency Coalition that seeks the higher public good, through discussions and planning, with a focus on safety for our residents. The county and cities must cooperate in order to work toward mitigating impacts. Identifying critical impact components and assigning a weighted value of importance to each would be helpful in moving toward a solid plan and its implementation. Different jurisdictions will likely have differences in how they rank the variables, but informed discussions can move a plan forward. A few variables that are readily identified are enhancing coastline preservation and safe evacuation through attention to the details of development density and adding conservation lands that protect shorelines.

Space Coast TPO is crafting a Master Plan to provide guidance for evaluation, as well as in-depth studies critical to identifying elements that impact resilience in our communities. Sound data should foster smarter decision-making, and linking land use and transportation is a worthy component for the implementation of a cohesive and workable plan of action.

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BREVARD REDISTRICTING

On November 9, 2021, the Board of County Commissioners passed a Resolution to approve the Redistricting Committee's plan, the one that keeps our three beachside communities together in the same commission district. The South Patrick Residents Association (SPRA) Board unanimously supported not splitting up our three small beachside communities, Indian Harbour Beach, Satellite Beach, and South Patrick Shores, which are sandwiched between the Pineda and the Eau Gallie Causeway. This decision involved an overall concern for the welfare of our South Patrick Shores community as a whole, where SPRA confers with the HOAs and individuals in our community, who also overwhelmingly supported that decision. Over the years, SPRA has successfully worked on projects within our unique geographic area, sometimes in concert with the cities of Indian Harbour Beach and Satellite Beach, (FEMA/drainage, Scorpion Ct., SR 513 reconstruction), as we are geographically connected. Residents support keeping our local community intact, as even when we disagree with decision-making on the part of other cities, we also share many aspects in common. If the South Patrick Shores area alone became part of a separate district, it would have the consequence of alienating the three communities on the barrier island and effectively setting South Patrick Shores adrift, with the expanse of PSFB between us and Cocoa Beach. The key point is that this would not benefit our community, and such separation

would have sliced and diced our geographic area. No sound basis in the redistricting criteria was found to support such a proposal that would leave South Patrick Shores isolated, and communication with South Patrick Shores HOAs and individuals overwhelmingly supported remaining in the same district.

Finally, SPRA has never supported the annexation of South Patrick Shores, but redistricting to a different County Commission district would not impact a movement for annexation. Unless the state legislature or the county commission became involved, a vote would have to be taken with at least 50% of the registered voters' approval to annex. That effectively means that residents would have the power to approve or deny annexation. That is the bottom line.

SPRA Responses to Residents' Concerns:

- SPRA listens to residents throughout SPS, what they have expressed and support, not a city or a commissioner.
- SPRA has never supported annexation. Residents do not want another layer of government.
- SPRA posts meeting agendas on the website. People can come to meetings and speak, call, or send emails to express concerns. Members have a right to be heard, but we do not send out a ballot or poll each person. The SPRA Board can make decisions, and this group takes decision-making seriously, weighing the pros and cons, and what they have learned from the community.

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- No matter what commission district we live in, we are geographically fixed and can be impacted by other cities' decisions in some ways. That doesn't mean we agree with those decisions, and we have protested some loudly. Reliance on any particular elected commissioner is expecting too much.
- No one agrees with each other on every issue, and it is unrealistic to expect that. We respect differences and respectful debate.

STREET LIGHTS & SAFETY: At night, the South Waterway entranceway is dark, and residents have stated that vehicles have missed the tight turn, hitting the center island, and also driving into the ditch. There is also a school crossing location to the east, with a crossing guard during school hours, so a streetlight in this location could help visibility for pedestrians using the crosswalk in the early morning and after dark. This location shares a boundary with FDOT right of way for SR 513 and a County right of way. In a meeting with FDOT, Commissioner Smith asked about the status of street lights to be installed for safety and visibility near the South Waterway Estates entrance. A photometric analysis to identify the light poles' locations was completed, and the plan is to place two light poles on the west side of SR 513, due to the transmission line on the east side. FDOT passed this design to FPL to get their full design and construction estimate, and the project is at the funding stage. SPRA has asked for the forthcoming design plan to share with residents once that becomes available.

FDOT SAFETY UPDATE SR 513: A few months ago, the Florida Department of Transportation studied the SR 513 corridor to evaluate the speeds and determine if there is an opportunity to adjust the posted speed limit. The study stemmed from a request from the Space Coast TPO. The study recommended to retain the existing posted speed limits, and this recommendation was based on the State's current criteria for setting roadway speed limits. The result of the study are likely based on the fact the SR 513 corridor is designed to accommodate speeds higher than 35 MPH. In order to effect a change in traveling speeds, FDOT would need to change the nature and design of the roadway. The Department has a resurfacing project programmed for SR 513. They feel this project will be an opportunity to evaluate the need for any pedestrian crossings and speed management techniques, which can open the door for setting a lower, target speed limit. The project will include a thorough public engagement component to ensure the project is in line with the community's vision for SR 513. The design for this SR 513 section likely will begin in the next year.

BREVARD COUNTY REPAVING PLAN: The Brevard County paving plan for the South Patrick Shores area is as follows over the next two fiscal years:

- FY 2021-2022 paving will include all roadways on the west side of SR 513 for roadways from North Waterway, southward, throughout South Waterway.



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- FY 2022-2023 paving will include all roadways east of SR 513 for roadways south of the Pineda, southward, all the way to Exeter.

The goal is to repave all of South Patrick Shores in those two fiscal years. This timeline is subject to material availability, contractor availability, and weather.

CANAL MUCK DREDGING UPDATE: The handling and disposal of the dredged muck material must follow State of Florida rules for chemical constituents and associated thresholds. Per the Sediment Sampling Plan required by the FDEP Environmental Resource Permit, the County is testing the dredged material in the geotubes before it is loaded on trucks and transported for final disposal. The Sediment Sampling Plan requires testing at an interval of:

- every 5,000 cubic yards when dredging in areas where the in situ testing shows arsenic below the industrial clean-up target level
- every 1,000 cubic yards when dredging in areas where the in situ testing shows arsenic above the industrial clean-up target level.

To date, none of the test results for arsenic have reached the industrial clean-up target threshold, but if test results from the geotubes exceed the industrial clean-up target level, then the approach will allow for disposal of the dredged material at a Class I landfill. The County is no longer proposing to amend dredged material with dredged sand to achieve arsenic concentrations below the industrial clean-up target level.

Residents will note that the large dredge and the small dredge are being used in order to accommodate more open spaces and also accommodate less easily accessible places, such as those near docks and seawalls.

The contractor has been working in the finger canals at the north end of the Grand Canal, and they expect to close out this year's dredge season working in that area. The

contractor will begin shutdown of the dredging activities the week of Thanksgiving. State and Federal permits require a "manatee closure period" from December 1st to March 15th each year. During this period no in-water work may take place.

FORMERLY USED DEFENSE SITES (FUDS)

PROGRAM: The U.S. Army Corps of Engineers continues to seek rights-of-entry from those within and adjacent to the 52-acre Off-Base Disposal Area. The Florida Department of Environmental Protection recently sent a letter to those who have not yet signed the form. USACE is lacking rights-of-entry in several places within the disposal area, which could impact the ability to adequately evaluate the extent of potential Navy-related impacts. If you received a right-of-entry form and have not returned it yet, USACE encourages you to do so. Approximately 50% of FUDS disposal site residents have submitted the forms. Army Corps recently posted a video explaining the Remedial Investigation/Feasibility Study process for the Off-Base Disposal Area and the path forward.

USACE ensures residents that, *it is the contractor's responsibility to leave the property in the same condition it was in prior to the contractor doing the investigation.* The locations still needed for the Program are listed on the Home Page of www.spranews.com Property owners can fill out and submit the right-of-entry form, making sure they fill in the requested information, with at least the street address, even without the parcel number. The completed form can be returned via email to: FUDS.Florida@usace.army.mil Website: www.saj.usace.army.mil/BananaRiver

PSFB RESTORATION ADVISORY BOARD (RAB):

The 45th Space Wing tested soil and groundwater in the Pelican Coast area of the former base south housing area in order to fill in data gaps. Soils were tested for

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organochlorine pesticides (OCPs). Groundwater was tested for OCPs, volatile organic compounds (VOC), and per and poly-fluorinated compounds (including PFOS/PFOA). Sampling of the privately owned VUE property, that is currently being developed, on the NW corner of Shearwater and SR A1A, was not included in this effort. The test results demonstrated the highest amounts found overall of 400 ppt PFOS/PFOA compounds near the old water tower location south of Shearwater. The water tower was recently dismantled and removed.

MELBOURNE UTILITIES IMPROVEMENTS: SPRA inquired as to the City of Melbourne Utilities Division's updates for improvements in our South Patrick Shores area. They are as follows:

- Ocean Boulevard Water Main Replacement from South Patrick Drive to SR A1A is currently under construction.
- The Contractor for the Pineda 16" Water Main Extension is Quality Enterprises USA Inc. Mobilization. The expected start date will be 01/03/2022, with the Final Completion estimated for 05/17/2023.
- The Pineda Water Main Extension project is estimated to cost \$10,946,248.

MOORINGS LIFT STATION S-19: The Lift Station S-19 Replacement project is scheduled to advertise in November 2021 for contractors to indicate their interest to

bid on the lift station construction. There had been a hold up due to a redesign of the project.

FIRE ASSESSMENT FEE: Fire Special assessments appear as Non-Ad Valorem Assessments on the November Tax bill. The residential rates are based on square footage of a dwelling, as well as the category of the residential structure, such as single family, manufactured home, and multi-family properties. Homes and businesses in unincorporated Brevard County will be affected, along with those in cities that rely on the county for their fire services. A positive point on such assessments is that they are paid by all taxpayers, including those who are exempted from Ad Valorem property taxes based on the assessed value of your property. This evens out some of the costs for fire protection across the playing field for those who are exempted from paying Ad Valorem taxes.

The Brevard County Commission approved a 33% hike in the County fire assessment, which for 2021, which will be offset by 4% with federal dollars allocated through the American Rescue Plan, a coronavirus rescue package designed to facilitate the United States' recovery from the damaging impacts of the COVID-19 pandemic. Brevard County is set to receive about \$118 million through that legislation.

The effective 29% increase (33% less 4% for this year) means that a Brevard homeowner with a single-family home/condo with 1,400 to 1,800 square feet will see annual



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fire fees go up by \$57, for a total assessment of \$254. Commissioners explained that the increase was required to overcome a decade of deficit spending, where Brevard County Fire Rescue covered increased expenses by using its reserve fund.

HOME-BASED BUSINESSES: A new State law that preempts regulation for home-based businesses to the State was signed by the Governor, and the state law takes precedence over local laws. The law includes the following criteria that home-based businesses must meet to operate in an area zoned for residential use:

- The activities of the home-based business must be secondary to the property's use as a residential dwelling.
- Business employees who work at the residential dwelling must also reside in the residential dwelling, except for up to two employees/independent contractors.

- Parking related to the business activities of the business must comply with local zoning requirements. The business may not generate a need for parking greater in volume than a similar residence where no business is conducted. Local governments may regulate the parking or storage of heavy equipment at the business which is visible from the street.
- Any external modifications to a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.
- All business activities must comply with any relevant local or state regulations concerning signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors.

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All business activities must comply with any relevant local, state, and federal regulations concerning the use, storage, or disposal of hazardous materials. However, such regulations on a business may not be more stringent than those that apply to a residence where no business is conducted.

- This law does not supersede any local laws, ordinances, or regulations related to transient public lodging establishments (vacation rentals) that are not preempted under ch. 509, F.S.

NATURE CALLS – KINGFISHER: These birds are worldwide in distribution and are found by still or slow flowing water such as lakes, canals, and rivers in lowland areas, especially in tropical areas. Kingfishers, range in length from 4 to 16 inches, and have a large head, a long and massive bill, and a compact body. Their feet are small, and the tail is short or medium-length. Most species have vivid plumage in bold patterns, and many are crested. The typical kingfishers are river dwellers, like the belted kingfisher, which is the only widespread North American species, that we often see along our canals. When disturbed, this crested bird flies off over the water, uttering a loud, rattling call. It is about 12 inches long and is bluish gray above and across the breast, and white below. Only the female sports the brownish red band or “belt” across the lower breast.

They are vocal, colorful birds renowned for their stunning, hunting techniques. Typically, the Kingfisher sits still and

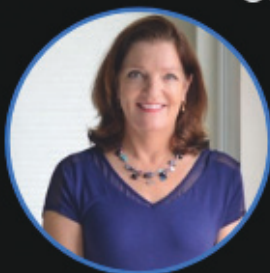
watches for movement from a perch, like a piling along a canal. After sighting its prey, it plunges into the water and catches the fish, usually no deeper than 10 inches below the surface, with its dagger-shaped bill. Then, with a swift downstroke of the wings, it breaks to the surface, takes the fish back to the perch, and stuns the fish before swallowing it.

MEDICARE OPEN ENROLLMENT CONS

Medicare open enrollment begins at this time of year, allowing participants to make changes to their coverage, and allowing others to enroll. With the popularity of the program, scammers are targeting participants for fraud. The AARP highlighted some of the popular methods that are being used:

- Phone calls from someone claiming to represent Medicare requesting your Medicare number and credit card information to sign you up for health coverage. Or asking you to confirm your Medicare number, personal info, banking details, or billing address as part of an account update.
- Some calls involve the false claim that signing up for Part D prescription coverage is required to maintain Medicare benefits. It is totally, optional coverage.
- In another version, victims are called and told they are owed a Medicare refund. This call potentially has the biggest data payoff for a scammer, as they will often try to obtain your birth date, Social Security number, bank account, and Medicare numbers.

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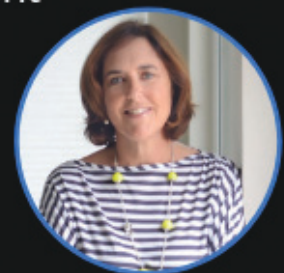
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AREA DIRECTOR REPORTS

AREA 1 ►

- Area 1 Director Position is Open
- Merry Christmas and Happy New Year.

AREA 2 ►

- MATT SONBERG • 321-223-4809 • msonberg@spranews.com
- Thanks to Chris Davis and her efforts in working diligently with the County to plant several palms along the bike path in South Patrick Community Park across from Sea Park Elementary. More plantings within the Park are planned in the future.
 - SPRA is contributing to this project with beautification funds.
 - Community donations for new trees to be planted next year are also welcome.

AREA 3 ►

- RICK MARIANI • 321-501-4080 • rmariani@spranews.com
- **Good Neighbor & Safety Tips:** Daylight Savings makes darkness arrive earlier, so be safe and set the example by: wearing light and/or reflective clothing that won't be easily overlooked when you go for a stroll, jog, or a bike ride; keeping to the side of the road or appropriate path; helping to keep roads free of water accumulation by picking up in front of your residence and keeping gutters free of sand, debris, and weeds.

- **Good to Know:** Carts are not permitted to drive in the unincorporated county area of South Patrick Shores. Motorized vehicles of any kind (battery, gas etc.) are not permitted to be driven by unlicensed minors on roads or sidewalks. The streets and roads are for licensed motor vehicles and drivers who may not be able to stop in time if your child darts into the roadway or fails to follow traffic law.

AREA 4 ►

- MARILYNN COLLINS • 773-8490 • mcollins@spranews.com
KREATHA HASTON • khaston@spranews.com
- All is quiet in Area 4.
 - We wish all a Happy Thanksgiving. Stay safe and well.

AREA 5 ►

- Area 5 Director Position is Open
- The lighthouse needs painting in North Waterway.
- Some residents have indicated a desire to become more involved in beautifying the area.

AREA 6 ►

- DONNA MORRIS • 321-253-2305 • dmorris@spranews.com
- The Moorings entrance looks terrific with all of the new landscaping. There are also benches and a little library box near the bridge from which to borrow books to read, and you may also donate them.

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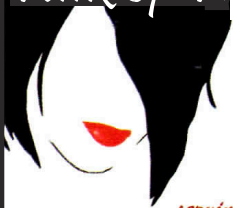


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