

RESOLUTION No. 2017-191E

**RESOLUTION OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
REGARDING REHABILITATION AND RESTORATION WORK
TO SEA RAY DRIVE BRIDGE OVER SYKES CREEK,
UPON COMPLETION OF THE
U.S. ARMY CORPS OF ENGINEER DIRECT FEDERAL ASSISTANCE MISSION**

WHEREAS, between September 10-11, 2017, Hurricane Irma inflicted damage upon Brevard County, including scouring of the Sea Ray Drive Bridge Over Sykes Creek ("the Bridge"); and

WHEREAS, Hurricane Season (June 1 to November 30) is continuing with more damaging weather-related events possible; and

WHEREAS, under the authority of the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq), the President of the United States declared a major disaster for the State of Florida (FEMA-4337-DR) authorizing direct federal assistance in Brevard County with a 100% Federal cost share for Category B (emergency protective measures) for the first 30 days, and a 75% Federal cost share thereafter; and

WHEREAS, the Bridge provides support for critical water and sewer mains between the mainland and coastal communities, and a nearby sub-aqueous water main also sustained damage as a result of Hurricane Irma, and the compromised structural integrity of the Bridge poses an immediate public health and safety threat; and

WHEREAS, Brevard officials contacted the State Emergency Response Team (SERT) and requested the U.S. Army Corps of Engineers (USACE) perform emergency stabilization repairs under Category B (emergency protective measures) of the Federal Emergency Management Agency's (FEMA) Public Assistance Program; and

WHEREAS, FEMA and the State of Florida support Brevard County's request for a USACE Direct Federal Assistance (DFA) mission to perform temporary emergency repairs to the Bridge to stabilize the critical water and sewer mains and reduce immediate threat of failure; and

WHEREAS, the USACE is prepared to immediately perform the DFA mission at the Bridge to lessen the immediate threat to lives, public health and safety;

WHEREAS, to delineate between emergency protective measures and permanent work, the State of Florida requests a formal emergency resolution from the Brevard County Board of Commissioners that after completion of the USACE DFA mission, the county will conduct certain follow-on permanent restorative or rehabilitative work;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, in emergency session duly assembled, that Brevard County firmly commits to work expeditiously towards a permanent restorative and rehabilitative solution for the Bridge, as follows:

- (1) To restore or rehabilitate the Bridge to its pre-disaster function (which may include FEMA reimbursement);
- (2) To continue working in a collaborative and supportive manner with the City of Cocoa as it makes necessary repairs to restore a nearby key sub-aqueous water main to its pre-disaster function (which may include FEMA reimbursement); and
- (3) To address pertinent damages or deterioration to the Bridge not caused by a disaster (which would not include FEMA reimbursement); and
- (4) Brevard County agrees to give best efforts to meet the following project timelines:
 - (a) To begin preliminary survey, investigation and design work as soon as possible but not later than 30 days after completion of the USACE DFA mission; and
 - (b) To begin construction within six months, subject to compliance with required procurement regulations, permitting regulations and Florida Department of Transportation reviews; and
 - (c) To complete construction within 12 to 18 months of construction initiation.

DONE, ORDERED AND RESOLVED, in Emergency Session by the Board of County Commissioners of Brevard County, this 28th day of September, 2017 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Debra Pritchett
By: Vice Chair
For CURT SMITH, CHAIRMAN
As approved by the Board on Sept. 28, 2017

ATTEST:

Scott Ellis
SCOTT ELLIS, CLERK