



TOWN OF MELBOURNE BEACH

SPECIAL TOWN COMMISSION MEETING

August 26, 2026

6:00 PM

AGENDA PACKET

Town of Melbourne Beach

SPECIAL TOWN COMMISSION MEETING

Wednesday, August 26, 2026 at 6:00 p.m.

COMMUNITY CENTER – 509 OCEAN AVENUE

PUBLIC NOTICE AGENDA

Commission Members:

Mayor Alison Dennington
Vice Mayor Terry Cronin
Commissioner Anna Butler
Commissioner Tim Reed
Commissioner Sherri Quarrie

Staff Members:

Town Manager A. Marie Smith
Town Attorney Ryan Knight
Town Clerk Cyd Jones

1. Call to Order

2. Roll Call

3. Pledge of Allegiance, Moment of Silence, and Civility Pledge

The Commission and Staff of The Town of Melbourne Beach pledge to conduct all public discourse in a civil manner. The Mayor and all members of the Commission will treat one another with courtesy and respect, and ask the public to do the same toward the Commission, each other, and toward staff. We will be respectful of one another even when we disagree. We will direct all comments toward the issues. We will avoid personal attacks.

4. Public Comment

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda. Please remember to sign the sign-in sheet provided if you will be speaking at the meeting.

5. New Business

A. Sixth Avenue Seawall RFP Update – Town Manager A. Marie Smith

6. Adjournment

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so. In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

Town Commission Special Meeting

Section: New Business

Meeting Date: August 26, 2026

From: Town Manager/ Public Works Director

RE: Sixth Street Sea Wall RFP Update

Background:

At the 19 August 2026 Regular Town Commission Meeting, the response to the Sixth Street Sea Wall repair RFP was presented for approval to start repair work. The Commission tabled the vote out of concerns that the previous Commission passed a budget that allowed funding for the project to come out of Special Revenue Fund 141: Stormwater Assessment Utility Fund, which was incorrectly characterized as a “misappropriation” of funds.

Staff contacted the town auditor- Zach Chalifour, Partner with James Moore – and was told that if the project did not have a direct correlation or interdependency to the stormwater project it *would not be a “misappropriation” of funds* but at the most might be a “misclassification.” The difference is significant.

- Misappropriation involves “the intentional, unauthorized, or unlawful use of another person's or organization's money for an unintended or personal purpose, and typically is a breach of trust, diversion of assets, or a criminal act like stealing.”
- Misclassification on the other hand, is “the error of assigning financial transactions, expenses, or revenues to the wrong budget category or accounting ledger and typically is an administrative, clerical, or analytical mistake rather than a theft or malicious intent.” (Merriam-Webster Dictionary)

The funding for Fund 141 comes from a non-ad valorem stormwater assessment and is designated specifically for stormwater projects. The Sixth Street Sea Wall project is a part of a larger project to prevent particulates from entering the Indian River Lagoon (see attached photos). The Commission asked staff to bring the project back to the Commission at the next budget workshop.

There are three options to remedy the situation, which are as follows:

1. Provide an engineer’s letter indicating that the sea wall project is part of a larger stormwater management project and therefore would fit the defined use of Fund 141.
2. Find funding for the project out of another fund that does not utilize non-ad valorem funding but instead is resourced from general fund monies (ad valorem funding and

other taxes). Two options to advance the project this fiscal year are to fund the project out of Fund 341: Stormwater Capital Project Fund or Fund 351: Road and Paving. Both funds currently have a little over \$100K, which is ample to cover the project and are both funded through general fund allocation. The funding from either or both of those funds can be transferred to General Fund Dept 41: Public Works Expenses and then be dispersed for the Sixth Avenue Sea Wall repair contract. It would take a vote from the Commission to move funding to the General Fund Dept 41 and then to fund the project. The funding for the project that was originally set aside in Fund 141 would remain and could be utilized for another stormwater project or stormwater maintenance.

3. The Commission can choose not to move forward with the RFP at this time. It can decide to place funding in the FY27 budget for the project or hold off to fund a fuller scope of work.

Recommendation:

From the photos below (taken 20 August 2026) the sea wall is rapidly disintegrating, and the town has already put a large caution banner on its website/ cones at the sea wall. It is being held in place by rods that are bowing out. Recommend allowing the project to move forward either by (1) allowing funding through Fund 141 or by (2) moving money from Fund 341 or Fund 351 to the General Fund 001 Dept 41 to proceed with the project.

Attachments:







