

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

9:00 AM

The Board of County Commissioners of Brevard County, Florida, met in regular session on July 26, 2016 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Robin Fisher	Commissioner District 1	Present	
Jim Barfield	Chairman/Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Curt Smith	Vice Chairman/Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

INVOCATION

Pastor Dan Gish, River Run Christian Church, Melbourne, provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Anderson led the assembly in the Pledge of Allegiance.

ITEM I.A., RESOLUTION, RE: RECOGNIZING MARIE MERCER FOR HER 29 YEARS OF DEDICATED PUBLIC SERVICE TO BREVARD COUNTY

Commissioner Anderson read aloud, and the Board adopted Resolution No. 16-107, recognizing Marie Mercer for her 29 years of dedicated public service to Brevard County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Robin Fisher, Commissioner District 1
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.B., RESOLUTION, RE: CONGRATULATING DHYANA MISHRA ON HER SPELLING BEE ACCOMPLISHMENTS

Commissioner Infantini read aloud, and the Board adopted Resolution No. 16-108, congratulating Dhyana Mishra on her Spelling Bee accomplishments.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.C., RESOLUTION, RE: RECOGNIZING BREVARD COUNTY FIREFIGHTERS DAN WHITE AND LARISSA CONROY FOR THEIR OFF-DUTY RESCUE AT AN ACCIDENT SCENE

Commissioner Anderson read aloud, and the Board adopted Resolution No. 16-109, recognizing Brevard County Firefighters Dan White and Larissa Conroy for their off-duty rescue at an accident scene.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEMS PULLED FROM CONSENT AGENDA

Commissioner Smith stated he is pulling Item II.A.7., Final Plat and Contract Approval, Re: Sandhill Crossings of Brevard Subdivision - Viera Preserve Development LLC, for discussion.

Commissioner Infantini stated she is voting nay on Item II.A.2., Resolution, Long-Range Budget, and State Cost-Share Request, Re: Brevard County Shore Protection Project.

ITEM II.A.1., AGENCY COST-SHARE AGREEMENT WITH INDIAN RIVER LAGOON COUNCIL, RE: "TODAY'S LEAVES AND GRASS CLIPPINGS: TOMORROW'S INDIAN RIVER LAGOON MUCK"

The Board authorized the Chairman to execute Contract #28489, with the Indian River Lagoon Council (IRLC) for "Today's Leaves and Grass Clippings: Tomorrow's Indian River Lagoon Muck"; authorized the County Manager, or his designee, to execute future contract amendments, subject to approval of the County Attorney's Office and Risk Management; and approved associated budget change/order requests.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.2., RESOLUTION, LONG-RANGE BUDGET, AND STATE COST-SHARE REQUEST, RE: BREVARD COUNTY SHORE PROTECTION PROJECT

The Board adopted Resolution No. 16-110, supporting the Brevard County Shore Protection Project; requested State grant cost-share funding, match by local tourist tax that is dedicated to the Beach Improvement Fund for shore protection projects; authorized the County Manager, or his designee, to execute contracts and task orders to secure grant funds and accomplish work approved under grants; and authorized necessary budget change requests.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS: Trudie Infantini

ITEM II.A.3., BINDING DEVELOPMENT PLAN, RE: WAYNE D. AND LINDA L. SPRACKLIN, TRUSTEES

The Board executed Binding Development Plan with Wayne D. and Linda L. Spracklin, Trustees, for property located on the west side of Rockledge Drive, north of Coquina Road.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.4., FINAL PLAT AND CONTRACT APPROVAL, RE: VALENCIA AT ADDISON VILLAGE PHASE 1 SUBDIVISION - THE VIERA COMPANY

The Board granted final plat approval, subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits; and authorized the Chairman to execute the final plat and Contract.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.5., FINAL PLAT AND CONTRACT APPROVAL, RE: LOREN COVE AT ADDISON VILLAGE PHASE 1 SUBDIVISION - THE VIERA COMPANY

The Board granted final plat approval, subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits; and authorized the Chairman to execute final plat and Contract.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.A.6., FINAL PLAT AND CONTRACT APPROVAL, RE: ADELAIDE PHASE 2 SUBDIVISION - THE VIERA COMPANY

The Board granted final plat approval, subject to minor engineering changes as applicable, and developer is responsible for all obtaining all other necessary jurisdictional permits; and authorized the Chairman to execute the final plat and Contract.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.8., TEMPORARY CONSTRUCTION EASEMENT FROM CANAVERAL PORT AUTHORITY (CPA), RE: INSTALLING A FORCE MAIN UNDER THE BARGE CANAL

The Board accepted and approved delivery of the Temporary Construction Easement needed from Canaveral Port Authority to be used for the construction of a force main under the Barge Canal.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.9., DRAINAGE EASEMENT FROM CANVAERAL CROSSROADS, LLC, RE: PARCEL 801 AND 802, SECTION 11, TOWNSHIP 24 SOUTH, RANGE 36 EAST - SITE PLAN #13SP-00947

The Board approved and accepted the Drainage Easement that includes Parcels 801 and 802, from Canaveral Crossroads, LLC in favor of Brevard County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.10., SANITARY SEWER EASEMENT AND SIDEWALK EASEMENT FROM PSJ PEDIATRICS, RE: PROPERTY LOCATED AT 3765 KINGS HIGHWAY, COCOA

The Board approved and accepted a Sanitary Sewer Easement and a Sidewalk Easement from PSJ Pediatrics, Inc. for property located at 3765 Kings Highway.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.11., PERMANENT SIDEWALK EASEMENT AND DONATION OF EASEMENT FROM FREDDIE LEE RANDOLPH, SR., RE: PARCEL #801 NEEDED FOR SCHOOLHOUSE STREET EASEMENT PROJECT

The Board approved and accepted the Permanent Sidewalk Easement and Donation of Easement to Brevard County from Freddie Lee Randolph, Sr.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.12., PERMANENT SIDEWALK EASEMENT AND DONATION OF EASEMENT FROM SYNOBIA FELTON, RE: PARCEL #802 NEEDED FOR THE SCHOOLHOUSE STREET EASEMENT PROJECT

The Board approved and accepted Permanent Sidewalk Easement and Donation of Easement to the County from Synobia Felton for conveyance of Easement, Parcel #802, needed for Schoolhouse Street Easement Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.13., TASK ORDER NO. 16-03 WITH NEEL-SCHAFFER, INC., RE: CONSTRUCTION PLANS, BIDDING ASSISTANCE, AND CONSTRUCTION FOR SARNO ROAD LANDFILL PHASE II

The Board executed Task Order No. 16-03 with Neel-Schaffer, Inc., in the amount of \$308,815, to prepare construction bid documents and technical specification for Phase II sequential closure of the Sarno Road Landfill, as well as provides assistance during bidding and contractor selection, construction oversight, and Construction Quality Assurance (CQA) and testing services during construction.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.1., APPROVAL, RE: ESTATE DONATION FOR THE TITUSVILLE LIBRARY

The Board approved request to allow the Titusville Public Library to receive a bequest of approximately \$296,000 from the Estate of Rita Moehring.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.2., PERMISSION TO ADVERTISE TO ACCEPT APPLICATIONS, RE: ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM SELECTION AND MANAGEMENT COMMITTEE (SMC) MEMBER

The Board authorized staff to advertise to appoint a replacement member to the EEL Program Selection and Management Committee (SMC); and to bring a list of qualified applicants back to the Board for final ranking and appointment.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.1., CHANGE ORDER WITH L7 CONSTRUCTION, INC. RE: EMERGENCY REPAIRS OF DEEP INJECTION WELL PUMPING SYSTEM AT SOUTH BEACHES WASTEWATER TREATMENT PLANT

The Board executed Change Order No. 4, to existing Emergency Purchase Order #4500090874, with L7 Construction, Inc., in the amount of \$46,499.52, for emergency repairs to deep injection well pumping system at South Beaches Wastewater Treatment Plant (WWTP); and authorized any associated budgetary changes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.2., TASK ORDER NO. 4 WITH CDM SMITH, RE: MECHANICAL INTEGRITY TESTING AND WELLHEAD REPAIR OF SOUTH BEACHES REGIONAL WASTEWATER TREATMENT PLANT

The Board executed Task Order No. 4 with CDM Smith for necessary engineering services associated with the Florida Department of Environmental Protection (FDEP) permit required Mechanical Integrity Test (MIT) and Wellhead Repair at the South Beaches Regional Wastewater Treatment Plant; and authorized any associated budgetary changes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.3., TASK ORDER NO. 12 WITH WADE TRIM, INC., RE: TREATMENT PROCESS IMPROVEMENTS AT SOUTH BEACHES REGIONAL WASTEWATER TREATMENT PLANT

The Board executed Task Order No. 12 with Wade Trim, Inc. for treatment process improvements at the South Beaches Wastewater Treatment Plant (WWTP); and authorized any associated budgetary changes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.4., INTEGRATED SUPPLY AGREEMENT WITH GENUINE PARTS COMPANY D/B/A NAPA AUTO PARTS, NATIONAL JOINT PURCHASING ALLIANCE (NJPA) CONTRACT #061015-GPC, RE: ESTABLISH A SOURCE OF SUPPLY FOR CERTAIN AUTO AND TRUCK PARTS, AND TO PROVIDE AN INTEGRATED BUSINESS SOLUTIONS SERVICES

The Board executed Integrated Supply Agreement with Genuine Parts Company d/b/a/ NAPA Auto Parts to establish a source of supply for certain auto and truck parts, and to provide Integrated Business Solutions services; authorized the Chairman to execute the resulting contract, amendments, and contract renewals, upon approval by the County Attorney's Office and Risk Management; and authorized all necessary budget changes required to execute.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.1., APPROVAL, RE: BUDGET CHANGE REQUEST(S)

The Board approved the Budget Change Request(s), as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.D.2., ACKNOWLEDGE RECEIPT, RE: 2016-2019 PROPOSED BUDGET FOR CHAPARRAL COMMUNITY DEVELOPMENT DISTRICT

The Board acknowledged receipt of the 2016-2019 Proposed Budget for Chaparral Community Development District.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.3., CONFIRMATION, RE: JEFF MCKNIGHT AS INFORMATION TECHNOLOGY DIRECTOR

The Board confirmed the appointment of Jeff McKnight as Information Technology Director.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.5., ACKNOWLEDGE, RE: BREVARD COUNTY ANNUAL FINANCIAL AUDITS REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015

The Board acknowledged the Brevard County Annual Financial Audits for the Fiscal year ending September 30, 2015 and the accompanying management letters.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.7., APPROVAL, RE: BILLFOLDER

The Board approved the Billfolder, as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.7., FINAL PLAT AND CONTRACT REMOVAL, RE: SANDHILL CROSSINGS OF BREVARD SUBDIVISION - VIERA PRESERVE DEVELOPMENT LLC

John Denninghoff, Public Works Director, stated this Item is a final plat and contract approval for the Sandhill Crossings of Brevard Subdivision, really a Planning and Development Department Item, but there is an Item associated with it that the Public Works Department has a little bit of a concern with; the bond that is required in order to be able to plat the subdivision has not been posted at the proper amount; there is one piece of paperwork that is still required; and he would ask that the Board authorize staff to record the plat. He asked the Board to do this on a conditional approval basis so the Project can move forward. He went on to add the subdivision infrastructure contract is what is still needed, and it needs to be revised with the proper language associated with that bond amount.

The Board granted final plat approval and recordation of the plat subject to bond approval amount of \$848,694.56 for Subdivision Infrastructure Contract with correct language, for minor engineering changes as applicable, and developer is responsible for obtaining all other necessary jurisdictional permits; and authorized the Chairman to execute the final plat and Contract.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM III., PUBLIC COMMENTS

Charles Tovey stated he wants to speak about the shooting gallery in Rockledge; he has been processing his equation about the corruption about taking his property and his rights as an individual; and that is how it relates to Agenda 21. He went on to say the most common factor is these little emblems they have on all the public offices he goes to is sharp shooter and marksmen; and he feels they are conspiring in their private country club at the shooting gallery that used to be for the inmates and the people, but now it is a private shooting gallery. He stated he thinks there are meetings that go on there behind closed doors; he would like the records of the comings and goings, who is going there, and the shooting qualifications. He stated the Brevard County Sheriff's Office, Brevard County Manager's Office, Brevard County Commission, all of the agencies in Brevard County, the Economic Development Council, and especially the Town of Palm Shores Mayor and associates, all Agenda 21 trying to get rid of him and his property. He stated when people are outside in the record heat to please take care of themselves and find some shade, even at the public parks. He stated destruction of Florida from agricultural to corporate America, billions of gallons of water was purified; where there is a brand new world, there is a manual with it; when there is a brand new country, a person gets the Constitution with it; and the creator can do anything he wants with the things he creates. He added, this country is not being ran the way it was supposed to be, and it should be; and it is all because of Agenda 21.

ITEM IV.A., PUBLIC HEARING, RE: JOINT PLANNING AGREEMENT (JPA) WITH CITY OF PALM BAY

Chairman Barfield called for a public hearing to consider the Joint Planning Agreement (JPA) with the City of Palm Bay.

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Robin DiFabio, Planning and Development Director, stated this Item is a Joint Planning Agreement (JPA) with the City of Palm Bay; the County and the City have previously entered into JPAs, and the most recent one has expired; the City has expressed an interest in renewing that; there are four roadway segments that are included in the JPA, provided that the County widens them the City is willing to take over maintenance responsibilities for them, and which is an excellent example of the cooperation between the City and the County; and a representative from the City is present to address any questions the Board may have.

Stuart Buchanan, Growth Management Director for City of Palm Bay, expressed his thanks to staff for working with the City on this JPA; the Exhibit A replacement needs to be included in the JPA to include the joint planning area consisting along the borders of the City and the County, whether any future zoning of Future Land Use Map taken by the City of the County would be exchanged; the verbiage is already included in the JPA, but to make it clearer, Exhibit A has quarter mile limits; and he provided new Exhibit A to the Clerk to the Board.

Ms. DiFabio went on to explain that the Board is being asked to consider a substitute Exhibit A, which clearly defines the area of interface between the City and the County, defining the quarter mile along the parameter; and she mentioned the Local Planning Agency (LPA) unanimously recommended approval of the JPA yesterday.

Commissioner Infantini inquired where the funding is going to come from to make improvements to Babcock Street, because there is a lot of resurfacing needs in that area; and she inquired if the City is going to be taking it over. Mr. Buchanan responded the County applied for two project applications for two of the three segments of Babcock Street and one segment of Malabar Road; both of the applications were provided by Florida Department of Transportation (FDOT) with Transportation Regional Incentive Program (TRIP) funds; and the County is in the work plan to receive \$1.8 million to perform the Project Development and Environment (PD&E) study for Babcock Street, and \$500,000 to perform the PD&E on Malabar Road. He added, the City has met with County staff as these require matching funds; the PD&E study would allow the County and the City to apply independently or jointly for federal funding, allowing for both right-of-way acquisition funds and construction funds; and to receive those federal funds the PD&E has to be completed for need of standards.

John Denninghoff, Public Works Director, advised the JPA does not call for any particular funding on the part of the County or the City; it does provide an incentive on the part of the County to go ahead and get the widening done on the two roads; it does not require or obligate, it simply says if they are four-lane's it will go to the City rather than the County for maintenance responsibility; there is a number of funding opportunities that can be sought; until the funding is put together the four-laning would not happen, in which case, the provision in the JPA would never be realized in terms of effectiveness; but if it is done it transfers to the City being responsible for those roads inside its City, which is a goal of his.

Commissioner Infantini inquired if it would impact the funds that she has available. Mr. Denninghoff replied no funds would be diverted without Board authorization and direction. Commissioner Infantini stated she does not want this agreement to trump all the other needs that are needed in District 3; and she wants to ensure the roads are not going to be undone just to have one road fixed.

There being no further comments heard, the Board conducted its public hearing and executed the JPA with the City of Palm Bay.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B., PUBLIC HEARING, RE: FY2016-2020 BREVARD HOME CONSORTIUM FIVE-YEAR CONSOLIDATED PLAN AND THE FY 2016-2017 ANNUAL ACTION PLAN

Chairman Barfield called for a public hearing to consider the FY 2016-2020 Brevard County HOME Consortium Five-Year Consolidated Plan and the FY 2016-2017 Annual Action Plan.

Ian Golden, Housing and Human Services Director, stated this Item is the second and final public hearings for the Consolidated Action Plan that came before the Board for the first time in May; this time of year the Board would have the Action Plan every five years, but Housing and Urban Development (HUD) requires a consolidated plan which looks forward to the next five years of the estimated funds coming in; part of the plan includes market and housing analyses; and the consultant is present in the audience if there are any questions about the plan. He added, the plan covers for HOME Investments Partnership Program dollars, the County's dollars, and the four Brevard HOME Consortium member cities of Cocoa, Melbourne, Palm Bay, and Titusville; each city does its own Community Development Block Grant (CDBG) plan; no public comments had been received to date during this 30-day public comment period.

There being no comments heard, the Board approved the FY 2016-2020 Brevard County HOME Consortium Five-Year Consolidated Plan and the FY 2016-2017 Annual Action Plan; authorized the Chairman to execute the required certifications and SF-424 Housing and Urban Development (HUD) Application for Federal Assistance; authorized the County Manager, or his designee, to execute the Community Development Block Grant (CDBG) Program and HOME Investment Partnership, (HOME) Program Grant Agreements and Disbursement Agreements with the four Brevard HOME Consortium member cities, upon approval from HUD; authorized the County Manager, or his designee, to sign contractual agreements for projects identified in the Action Plan, including any associated budgetary changes after approval from Risk Management and the County Attorney's Office; and authorized you, as contract administrators, to use competitive bids to secure contractors to complete proposed projects.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.D., RESOLUTION, RE: PETITION TO VACATE PARTIAL PUBLIC UTILITY EASEMENT - BAREFOOT BAY UNIT TWO, PART ELEVEN - ALBERT CARNEVALE

Chairman Barfield called for a public hearing to consider a resolution vacating a 12.0 feet wide public utility easement in Barefoot Bay Unit, Two, Part 11, as petitioned by Albert Carnevale.

John Denninghoff, Public Works Director, stated this Item is to consider a petition to vacate a drainage and utility easement in Barefoot Bay; and there have been no objections to the petition.

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There being no objections heard, the Board adopted Resolution No. 16-111, vacating a 12.0 feet wide public utility easement centered along the common line between Lots 8 and 9, Block 111 - Barefoot Bay Unit Two, Part 11, Micco, in Section 10, Township 30 South, Range 38 East as petitioned by Albert Carnevale.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM V.A., RESOLUTIONS, RE: AUTHORIZING THE REFUNDING OF ALL THE COUNTY'S OUTSTANDING SOUTH BREVARD RECREATION SPECIAL DISTRICT LIMITED AD VALOREM TAX BONDS (PARKS AND RECREATION PROGRAM), SERIES 2007, NORTH BREVARD RECREATION SPECIAL DISTRICT LIMITED AD VALOREM TAX BONDS (PARKS AND RECREATION PROGRAM), SERIES 2007, AND LIMITED AD VALOREM TAX BONDS (MERRITT ISLAND RECREATION MUNICIPAL SERVICE TAXING UNIT PARKS AND RECREATION PROGRAM), SERIES 2007, DEBT SERVICE SAVINGS FOR DEBT RECONSTRUCTION

Stockton Whitten, County Manager, stated this Item is the refinancing of the Parks and Recreation voter approved debt; under this Item the Board is refinancing the debt simply to take advantage of the lower interest rates; when refinancing the Board does not extend the amortization schedule; and it simply just takes advantage of the interest savings. He went on to say these are really good financing's being interest goes from four and one-half percent to five percent, to 2.105 percent and 1.15 percent; for the next five years in North Brevard and is an annual savings of approximately \$560,000 for Merritt Island; and the next five years with approximately \$325,000 for South Brevard and is an annual savings \$970,000.

Commissioner Infantini inquired if it is only refinancing the outstanding amount and not increasing the amount of debt. Mr. Whitten responded affirmatively.

The Board adopted Resolution No. 16-112, authorizing the issuance of not exceeding \$26,500,000 principle amount of the Refunding of all South Brevard Recreation Special District Limited Ad Valorem Tax Bonds (Parks and Recreation Program), Series 2007; adopted Resolution No. 16-113, authorizing the issuance of not exceeding \$7,250,000 principle amount of the Refunding of all North Brevard Recreation Special District Limited Ad Valorem Tax Bonds (Parks and Recreation Program), Series 2007; adopted Resolution No. 16-114, authorizing the issuance of not exceeding \$5,750,000 principle amount of the Refunding of Limited Ad Valorem Tax Bonds (Merritt Island Recreation Municipal Service Taxing Unit Parks and Recreation Program), Series 2007, for debt services savings and for debt restructuring; authorizing a negotiated sale of said South Brevard Series 2016 Bond to TD Bank, N.A., a negotiated sale of the North Brevard Series 2016 Bond, and the Merritt Island Series 2016 Bond to Pinnacle Public Finance; authorizing the execution and delivery of three escrow deposit agreements with The Bank of New York Mellon Trust Company, N.A.; and authorizing County officials and staff to take necessary action to effect the foregoing.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.A.1., INTERLOCAL AGREEMENT WITH CITY OF PALM BAY, RE: COUNTY PROVIDED CONTRACTOR LICENSING, REGULATION, AND ENFORCEMENT SERVICES

Robin DiFabio, Planning and Development Director, stated this is an interlocal agreement with the City of Palm Bay; the City has requested that the County provide contractor licensing, regulation, and enforcement services in support of their Building Code efforts to defray expenses associated with costs; they are offering to make an annual payment of \$10,000 per year; and the County will be retaining the licensing fees and citation fines that are collected through the process.

Commissioner Infantini inquired what the annual budget is for Contractor Licensing right now. Ms. DiFabio replied she does not have that number with her right now. Commissioner Infantini inquired how much more it is going to cost the County to take on this function. Ms. DiFabio responded this function is provided right now for seven other cities; this would just be an additional city the County would be involved in. Commissioner Infantini stated what she is trying to find out is to make sure recouping the amount of additional costs that it is taking for the County; she is all in favor of doing this just as long as the County is recouping all of the costs for each city, that it costs the County to offer this service; and otherwise, it would not be in the County's best interest to take on these responsibilities for the other municipalities. She went on to say that without knowing how much the whole budget is, cost per unit, and how much it is going to increase workload she wants to make sure that the County is recouping all of the costs it is absorbing for all of these municipalities.

Ms. DiFabio explained currently for the seven cities the County does have Agreements and there has never been a payment for that, it is exclusively based upon the County keeping the licensing fees and the citations; and the City of Palm Bay is the first to offer an additional payment.

Commissioner Infantini advised looking at how the whole fee structure is; and she encouraged the Board versus just going forward with this to look at how all of this is being done and to ensure the same amount of cost incurring in the County.

Commissioner Anderson stated the revenue streams are not exclusive to the residents of all the cities that pay into the General Fund for Brevard County services; they are no different than unincorporated residents; and since they pay the majority of the General Fund taxes, if a small cost was incurred, he thinks is fair.

Commissioner Infantini remarked that is not actually how government runs. She stated there are interlocal agreements for taking on responsibilities of cities; she inquired why even have city governments if the County was just going to take on all of the cities government function; and the cities collect taxes from their representatives and she does not think it is a good idea.

Commissioner Anderson Called the Question.

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Commissioner Smith stated he asked those same questions when he had his staff meeting yesterday; and he was satisfied with the answers given and the County is not on the short end of this.

Commissioner Infantini asked Commissioner Smith to tell her how much extra will it cost to provide this service. Commissioner Smith responded at worst it is probably a wash. Commissioner Infantini stated he does not actually know the amount. Commissioner Smith stated he does not know.

Commissioner Infantini expressed her thanks for the offer of the \$10,000.

The Board approved Interlocal Agreement with the City of Palm Bay for the County provided Contractor Licensing, Regulation, and Enforcement Services.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM VI.A.2., COST-SHARE AGREEMENT WITH STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, RE: PINES INDUSTRIAL POND WITH DENITRIFICATION AND PHOSPHORUS BAFFLE FILTERS PROJECT #NF003

Virginia Barker, Natural Resources Management Director, stated this is a grant agreement from the State of Florida; it is actually two different grants all in one contract; one is from United States Environmental Protection Agency 319 for stormwater that has passed through the State's Environmental Protection; two is from a Legislative appropriation; and both for Pines Industrial Pond Project at the end of Barnes Boulevard. She went on to say the combined grant is about 70 percent of the total Project cost; it will provide treatment to an industrial area at the end of Barnes Boulevard; and the local match is already appropriated in the budget.

The Board executed Cost-Share Agreement with FDOT for Pines Industrial Pond with Denitrification and Phosphorus Baffle Filters Project #NF003, subject to review by the County Attorney and Risk Management; approved the legal venue as Leon County; authorized the County Manager, or his designee, to execute future contract amendments, subject to the approval of the County Attorney and Risk Management; and approved the necessary budget change requests.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

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ITEM VI.F.1., CITIZEN REQUEST BY JOAN DAVIS, RE: REVISIT PASSING A RESOLUTION BANNING BLACK BEAR HUNTING IN BREVARD COUNTY SIMILAR TO HILLSBOROUGH, VOLUSIA, SEMINOLE, AND MIAMI-DADE COUNTIES RESOLUTION

Joan Davis expressed her appreciation to the Board for being given the opportunity to speak on Black Bears again; she urged the Board to pass a resolution prohibiting Black Bear hunting in Brevard County; it would affirm and honor wishes of the vast majority of Floridians; she offered the Board Florida Fish and Wildlife Conservation (FWC) commission has consistently stated that human/bear conflicts are not reduced by hunting; and it could be argued that hunting can exacerbate an increase of bears coming into neighborhoods. She went on to say when a population is disrupted and destabilized it kill dozens of lactating females, and leaves behind cubs that are unprepared to fin for themselves; last October 36 lactating females were among the bears killed; in addition to other violations witnessed, it was made clear that FWC has no way of enforcing their own hunting rules; and what does reduce conflict is non-lethal bear wise education and responsible handling of bear attractants, these measures have a significant improving success rate of up to 95 percent. She stated the committed group of citizen activists, whose numbers continue to grow are on a strategic mission, traveling the State, speaking to county commissions, and urging the passage of bear wise ordinances and resolutions banning bear hunting, and proposing specific measures to deal with bear attractants; and to initiate preservation or critical habitat; to date six counties and 14 cities and municipalities have passed resolutions or proclamations banning bear hunting, which represents 6,404,876 citizens; and in 2014 Florida passed Amendment 1 with the intent that critical habitat would be purchased to prevent urban sprawl, and that commitment has not been realized. She added, prime habitat needs to be purchased and have adequate food sources for Black Bears has never been greater; land must be purchased to create connectivity corridors linking isolated bear populations before it is too late; this must be a top priority for decision makers; FWC recently announced its intent to help counties with needed bear wise education and are offering matching funds to purchase bear resistant trash cans; and this is a welcomed and positive role for FWC, and should eliminate any need for future bear hunts that they know does not decrease bear nuisance issues. She stressed on bear hunting being a very poor management tool in so many ways; she stated it is particularly unadvised because it removes healthy and mature bears, that are an important part of maintaining a viably healthy population; it may not be widely known but among wildlife experts, it is well known that natural phenomenon of female bears regulate their own reproduction based on environmental conditions and the food source available to them; and depending on availability of food, they can delay implantation or have fewer cubs. She continued to state that approximately one month ago on June 18, 28 cities across Florida simultaneously participated in the largest animal rights anti-bear hunting protest in history; it drew national and international media coverage; and the clear message given to FWC was no Bear hunting. She concluded by saying Florida has an opportunity to be at the forefront of a new paradigm shift towards compassionate conservation of the Black Bears that does not include hunting; the North American model of wildlife management is being called in to question why many scientists and wildlife experts across the country; living in a new era where hunting is considered the norm or the responsible wildlife management; there is opportunity to apply recognized principles and passionate conservation by utilizing best practices to coexist with Black Bears; and the concept of wildlife preservation as a public trust is real and owe the future generations the right to enjoy the natural beauty and wildlife of Florida. She advised that she is proud of Brevard County for having the insight to see that a new more human way of managing Florida's Black Bears is the right thing to do; she asked the Board to acknowledge and act upon the clear preference of the vast majority of Floridians; Florida's Black Bears are dependent upon ethical stewardship and a Doctrine of Public Trust; and she asked the Board to listen to its better angels and ban bear hunting in Brevard County.

Shannon Geis stated recently the Volusia County Commission approved a resolution opposing the Florida bear hunt; the Florida Black

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Bears are an iconic species and a symbol of the great State of Florida, utilizing only for preventative measures to reduce human/bear conflict, and using wildlife corridors and sanctuaries, or what is needed to peacefully coexist with Black Bears; and she asked the Board to pass a resolution to oppose any future bear hunts.

Lee Day stated he is wildlife volunteer who transports injured animals to rehab facilities in Central Florida; he is also a videographer and an active bear advocate using videos to garner support, to stop the Florida bear hunts; and he is going to speak about the FWC deliberate mischaracterization of bears. He went on to say that some people do not understand Black Bears, due to a lack of personal interaction with bears or lack of accurate education; other people fear bears because they assume a large animal means danger, but size does not equate danger; the worst thing one can say about a black bear is that they are large in size; black bears by their bear nature a shy, reclusive animals that are afraid of mostly everything, as taught by their mothers from the beginning of their lives; bear behavior specialists not associated with the FWC often tell him that bears are very dog-like in their disposition; and however, compared to the risk being killed by a Black Bear humans are 67 times more likely to be killed by a dog, 180 times more likely to be killed by a bee or a wasp sting, 374 more times likely to be killed by a bolt of lightning, 90,000 time more likes to be murdered by another human being, and 160,000 times more likely to be killed in a car accident than to be killed by a Black Bear. He stated black bears have never killed a person in Florida on record, which is an amazing statistic; there have been no mortality's and hunters do encounter them in the woods; bears are most likely to be killed for fear of what people think they will do versus what bears actually do; FWC plays the fear-card with bears to legitimize its hunt, but they do not have statistics backing them up; and in 2016 webinar, FWC admitted that all physical bear encounters in Florida were defensive not offensive in nature. He added, Black Bears are not out roaming the woods looking for people to eat or attack; a bear might defend if it felt threatened, such as a mother bear defending her cubs; a threatened bear may run away and myths about bears make humans think that bears have malicious intents; they seek the same as humans do for food, water, shelter, peace in raising the young, and to be left alone; and the planet is shared with Black Bears and humans need to learn to coexist with them. He stated Black Bears are not overpopulated, it is a ridiculous notion created by the FWC when the bears are looking for food in neighborhood garbage cans; that has received a lot of media coverage that has created a sense that bears are public enemy number one; if hunting were the answer to reducing bear/human encounters then the animals would have to be hunted down to such a low number, that it would put their species impearl; and he has several scientific studies from different states that he can provide via email to the Board. He continued to state the FWC is the agency that developed the idea and manages the Florida bear hunt; much of its activities and salaries are derived from the sale of hunting licenses; Floridians are well aware of Governor Rick Scott's desire to make State Parks, State Forests, and natural resource agencies like the FWC to become more self-sufficient by commercializing the vary resources they are supposed to protect; and letting the FWC come up with a bear hunt and to profit from that hunt is wrong. He stated FWC has been pandering to the relatively few people who fear bears, have no tolerance, or hate bears and other wildlife; public opinion is for the non-lethal methods to coexist with bears; the FWC staff is determined to have an annual hunt and have made it clear that it will continue to push hard to have it; if the FWC had not responded to public pressure this year, it would have had its way; and Floridians that like bears know that bears are peaceful animal who mean no harm. He stated he is hopeful for the Board to pass the resolution banning Black Bear hunting and use Amendment 1 funds to acquire land to protect them.

Commissioner Smith advised that he was told by FWC that there would not be a bear hunt this year; and he was told in the past few year there were two bears killed in Brevard County, both being on private land, so they were exempt from the ban.

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Mr. Day stated FWC is going to consider a 2017 hunt, they have not officially made that announcement but they do intend to push again for a hunt.

Commissioner Smith stated for the record that Brevard County is not overrun by Black Bears; it is pretty much a non-issue; he hears what Mr. Day is saying and he agrees with most of what he has said, but he has to consider that in light of the Manatee situation by any measure the Manatee is way over populated compared to what it was 30 years ago, so it cannot possibly be endangered anymore, and the people that protect the Manatee are a lot more organized than these folks here today; if Manatee were to be discussed this Board room would be full; he told the FWC that it should be glad that it is managing the bears and not the Manatee; and he opined that bears should be off limits also.

Mr. Day agreed with Commissioner Smith; he stated they are delisting the Manatee as well and it is just the same process that the bear have arrived to today, when they delisted them in 2012; he considers the Manatee, Sea Turtle, and the bear to be the iconic animals of the State; and is really why he has got involved because if an iconic animal can be hunted then no animal is safe, especially an animal that does not need to be hunted because humans misunderstand them.

Commissioner Smith expressed his thanks to Mr. Day because what he stated is very interesting to him.

Mr. Day advised the Board that if it wanted any studies to refute the idea that if bears are hunted at 10 percent of its population annually, that it would help reduce bear/human conflicts; he stated he will email the Board several of the different studies; and when 10 percent is knocked down all that it does is repopulate and create a crop. He went on to say FWC see bears as a renewable resource but it does not solve the human/bear conflict in neighborhoods.

Commissioner Smith inquired if there is any restriction on killing female bears. Mr. Day replied no; he stated he has a website that is filled with videos and still photographs of lactating mothers; and when lactating mothers are killed, they orphan two to three cubs at a time. Commissioner Smith stated unlike a deer they cannot really tell whether it is a male or a female.

Mr. Day he stated they are not supposed to kill a female bear in the presence of cubs, but the way bears tree their cubs when looking for food is the issue that the hunter may not see that there are cubs in the vicinity and it turns out to be a lactating mother; there were a lot of lactating mothers that came through the checkpoint stations; it is public record and he can give Commissioner Smith access to FWC's information; but that is really the tragedy of all this that these mothers are killed and they have a very tight bonds with their offspring.

Commissioner Anderson inquired if Mr. Day supports the hunting of other species. Mr. Day responded he is only present to speak against the bear hunt and nothing else. Commissioner Anderson stated he thinks this is getting on a slippery slope; he read a lot of social media points and he would never hunt a bear because it does not seem very sporty to him, but he and his friends do hunt a lot of other species; a lot of the people associated with this are completely anti-hunting and it tells him they are ignorant to the fact of what happened in the deer population with the wasting disease; his concern is people associated with this and other hunting issues let their emotion override logic and scientific fact; and is why he is asking if Mr. Day believes in hunting in general. Mr. Day advised that he has a lot of personal opinion but when he has a particular agenda, he is only going to speak to that personal agenda; and he is not going to answer questions about that. Commissioner Anderson stated that answers his question and this is why he is not supportive of this resolution; it is not against the Black Bear; but it is about the slippery slope. Mr. Day stated if Commissioner Anderson is worried about people challenging other forms of hunts, when they come up to this podium he can vote them down.

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Commissioner Anderson stated it is a slippery slope and he believes there is a second amendment implication also. Mr. Day advised it is not.

Katrina Shadix stated she told the Board before that she comes from a family of hunters, she eats venison all the time, she has a gun range in her backyard, she has lots of guns and lots ammo. Commissioner Anderson advised he appreciates that but Ms. Shadix is not representing the majority of the people on this issue. Ms. Shadix stated she is one of the leads in the State. Commissioner Anderson advised for Ms. Shadix to read some of the sources of media stuff. Ms. Shadix stated vegans are a very small percentage of this movement; there are a lot of hunters back them and she does not want that to be misrepresented. Commissioner Anderson inquired if there is a hunter association that supported the banning of this. Ms. Shadix responded affirmatively; she stated it was Florida Wildlife Federation which is a pro hunting organization; and the Bear Hunters Association of America is against the bear hunt because it is impossible to tell the male from the female from 100 yards away; they have to be 100 yards away to shoot the bear; is why the Bear Hunting Association of America was against it because of what happened with lactating mothers; and there were a few cubs killed. She stated the Bear Hunting Association of America uses dogs to tree the bear, that way they can tell if it is lactating; and it was opposed by several hunting organizations. She went on to say that she has a vested interest in Brevard County because her father, brother, and son live here and she has an annual pass to Playalinda; she is present to support Brevard County resident Joan Davis on her second submission of the proposed resolution against a bear hunt, as well as to relay the wishes of her family and friends, residing and voting in Brevard County; she lives in Seminole county, they passed one of the most strongly worded fracking ban ordinances in the State, and they were the first county in Florida to pass a bear friendly trash ordinance, as well as passing a resolution opposing the bear hunt on May 24; she is hopeful for the Board to join Seminole, Miami Dade, Volusia, Pinellas, Hillsborough, and Alachua Counties; and she is hopeful for the Brevard County Board of County Commissioners to join City of Clermont, Town of Davie, City of Cape Coral, City of Fort Myers, City of Eustis, City of Deltona, City of Safety Harbor, City of St. Petersburg, Village of Palmetto Bay, City of South Miami, Village of Pinecrest, Town of Cutler Bay, and Village of Biscayne Park in representing over six and one-half million Floridians by opposing the bear hunt. She mentioned the FWC opposed its own bear hunt on June 22 when it voted to not conduct a bear hunt. She added, the Board has a tough job in trying to make everyone happy; the Board has opportunity today to make the majority of citizens happy by respecting the democratic process governed by the people for the people, along with passing a resolution opposing the bear hunt; and she requested for the Board to acknowledge the wishes of her family and friends living and voting in Brevard County, as well as the majority of Floridians in supporting and upholding Article 10, Section 28 of the Florida Constitution, otherwise known as Amendment 1 for Water and Land Legacy Amendment with 709,976 petitions that were collected to qualify for the November 4, 2014, Ballot that was approved by 74.96 percent of Florida voters. She provided the Board with a resolution requesting the Constitution be upheld by allocating sufficient land buying conservation funds to procure the meaningful habitat and connective greenway's for the Florida Black Bear, which will in turn provide protective habitat for all other species and ecosystems being that the Florida Black Bear is an umbrella species; setting aside land and waterways to protect the natural resources is needed more and more every day; and in Tallahassee today, discussions are taking play to increase the volume of toxic chemicals that can illegally be dumped into drinking water, and into waters that are swam in, fished in, and shellfish are harvested in. She stated if the new standards become law, it will allow more than twice as much of those chemicals than the EPA recommends, and leaving out the most environmental laws in the country; it would make Florida a magnet for companies to dump its toxic waste with impunity; lead is showing up in local water supplies with stunning frequency; toxic algae is smothering much of the coastal water killing Manatee, Dolphin and fish, shutting local businesses, and making people sick; the nuclear reactors at Turkey Point are leaking titanium in close proximity to the Biscayne Aquifer, which supplies south Florida with drinking water; and fracking wastewater has been pre-treated in the City of Opa-Locka prior to

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being dumped into the Miami-Dade sewer and stormwater system. She added, the proposed standards would roughly double Floridians risk of cancer, birth defects, kidney, liver disease, neurological disorders, and a host of other public health threats; and now more than ever elected officials are being counted on to protect the health of citizens while protecting Florida's unique and natural resources; she asked the Board to pass the provided resolution opposing the Florida bear hunt.

Susan Holcombe stated while she was researching she found information from all over the North American Continent, there seems to be one commonality which is bears are hard to count; the FWC estimates it to be 4,350 bears, admittedly by their own admission, this did not include the 304 killed from last year's hunt; and it is not including the 200 to 240 lost on the highways annually or the euthanized nuisance bears. She went on to say the volunteers at the weigh stations have photographic evidencing 36 lactating mothers killed and an estimated 70 nine month old cubs left orphaned, still nursing, and stood no chance of survival; under normal circumstances a cub would stay with its mother for up to two years and in some areas stay with its mother for up to three years; and 25 percent of all cubs are lost in their first year and given the adverse effects, not only were the cubs of the lactating mothers killed the yearlings probably are affected by this as well. She advised the Black Bear is a sensitive reproducing mammal, it is among the least productive of all mammals in the North American Continent; they are so sensitive that they can limit their reproductive systems; when females mate and eggs are fertilized in June, those eggs do not implant onto the uterine wall until the denning season; and even then they will not do it unless she has acquired the appropriate amount of weight and fat, if that does not happen those eggs are lost to nature as well. She added, the cub counts are very critical to the future generations of bear, in a mammal that is highly sensitive in its reproduction cycle; the FWC states on its website that in order to get a good picture of any population shifts, surveys need to wait for a full-generational cycle of eight years; in eight years it gives time for all the variables of the population, the hunt, loss of habitat, the corridor displacements, and the cub losses needs to have a better picture in eight years; and how to get there is by using hair snares, and a catch mark and recapture method of DNA to be put into a database. She explained to the Board that hair snares are barb wire corrals that are set up with bait or scent; the bears go to investigate that and they snag hairs on the barb wire, and those hair samples are collected; and DNA and genetic testing is done and put into a database, then the snares are reloaded and go back out with some of those samples being already in the database as opposed to the ones that are not; that gives the first ratio percentage that sets up the foundation for a mathematical formula that leads to an estimate; and she cannot find any information of how often the snares were reloaded, but she was able to find a quotes by Walter McGown, "That there were 894 snares placed all over Florida in two consecutive summer periods 2014 and 2015." She went on to say there were 15,000 hair samples taken and from those 4,350 bears have been identified; those numbers are way of out whack to her from what she sees all over the country; there are very few bears in Brevard County; but there is a large human population that is overwhelmingly against the bear hunt. She expressed her thanks to the Board for revisiting the bear issue; and she urged the Board to represent the group, by putting a ban on Black Bear hunting in Brevard County.

Commissioner Infantini expressed her thanks for the informative information she learned today.

Commissioner Anderson stated he is not supportive of the Black Bear hunt at all; he understand FWC has scientific reasoning behind it but he thinks the interactions were so few, such as in Missouri and in Pennsylvania that some of this information is remedied through using precautionary efforts with bear proof trash cans; he is not going to vote for the resolution because of getting into incrementally start going after the different types of hunts and firearms; and extreme political activists use this to get one thing done after another. He went on to say that he is fearful as a sportsman that it is bears now and what would it be next time; he is a one issue voter when come to Second Amendment; and pretty soon all hunting will be restricted. He

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advised to research social blogs and emails on the militant side of these issues, they love for a county like Brevard County to pass something like this; and quite frankly, this resolution is in search of a problem that does not exist; he not supportive on that basis; and if they want to come back with a resolution that is specific to Black Bear and does not have all the other language in there about the conservation, he may then reconsider it. He reiterated he gets fearful with touching the rights of sportsman and future Second Amendment rights that goes along with it.

Commissioner Smith agreed with Commissioner Anderson; he stated he is fearful of the slippery slope involved, but at the same time he has faith in his fellow Commissioners and future Commissioners that they would be able to pick apart each of these issues, and make them stand on their own; if they can stand on their own they should be supported; and if they cannot, he would not think that they would all be boxed into one segment and voted on, and having to present their arguments on each and every one. He advised that he would support a resolution that was restricted simply to the hunting of Black Bears.

Commissioner Infantini stated what she is in support of is government sponsored bear hunts; she does not want to touch upon hunting as a sport, because she could not hunt and kill; she does sanction it and completely approves of it; but she does not approve of government sponsored hunts, so for the FWC to say they are going to do a bear hunt is what she is opposed to. She advised that she is not opposing hunting as a sport; if bear is included in all of that that is up to them; and she would sponsor a resolution prohibiting bear hunts that are sanctioned and promoted by the government.

Chairman Barfield advised that he has a family member who is an amazing bear hunter; he spoke to his family member about how he hunts; he hunts bear by raising dogs; he is careful if there are cubs and he hunts no females; treeing bears is true, that is what the bear dogs do; people come and purchase his dogs from all over the world; he has nothing against bear hunting or any kind of hunting, it is how it is managed, and how it is done that bothers him; and true hunters do not want to see cubs left without the mothers. He stated he does not want to do this again, but he recommended for them to bring the resolution back and make it more specific because hunting is okay; the thing that concerns him is how it is managed and how the government is managing this; and if Ms. Davis would like to send him a resolution, he'd be happy to look at it for her to bring it forward again.

Commissioner Infantini inquired is Ms. Davis is able to prepare and send to Chairman Barfield and her. Ms. Davis replied the Volusia County resolution had already been sent; today if the Board could decide to ban Black Bear hunting in Brevard County, even though only four bears were killed in Brevard County last year, that could come up because Volusia County had 20 something killed; and with all the construction going on, the bear are on the move. She understands a resolution to ban bear hunting in Brevard County is not legally binding, but it is an affirmation that up to 95 percent of Floridians do not want Black Bears hunted in Florida.

Chairman Barfield inquired when FWC is bringing up again about the hunting. Ms. Davis responded with everything that went on they obviously decided not to have a hunt this year, but staff wanted to go forward with a hunt this year; it was the commissioners with all of the pressure they were under said no and hold off for one year; but she has been following this for well over one year, and they are going to come forward with a bear hunt in 2017. She clarified for the Board that she is not asking for a ban on any other types of animal hunting at all; she stated it is an important issue; there were over 100 people at the FWC meeting who spoke, along with National Rifle Association (NRA) present there as well who said no to a Black Bear hunt; and not all hunters out there are responsible. She added, that she has witnessed evidence from last year's horrendous violations; and they cannot control it and they cannot monitor it properly.

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Commissioner Smith inquired if Ms. Davis is a local resident. Ms. Davis responded that she lives in Palm Bay. Commissioner Smith suggested for her to work with a Commissioner of her choice, to get things worked out; and it could be revisited in August or September. Ms. Davis stated her choice is to work with Commissioner Infantini on specific language.

Commissioner Infantini asked for Ms. Davis to work with Linda Mannier, Chief Legislative Aide of District 3 Commission Office; she stated they came work together to come up with language that she believes will be acceptable to the Board; she understands the fear that Commissioner Anderson has and she agrees with it; the bear hunts can be addressed; and she expressed her thanks for all of Ms. Davis' efforts.

The Board acknowledged the Citizen Request by Joan Davis to revisit passing a resolution banning Black Bear hunting in Brevard County similar to Hillsborough, Volusia, Seminole, and Miami-Dade Counties resolutions; and directed Joan Davis to work with Commissioner Infantini to provide a language specific resolution to bring back to the Board.

ITEM VI.F.3., CITIZEN REQUEST BY NATIONAL ACTION NETWORK AND WEST COCOA H.O.A., RE: MOVING GUN RANGES OR CLOSING THEM

Reverend Johnnie B. Dennis stated that for months there have been talks about studies and what should be done; he asked the Board for a resolution considering the gun range be closed in or moved to a new location; it affects over 600 residents and is not only a public nuisance but also a health hazard; the community affected consists of the elderly and senior citizens who had worked all their lives to have a decent place to live; and the Sheriff's Department has no remorse for the residents. He continued that it is only common sense to close in the range; the Sheriff's Department could utilize their Second Amendment right; the 600 residents could utilize their 14th Amendment right after they have struggled for years to get this taken care of and they are not going to give up; and he requested a vote be taken today to close in the range or move it. He noted the study talks are a waste of money and time; there has been too much talking and no action; and on July 1, a new law was signed where there are to be no gun ranges in residential areas.

Commissioner Infantini asked if cost estimates were completed on closing in the range and that she was still unsure how effective that would be in breaking up the sound; a wall would break the sound for a certain distance, but does not actually stop the noise; and that her concern would be the heat. She continued that she is not prepared to vote on this today, however the Board will continue looking into options, and she appreciates the residents keeping it in the forefront.

Commissioner Smith stated he sympathizes with Reverend Dennis. He commented that the range has been there for a long time; he suggested that the Board work with the residents and the Sheriff's Department on a solution; he suggested the possibility of looking into a steel building with air conditioning; and he will research for prices.

The Board acknowledged the citizen request by Reverend Johnnie B. Dennis to move the Gun Ranges to nonresidential areas or enclose them, and authorized locating prices for a steel building to be slated and air conditioned.

ITEM VI.F.4., REQUEST FOR WAIVER OF IMPOSITION OF ENFORCEMENT COSTS, RE: BREVARD COUNTY CODE ENFORCEMENT CASE NO. 13CE-00698

Robin DiFabio, Planning and Development Director, stated that Mr. Repperger is there to represent Barefoot Bay involving a Code Enforcement case dating back to 2013. The property was purchased in a tax deed sale in 2014, however, the violation was not cured; Barefoot Bay acquired the property at the end of December or beginning of January, whereas the sale was recorded; and Barefoot Bay brought the property into compliance. She continued that it is a mobile home that was in an unsafe condition; Mr. Repperger appeared before a special magistrate who has purview in Code Enforcement cases when there is no lien involved; the special magistrate heard their request to reduce the fine from approximately \$23,000 to actual cost of approximately \$1,200; and he is here to ask the Board to eliminate the cost portion as well. She went on that he is seeking no fines and no costs associated with this property; that it is the Board's Policy to recoup the County's cost in handling the case; she also pointed out that there is still two years of taxes due on the property totaling over \$2,200 for tax years 2014 and 2015; and considering the fact that the property now owned by Barefoot Bay, can conceivably be sold on the real estate market, so additional monies would be covered from that as well.

Clifford Repperger stated that he is with Attorney Gray Robinson and serves as council for Barefoot Bay Recreation District; the case is a 2013 Code Enforcement case; the District has nothing to do with the code enforcement; the property was sold at a tax deed sale in 2014; and since that time the District was negotiating with that owner trying to get title to the property because the District also had a deed of restriction enforcement case against the property as well. He continued that the District was eventually able to obtain title and recorded the deed in January 2016; at that time, they had spent over \$3,500 in demolition and asbestos abatement costs; they waived over \$4,300 in maintenance costs that had incurred prior to that point in mowing and removing debris; and they had gone before the special magistrate in June and asked for the fine of \$2,625 to be waived in addition to the actual costs. He went on that the District had paid the administrative costs of \$550 to have the special magistrate consider that request, then there was an actual cost of \$1,226; therefore the District asked for the waiver of the \$1,226 given the amounts that have already been spent in public dollars to remedy the violation and bring the property into compliance.

Commissioner Smith asked Mr. Repperger what his thoughts were on the \$2,200 in back taxes.

Mr. Repperger stated that will have to be addressed, and that the District will probably have to pay it.

Commissioner Infantini stated that he should be stating that the District is going to pay it.

Mr. Repperger commented he suspects that they will be paying it, and that the only reason they would not be paying it is if a subsequent buyer came in and offered to pay part of the transaction to take the property from the District.

Commissioner Infantini stated she would be comfortable going with the out of pocket costs plus property taxes.

Commissioner Smith stated if Commissioner Infantini was making a motion that the Board would impose the actual cost of \$1,126 and whatever back taxes have accrued he would second that motion.

Commissioner Infantini stated that is her motion.

Commissioner Barfield questioned if Planning and Zoning were asking for a "no" vote.

Ms. DiFabio commented that he was correct in his statement.

Commissioner Fisher stated that Mr. Repperger is asking for a waiver of the dollars and the Motion is not to waive it, it is to charge the minimum fee and the back taxes.

Commissioner Infantini stated that the County needs to recoup their out of pocket costs and keep the property taxes paid up, then that can be recouped when the property is sold.

Mr. Repperger stated the property is not worth that much and given the amount that Barefoot Bay has already paid in demolition, removal, and waiver of costs and actual costs of maintaining the property there is no way the District will cover the amounts that they have spent on this property. He continued that the District is already underwater on the property, not counting the taxes that are still due, and emphasized that the District did pay \$550 in administrative costs, and for some unknown reason there were additional actual costs of \$1,126.

Commissioner Smith questioned why this went on for such a long time and all the costs accrued.

Mr. Repperger commented that there was not a responsible owner on the property; that he was not sure if the original owner was deceased or not, it may have been an estate property; it went to tax deed sale in 2014 and was purchased by an out of area owner, who had no interest in doing anything with the property; and so it sat there for two years while Barefoot Bay District tried to maintain the property and tried to negotiate getting the deed to the property from the owner to demo the structure.

Commissioner Smith asked if the Board imposed the \$1,126 and the \$2,200 for back taxes that the District is not going to be able to pay it.

Mr. Rupperger stated he was not saying that at all.

Commissioner Smith commented that if that were to happen the County would receive the property.

Mr. Repperger stated that he is unsure what the District will do with the property and if the request is not granted they may very well just let it go and not pay anything, and that would be up to the District Board.

Commissioner Anderson asked if this was time sensitive because he would like to see the breakdown of the hard copies that were not included in the packet, and questioned if the \$550 was outside the \$1,126.

Ms. DiFabio stated replied that it was and that it was the cost for the County Attorney's time and cost for the special magistrate when there is a contested case.

Commissioner Anderson commented that he just wanted to be consistent with waiving the fines.

Commissioner Infantini stated that was her only problem and that she agreed that the Board had been very consistent with waiving the penalty but not the actual costs, and that she would be uncomfortable doing so for this one.

Commissioner Anderson commented that would be unfair to all the others who have asked for the same request.

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Commissioner Fisher asked how much money was waived.

Ms. DiFabio stated that the magistrate reduced the fine from \$23,073 down to \$1,126 which was the actual cost.

Mr. Repperger stated that was a little bit of a misrepresentation because the fine was capped at 35 percent, so the full \$26,000 did not accrue, the fine amount was \$2,625, and that was what had been waived.

Motion by Commissioner Infantini to not give the waiver and for the District to pay the taxes was seconded by Commissioner Smith.

The Board denied the request for waiver of imposition of \$1,126 in Code Enforcement costs ordered by the Brevard County Code Enforcement Special Magistrate for Case No. 13CE-00698.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

The Board recessed at 10:38 a.m. and reconvened at 1:00 p.m.

ITEM IV.C., APPROVAL, RE: ADOPTION OF RECOMMENDED FY 2016-2017 AD VALOREM MILLAGES

Chairman Barfield called for a public hearing to consider the adoption of the recommended Fiscal Year 2016-2017 Ad Valorem Millages.

Stockton Whitten, County Manager, stated this is a procedural item setting the tentative millages as required by the Florida Truth in Millage Reporting Act; he asked the Board to certify the millages so they can be sent to the Property Appraiser to be noticed in the Trim Compliance Act; he has a presentation and will get through it as quickly as possible; however, the Board is only being asked to set the tentative millages so they could be produced and advertised in the Trim Compliance packages that go out to the property owners; and he reminded the Board that there are two budget hearings in September. He continued that there had been a lot said about the budget proposal and he feels as though he should apologize to the Board, and in doing the right thing he has subjected it to a lot of misrepresentation of the facts; therefore, part of the presentation is setting the facts and providing framework. He started the presentation and stated the budget was produced in compliance with the Charter and Florida Statutes Section 129.025 which states the County Commissioners may designate a Budget Officer to carry out the duties of that Chapter, which is the Budget Development Chapter, he was designated as the Budget Officer, County Manager, to carry out the requirements of that Chapter; it also states that the Budget Officer, after tentatively ascertaining the policies of the Board, shall prepare and present the Board a tentative budget for the next Fiscal Year. He went on that one of the items put before the public was that the Board did not have a chance to provide him direction, and noted that on May 26, 2016, Item VI.E.1., was a discussion of the Fiscal Year 16/17 budget development and read the request as follows: "It is requested that the Board of County Commissioners discuss, provide policy direction regarding the development of the County Manager's Fiscal Year 16/17 Budget;" therefore, he was provided direction; in fact, there were add-on's to that item which the Board discussed whether to eliminate things from the budget;

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and he felt as though he had been given direction going into June to produce a budget in accordance with the Policy direction.

Commissioner Infantini stated she attended that meeting and does not recall the Board asking him to go over the tax cap; he was asked to include those items in his budget; however, she did not ask him to do so in excess of the 2008 voter approved tax cap; and she asked Mr. Whitten what made him decide to exceed the tax cap when he prepared the budget, as he had not done so in the past.

Mr. Whitten replied that he would answer Commissioner Infantini's questions once he finished with his presentation. He stated, going back to the presentation, that it is statutory framework and wanted to discuss the presentation of the budget in regards to Charter Officers; he recalled that on May 26, the Board had not seen the Charter Officer's budget proposals; any direction he had been provided going into the summer was really based on the Board's County Departments; and he must take into consideration what he received from the Charter Officers. He continued that there are statutory requirements for Charter Officers; they present their budgets at various times, all of which are after the May 26 meeting; and in regards to Commissioner Infantini's question, he was not provided direction to present a budget below the cap, because at that time, the Board would not have known what the budget requirements were, as they had not received it from the Charter Officers. He went on that the various statutes for the Charter Officers are Florida Statute 195 for the Property Appraiser and Tax Collector, and that their budgets are submitted to the Department of Revenue and a courtesy copy sent to the Board, therefore, the Department of Revenue approves the budgets for the Property Appraiser and Tax Collector; the Clerk of the Court, Brevard County Sheriff, and Supervisor of Elections submit their proposals to the Board, and his role as Budget Director and County Manager, is to submit the proposals to the Board per statute; the statute reads, "the hearings held pursuant to 200.065 Florida Statutes, the Board of County Commissioners may amend, modify, increase, or reduce any or all items of expenditure in the proposed budget as submitted under sections one and two"; his implication of that is that the County Manager does not have the prerogative to say he cannot fund a budget proposal for those entities, he just takes their requests and hands them off to the Board; and it is the Board's job to either amend, modify, increase, or reduce those budget requests. He stated that it having been said that he produced an illegal budget to the Board, he read what the Charter cap stated, "Shall the County Charter be amended to limit increases from the previous year in Ad Valorem Tax Revenue for tax rates imposed by the Board of County Commissioners to three percent or the increase of cost of living in index, whichever is less, providing exceptions for voter approved taxes or when a supermajority of the Board finds an emergency or critical need exists, excluding certain revenue changes from the computation of revenue increases."; and the budget proposals, in exceeding the Charter Cap, simply ask for the Board to go back to the question, which was direction approved by the voters, and exercise, if the Board sees fit, the supermajority vote that finds a critical need for those services that have been outlined in the Budget message. He stated he feels he has not violated the Charter Cap, he was just asking the Board to exercise the flexibility that the voters approved when they approved the tax cap question. He continued that the real facts with regard to the tentative budget proposal consists of \$1.051 billion, a reduction of \$39.3 million from the current fiscal year budget; the aggregate operating tax rate of 6.7823 is a decrease of 2.81 from the aggregate operating tax rate from a current aggregating tax rate, which is also a decrease of 0.29 percent from the aggregate operating roll back rate, and in essence, the first tax rate decrease budget in the last three Fiscal Years; and he asked the Board to exercise its flexibility, as given by the voters of Brevard County, and to present the tax rate decrease budget.

Commissioner Infantini noted that in the FY 2010/11 and FY 2011/12, when there was a tax rate increase, she worked hard to present that very statement, to point out that the Board was now actually decreasing the tax rate. She commented that she wanted to highlight, during Mr. Whitten's presentation, that the tax rate actually increased 16.2 percent, for those who live in

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unincorporated Brevard County; she had a spreadsheet prepared in FY 2011/2012 when the Board was about to raise the tax rates for the second time and tried to point out that tax rates were going up substantially while housing prices were going down. She stated that the County has actually had tax rate increases, some big ones, in prior years 10/11 and 11/12.

Chairman Barfield requested Commissioner Infantini write down her questions/comments and to allow Mr. Whitten to finish his presentation.

Mr. Whitten stated the listing of various tax rate increases for the last 20 plus fiscal years and that from FY 1988/89 to the present, the percentage increase from the current rates and the percentage increases from the rolled back rates for the aggregate operating tax rates and for the County wide tax rates, and that those are reasonable increases, and with the twenty plus year average, there are no tremendous swings in the increases from year-to-year too for the tax rates.

Commissioner Infantini disagreed. She stated there was a tremendous swing in 2010/2011 there was a 13.4 percent fire calculation, increase, and in 2011/2012 the Board increased the tax rate 14.94 percent.

Mr. Whitten stated that he is not trying to hide anything in regard to the tax rates; the history can be made available to the public with the averages at the bottom, which are less than two percent over time; and believes that all Boards have been responsible with regards to the tax rate. He continued going back to the presentation, that the general Countywide tax rate is 4.3631 which is a decrease of 4.10 percent from the current Countywide tax rate; it is also a decrease of 0.74 percent from the Countywide roll back rate; and the point is that is not a tax rate increase for the Brevard County Charter and per Florida Statutes; Section 5.42 of the Brevard County Charter entitled Truth and Taxation requires the advertisement of a Notice of Tax Increase when the aggregate operating rate is above the rolled back rate; and by State Statute and by Charter this is a tax decrease budget. He went on that the proposed rate for the last two Fiscal Years was under the current but above the roll back rate; and that being proposed for this year 2016/2017, is both below the current or prior years rate and below the roll back rate.

Commissioner Smith requested Mr. Whitten to explain the roll back rate.

Mr. Whitten replied that the rolled back is the rate that is required to produce the same amount of revenue as the County gain from the past year, that rate is applied to a new tax base because it is this year's tax rate base, but the rolled back rate is the rate that is applied to the new tax base and would get the same amount of revenue as the prior year. He stated that there were ad requirements for FY 2014/2015 and FY 2015/2016 and that ad requirement does not have to be met this year because the aggregated roll back is not being exceeded. He asked the Board for super majority votes on the general Countywide tax rate, on the Road and Bridge District one tax rate, and on the Road and Bridge District 5 tax rate; the citizens of Brevard County may not know the County has twenty tax rates that make up the aggregate operating rate; and the Charter exception is only being asked for those three rates, and they are still at or below the rolled back. He stated that a lot has been said about the County's billion dollar budget, and that the budget supersedes any of the County Commissioners that are currently on the Board of County Commission; there has been a billion dollar budget for over a decade; he showed a chart that explains what has been lost in terms of the operating property tax revenues and explained that the numbers are still negative in terms of what is being collected now and what was collected at the height of the construction boom; and that all of the taxing districts have lost dollars except for Law Enforcement MSTU. He commented that the staffing levels are below that of the 2001 staffing levels, due to layoffs, attrition, or partnerships and that the County has managed to get the staffing levels back to that of 2001.

Tom Rosenberg, Budget Office Director, stated that the County is proposing a budget of \$1.051 billion which is a decrease of \$39 million of the current budget of \$1.090 billion. He explained the slide shows Ad Valorem taxes that represents the aggregate of the 25 taxing districts that Brevard County is responsible for, there were 20 operating tax districts and five debt tax districts, and was budgeted for \$224 million based on the millage rates being discussed and the respective property values for those taxing districts; other taxes include tourism tax, local option gas tax, and a communication services tax as the primary elements of the other taxes; the largest operating revenue by far is charges for services, that is charges from a Countywide prospective, internal charges within the County to other departments and charges to the citizens for using certain County services; the County also receives grants from the Federal and State governments which will be about \$116 million this year; and another significant contributor to operating revenues is, permits and fees. He stated the balance forward represents the money being brought forward into the new year for projects that are not anticipated to be completed from the prior year, which is revenue that has been accumulated for projects and either those projects by design will continue to future years or just have not been completed in this Fiscal Year; General Fund Transfers refer to the transfer from the General Fund to various departments that the General Fund helps support; other transfers represent transfer to and from non-general fund departments; and financing is primarily for Utility Services this year. He explained the spending side of the equation, the Compensation and Benefits is to fund the compensation of benefits for employees of the County and Charter Officers; Capital Outlay is for the purchase of machinery, equipment, and library materials, and Capital Improvement Plan (CIP) represents the capital projects, the expenditures that just in 2016/2017 are anticipated to occur, not necessarily for the life of the projects; Debt Service is the principle and interest payments, to be paid in FY 2016/2017 for the ongoing debt; Grants and Aid represents payments to be made to other governments and other agencies, primarily this year about \$21.3 million is education impact fees that would be paid to the School Board, since they have not requested funding since 2015 and are not anticipated to request anything in 2016, therefore, it is an accumulation of impact fees that have been collected in the past few years; Transfers on the expense side, which includes transfers to the Charter Officers, are represented in their accounts; and Reserves are the monies held on to for particular reasons, such as \$85.5 million for restricted Reserves, restricted by legal covenants and other reasons as to why they cannot be spent, Capital for \$82.7 million reserve for the continuation of capital projects, and an additional \$42.7 million for operating reserves primarily to get the County through the first two months of the year before receiving the Ad Valorem taxes. He commented that the next slide is the color of money and how fund groups contribute to the total budget; the General Fund is the primary revenue of the Board's discretion (\$195 million); the Special Revenue funds are the restricted revenues, to be spent in support of department operation; Enterprise Funds are the business funds who charge for their services and are restricted; the only discretionary funds are the funds in green of \$195,088,057; Internal Service Funds are primarily IT and Human Resources for charges from other departments in support of their operation; Capital Project Funds are specifically to support capital; and Debt Service Funds are to pay debt. He continued that the General Fund is the least restrictive and the other fund's revenue is restricted to their use; the source of the new money (\$195,088,057) consists of Ad Valorem Taxes which is budgeted at \$132.9 million; the major revenues consist of four sources, FPL Franchise Fees which is anticipated to be \$10.1 million, Communication Service Taxes which is about \$6.4 million, State Shared Revenue which is \$11.5 million, and a Local Half Cent Tax is about \$25 million; General Government Charges for Services are primarily received from other departments through the cost allocation plan; and then a variety of other sources which include fees, licenses, and interlocal agreements. He stated the new money sources are repetitive, but because of the basic structure there is not enough to support the operating requirements of the General Fund and Reserves, the \$195 million is not enough to cover all the operating expenditures and Reserves, the balance forward has to be considered along with the Transfers In, which will create approximately \$220.5 million into the General Fund. He went on to show

the makeup of the \$220 million and where it goes; almost 61 percent, \$134 million, goes to Charter Officers, courts, and the unfunded mandates; the Board of County Commissioner's departments receive almost \$65 million, broken down to Compensation and Benefits at \$30 million and Operating and Capital at \$33 million; Debt Services receives \$5 million; and other Outside Agencies receive \$510 thousand. He went on that one of the things looked at when preparing the budget is how Brevard County measures up against other Florida counties that are geographically and populated similar to Brevard County which include, Pasco, Indian River, Lake, Volusia, Polk, Osceola, Seminole, and Orange Counties; three of those Counties are showing a zero percent which indicates those three Counties have kept their millage rates flat in the past five years, no change; the other five Counties have had some rise in millage rate between FY 2012 and what they have proposed for FY 2017; Brevard County has dropped 11 percent in the past five years, including FY 2017 and with a proposed budget that exceeds the Charter Cap and needs a super majority vote; and on a Per Capita basis, taking the FY 2017 General Fund Ad Valorem Taxes and dividing it by the population, Brevard County is still one of lowest in Ad Valorem Taxes Per Capita. He continued that the Ad Valorem taxes are based on two elements, the property value and the millage rate; the three counties that kept their millage rate at zero percent, theoretically any increase to their general fund revenues are purely a result of increase in property value; if the millage rate stays the same and the property value goes up seven percent then there should be a seven percent increase in Ad Valorem Tax Revenue; the red line indicates the one to one ratio and every percent increase in property value should be an increase in Ad Valorem taxes; counties below the red line show a millage rate decrease, above the line shows a millage rate increase; Brevard County is well below the red line; in the six year period between 2012 and 2017 Brevard County has experienced a 28.6 percent increase in taxable value, however, because of the decrease in millage rate the Ad Valorem Revenues have only increased 14.34 percent, almost exactly a 50 percent ratio; and had the millage rate been kept constant, Brevard would be at the zero line and would have experienced a 28.6 percent increase in Ad Valorem Revenue.

Mr. Whitten asked the Board to exercise the option that was given to them, by the voters, with regard to an emergency or critical needs super majority vote and at the same time the Board would be providing a tax rate decrease to the property owners; for the tax rate decrease, he asked the Board to deem certain needs as critical, which includes Road and Bridge for \$1.26 million to maintain an additional fifteen miles of road per year, the Supervisor of Elections budget went up \$1.2 million for the 2016 election cycle of the current Fiscal Year and that the budget is to be maintained for the next Fiscal Year, the Brevard County Sheriff's Office (BCSO) for staff raises and Cost of Living Adjustment (COLA), the Board of County Commissioner's staff for a COLA of 1.5 percent, \$154 thousand for an increase in Transit Services for evening and Saturday services, and to increase Veteran's Services in South Brevard. He went on that this budget requests that the Board maintain County services for a growing population, absorb cost increases associated with inflation and unfunded mandates, and to begin addressing funding for critical service needs, and at the same time, by the Charter and State Statute, it produces a tax rate decrease to the citizens of Brevard County.

Commissioner Smith asked what the \$39 million decrease is.

Mr. Whitten replied it is the total decrease in the budget.

Commissioner Smith repeated that the total budget was going to be \$39 million less this year than last year and questioned how that will be reconciled when asking the Board to grant a budget that is over the cap by approximately \$3 million.

Mr. Whitten stated the total budget includes a number of different revenue sources; often times projects are completed, grants are gained, lost, or completed, and the property tax revenue is only a percentage of the budget; therefore, the things that can only be funded with property

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taxes is where the Board is asked to exercise their super majority vote for the charter and that is still a tax rate decrease.

Commissioner Smith stated the budget cap that was voted on restricted growth to three percent or the CPI, whichever was less and the CPI for the current year .12 percent. He noted that chief Mark Schollmeyer, Fire Rescue Director, had told him a new ambulance is needed to replace the ambulance that was purchased in 2005 and the cost for the new ambulance was going to be approximately \$158 thousand, the price of the ambulance in 2005 was roughly half that price; that is the kind of thing the Board has been faced with and cannot deal with a CPI of .12 when necessary items double in cost every six to 10 years; and he praised Mr. Whitten and Mr. Rosenberg for the proposed budget.

Commissioner Infantini stated that the budget presented was \$15 million more than the budget that was presented last year; throughout the year, that budget was increased by roughly \$60 million; and she had prepared graphs to demonstrate how the budget got to where it is. She commented that the green line was for the property taxes that spiked in 2007; the citizens voted in a tax cap to prevent that very thing from happening going forward; the house values went up, and property taxes went up, but when the house values came down, the taxes did not, so when the houses dropped, the Board kept the revenue the same and collected roughly the same amount of revenue within the perimeters set forth in the Charter; and that is where the County is at today and why the tax cap was voted in. She pointed out on her chart that the millage rates were raised tremendously to help keep the revenue up and it was only when Commissioner Anderson, Commissioner Fisher, and herself were first elected to the Board, that they able to keep the County from raising property tax rates. She continued that the relevance of this chart is to show the CRA's and Special Funds; the patches of color show the areas of Brevard County that receive over \$7 million in General Fund monies; and that \$7 million could be used, instead of funding these CRA's and Special Funds projects, to fund the extra bus routes, the Veteran's Services, the BCSO, and Supervisor of Elections. She stated that the discussion today is about choices.

Commissioner Smith commented that the Board does not have choices whether to spend monies on CRA's or not, they are contractual obligations.

Commissioner Infantini stated that Attorney Knox issued a ruling in 2015 that the CRA's do not have to be funded, if there is an extent to where the Board has a funding deficiency, and that the Board can also appoint themselves to be on the MIRA Board, which is \$3 million.

Scott Knox, County Attorney, stated there are ways to get around some of the CRA requirements, for others there are not, there are some in Melbourne and Titusville that predate the Charter.

Commissioner Fisher commented that three votes are needed to do that.

Commissioner Infantini reiterated that the Board has spending choices.

Commissioner Anderson commented that he feels the CPI is a flawed measurement because the Bureau of Labor Statistics intentionally, through political pressure, left certain things out of it, such as fuel, which means the Board is held to a false measurement. He went on that the budget is about \$3 million over the budget cap and questioned the amount of additional monies for the Supervisor of Elections for the 2016 elections.

Mr. Whitten answered that it is \$1.2 million.

Commissioner Anderson asked if that funding would be maintained for 2017.

Mr. Whitten stated there are two sides to the property tax equation and that the Board only controls one side, the tax rate and the property values are the responsibility of the Property Appraiser. He went on that looking back on the general Countywide millage 28 years ago, was 4.1520, and now the proposed millage rate for FY 2017 is 4.3631; the aggregate rate 28 years ago was 6.1062 and the aggregate rate proposed for FY 2017 is 6.5919; and that most other counties cannot say that their millages over a 28-year span are roughly the same. He continued that the voters gave the Board an option and placed responsibility on it to determine what emergency or critical needs are; he has provided to the Board what he feels are critical needs, some of which the Board had already said were critical needs; and he does not think the voters would have ever anticipated that in doing so, they would experience a tax rate decrease.

Mark Nathan stated that he has the understanding that some of the Board members want to increase the budget and exceed the cap limit under the guide of emergency or critical needs; he agreed with road infrastructure and maintenance and that the roads and bridges are falling apart; he had agreed back in 2008 during the recession for a temporary moratorium on the Builder's Impact Fees; and every year, as building came back, there were no impact fees. He continued that in 2012, the Board extended the moratorium once again for two more years, then two more years, as the roads and bridges fell further into disrepair; and that the building business came back long ago and the builders have been dancing all the way to the bank for years on the County's dime. He stated that with an average impact fee of \$4 thousand for a residential home, the County has lost tens of millions of dollars on the tax money designated for infrastructure; he is not against helping the smaller builders with a reduced impact fee, someone building t10 homes or less; however, he finds it outrageous to put the burden on the citizens, after the County has given corporate welfare to the millionaire custom builders and the billionaire nationwide production builders. He went on that in 2015 Commissioner Barfield proposed to do away with the Builder's Impact Fee altogether and to add a gas tax on to the citizens, instead of the millionaire builders or the millions given away to the huge corporations like Walmart, who does not need the money; there maybe sound reasoning for tax increases on some services, like pay increases for County employees, Veteran's Services, and First Responders; and reinstating the Builders Impact Fee may be a start in gaining back the trust of Brevard County citizens.

Pam LaSalle stated that she is unsure that the County even has an emergency and that it is not just mismanagement of funds; the billion dollar budget was whittled down to a few million discretionary dollars; the whole billion dollar budget should be looked at to shake out whatever money is going out inappropriately; she had suggested that Brevard County is in need of ethics regulations enforced by an Inspector General, therefore, the citizens would know to accept the answers; staff and auditors hired by the County all have a vested interest; and she has confidence that it is at her best interest. She continued that she has empathy for the Board, when he or she come in to office had to depend on the staff that was there before and that will remain after their term has run, and that the Board must take its answers because there is no independent audit; an Inspector General has the authority to look at all records, she had been to several County meetings, one which was the Internal Audit Committee Meeting and were basically given disclosure paperwork to accept the numbers they provided; she went to the Citizen's Budget Review Committee Meeting and listened for two hours about roads, and questioned where the County inspectors were and why the roads were not installed correctly in first place, so repairs would not have to be made in 5, 10, or 20 years; and she feels there are credibility issues in Brevard County, and would like the Board to address the billion dollar budget.

Mary Hillberg stated that she could not recall a time when a budget presented was less than previous budgets and gave praise to the County Manager and his staff for doing so; in defense

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of things going up, the population has also increased by millions, the census from 2010 to 2015 is 12 million; being a long County, right on the ocean, there are going to be emergent problems, and the need for Reserves; and the County can be proactive and plan ahead for those problems. She asked the Board to approve the budget; to vote for the three emergency items; and she stated that the Impact Fee issue is an embarrassment, and that the Board should do something about it.

Philip E. Strasik stated he is in support of the budget; suggested that the Board increase revenue; and to eliminate the tax cap as it ties the Board's hands. He continued that the Board has a responsibility to do whatever they can to address the needs of this County; it is important to raise Impact Fees as they are an embarrassment; this County is in trouble, the roads are crumbling, the river is dying, the Emergency Medical Services (EMS) funding is sick, and the EELS program is in need of support and yet there is no revenue to support them; and the Board must raise the revenue because as the population increases, so does the County's needs. He went on that the river is an emergency situation, it is in trouble, and the funding needs to be increased to help fix it, the State and the Federal Government will be looking to the County to raise that money, and the river is only one of many things in need of additional revenue; he asked the Board to lift the tax cap and support the proposed budget; and he thanked the Board and their staff for all they do.

Marcelle Adkins stated the Board has two key things to look at; the Charter 2.931 states the key thing is that the County has budgeted Ad Valorem Revenue; the FY 2015/16 Ad Valorem Revenue is \$215,403,557 and to increase that by .12 percent the total is \$258 thousand; and the Board cannot increase the budgeted Ad Valorem above \$258 thousand, per the Charter. She continued that the proposed budgeted Ad Valorem Revenue for FY 2016/17 is \$224 million and that is why the Board is being asked to declare an emergency; she agreed the roads are bad and that everyone wants higher salaries, but what 73 percent of the voters want is low property tax. She went on the Board will violate the law unless property taxes kept down to the CPI or 3 percent, whichever is lower; the Board consists of elected representatives who are to represent that 73 percent of the voters; and asked that the Board stay within their budget, as her family has to stay within theirs.

Mr. Whitten commented that the \$215 million actually includes the vote approved debt and vote approved operating revenues, and that the Charter specifically states those are excluded from any sort of Charter cap.

Ms. Adkins stated the Board should only ask for the amount that meets the Charter, what 73 percent of the voters asked for is what is in the Charter; what she wants to see is the Ad Valorem Revenue from \$2015/16; and that it should not go up more than .12 percent in the budgeted FY 2016/17.

Commissioner Fisher asked Mr. Whitten to clarify what the Constitutional Officers are requesting to balance their budget and services, and does that exceed the .12 percent.

Mr. Whitten commented that he does not believe so because it is part of the general Countywide. He stated the Charter clearly states the voted tax rates are excluded; voted tax districts are the library, mosquito control, a portion of Fire Control, Recreation District 4, EELS, Port St. John Recreation MSTU, North Brevard Special Recreation District, Merritt Island Recreation MSTU, South Brevard Recreation District, and all five debt service districts; there are only three exceptions to the Charter that is being asked of the Board to vote a supermajority, the general county wide property tax rate, the District 1 Road and Bridge rate, and District 5 Road and Bridge rate; therefore, the \$39 million is not a question of property tax rates, the Charter states that voted property tax rates are excluded from any sort of cap.

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Nick Tsamoutales commented that the Consumer Prices Index is a nationally reputable standard for inflation used by the Bureau of Labor Statistics and other organizations, considered very reliable, and does include fuel. He stated Brevard is a prosperous County, it was made that way through hospitality for businesses, families, and individuals; if the Board ceases to make it hospitable to businesses, families, and individuals then, it will cease to be prosperous; and that is a risk when the County takes more wealth out of the public's property and into the County's hands. He continued that many citizens feel the Board's credibility, as stewards of the County's tax dollars, is non-existent; at times the Board has stated there is an urgent need and at other times the Board goes behind the backs of the public and throw money at frivolous projects; and he asked why there is even a discussion of a \$25 million baseball stadium in Titusville, if the County has emergency and critical needs to be addressed. He feels that the Board is trying to soak the tax payers, when the Board Members are the ones that have been wasting the County's money; there are millions of dollars in County property not being used or under used, that could be sold, and the Board should use some creativity, make do with what it has like families have to do; and that the tax cap, being the only County that has one, is what makes this County great, it means that Brevard County has a shield of protection, it protects the tax payers, and he believes the cap should stay in place forever. He stated there are self-interested groups that protest the cap, however, it has not been struck down and the Board should not strike it down; no matter how people feel about the revenue, it cannot be debated that the proposed budget is to employ deception; and the Board cannot claim a cut, if there is an increase in the public's tax burden, if it were really a cut there would be no argument over whether it violated the cap, and there would be no need to pass off ordinary needs as critical needs. He continued that low taxes and spending are what made this County great and when government is constrained by a cap it is always a great thing.

Chairman Barfield asked if there is a \$25 million stadium in the proposed budget.

Mr. Whitten replied there was not one in this budget.

Commissioner Infantini stated that she thought Mr. Tsamoutales was referring to the \$25 million stadium that Commissioner Fisher was looking into and asked for \$10 million of it to come from the CRA's and \$10 million from the Tourist Development Council (TDC).

Sara Ann Conkling commended Mr. Whitten and Mr. Rosenberg for their thankless job in preparing the budget and displayed gratitude to the Board for its hard work. She stated that she is thrilled to be a tax payer in Brevard County and would be happy to have the taxes raised to improve the quality of life for the citizens and in particularly to take care of the disenfranchised and those that need help the most. She thanked the Board for placing public transit as a priority, for their commitment to the County, and asked if they would consider using up .73 percent that was left in the decreased budget for road and bridge repair and place more money in for transit, which would still leave a decreased budget, however, it would be much less of a decrease.

Joy Morgan stated that the budgetary needs of the Federal Government are always addressed internally by scrubbing through the discretionary budget line items, delaying expenses, or moving funding between programs to cover the increase in cost or emergency needs, which included finding funding for disaster recovery, wild fires, hurricanes, and earthquakes that were not part of normal operations as well as increased annual personnel costs or escalating program costs; and when agencies were unable to recover enough funding to meet those emergencies, they would have to request a reprogramming from Congress to redirect funding to their agency, they did not go back to the taxpayers and ask for more taxes. She continued that her belief is the County should look internally at its expenses and determine where it can cut costs to meet its needs and try not to put the burden on the property owners; it seems every time there is a blooming need in this County the Board turns to the property owners instead of looking at resources that are already available to it; the Board continually gives concessions to

the large companies, which must stop; and those companies, both growing or new, are much of the cause of the changes to the County's infrastructure, increases in County Services, and it should be paying for these services, not the property owners. She went on that the Board needs to look at those companies that are expanding and moving here, then the decision should go to all citizens of Brevard County to decide if they want to equally share the expense, because the companies should have to share the burden, not just the property owners; fully funding a budget request without scrubbing it, is irresponsible; and that this is not a valid emergency.

Vince Lamb stated he has a positive impression of the proposed budget; he likes the fact that 23 miles of road will get the needed maintenance, that it is maintaining the staff for the Brevard County Environmentally Endangered Lands Program, and that it allows for an overall millage decrease; he relies on Attorney Knox to ensure that the Board is in compliance with the Charter provision; he feels the great recession is now over and that Brevard County has recovered very well; and with new jobs coming, he feels it is time to pay attention to the infrastructure, make investments, and protect the quality of life. He requested that the Board approve the proposed budget.

Richard Webb stated that the voters should hold the Board accountable for proposing a budget that exceeds the voter approved tax cap; the base times the tax rate equals the tax, one time there is an increase in the base or it has risen by itself, another time the rate goes up and the County keeps ratcheting it up, which leads to a huge budget; and this manipulation of the rates, and not taking into account the automatic increases and values, means the County is going to get more revenue unless the rates decrease, to keep it even. He continued that the purpose for the tax cap was fiscal discipline and the Board needs to abide by it; it appears to him that there is the manufactured budget crisis with critical needs and that it is always Fire and Police needs given for the increase in the budget; that the lawsuit with one of the unions trying to force out the budget cap is not really an outside deal and that there is featherbedding going with the fire department; and questioned why a fire truck and ambulance are needed at a nursing home every time someone has a heart palpitation or chest pain and then comment that the department has no money. He noted that in Hialeah, the fire truck was eliminated for those stops and to receive a Class A fire rating, there needs to be four people on the emergency vehicle, and no fire truck would be required. He commented that the Board is required to stay within the law, within the tax cap, manage the budgets, and keep the bureaucracy within the budget; the public looks to the Board for that accountability and stewardship; and there is an accountant on the Board who has stated there are all kinds of holes to look into for saving money, and he suggested the rest of the Board pay attention to what she has to say.

Mr. Whitten commented that the County is very proud of the actions that have been taken for efficiency and asked Chief Schollmeyer, to explain priority dispatching.

Chief Mark Schollmeyer, Fire Rescue Director, stated that one of the efficiencies that Fire Rescue has employed is called priority dispatching where 911 calls are prioritized through the dispatch center and are given an Alpha, Bravo, Charlie, or Delta designation, and after past complaints of why there needs to be a fire truck and ambulance, or why a fire truck always goes on the EMS calls, the Policy had been changed, and in November 2015 cost savings and efficiencies were put in place where not every single call gets a fire truck and ambulance, only the calls that dictate more personnel would receive both an ambulance and a fire truck.

Commissioner Infantini stated that he was referring to the number of times when an ambulance is followed by a fire truck, and she recalled being at a Walmart a few weeks back when a very frail elderly woman was having difficulties; there were three medics inside and outside there was a fire truck, an ambulance, and two more firefighters; and she thought that the number of times that happens was what Mr. Webb was eluding to. She asked if that was what Fire Rescue was trying to decrease.

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Chief Schollmeyer agreed with her, and he stated that a lot of times there is misinformation from the 911 callers; sometimes information is not communicated to the dispatch center properly, for instance a fall, or the frail old lady having difficulty that Commissioner Infantini spoke of; and priority dispatching contains an algorithm with quite a few questions, and although it takes more time on the front end, on the back end, the correct resources can be sent out.

Commissioner Infantini stated that is what Mr. Webb was talking about, that type of event.

Bill Coulter stated that he had received a letter from Commissioner Infantini; to be very suspect of a union filing a law suit against the County, as he is from California and one of the reasons people are leaving there is the power of the unions; and if the union is unsuccessful in the lawsuit, the County should counter sue for reimbursement of legal expenses. He continued that in California there was an assessment against every new house being built to collect money for the parks, the streets, the sewers, and new schools that would need to be built, the Board should consider doing the same in Brevard County; and that three million people have left California in the past ten years, and giving in to a union is one way of running people out of the County.

William Klein stated growth causes expenses, increased storm drainage, new roads, new schools, increased sewage treatment facilities, increased police force, increased firefighters, and cleanup of the ecological damage to the rivers and the ocean; there are property owners and businesses coming to Brevard County increasing the expenses, some of the property owners are on fixed incomes and cannot increase their salaries, where businesses can increase their charges and make more income; and from what he has seen the Board is proposing to raise property taxes on property owners while giving out corporate welfare to bring more businesses to increase the cost even more. He commented that the Board has given up approximately \$47.4 million to businesses by not collecting Impact Fees that could be used for a lot of the additional expenses; more corporate welfare has been given out, Embraer to receive \$4.5 million in Impact Fees over twenty years and another \$6 million if they are given another 20 year tax relief, Lockheed Martin to receive \$5.7 million to pay for a proposed Titusville Project and \$3.97 million for property tax abatement over the next ten years, Blue Origin to receive \$10.5 million, and Walmart to receive \$9 million then adding Impact Fees and other expenses it equals close to \$90 million given away; and to question why the Board does not make these businesses pay their fair share, it is who causes the increased expenses. He continued that most of the property owners are not improving their own homes, however, their taxes keep going up, and it hurts those people living on fixed incomes, who cannot afford it. He stated the companies coming into Brevard County must be made to pay the increased taxes; otherwise, they are not a benefit to this County and are not wanted here.

Erik Chelberg stated the cap ensures market stability; when individuals are forecasting their future they will know that maximum increase will not exceed the CPI; CPI is the ground basis for all retired people, and those planning for retirement, so they can earn enough income through retirement to meet that need; it appears to him that most of the Board is not thrilled with the tax cap and reminded them that the tax cap is State Law; and the Board should not be influencing outsiders or friends subtly, covertly, or overtly to sue in order to over throw the tax cap because market stability will be thrown out the window. He commented to take a 50 year trajectory, the revenues that would come in, in a community that provides stability because of the tax bracket for housing is secure, revenues would increase over time, because people would choose to move here; there are 67 counties in this State, and Brevard County is the one that is doing it the best, the other 66 are wrong; and he asked the Board not to explore using the cap as an option to get the needed revenue. He stated he had to find ways to come up with extra money so that he could pay his property taxes; he does an annual budget and every single month he places money into an escrow account to pay his taxes; and he has not allotted for the possibility of

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increased taxes this year. He commented that many of the retired people in the community plan their income the same way and asked the Board to take into consideration the retired and the working poor when voting on the budget.

Richard Garr stated that he was one of many who voted for the tax cap; and that the message was loud and clear back then and is still clear today, those who voted for this expect the Board to operate within the tax cap. He commented that he lives on pension funds and social security and would be ecstatic to receive a 3 percent raise each year, however, that is not the case; he has a personal responsibility to live within his means and that he does that by a budget of must pay bills first, then discretionary, and at the top of the must pay are taxes, but when things start to increase he doesn't get more money, so he has to reduce the discretionary area of his budget to meet the must pay area; therefore, if he has to live within his means, per the tax cap, the Board must operate and conduct itself within its means. He continued that it does not mean for the Board to not take care of the roads, the Lagoon, police and fire protection, clean water, etc., as those are all basic fundamental responsibilities of the government and should be in the must pay areas of the budget; the Board should decide what falls below the funding line, prioritize the budget from top to bottom, and whatever falls below the funding line takes the hit; and not to reach into the people's pockets to exceed the tax cap if there is not a true emergency or critical need, neither of which he believes have occurred. He stated the County Manager had made a statement that there is not a requirement, when there is a millage decrease, for a public announcement, however, he feels that is not the point of the public announcement and that it would be a ill served to place a public announcement due to the increase in budget with more property tax revenue out of the pockets of Brevard County residents for which they have not received an advanced public announcement from the Board; and he feels that regardless of whether there is a millage rate decrease or a tax revenue increase, the announcement should be put to the public. He went on that the Board has inherited a mess from their predecessors, but every year the Board needs to take care of the critical needs above the rest.

Mr. Whitten clarified there is always a notice requirement per Florida Statutes; if the aggregate rate is under the roll back, that notice is a Notice of Proposed Budget.

Mr. Rosenberg clarified that the purpose of the meeting and the Agenda Item are to provide the citizens and property owners with that notification of what the potential millages would do to their tax rate; the TRIM Notice must be mailed by August 24, and provides exactly that information, it is the impact of whatever millages are decided on when compared to the current year; and that what Mr. Whitten stated is that the County either provides for the second meeting in September a Notice of Tax Increase or an advisement of the meeting, but the August 24 mailing of the TRIM Notice provides to each individual property owner with what the perspective taxes may be under the potential proposed millages.

Mr. Whitten noted that the citizens will receive a TRIM Notice, and the second notice is in the newspaper advertisements, if under the aggregated rolled back rate there is just a Notice of Proposed Budget, however, if it is over the aggregated rolled back rate there will be a Notice of Tax Increase. He continued that this is not a Notice of Tax Increase budget proposal.

Commissioner Infantini asked if the Notice will advise property owners that the Board is exceeding the voter-approved tax cap or if it just states the tax rate; she stated she feels the citizens may want to know about that.

Mr. Whitten stated that the TRIM Notice provides comparison of what was paid the prior year, what would be paid under a roll back rate, and what would be paid under a proposed rate; therefore, the citizens are able to see the exact tax effect of the proposed budget.

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Commissioner Infantini asked if the citizens would be informed specifically that the rate exceeds the voter approved tax cap or if that is something that would have to be recognized on the property tax bill.

Mr. Whitten commented that it could be deduced under the prior year's rate, which did not exceed the Charter cap; the responsibility for the TRIM Notice is that of the Property Appraiser; and the Notice does not provide a statement that the tax cap has been exceeded.

Commissioner Infantini stated that the information may matter to the voters; that the voters have an expectation that if the Board were to exceed the tax cap that they would be informed; and she felt that is what Mr. Garr was speaking of. She continued that it would be nice to add that information to the bill, if this budget passes.

Mr. Whitten stated the TRIM Notice is a State requirement and the State governs what goes into the TRIM Notice; whether or not someone experiences, under this proposal or last year's proposal, is a product of their evaluations going up in the tax rate, some people may experience an increase under this proposal and did not experience one under last year's proposal or vice versa; and that a TRIM Notice is the citizens own Notice of where their taxes are on an individual level.

Carmen Parise stated that the Board needs to start taking advantage of the Internet, when it comes to their ideas; that the Board could even use the public's help to do that for them; and that just by informing people, it could start a wave effect. She noted that a few years back Walmart wanted to place a store on Garden Street across from South Lake Elementary School and were unsuccessful because of a home-school mom that disagreed with it; she stated that she just wants to encourage the Board to step out of their comfort zone, there is more that the Board can do, and to use what is available to it.

Paul Novick stated that the Board, the Economic Development Commission (EDC), the prior guidance from former County Manager Howard Tipton, and current guidance of Mr. Whitten, County Manager, have steered Brevard County through the worst recession since the great depression; they have brought many new businesses and jobs to replace those lost with the end of the space program, and if this County wants to continue to attract new businesses and the high paying jobs that go along with new businesses, then it must provide safety, quality schools, roads, parks, libraries, and arts and culture to the community, or people will find somewhere else to go; and that the firefighters and police officers who risk their lives every day to keep the citizens safe, as well as the dedicated employees of the County that continue to work to make Brevard County a better place to live, deserve to make a decent living wage. He continued that he is perplexed by the individuals who do not take a standard deduction on their income tax return and itemize their income taxes; real estate taxes come right off the top of their Federal income taxes; and he questioned whether the citizens want to send that money to Washington, or keep it in this County, to make it a better place to live.

Arlene M. Naulty asked the Board to use good stewardship, follow the law, and protect the resources in this County and the people who live here. She continued that her husband, Joseph B. Naulty, is the President of the newly formed National Federation of the Blind, Melbourne Space Coast Chapter; the National office is in Baltimore Maryland; and that they spoke before on the subject of transportation. She continued that she understands that many are in need of the Board's resources and requested the Board keep them in mind; recognized that additional money will be funneled into Space Coast Area Transit; and shared that she is very grateful to Jim Leisenfelt, Transit Services Director, and his team who provided a lot of support to help improve weekend services for those with disabilities and to extend some service hours. She went on that there are over 3,000 people who cannot read print, cannot turn the pages of a book, and who suffer from the lack of self-sufficiency to live a quality everyday life that are

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registered with the talking book library; that transportation is an extraordinary need for people with disabilities; and she asks that they continue to support their needs.

Julia Savage stated that she is visibly impaired; that there is only so much that one can do when relying on others to get out; and she asked for the Board to keep the public transportation issues in focus.

Joseph B. Naulty stated that he heard the Charter cannot be changed for six years; the talking book library has anywhere from 6,000 to 9,000 members from Brevard County; the Seven Days' Notice transportation program is not working; Brevard County needs the ADA Law that was passed by the Federal Government for ADA next day services; and he noted that the Transit Services Director, and his staff, have been wonderful. He went on that after having a heart attack in 2008, he has been going to the gym twice a week with the wonderful 24-hour notice service, however, it must be increased so that the population in the blind community can have dignity, respect, and serve in the infrastructure. He commented that he is appalled by the low tax scenario and that it must be improved; and asked the Board to remember the blind people who need transportation.

Camille Tate stated that she uses the services that tax revenues provide; public transportation is the number one thing for the chapter, and they have been trying very hard to keep transportation on a level that is appropriate and matches surrounding counties, who also provide transportation for the disabled; and he asked the Board not forget about the disabled. She continued that the chapter will be at the meeting every year to talk about transportation because there is never enough funding; to remind the Board that they want to become part of the economic and social fabric of Brevard County and that there is a need for more transportation from SCAT; and that they would like to continue their relationship with SCAT and the Board. She thanked the Board for a wonderful job.

Keith Rigler stated that he feels the Board has already made up its mind on what it is going to do and that most of the Commissioners do not even pay attention when people are talking. He continued that unions take a lot of the nobility out of fire rescue and police departments; he finds it sad that politicians seek the endorsement of them and then they are the ones in control of giving them raises and benefits with the tax payers' money; and there is a lot of frivolous spending going on in this County. He commented that Commissioner Infantini gives money to charities that most people do not agree with, because that is not the business of government to do so; the rest of the Board have done a lot of frivolous spending, federal politicians say businesses do not pay their fair share, that they want to end corporate welfare, and local politicians are giving away millions of local tax dollars when they could be fixing roads and infrastructures, which are core functions; and that he attended the budget meetings last year, and recalled there was an emergency on roads, a core function, and wanted to raise the taxes, either sales tax or gas tax. He continued that the roads should have been the first thing on this year's budget from the General Fund, instead the County shorted it \$7 million from what the Board claimed was needed; core functions are supposed to come first, it has been eight years that Commissioner Infantini has been trying to get the Board to prioritize and it has failed; he noted that Commissioner Anderson has stated in the past that he is the biggest conservative towards private property, well taxes are the most detrimental to private property; Scott Ellis, Clerk of Court, gave a lot suggestions on how to lower the referendums where it was stated that the County could tax up to a certain amount, but the Board did not use that, but when it comes to spending the Board uses the quote "well the tax payers voted it in, so we have to do this"; and when it comes to the tax cap, all of the sudden the County has an emergency. He stated that whenever there is an emergency it is usually children, fire, police; and veterans; there are all sorts of programs that are well worth donating to, but the Board is not in charge of the public's life, it is in charge of functioning government to buy roads, infrastructure to support it, lights, stop signs, drainage, police, and fire; and that the Board has convoluted the budget.

Donald Slayman noted that Fire Rescue received an external audit a few years back and after compilation of the data it was determined that the department is running more efficiently than any other Fire Department in Central Florida of similar size. He stated that the Charter cap is unconstitutional; the State of Florida already has tax caps in place, which is evident by the fact that all other 66 counties in the State do not have the additional illegal cap; and no one is raising taxes on the public, in fact Mr. Whitten's proposed budget did an excellent job of ensuring that Brevard citizens maintain affordable taxes. He continued that reducing the budget by \$40 million from the previous year, reducing the aggregate operating rate by 2.8 percent, and capital expenditures decreasing by 18.5 percent, for the fourth consecutive year, the recommended Countywide property tax rate has been reduced from the prior year, the General Fund millage rate would decrease 11 percent since 2013, and that in his eyes is prioritizing the budget; that even though the County went over the tax cap on three of the twenty rates, look at what was reduced; and commented Brevard County does not have a spending problem, it has a revenue problem. He went on that now is the time to take advantage of increasing property values; and he asked how anyone could think that this County has a spending problem when clean up and restoration of the Lagoon, road maintenance, transit services, facility repairs, technology improvements, and vehicle repairs and replacements are not funded or minimally funded. He stated that Fire Rescue has decreased services because of another proposed budget cut; this year they replaced half of the paramedics on the ambulances with less qualified personnel, thereby reducing the ability to provide multiple life saving measures simultaneously; and that when ambulances are on scene alone or receiving support from a basic life support fire apparatus, the only paramedic on scene must choose which life-saving intervention he wants to administer first, last year those interventions happened simultaneously. He continued that the driving force behind the Fire Fighter's law suit is the tax cap, not wages; the fire fighters are currently in wage negotiations and they will agree that no firefighter shall receive pay increases; and perhaps the driving force of the suit is that despite Brevard being one of the State's largest Counties, there are highly visible employee retention problems, Fire Rescue has ambulances nearing 300,000 miles, fire engines approaching 200,000, ambulances that have broken down with patients in the back while responding to the hospital, and recently there was a fire engine with no air conditioning, firefighters responding from emergency to emergency in full gear, with an inside temperature of the cab reaching 100 degrees. He asked for the Board's support to eliminate the cap and to properly fund the County services.

Commissioner Fisher stated that he looked very hard at Mr. Whitten's budget proposal and there is a lot of red, decreasing the operating tax rate, decreasing the rolled back rate, and a 4 percent Countywide tax rate decrease; when comparing Brevard to other counties, Brevard is always the best even without the same revenue sources that other counties have; and Pasco, Indian River, and Lake Counties have a service tax, a higher sales tax than most, no charter cap, and their revenues are extremely higher than Brevard County. He commented that he wanted to see how this budget would affect people, so he looked up some individual's tax bills which are public record and found that a lot of them have dropped since the 2008 tax cap; and with the complicated tax system, people seem to forget that the Board is made up of tax payers that it has to pay taxes too and that there is nothing anywhere that proves this Board has been inefficient or irresponsible. He went on that the Board has to provide quality of life, fix roads, provide public safety, open libraries, and provide transit; there is a \$39 million reduction in the General Fund and overall collectible tax and every indication that there will be a decrease; he has governed for seven years, has always had to make the hard choices of laying people off, cutting back services, and trying to maintain service; as one who has a tax increase he still feels the responsible thing is to provide service; therefore, he will be making a motion to approve this budget proposal.

Commissioner Infantini pointed out that this is the second time Commissioner Fisher has tried to humiliate people in the audience; the last time he called out an individual person by name and

shared how much his taxes were; and she stated that it is not appropriate and the Board's job is to listen to the speakers and not playing on cell phones to find out how much property taxes someone pays. She stated that it has gone out to the voters twice, once in 1996 and 72 percent decided for a tax cap that was thrown out as unconstitutional in 2005; a law was placed in the books in 2007; and in 2008, 73 percent voted to place a tax cap on the Charter and it was placed on the Charter. She continued that twice the cap was placed on the Charter; the citizens do not want to be taxed more, they want the County to live within their budget to the extent necessary, with the exception of emergencies; and that part of the Capital Improvement Plan (CIP) is the need to pave dirt roads in District one at \$1.6 million, and that it is not a critical need. She went on that in her District when people want their dirt road paved they come to their County Commissioner, it is placed on their property tax bill, the County paves the road for them, and it is taken out of their property tax for the next several years; another expenditure that took her three years to get of the books was a speculation building to be built in North Brevard for \$6.5 million; she disagrees with that kind of spending when the Board is trying to sell her on critical needs; and the Board has choices to make and it continually makes that wrong ones. She encouraged the Board to make better choices and stated that she will not be voting for this proposed budget.

Commissioner Smith stated that he voted for the tax cap in 1996 and again 2008 because it seemed like a good idea to keep government in bounds and now that he is on the other side, he sees the difficulty in maintaining services and the priorities that people come to expect in living in Brevard County; for example, there are several folks who really depend on public transportation, however they are a very small portion of the population, so should they be ignored, and eliminate public transit, and questioned whose priority is it; he introduced \$1.3 million in proposed cuts a few months back, and what he realized was that priorities are what three Commissioners decide are priorities, if three Board members decide that something is a priority and the other two may decide something else as a priority, the majority wins; some of the proposed cuts were charities, lifeguards, and animal services, but, he did not get the Board votes; and it could be argued that roads are more important than charities, lifeguards or animal services and if the Board proposed to cut taxes for roads or were to eliminate fixing the roads nobody would show up, let the Board say they are going to cut Parks and Recreation and the Commission room would full. He continued that it is all about priorities of the Board, they listen to the people and have to make a determination of what the priorities are; he believes that Brevard County is way above the surrounding Counties in the way the money is spent and that they get a tremendous amount of money for the buck; the proposed budget is almost \$40 million less than it was last year and the public is up in arms because the proposed increase is about \$2.3 to \$2.6 million above the Charter cap; with five Charter offices that each has exceeded the .12 percent cap and if they were held to that standard the County would be down to the zero mark and there would not be an increase; therefore, it is all about priorities and making tough decisions on what the priorities are. He went on that Impact Fees will be back as of January 1, 2017, which the Board needs to further discuss how to get that reintroduced; after his discussions with State Representatives and the Federal Government he learned there will be matching funds of any money raised by the County, for the Indian River Lagoon, and the County will still be eligible for the Amendment One money for the Lagoon from the State; people continue to say the County is wasting money, but what is the priority, one's idea of waste may not be another's idea of waste, for example the County gives Walmart an incentive, Walmart has all this money and they can take all that money, go elsewhere, and take the jobs with them, but the County wants those jobs to stay here, if Walmart gets a tax break, the County will receive a huge return on that investment; with every tax break that was given, that company was paying in excess of that money, if they received \$8 million the County was getting \$16-\$20 million in return, so it did not actually cost the County, it gave the County more money, Blue Origin will receive \$8 million once they are in business and they have to have a CO on the building worth \$220 million, and that puts a lot of people to work and a lot of product to be purchased, and the County will receive \$32 million a year in salaries, which buys a lot of

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houses, pays a lot of property taxes, buys a lot of cars, and puts a lot people to work, therefore, it is not a waste of tax money to provide these companies with incentives; and the 73 percent that voted for the tax cap also voted for the tax incentives, so the blame goes to the voters. He stated this will reduce the amount of taxes being spent by \$40 million, and if it is voted to raise them, they can be lowered later, however, if they are voted in lower, they cannot be raised; today's vote is not the final decision; and that he will be voting in favor of this measure.

Commissioner Anderson reiterated what Commissioner Smith had said, this is just a procedural vote, nobody's taxes are being raised today; all this does is set the level up to where the County can debate in Public Hearing in September and it can be lowered from there; therefore, if anyone has the impression that the Board is making a decision on the millage rate, this vote is just providing authority for the County Manager to proceed forward and have the necessary documents prepared to do the Truth and Millage. He continued that he is fine with advertising it so that when the truth and millage is received, the citizens will see what their tax impact is.

Commissioner Infantini stated that the people voted for tax abatements, however they did not vote for cash giveaways, like cash up-front money that was given to Blue Origin and that she had asked for it to be put to the voters but the Board disagreed; with the logic to give out money because of the return in salaries and taxes maybe the County should do away with all the taxes that are charged to all businesses, because giving one business money is good then the amount of money we would get back if we gave away all of the property taxes to all businesses, if it is good for one then it should certainly be good for them all; but apparently that is flawed logic that she does not understand. She continued that the budget has increased, last year's adopted budget was \$1.035 billion and this year's proposed budget is \$1.051 billion which is an increase, not the budget that the County has right now, because as the year goes on, there is always an increase, start out low then go high, an actual increase of \$15 million; the County is going to come back and ask for a Lagoon tax, there was a survey by *Florida Today* and 72 percent of those who responded stated they would not support a Lagoon tax, although they would support a clean Lagoon based on the taxes already being paid; and she is surprised that the Lagoon is not one of the priorities and had a state of emergency been declared, it would have saved the County money on permitting cost and time, but the Board voted against it four to one. She went on that the County is poor mouthing that there is not enough money, and it is probably because the County now has to pay for all the permitting fees; and she noted that this County has a spending problem.

Commissioner Barfield asked the County Manager to explain why the final budget increases.

Mr. Whitten stated that sometimes there are grants that come in, projects that were anticipated to be completed in the prior Fiscal Year that do not get completed within that Fiscal Year, and those kinds of adjustments have to be made; this budget proposal is a reduction of 39 million from the current budget that is in place.

Chairman Barfield stated that the amount of taxes that the County receives on the property that Walmart is looking into is zero because it is owned by Port Canaveral; once Walmart buys it, that is full taxes of over \$250 Thousand a year; a lot of things have gone into the budget and the impact fees will sunset on December 31; the items that were increased were the direction of the County Commission, because the Board listened to what the people's concerns and what they needed; at this point, the County is just doing this to get the TRIM Notice out and make absolutely sure that the public gets to see this; and he is all for the proposed budget.

There being no further objections heard, the Board approved the FY 2016-2017 recommended millages for the purpose of notification to taxpayers by the Brevard County Property Appraiser; and directed the County Manager to complete the Florida Department of Revenue's Certifications of Taxable Value, Forms DR-420.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM VIII.B., SCOTT KNOX, COUNTY ATTORNEY

Scott Knox, County Attorney, stated that he tried to retain a lawyer to get involved in the cap case, as his first two choices were unsuccessful; he would like to retain the law firm of Cobb Cole and Brown from Daytona Beach; he feels they are one of the most outstanding local government firms in the State; and if anyone could defend the cap it would be them.

Attorney Knox stated the second issue is in preparing the resolutions that are required to move forward with any kind of initiative on the Lagoon. He questioned whether he should be going to the millage, a one-half cent sales tax, or both; and asked the Board if they would prefer options. He continued that he needs to know now if the Board wants a 1/2 cent sales tax because someone would need to start talking to the cities about a new local agreement before it gets too far down the road.

Chairman Barfield stated he thought the direction was to look at the millage.

Commissioner Smith stated that he would prefer the sales tax because then everyone would get to participate instead of just putting it on the property owners.

Commissioner Fisher asked if this item could be added to an Agenda.

Stockton Whitten, County Manager, commented that on August 9 there will be a plan with options for possibilities from Amendment One to sales, to property tax.

ITEM VIII.D., TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER

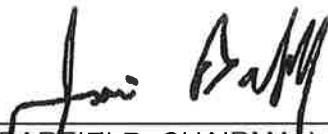
Commissioner Infantini stated that she had attended the Indian River Lagoon Event in Merritt Island at Mr. Obloy's residence and that it was a huge success. She continued that he did get all of his permits for the event; that she appreciated them for putting it on; and thanked them for the invite.

Upon consensus of the Board, the meeting adjourned at 3:50 p.m.

ATTEST:



SCOTT ELLIS, CLERK



JIM BARFIELD, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

Kimberly Powell

From: Kimberly Powell
Sent: Tuesday, September 27, 2016 11:15 AM
To: 'Lewis, Sally A'; 'Scott.Knox@brevardcounty.us'
Cc: Donna Scott
Subject: 07-26-2016 minutes
Attachments: 07-26-16 Regular.doc

Attached are the minutes from the July 26, 2016 meeting , which will be approved on October 4, 2016.

Kimberly Powell
Recording Secretary
Clerk to the Board
(321) 637-2001
Kimberly.powell@brevardclerk.us

