

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 April 28, 2015 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

**CALL TO ORDER**

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

**INVOCATION**

The invocation was provided by Reverend Glenn Dames, St. James AME Church, Titusville.

**PLEDGE OF ALLEGIANCE**

Commissioner Infantini led the assembly in the Pledge of Allegiance.

**APPROVAL OF MINUTES**

The Board approved the March 5, 2015 Zoning Meeting Minutes, and March 17, 2015 and April 2, 2015 Regular Meeting Minutes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM I.A., PRESENTATION, RE: UPDATE ON ANIMAL SERVICES**

Chairman Fisher advised the Board Sheriff Wayne Ivey, Brevard County Sheriff's Office, is going to give an update on Animal Services; and he stated Sheriff Ivey has a 40-minute presentation he is going to try to get done in 15 minutes.

Sheriff Ivey expressed his appreciation to the Board for all of its support. He stated he was going to provide a quick overview of what has happened in the first six months since the Sheriff's Office assumed responsibilities for Animal Services; effectively, they took over on October 1<sup>st</sup>, although there was some prior planning that took place going into it; at the time, they assumed a \$3.2 million budget and Brevard Animal Services and Enforcement (BASE) employees at the time they took over it was 49; only nine of them transferred over to come to work for the Sheriff's Office; and they went in with a learning curve, having to learn a new system, a new environment, and new relationships. He went on to say at the time BASE had about 387 volunteers; only 18 of them were active, giving about 4.65 percent of their volunteers

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were working; and their annual live release rate was 74.5 percent. He pointed out prior to taking over, they were trying to get in position to start that transition and so they developed some new positions; the first one was a Volunteer Coordinator that they put into effect to try to increase the volunteer usage and utilization; they put in a Facilities Maintenance manager as a lead worker; and they began utilizing inmates to clean the kennels and walk the dogs, trying to exercise them as much as they possibly could. He added, after taking over, they instituted a Rescue Coordinator; they took an existing position that they had on the Sheriff's Office side and created the Rescue Coordinator position; and the value of that has been immense, the Rescue Coordinator is absolutely doing an amazing job. He advised the Board since taking over, they started utilizing internal positions to try to create a recruiting aspect in that field; they have hired 43 new employees; they currently house 45.5 positions; and right now, they have 50 volunteers. He went on to stated they just had another class that has finished their orientation, but they have 22 active volunteers giving them a 44 percent ratio for their volunteers who are working in a regular capacity; and prior to taking over, they looked at the facilities. He stated North Animal Care Center (NACC) has some critical infrastructure needs; it is a dangerous environment, in his opinion, for not only the employees but for the animals that are there; it was never designed for usage as an animal care center; and quite frankly, the location of it does not bode well for marketing of the animals with accessibility to get people in there to look. He stated South Animal Care Center (SACC) had some issues as well; the building foundation was cracking and failing; there was no community cat room; there was no external exercise area; and they had some, but they just were dilapidated and not a very good usage. He went on to say there was no social area for visiting with the dogs; the lobby was really not functional; the exterior office was completely infested with fleas; and when they got there they found out there were cats living in the ceiling that had gotten out of their cages. He noted the average vehicle had about 250,000 miles on it; the boxes were deteriorated; the vehicles were completely rusted and deteriorated and breaking down on the side of the roads; and there was no mobile adoption center. He stated they did an extreme make over; they partnered with Habitat for Humanity; about 150 volunteers came down; a number of businesses, East Coast Construction, East Coast Fence, Community Champions, and a bunch of them pitched in; and he noted they did an extreme make over in two days. He advised he guessed they did around \$400,000 of cosmetic and structural work; they spent \$38,000 in doing that; and a lot of that money came from Pet Posse, the Sheriff's Pet Posse that they have. He stated when the Board looks at some of the changes it can see where they went from what the cat rooms looked like before and after, which was a better environment for the cats; it helped the cats not get upper respiratory infections and stuff of that nature; and they continue to try to model some of the other rooms in that capacity. He provided the Board with pictures of the Kennels, the Veterinarian Center, Veterinarian area, before and after the make over. He pointed out they still have a little bit of a chain link fence in there but they are trying to rotate it out and put in the aluminum structures as they go, which is a healthier product; and he provided the Board with pictures of the exercise areas before and after the make over. He explained to the Board the front side are 16 exercise areas available; it gives them not only the advantage of exercising the dogs, but they can exercise the dogs while they are cleaning the kennel areas; and they created Fishr and Mollie's Place, which is the socializing area. He stated before this was created, there was no place to sit and see what the energy levels of the dogs were; there was no way for the dogs to interact with families; and they were able to do this through donations. He noted the area is confined so the dog can run around in the grassy area; there is a shade area to sit underneath; and a person has a chance to see if a particular dog is a good fit for him or her and their family. He stated this is the Rainbow Bridge area; unfortunately, a number of citizens at times have to put their pets down, and they bring them to Animal Services for that capacity; they know they are walking into a lobby environment where other people are adopting animals; they therefore created the Rainbow Bridge area where they would have a place to go to spend a few minutes with their pets; and that way people have a chance to properly say goodbye to their pets. He noted they were able to do that through donations. He stated as he said earlier, NACC has its own problems; they are now shifting their focus on it; they are maintaining the building with much needed

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improvements; they are working to market a better location; and they are working to establish a new location as a part of a two-year plan. He went on to state they are transferring pets from NACC to SACC so they can increase their marketability; and they are working to enhance the pets exercise areas there. He stated their new mobile adoption center was created from an existing trailer that they already had at the Sheriff's Office; before now, it was a mobile fitness center; they partnered with the community champions who donated \$22,000 to retrofit it and put kennels inside; and now it goes out to sites. He pointed out the first time they used it was at the Washington Nationals game; Kate Upton was very gracious to come out and support the adoption efforts; but the bottom line is, with the mobile adoption center they can get the animals out to the public and they will market themselves. He stated their goal is to take the mobile center to large events; it is outfitted with air conditioners, generators, and everything else that gives them the ability to take the animals out to the public to try to increase adoptions. He introduced Dr. Sarah Boyd; she is a phenomenal lady and shelter vet; she has great programs she is bringing to the table; and he believes with her guidance and leadership in their veterinarian capacity, she will truly change the game for Brevard County. She stated in her prior employment she was the Director of Shelter Health and Wellness at Charleston Animal Society; there she established the community care program, a record-breaking adoption program, and a life-saving foster and rescue program that eventually realized a live release rate of over 90 percent; and they are pleased to have Dr. Boyd them. He noted some of the new developments are a partnership with *Space Coast Daily* to see all of the dogs and cats up for adoption; their goal is to market the animals as much as possible; and that is a free partnership. He noted A. J. Hiers from Bonaface Hiers pays a huge chunk of money to feed all of the animals in the shelters; it was a contribution; he is paying about \$15,000 a year to do that as an annual commitment; and they have re-established or enhanced partnerships with many of the local care centers and rescues throughout the County. He stated some of the partnerships are with Society for the Prevention of Cruelty to Animals (SPCA), Central Brevard Humane Society, Friends for Animals Sanctuary, and the Feline Network; they have re-established a partnership with AMI Kids; the Canine Commando Program is in full operation; and they have started Save me Saturday, where every Saturday they put up a Sheriff's pick of the week to be adopted. He pointed out Grimaldi allows them to put the mobile adoption center there and gives a percentage of their items to the Pet Posse to help support things they are doing; they partnered with Eastern Florida State College to create Paws and Stripes College, which is going to be an amazing program; and 40 dogs will be taken out of the kennels and place them in one of the building in the old Department of Corrections (DOC) facility; it will free up 40 spots in the kennels; that will give them 40 dogs to train in either post-traumatic stress disorder, epileptic seizure dogs, therapy dogs, child victim dogs; and dogs to look for insects, bugs, and termites. He explained to the Board they have a Silver Program, the Vet Program, which they give dogs to veterans; recently they have created a number of out-of-State adoption programs; they took 80 cats to Maryland; and they took 50 dogs to Maine. He stated in the first month, the live release rate was right at 65 percent; they are climbing and climbing; as of yesterday, the live release rate for April was 87 percent; and that is just a true testament of the team and that they have their feet planted firmly on the ground. He went on to say their goal is to achieve no kill status with a live release rate of 90 percent within the next two years; and with the leadership they have in place and with the communities support, they can get there before that. He noted through the community care program initiative, increased adoption efforts, and Paws and Stripes operation, it is a very achievable goal; they are excited to be a part of this the Board trusted the Sheriff's Office to take on this important and vital role for the County; and he could not be more proud of the team.

Chairman Fisher stated when the option came up whether the Sheriff would take over Animal Services, the Sheriff said no way; he locked the door to his office and would not let the Sheriff leave until he decided to take over Animal Services; they wrote on the white board the pros and cons of him taking this over; and he inquired which officer was with the Sheriff that day. Sheriff Ivey responded Chief Waller. Chairman Fisher stated Chief Waller kept telling the Sheriff not to

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do it; but at the end of the day, he never dreamed that the Sheriff would make the impact he has made in the last six months; and he expressed his appreciation to the Sheriff's Office.

Commissioner Barfield stated it was amazing the work that was done; he is happy for the County and what is happening with the animals; and it is a major improvement.

Sheriff Ivey advised the Board it is his honor, and they are proud to do it.

The Board acknowledged presentation by Wayne Ivey, Brevard County Sheriff, providing an update on Animal Services.

**ITEM I.B., RESOLUTION, RE: MAJOR LEAGUE BASEBALL RETIRING ROBERTO CLEMENTE'S NUMBER 21**

Commissioner Barfield read aloud, and the Board adopted Resolution No. 15-040, supporting and requesting Major League Baseball to retire Roberto Clemente's number 21 as both a fitting tribute to a remarkable athlete and human being and as a testament of the best that America's "National Pastime" has to offer.

Samuel Lopez, United Third Bridge, expressed his appreciation to the Board for the Resolution. He stated it is a wonderful day to see the Board unanimously approve the retiring of Number 21; the Roberto Clemente family thanks the Board; everyone at United Third Bridge thanks the Board; and the millions of fans throughout the United States thanks the Board.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM I.C., RESOLUTION, RE: PROCLAIMING MAY 2015 AS NATIONAL OLDER AMERICANS MONTH**

Commissioner Anderson read aloud, and the Board adopted Resolution No. 15-041, proclaiming May 2015 as Older Americans Month.

John Potomski, Chairman of Commission on Aging, stated it is their honor to recognize Marty Hindsley during May for Older Americans Month for all of the work he has done for the citizens of the County, the tireless efforts with his work on the Commission on Aging, and his role as executive volunteer for United Way of Brevard County; and he expressed his appreciation to the Board for the Resolution.

Marty Hindsley expressed his appreciation to the Board for the Resolution. He stated it is their objective to see what the needs are of the so they can establish goals and add to those goals to help this growing community.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

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**ITEM I.D., RESOLUTION, RE: NATIONAL SAFE BOATING WEEK**

Commissioner Barfield read aloud, and the Board adopted Resolution No. 15-042, supporting the goals of the National Safe Boating Council and proclaiming May 16-22, 2015, as National Safe Boating Week.

Matt Culver, Boating and Waterways Program Coordinator, Natural Resources Management Department, introduced Captain Robert Rowe and Officer Lenny Salberg from Florida Waterways Commission; Sargent Dennis Casey, Brevard County Sheriff's Office; Louis Pernice and John Kachenmeister, United States Coast Guard; and two representatives from the Banana River Sail and Power Squadron to the Board.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**SECONDER:** Curt Smith, Commissioner District 4  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM I.E., RESOLUTION, RE: WATER SAFETY AND DROWNING PREVENTION MONTH**

Commissioner Barfield read aloud, and the Board adopted Resolution No. 15-043, recognizing the Month of May 2015 as Water Safety and Drowning Prevention Month.

Mark Moore, Rotary Club, and Josh the Otter accepted the Resolution.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**SECONDER:** Andy Anderson, Commissioner District 5  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM I.F., RESOLUTION, RE: PROCLAIMING MAY 3 - 9, 2015, AS CORRECTIONS OFFICERS APPRECIATION WEEK**

Commissioner Smith read aloud, and the Board adopted Resolution No. 15-044, proclaiming the week of May 3-9, 2015, as Corrections Officers Appreciation Week.

Sheriff Wayne Ivey expressed his appreciation to the Board for recognizing the Corrections Deputies and Corrections Team. He explained to the Board it is truly one of the most dangerous job in the United States; and the group does an amazing job.

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

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**ITEM I.G., RESOLUTION, RE: RECOGNIZING BOY SCOUT TROOP 224 FOR OBTAINING SIX EAGLE SCOUTS IN ONE YEAR**

Commissioner Smith read aloud, and the Board adopted Resolution No. 15-045, recognizing and commending Boy Scout Troop 224 for their outstanding efforts in obtaining six Eagle Scouts in one year.

A Representative from the Boy Scouts introduced Connor Carl Smoak, Jonathan Ryan Copeland, Samuel Kenneth Scheinbart, Alexander Page, Luke Adam Spenik, and Matthew Mark Rahmes, as the six Eagle Scouts.

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

**ITEMS PULLED FROM AGENDA**

The Board pulled Item II.B.1., Resolution, Re: Adopting the State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan (LHAP) for Fiscal Years 2015 through 2018; Item II.C.3., Acknowledge Receipt of Fiscal Year 2013-2015 Annual Report Ending September 30, 2015, Re: City of Satellite Beach Community Redevelopment Agency; and Item II.D.3., Approval, Re: On-Line Benefits Enrollment System Vendor Selection, from the Agenda.

**ITEM II.A.1., PRELIMINARY PLAT/FINAL ENGINEERING APPROVAL, RE: REELING PARK AND SEVILLE AT ADDISON VILLAGE - THE VIERA COMPANY**

The Board granted preliminary plat and final engineering approval for Reeling Park and Seville at Addison Village, subject to minor changes, if necessary, and developer responsible for obtaining all other necessary jurisdictional permits.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.A.2., FINAL PLAT APPROVAL, RE: VISTA WIND SUBDIVISION - KEVIN TROMBLEY**

The Board granted final plat approval for Vista Wind Subdivision, subject to minor changes, if necessary, and developer responsible for obtaining all other necessary jurisdictional permits.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Andy Anderson, Commissioner District 5  
**SECONDER:**   Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:**         Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.A.3., BINDING DEVELOPMENT PLAN, RE: RO1, LLC**

The Board executed Binding Development Plan with RO1, LLC for property located on the east side of North Courtenay Parkway, north of East Crisafulli Road in Merritt Island.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Andy Anderson, Commissioner District 5  
**SECONDER:**   Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:**         Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.A.4., RESOLUTION AND NON-EXCLUSIVE WATER LINE EASEMENT WITH CITY OF WEST MELBOURNE, RE: MAX K. RODES PARK**

The Board adopted Resolution No. 15-046, for the City of West Melbourne to maintain the waterline, and executed a Non-Exclusive Waterline Utility Easement in favor of, and for the use and benefit of, the City of West Melbourne and the public.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Andy Anderson, Commissioner District 5  
**SECONDER:**   Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:**         Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.B.2., APPROVAL, RE: COMMUNITY BASED ORGANIZATION (CBO) FUNDING REQUEST FOR PROPOSALS**

The Board approved the Request for Proposals (RFP) to solicit Community Based Organizations to provide services for residents of Brevard County.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Andy Anderson, Commissioner District 5  
**SECONDER:**   Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:**         Fisher, Barfield, Infantini, Smith, Anderson

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**ITEM II.B.3., AGREEMENTS WITH AMBASSADOR CHRISTIAN ACADEMY, BREVARD COUNTY PUBLIC SCHOOLS, BREVARD PRIVATE ACADEMY, COMMUNITY CHRISTIAN SCHOOL, HOLY TRINITY EPISCOPAL ACADEMY, MELBOURNE CENTRAL CATHOLIC SCHOOL, AND RISING STARS ACADEMY, RE: THE DORI SOLSBERG DRIVER EDUCATION SAFETY ACT/DRIVER EDUCATION SAFETY TRUST FUND**

The Board executed Agreement with the school entities that submitted application for funding from the Dori Slosberg Driver Education Safety Act/Driver Education Safety Trust Fund in the amount of \$164,929; and authorized the Chairman to sign any changes or amendments to the budget or contracts with previous approval by the County Attorney and Risk Management.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.C.1., APPROVAL, RE: BUDGET CHANGE REQUESTS**

The Board approved the Budget Change Requests, as submitted.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.C.2., ACKNOWLEDGE RE: FISCAL YEAR 2016 PROPOSED BUDGET FOR WILLOW CREEK COMMUNITY DEVELOPMENT DISTRICT**

The Board acknowledged receipt of the Fiscal Year 2016 proposed budget for Willow Creek Community Development District.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.C.4., ACKNOWLEDGE RECEIPT OF FISCAL YEAR 2013-2014 ANNUAL REPORT ENDING SEPTEMBER 30, 2014, RE: CITY OF WEST MELBOURNE COMMUNITY REDEVELOPMENT AGENCY**

The Board acknowledged receipt of the Fiscal Year 2013-2014 annual report, ending September 30, 2014, for the City of West Melbourne Community Redevelopment Agency.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.C.5., ACKNOWLEDGE RECEIPT OF FISCAL YEAR 2013-2014 ANNUAL REPORT, RE: DOWNTOWN COCOA BEACH COMMUNITY REDEVELOPMENT AGENCY**

The Board acknowledged receipt of the Fiscal Year 2013-2014 annual report for the Downtown Cocoa Beach Community Redevelopment Agency.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.C.6., LEASE AGREEMENT WITH CITY OF COCOA, RE: BUILDING LOCATED AT 400 SOUTH VARR AVENUE**

The Board executed Lease Agreement with the City of Cocoa for the building located at 400 South Varr Avenue, Cocoa, for the Brevard County Housing and Human Services Department's Family and Children's Services Office.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.C.7., POLICY BCC-55, RE: PUBLIC MEETINGS AT THE BREVARD COUNTY GOVERNMENT CENTER**

The Board approved Policy BCC-55 regarding Public Meetings at the Brevard County Government Center.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

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**ITEM II.C.8., POLICY BCC-56, RE: PUBLIC USE OF MEETING ROOMS AT THE BREVARD COUNTY GOVERNMENT CENTER**

The Board approved Policy BCC-56 regarding public use of meeting rooms at the Brevard County Government Center.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.D.1., INTERLOCAL AGREEMENT WITH THE CITY OF PALM BAY, RE: AUTOMATIC AID, E-911 DISPATCH SERVICES, AND FACILITY USE**

The Board executed Interlocal Agreement with the City of Palm Bay for Automatic Aid, E-911 Dispatch Services, and Facility Use.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.D.2., APPROVAL, RE: SETTLEMENT AGREEMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION (AHCA) CLAIM FOR OVERPAYMENT AND SANCTIONS RELATED TO EMS MEDICAID BILLINGS (FISCAL IMPACT: \$14,914.13)**

The Board executed Settlement Agreement with the State of Florida Agency for Health Care Administration for settlement of AHCA claim for overpayment and sanctions related to EMS Medicaid billings.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.D.4., POLICY BCC-04, RE: DISCRIMINATORY HARASSMENT**

The Board approved Policy BCC-04 regarding Discriminatory Harassment.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

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**ITEM II.D.5., POLICY BCC-05, RE: ZERO TOLERANCE FOR WORKPLACE VIOLENCE**

The Board approved Policy BCC-05 regarding Zero Tolerance for Workplace Violence.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.D.6., POLICY BCC-17, RE: EMERGENCY/DISASTER LEAVE**

The Board approved Policy BCC-17 regarding Emergency/Disaster Leave.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.D.7., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS**

The Board acknowledged appointment/reappointment of **Michael Hartman** to the Housing Finance Authority, with term expiring May 24, 2019.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.B.1., RESOLUTION, RE: ADOPTING THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR FISCAL YEARS 2015 THROUGH 2018**

Commissioner Infantini stated this Item deals with housing initiatives to help people get into homes; it is government assistance to make home improvements; one of the items is for the maximum amount of funds that could be expended to rehabilitate and approve an existing home; she has a question, because the maximum award on page 14 is \$120,000; and if a person needs to rehabilitate their home to the tune of \$120,000, he or she should probably have another home. She went on to say rehabilitation for improvements should be somewhere within the vicinity of \$20,000 or \$30,000; and she is not comfortable with that threshold. She inquired if this could be pulled in case the other Commissioners did not see that specific line.

Ian Golden, Housing and Human Services Director, replied the County does have a team of inspectors that goes out to each project and do a write-up on the scope and an estimate of expenses; he stated they do look at that upper end expenses for replacement homes versus rehabilitations; sometimes based on the income eligibility of the homeowner, he or she is not eligible for full replacement; and staff will do extensive rehabilitation or walk away from a project

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if a person exceeds the amount they are eligible for. He pointed out not every project goes up to \$120,000. He advised the Board they have walked away from project where they could not address all of the Code issues necessary under the amount of money that household was eligible for.

Commissioner Infantini inquired if there is a reason the Board cannot lower that threshold to maybe \$80,000. Mr. Golden replied this is also inclusive of replacement homes; he would hesitate to lower the amount because of the cost of a replacement; and they will not put that kind of money in every home when they go out and do the rehabilitation piece. He noted asbestos and lead abatement drives cost.

Chairman Fisher stated his understanding is they look at the purchase price of a home and he or she cannot exceed 90 percent of value, which could kick it out of the threshold. Mr. Golden pointed out it is not the purchase price of the home they look at, Housing and Urban Development (HUD) actually develops and publishes on an annual basis what the home value limits are for different areas; and the last one he looked at for the home value limits is they looked at the entire area for the County's jurisdiction was about \$140,000.

Commissioner Infantini stated instead of doing one \$120,000 replacement, she did two \$60,000 replacements, she would be servicing two families instead of one; and it was because of that she was trying to get the Board to begin lowering the threshold. Mr. Golden stated right now the costs for full replacement is somewhere around \$110,000; and that is kind of in line with the upper end of the replacement amount they have in the Policy or strategy.

The Board adopted Resolution No. 15-047, approving Local Housing Assistance Plan (LHAP) for Fiscal Years 2015 through 2018, as required by the State Housing Initiatives Partnership (SHIP); and authorized the Chairman to sign the required State Certifications, and any amendment that the Florida Housing Finance Corporation determines necessary to meet the requirements of State Statute 420.907-9075.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>AYES:</b>	Robin Fisher, Jim Barfield, Andy Anderson
<b>NAYS:</b>	Trudie Infantini, Curt Smith

**ITEM II.C.3., ACKNOWLEDGE RECEIPT OF FISCAL YEAR 2013-2014 ANNUAL REPORT ENDING SEPTEMBER 30, 2014, RE: CITY OF SATELLITE BEACH COMMUNITY REDEVELOPMENT AGENCY**

Commissioner Infantini stated this Item is accepting the Annual Report for the Satellite Beach CRA; the CRA is the Community Redevelopment Agency; and they collect General Fund dollars as well as City tax dollars to make improvements in the community. He stated they were intended to correct blight; that is why CRA's came to be; when she was looking through the report of some of the current projects, they are going to be making improvements to beach access, bike racks, and redesign of signage and picnic tables; and she questions how much blight there is in the City of Satellite Beach and if the CRA should be going on. She noted the funds could be better utilized for things like the Indian River Lagoon and roads. She stated she knows it is just accepting a report, but it is the only opportunity she has to talk to the listening public to let them know where their tax dollars are going instead of where they may prefer them to go.

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The Board acknowledged receipt of the Fiscal Year 2013-2014 annual report, ending September 30, 2014, for the City of Satellite Beach Community Redevelopment Agency.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM II.D.3., APPROVAL, RE: ON-LINE BENEFITS ENROLLMENT SYSTEM VENDOR SELECTION**

Chairman Fisher asked Mr. Daniel to introduce himself.

Derrick Daniel of FBMC Benefits Management introduced himself to the Board. Mr. Daniel indicated he was disgruntled with the scoring system used in the evaluation the contract bid for the online benefits enrollment system used in the evaluation for the online benefits enrollment system; the scoring and election process was not consistent with the ranking and final selection of the vendors; FBMC was consistently ranked first and second by each evaluator; and SECOVA was consistently ranked fourth or fifth by each evaluator. Mr. Daniel pointed out that the cost proposal was lower than SECOVA but that he was rated an 18 out of 25; and SECOVA had a higher cost proposal and received a rating of 24 out of 25.

Chairman Fisher stated he noticed CBIZ had three first place scores, and FBMC had two first placed scores; and he asked staff to address this.

Frank Abbate, Human Resources Director, responded the voting was very close and that there were five people on the committee; CBIZ received three first place votes as the lowest cost proposal; FBMC received two first place votes; and the committee recommended by a 4:1 vote that CBIZ be awarded the project. Mr. Abbate advised he voted against CBIZ. He stated he was concerned about the cost of the project over the life of the contract. He indicated to the Board that it was a very close vote.

Chairman Fisher asked if FBMC had three first place votes for \$60,000 lower income. Mr. Abbate replied that they did.

Commissioner Infantini indicated that Mr. Daniel may not have filed the appropriate protest application with the Commission; after listening to Mr. Daniel, she was very disturbed based upon the information he had given as to how one vendor got a higher score for lower costs when FBMC had the true lower cost; and she would like to ask the Board to wait until the 12th to vote on this.

Chairman Fisher stated he felt that Mr. Daniel should go through the "protest channels" that were already in place for those that wanted to express a concern; but he was in favor of the bids being reviewed again.

Mr. Abbate clarified for the Board that Mr. Daniel was speaking on another issue on another proposal; Mr. Daniel was not talking about CBIZ which was the lowest proposal; and he was actually referring to the comparative score that was given to one of the other vendors compared to FBMC.

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Mr. Daniel stated that the scoring sheets showed distinctly that FBMC should have gotten the contract because the company that was awarded the contract was not truthfully stating their full rates; he could have done the same thing and falsified numbers to appear low to place the best bid.

Chairman Fisher and Commissioner Smith stated they felt that this grievance was worth looking into.

Commissioner Infantini requested that the Board review the bidding to ensure the quality of the bids, and she petitioned the Board to hold off on any decisions concerning Mr. Daniel until it could analyze more data.

Chairman Fisher verified that there were five people on the committee and three voted for CBIZ as the number one firm. He asked if CBIZ had the lower cost. Mr. Abbate confirmed that CBIZ had the lower cost. Mr. Daniel brought to the attention of the Board the pricing enhancement of the cost and fee structure related to those enhancements for CBIZ indicating that there may be some inconsistencies from CBIZ in their pricing.

Chairman Fisher asked Mr. Daniel why he did not go through the proper protest channels.

Mr. Daniel responded that based upon the scoring for his company, he was confident that he would get the contract; but after the final announcement of the bid, he was very disappointed and wanted to simply bring it to the attention of the Board.

Leslie Rothering, Purchasing Services Manager, repeated Commissioner Fisher's earlier concern that the proper procedures for a protest were not used by Mr. Daniel. She suggested that Mr. Daniel use the proper channels, submit a formal protest, and the Board would proceed from there.

Commissioner Smith expressed that this was his first time hearing about FBMC, but that he would like to look further into the matter.

Mr. Daniel requested that the Board not only look at the per employee per month fee but to also look closely at the annual maximum.

Ms. Rothering noted that it is imperative that FBMC use the protest procedures already in place for vendors to follow. She suggested that they have Board members review the scoring but to also allow CBIZ vendor to come in and discuss any concerns they may have as well.

Chairman Fisher asked Mr. Daniel to put in a formal protest request and stated that his request would not be held against him; and that the Board would go through the protest that way.

Mr. Daniel accepted the recommendation of the Board and said that he would make a formal protest.

The Board reached consensus to approve FBMC Benefits Management, the second place vendor, to go through a formal protest hearing regarding the on-line benefits enrollment system for the County's Group health Insurance Program Request for Proposals (RFP) #P-3-15-12.

**ITEM VI.E.2., RESOLUTIONS, RE: GRANT AWARD FOR NORTH BREVARD ECONOMIC DEVELOPMENT ZONE (NBEDZ) - PROJECT EAGLE**

Greg Weiner, Economic Development Commission, stated he is present in case any questions come up.

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Chairman Fisher inquired if Mr. Weiner has had briefings with each Commissioner. Mr. Weiner responded affirmatively; and he will stand by for questions.

Major Jim Tulley, City of Titusville, stated this project dubbed Project Eagle is precisely the type of project for which the North Brevard Economic Development Zone (NBEDZ) was created; having said that, he is forever the skeptic, especially when it comes to spending taxpayer dollars; he has been skeptical of giving taxpayer dollars to individual companies and model-based decision making, because he has ran and built models early in his career; and when he first heard about this, and he attended the NBEDZ meeting a few days ago, he remained skeptical yet objective. He went on to say he spent the last few days researching input/output models, such as in plan, which is the model the NBEDZ uses to try to figure out if it is a good thing; and here are the conclusions he came to. He noted he tried to do the same analysis he thinks the Board would do; the decision the Board should make in essence is to be about how to bring new dollars into the economy; the Assistant Mayor points out to the City Council frequently that economic development is about value added jobs, how to move more jobs into the community; and the Board should look at the dollars related to indirect and direct jobs. He stated there needs to be dollars coming outside of the market and outside of the County; there needs to be a market for these products; and it needs to be jobs for people who live in Brevard County. He pointed out these dollars should not be looked at in a vacuum, it should be looked at in the total sphere in decisions related to economic development; and he inquired if there is a better use of the dollars that will bring in a higher return than this particular project. He stated he does not know the answer to that question and it is up to the Board to decide. He stated this is a decision the Board should not make just because there are nice folks in the north end of the County, but it should be made on the data. He advised the Board it is a pretty good deal if the Board can make a one-time payment of \$2.5 to \$3 million and gain a return of between \$7 and \$12 million annually for that investment; and he supports the project and he hopes the Board will support it.

Reverend Glen Dames, North Brevard Ministerial Alliance, stated he concurred with Mayor Tulley. He went on to add that Titusville is ready to soar like an eagle; and the NBEDZ needs the Boards help. He pointed out these jobs are much needed; and the Board will find out it is a good investment that will provide major dividends.

George Mikatarian, Chairman of the NBEDZ, stated when he became the Chairman of the NBEDZ he promised the Board that it would be a board that took its job seriously, does everything in its power to serve the Board and citizens of the community, and to do it in an open and transparent manner. He noted the Board would be proud of the citizens it has appointed to the NBEDZ; it is a process that has resulted in some incredible opportunities that have come to the County; and the commitment and passion of those committed to development of new companies in the communities is no different. He stated the Board will be on the right side of history by supporting this project.

Scott Ellis, Clerk of Courts, stated he knows the Mayor is skeptical; he used to be skeptical years ago; and now he is just cynical. He stated what the Board has before it is a \$3 million package; the land is held by the County and the building is owned by the corporation; and he inquired what happens after 10 years if the company defaults on their job objectives. He stated it is a serious question because they now have a private building on public property; he further inquired what the Board will do if they default 10 years from now; does it continue to lease; does it push the building off of the property; and he stated he has no idea what kind of contractual arrangement the Board will have with them, but if they default, the Board is going to have a heck of a problem 10 years from now. He noted this pretty much wipes out the money put into the NBEDZ, the money for this project and the Miracle City Mall; he inquired where is the money going to come from to pay for the next big thing; and is the County going to continue to use money to pay businesses to locate to Titusville. He pointed out at some point Titusville needs to

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look in the mirror to make the changes it needs to make to be more open to businesses; this is the second project the County has paid to relocate in Titusville; and the Board has set a president that anyone who wants to come to the County and get money can go to Titusville and get it. He explained to the Board the Miracle City Mall is on hold; and this project is 150 jobs maybe. He stated if it all comes together there will be an above average wage. He inquired if the Board gets a vote if the NBEDZ borrows money.

Chairman Fisher replied everything comes back to the Board if it is over one-half a million dollar expenditure.

Mr. Ellis stated Mayor Tulley said all of his questions were answered by Mr. Weiner; and he would like to have those on the record. He stated it is insane that the Board talks about needing money for roads and other things; this is \$3 million for 150 jobs; it may seem like a lot; but it is not that many jobs; and he inquired is the County going to pay for every 150 jobs that come to Brevard County. He inquired what happens to the building if the company defaults. He concluded by saying if the Board is going to spend millions of dollars, it should not be an add on to the Agenda with a five and six day fuse; and there is no time to go through these issues.

Pat Pasley stated two of the newest members of the Board are businessmen; and she inquired if they would take the word of some of their employees about a venture that is going to cost \$3 million without knowing what exactly they are voting on. She stated \$3 million is a lot of money; she has elected her Commissioner and others have elected the other Commissioners; and the Board has a right to know what this business is about. She pointed out she does not like the secrecy; the Board should have been disposed to what the business is; and she would have a lot more trust in the vote the Board takes if it knew what the business is.

Robert Jordan stated as he was listening to other speakers, he is very serious; he is serious that the County has a viable economy in Titusville; he is a businessman; and when doing business with a potential, they always ask a person to sign a non-disclosure agreement to ensure the information they have will not get out to a competitor. He noted that is simple business; it is the people's money; every step he took in his career there have always been business decisions to be made; and unless chances are taken, the County will not be successful. He went on to say there are eight people on the NBEDZ; they make good decisions; and the contract that comes back to the NBEDZ will be scrutinized and make sure the citizens' money is protected. He asked the Board to think about the citizens on the NBEDZ; they want to do the right thing as the Board wants to do the right thing; and they expect the Board to take their wisdom into account when making its decision.

Commissioner Infantini inquired if Mr. Jordan has more information than she received during her briefing, because her briefing contained no more information than her Agenda Packet; every question she had was not answered; and she questions how the NBEDZ was able to make a unanimous decision to move forward if that is all the information they had. She stated she will take a risk if she has all of the facts; and she will sign a non-disclosure agreement. She noted she cannot support this. Mr. Jordan replied there were other questions he asked; and he was comfortable with all of the questions and answers he received. Commissioner Infantini inquired how the NBEDZ could vote on a contract. Mr. Jordan replied the Board is not voting on a contract; it is voting on a grant to be given to them, subsequent to that, they are getting a contract for everyone to look at and then decide if it is a good contract for the County; and this part is not hard at all.

Mr. Weiner advised the Board he too approaches all deals with a certain amount of skepticism; the numbers on the sheet are not speculative at all; in micro economics it is an accepted principal that certain external inputs generate certain internal outputs; and a multiplier can be calculated and it can measure the changes in aggregate output. He explained money gets put

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into the economy, it gets spent, the money continues to move around the economy, and that money shows up in income; and that is a proven principal. He noted they are estimates. He stated some things are unforeseeable; on the other hand the EDC did their job with BlueWare; what happened was not foreseeable; and as Chairman Fisher said, they received no money. He stated the number of jobs for this project is clear it is laid out year-by-year; as to what happens in 10 years, there will be a default lease rate; if at the end of two, four, or six years, if they do not create the jobs, there will be a default lease rate; and the answer would be they will be paying a market ground lease on what is now proposed if they perform as essentially a \$1 a year lease. He stated their ability to retain title in 10 years is totally contingent to them putting those jobs in place for 10 years. He pointed out this is a strong company with a great track record, and there are thousands of employees.

Commissioner Infantini stated Mr. Weiner pointed out that Xun Energy and BlueWare did not end up costing the County money; the reason they did not, is because the County did not invest up front so there was no loss; this project is not based on a tax abatement; and this project is based on the County giving them money up front prior to performance. She inquired if Mr. Weiner would pay a developer up front before they delivered part of his home. Mr. Weiner responded whether or not a series of payments before full job creation is appropriate, it would not have been in BlueWare's case or Xun Energy's case; they had no track record; and a claw back is only worth the financial strength of the company behind it; this company has an investment grade bond rating by Standard and Poor; it is traded on the New York Stock Exchange; and it is a relatively low risk. He stated if there is a failure to create these jobs, the next step will be the EDC and DEO working together to put together a claw back on the cash, so if they only create 50 or 100 jobs there will be no claw backs; and they are credit worthy. He noted a parent company would sign the contract; and it will be backed by the full phasing credit of the applicant.

Commissioner Smith stated there have been legitimate questions asked.

Mr. Weiner stated if the company defaults and do not have the jobs in place at the end of the term, they would have a default ground lease; and it would have an agreed upon ground lease. He explained to the Board income will accrue from the ground lease in the event of default; the company will have a building on that land which they must pay a ground lease on; and the owner would be in a position to put a lien on the property in that event.

Commissioner Smith stated they have not gotten to the point where any of this would be negotiated.

Mr. Weiner advised what has not been agreed upon is the difference between current market value and future market value, and what the number of jobs would be created. He pointed out there is nothing unusual about this particular deal in terms of the cycle.

Commissioner Smith inquired where the \$2.2 million come from.

Troy Post, Executive Director of NBEDZ, stated they get two sources of funding, one an increment of tax from the City of Titusville based on new commercial construction that takes place within the Zone that would continue until year six of the Zone; and the other portion is from the County's General Fund. He noted it is a tax increment financing district and they receive a portion of that property tax annually. He stated part of his job is to do a cash flow analysis to determine if the money is there either on hand to do it out of their existing cash or if they have to enter into some sort of a debt instrument or other financing vehicle; at the moment based on the commitments they have, they can take care of the existing project through their existing cash flow. Commissioner Smith inquired if that would include the \$300,000 for the land clearing. Mr. Post replied affirmatively.

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Walt Johnson, Vice Mayor City of Titusville, stated the way he understands what is happening is before the Board can make a contract, it has to understand the assets it has for that contract; and it has been convoluted in people's minds. He noted when the NBEDZ was formed it was formed so North Brevard County could catch up. He stated South Brevard County grew by leaps and bounds; and it is not a new concept at all. He went on to say it is created to bring some value-added jobs into North Brevard County, which is very much needed. He stated a confidentiality agreement is State Law, and it has to be granted if it is asked for. He advised the Board they have a great deal of trust in the Board, staff people, and the EDC who are working on this. He stated many of the questions are from a particularly negative point of view; and he asked the Board to look at the positive.

Chairman Fisher pointed out the Miracle City Mall has not been paid one dime; the way it was set up was it had to do improvements on the site, put three tenants on the site with a Certificate of Occupancy (CO), there need to be 150 plus square foot committed, and \$37 million invested; and to this point it has not been paid. He stated he has voted for many projects; and all of those, which are in the south end of the County, have been incentivized to make job creation; he thinks a job anywhere in the County is a good job; people will drive if they are in need of a job; and he urged the Board to be supportive of the project.

Commissioner Smith stated he agrees that there should be no discrimination between south and north Brevard County; Mr. Ellis brought up a question he would like to have answered; he inquired if the Board is pushing the limit of what NBEDZ can do if there is another company who comes in at a later date; and can those be accommodated as well. He inquired if a dangerous precedent being created by offering companies money, or is it just the competitive nature it is in. He stated he thinks there has to be some inducement to get jobs in the County; Brevard County has an opportunity to bring in a quality company that is very large; and he further inquired if a dangerous precedent is being created. He inquired if there will be enough money if another great opportunity comes along.

Mr. Post replied Mr. Ellis also made the comment that he wanted the City of Titusville to be better prepared to be open for business; he believes they are as they have made a lot of changes in their permitting; and they have been aggressive in attracting businesses. He went on to say they provided technical assistance on projects that have not received Zone dollars that have gone forward; the Zone assist not just with financial assistance but technical assisting like helping them find a site, and understand what the labor force capabilities are in the area; this does not use up the allocation for future years; and they have the ability and are actively looking at projects for which they will be back before the Board to have it look at packages that may be proposed. He noted the reality they deal with, with the NBEDZ is the mechanism for their funding and some of the improvements which have been made in that area in the recent years, especially the Florida Power & Light Company facility ensures they will have a significant cash flow in future years where they can incentivize other projects; and they will work to do that. He explained to the Board based on the cash flow analysis they looked at, based on the method in which they anticipate providing this inducement to this particular project, they will still be in a position to incentivize other projects and help to create jobs and expand capital investment in the area.

Mr. Weiner stated the notion about setting precedent is a good question and he can see how it appears troublesome; the reality is the incentives have been in active use by virtually every single state, the vast majority of jurisdictions, counties and cities, probably for going on 25 years; the notion that the County is buying jobs sort of demeans the process in some ways because he believes companies understand when they come to a community and make an investment and hire people that it has an economic impact; and increasingly over the last 25 years the partnership becomes a two-way street that the community is supportive generally

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economically and in return they get a great deal. He went on to say in this particular case they were not really competing with other counties in Florida; this project was really headed for another state, and he knows that to be a fact; and the other state stood just as ready as the State of Florida with a municipality that maybe was not quite as ready as the County to compete to win the project. He stated it is what it took to when, but he does not think it was more than was needed in the economic impact of what the community will receive in return justifies the investment.

Commissioner Smith inquired if the State is also giving money towards the project. Mr. Weiner responded affirmatively, but he cannot discuss the amount publicly. He pointed out the most important thing when talking about cash flow like this, he agrees that the financial strength of the company is of paramount consideration that there will be adequate claw backs in place, and most importantly that the expected rates of return are well within the types of limits that most jurisdictions insist upon before they make this sort of investment. Commissioner Smith inquired if the claw backs will be inserted in this agreement. Mr. Weiner replied there will be claw backs against cash from all sources for non-performance; it does not mean if they create 140 jobs they will lose all of the case; but on some sort of percentage basis there will be claw back imposed by the NBEDZ and by the State that should the failure to meet these jobs threshold will be penalized in some way, probably proportionate to the failure. He noted the ability to ever get the title to that land is not only dependent on creating those jobs, but maintaining those jobs at the end of the period; that does not mean that 112 jobs 10 years from now that the actual amount they pay will not be adjusted; it will be fair, equitable, and businesslike; and the taxpayers will be protected.

Commissioner Barfield stated he likes the perspective of why this is a business deal; two and one-half million dollars is a big amount of money; in his business, if he put money up, he wants to know there is a return on investment; so the money has to be protected and the appropriate contractual agreements must be in place; and the Board will see this again. He stated the second thing is return on investment, if for the investment of two and one-half million dollars and there is \$14 million a year going back into the economy, it is \$140 million; and he would do that any day. He stated Project Jaguar barely passed on the Board; that was only the first phase; and now they will be at over 1,000 employees by next year. He pointed out that is what this is all about. He noted North Brevard County needs help; and this is a thing that can prime the pump and make things happen in the north end of the County.

Commissioner Anderson stated what three Commissioners have been through since 2008, the collapse of the housing market, the end of the shuttle program, and if it was not for community leaders, Chambers of Commerce, and elected officials for the County to get aggressive and take chances, there would be people there beating up the Board in the County; he thinks there have been a lot of successes; there have been a few hiccups; but overall, this County and community the batting average is about 80 percent. He pointed out the Ellis Road area was practically shut down at one point; and he thinks in the end the County will be fine.

Commissioner Infantini stated she hears the Board talking about taking chances; she does take risks with her own money; and she will not do it with the taxpayers' money. She stated she would like to see the data regarding the 80 percent success rate; she has asked for a performance audit from the EDC; and she inquired why would the Board give a company money up front. She stated individuals will have to pay more taxes; and she inquired how people thought the County is going to keep financing corporate welfare.

The Board adopted Resolution No. 15-056, for a grant award in the amount of \$2,500,000; and adopted Resolution No. 15-057, for execution of a ground lease for land in the Spaceport

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Commerce Park, which taken together will be used as an economic development inducement for Project Eagle.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
<b>NAYS:</b>	Trudie Infantini

\*The Board recessed at 11:05 a.m. and reconvened at 11:19 a.m.

### ITEM III., PUBLIC COMMENTS

Fred McMillian stated last week he attended a public meeting for the transportation disadvantaged of Brevard County; there were no Commissioners there; no one from the Transportation Planning Organization (TPO) was present; he was the only civilian in the room; and quite frankly, Titusville needs some public transportation. He went on to say if there are going to be jobs in Titusville, there is going to have to be a bus; Jim Lisenfelt, Transit Services Director, needs help in running the bus on the weekend; there is no public transportation in Brevard County on the weekend, especially Sunday; and a lot of people work seven days a week. He advised the future is in the hands of the Board; Brevard County is growing and is a popular destination; and irregardless of how it is looked at, the Board needs to step it up. He pointed out public transportation is going to be the basis for the people who are not driving, who ride bicycles, and do not have a car to get to work; and that issue needs to be addressed. He stated someone needs to look at the taxicabs in the County; there are so many taxicabs in the County that it is ridiculous; and if a person thinks it will always be the same price, no way in the world would it happen. He noted it is \$150 to drive to the Amtrak station in Winter Park or Orlando; and he inquired what is going on. He stated if the Board has any information, to please contact him; it is cheaper to rent a car than it is to take a taxicab; and that is ridiculous. He stated in the parking lot at Sears where the Space Coast Area Transit transfers, the pot holes are so deep, the bus has to go almost around the block to get there; he does not know who regulates that parking lot.

Chairman Fisher advised it is private property. Mr. McMillian stated transportation in Titusville needs to be improved because the people who live there are at a transportation disadvantage; most people are on assistance; and those who work has to ride a bicycle. He pointed out a person has to walk 10 blocks to get to a bus stop. He stated on May 18th there will be a meeting in Building C for the transportation disadvantaged; there is going to be a discussion of how this County can help senior citizens; and he heard stuff at the meeting last week that surprised him. He stated Commissioner Infantini eluded to this morning that she has seen this Board throw away millions of dollars; and he asked the Board to throw some towards the transit system as they need help.

Mr. Leisenfelt stated the Searstown Mall is private property; the County has an agreement with them; and the County is working with the property owners to help fix the parking lot.

Charles Tovey stated he walks for miles and miles because he has to, and he is disabled; it cost \$8 to go six miles; and he would rather walk. He talked to the Board about pedestrians trying to cross the road; and he stated the Sheriff's Office does nothing. He stated the Town of Palm Shores come and help themselves to anything they want. He stated if the Board cannot keep pedestrians safe, how are they paying for animal control. He advised the Board that Matt

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Culver, Natural Resources Management Department, is who took his boat. He noted he will be at the Board meetings every Tuesday as he has nothing better to do.

**ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE PUBLIC UTILITY EASEMENT, MISSILEVIEW AVENUE, PINEY WOODS - CARLOS AND DAVID TORRES**

Chairman Fisher called for a public hearing to consider a resolution to vacate a public utility easement on Missileview Avenue in Piney Woods.

John Denninghoff, Public Works Director, stated this is a petition to vacate a utility easement on a residential piece of property; staff has followed all of the proper procedures; and they have received no objections.

There being no further comments or objections, the Board adopted Resolution No. 15-048, vacating a portion of the 10.00 foot wide public utility easement centered along the common lot line between Lots 7 and 8, Block B, Plat of Piney Woods, as petitioned by Carlos and David Torres.

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

**ITEM IV.B., RESOLUTION, RE: PETITION TO VACATE PUBLIC UTILITY EASEMENT, ST. LUCIA COURT, THE MOORINGS UNIT NO. 2 - BROCKWELL AND AMY BALLARD**

Chairman Fisher called for a public hearing to consider a resolution to vacate public utility easement on St. Lucia Court in the Moorings Unit No. 2.

John Denninghoff, Public Works Director, stated there are no objections.

There being no comments or objections, the Board adopted Resolution No. 15-049, vacating a portion of the 7.50 foot wide public utility easement along the southwesterly line of Lot 22, Plat of The Moorings Unit No. 2, as petitioned by Brockwell and Amy Ballard.

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

**ITEM IV.C., RESOLUTION, RE: PETITION TO VACATE PUBLIC UTILITY EASEMENT, HEATON PARK TRAIL, WINGATE ESTATES PHASE TWO - SASTRY AND NAINA VARANASI**

Chairman Fisher called for a public hearing to consider a resolution to vacate a public utility easement on Heaton Park Trail in Wingate Estates Phase Two.

John Denninghoff, Public Works Director, stated this Item is similar to the prior two vacatings.

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There being no comments or objections, the Board adopted Resolution No. 15-050, vacating a 3.00 foot by 38.00 foot portion of a 7.50 foot wide public utility easement along the south line of Lot 44, Block B, Wingate Subdivision Phase Two, as petitioned by Sastry and Naina Varanasi.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM IV.D., RESOLUTION, RE: PETITION TO VACATE PUBLIC UTILITY AND DRAINAGE EASEMENT, ANCHOR LANE, INDIAN RIVER ISLE - DONALD H. AND LINDA M. ADAMS**

Chairman Fisher called for a public hearing to consider a resolution to vacate a public utility and drainage easement on Anchor Lane in Indian River Isle.

John Denninghoff, Public Works Director, stated this Item has no objections.

There being no comments or objections, the Board adopted Resolution No. 15-051, vacating a portion of the 10.0 foot wide public utility and drainage easement at the south line of Lot 2, Indian River Isles, as petitioned by Donald H. And Linda M. Adams.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM IV.E., CONSIDERATION, RE: WETLAND IMPACTS FOR COMMERCIAL DEVELOPMENT - SPACE COAST CREDIT UNION**

Chairman Fisher called for a public hearing to consider wetland impacts for commercial development at Space Coast Credit Union to be in the public interest.

There being no further comments, the Board considered wetland impacts for Space Coast Credit Union (SCCU), a banking facility, to be in the Public Interest, in accordance with Chapter 62, Article X, Division 4, Section 62-3694(c)(3)b.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

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**ITEM IV.F., RESOLUTION, RE: AUTHORIZING SECTION 108 GUARANTEE APPLICATION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Chairman Fisher called for a public hearing to consider a resolutions authorizing Section 108 guarantee Application to the United States Department of Housing and Urban Development.

Ian Golden, Housing and Human Services Director, stated this is the final public hearing for the loans through the Community Development Block Grant (CDBG) program; the public hearing has closed; staff has received no comments on the Item; and it asks for approval to authorize the County Manager to submit applications and any other documentations required through HUD. He went on to say there is a requirement through HUD, in the resolutions attached to the Item, that the County set aside a reserve for one year of payments; and it does identify the General Fund as the payer of last resort.

Commissioner Infantini stated it says to set aside the \$200,000; and she inquired how much the County is going to receive from HUD or CDBG this upcoming year. Mr. Golden responded the County receives approximately \$1.1 million; he has not received what next year's allocation is going to be; the CDBG fund is going to be the payer for these loans; staff estimates, based on the consultants work, that the Health Department Loan is \$1.6 million, and should be somewhere around \$95,000 annual repayment; and the West Canaveral Groves Project, the waterline project, is just under \$1.7 million, with about \$105,000 a year. He pointed out both should be more than covered by the amount of funds coming in from CDBG annually.

There being no comments or objections, the Board adopted Resolution Nos. 15-052 and 15-052a, setting aside funds equal to one year's debt service for each application and committing the General Fund as the payer of last report; conducted a public hearing, as required by the U.S. Department of Housing and Urban Development (HUD), for the purpose of receiving public comment regarding the submittal of Section 108 Loan Guarantee application for the Brevard County Health Department Building Replacement and the West Canaveral Groves Water project; approved the submittal of both loan applications; authorized the County Manager to sign required agreements (including a sublease with the State of Florida Department of Health); approved required actions; and approved executing necessary documents for finalizing and accepting awards upon the approval of the County Attorney and Risk Management.

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

**ITEM IV.G., ORDINANCE, RE: RESCINDING SELECT COMPANY ECONOMIC DEVELOPMENT TAX EXEMPTION ABATEMENTS**

Chairman Fisher called for a public hearing to consider rescinding select company Economic Development Tax Exemption Abatements.

Stockton Whitten, County Manager, stated this is the annual review of the companies that are in the Tax Abatement Program; each year the Board reviews their performance requirements and determines whether or not they can continue in the Program; there are eight companies slated to be removed from the Program this year; and he would ask the Board remove from this listing Diamondback CNC, LLC. He pointed out he is still working with that company to determine whether or not they are actually in compliance.

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There being no further comments, the Board adopted Ordinance No. 15-07, repealing Ordinances granting certain Ad Valorem Tax Exemptions for failure to continue to meet the criteria for such exemptions; repealing Ordinance 2008-22 relating to the Economic Development Ad Valorem Exemption granted DRS Imaging and Targeting Systems; repealing Ordinance 2013-024 relating to the Economic Development Ad Valorem Exemption granted D4 Energy Groups, Inc.; repealing Ordinance 2012-20 relating to the Economic Development Ad Valorem Exemption granted Nuance Communications; repealing Ordinance 2012-17 relating to the Economic Development Ad Valorem Exemption granted Bertram yacht; repealing Ordinance 2010-04 relating to the Economic Development Ad Valorem Exemption granted Sea Away Family of Companies; repealing Ordinance 2010-10 relating to the Economic Development Ad Valorem Exemption granted Lockheed Martin IS & GS Defense; repealing Ordinance 2013-32 relating to the Economic Development Ad Valorem Exemption granted Xun Energy, Inc.; and providing an effective date.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM IV.H., APPROVAL, RE: THIRD QUARTER SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2014-2015**

Chairman Fisher called for a public hearing to consider approval of the Third Quarter Supplemental Budget for Fiscal Year 2014-2015.

Thomas Rosenberg, Budget Office Director, stated this is the Third Quarter Supplement the Budget for Fiscal Year 2014-2015; Florida Statute 129.06 requires certain amendments to the annual budget to be brought before the Board at a public hearing; staff has done this annually; and he has tried to summarize all of the impacts on the Agenda Report. He went on to say there are 140 Budget Change Requests attached to this Item; and he would be happy to walk the Board through this.

There being no comments or objections, the Board adopted Resolution No. 15-053, Supplemental Budget for the Third Quarter of Fiscal Year 2014-2015; and approved the budget changes and such actions as are necessary to implement the adopted changes.

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

**ITEM IV.I., RESOLUTION, RE: PETITION TO VACATE PUBLIC UTILITY AND DRAINAGE EASEMENT, LESLIE DRIVE, ROCKWELL ESTATES - JANE A. STEVENSON**

Chairman Fisher called for a public hearing to consider a resolution to vacate a public utility and drainage easement on Leslie Drive in Rockwell Estates.

Joe Ross stated he represents the seller; this is a real estate transaction to try to get rid of the encroachment because it has become a title defect; and he requested the Board expedite the

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recording of the resolution. He noted there is no way to grant clear title until the resolution is recorded.

Chairman Fisher inquired if there is a way to expedite this. Scott Knox, County Attorney, replied the Chairman can sign the resolution after the meeting, and maybe the Clerk can have it recorded.

Tammy Etheridge, Clerk to the Board, advised the Board the vacating have a second advertisement before it can be recorded.

There being no further comments or objections, the Board adopted Resolution No. 15-054, vacating a portion of the 10.0 foot wide public utility and drainage easement at the east line of Lot 11, Block C, Plat of Rockwell Estates, as petitioned by Jane A. Stevenson.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM V.A., RESOLUTION AND EXCHANGE AGREEMENT, RE: FLORIDA INLAND NAVIGATION DISTRICT (FIND)**

Mike Knight, EEL Program Manager, stated last month the Board gave staff permission to advertise the exchange, that has been done; and staff has received no comments. He went on to say this started in the early 1990's; the County has been working with Florida Inland Navigation District (FIND) to facilitate a land exchange to protect a significant portion of scrub habitat in the Grant/Valkaria area; the County received a donation of land adjacent to the proposed basin site that FIND is proposing in this location to be used for storage of dredge spoil material from the navigation channel; and the donation was provide to the County in 1995 from a developer to satisfy its mitigation requirements. He stated the quality and condition of the FIND property is far superior to the property the County currently has that was donated to it; and the exchange will provide a greater level of long-term protection for the Florida Scrub Jay in that area. He stated the exchange would consist of the County giving FIND 69 acres and the County would receive 83 acres in return; the exchange would also create a more contiguous management unit, which allows for more efficient management under the Endangered Lands Program, particularly related to fire and exotic species; this item was approved in 2009 to move forward providing up to \$150,000 to FIND to help with the cost of redesign to the basin to fit in the new footprint; and due to the more recent changes to the basin size requirements, the exchange has been renegotiated under different terms. He pointed out this negotiation has resulted in more redesign costs to the County; the costs are not to exceed \$88,823; each party will be responsible for their own due diligence cost surveys, environmental assessments, and so on; the costs are expected to be in the neighborhood of \$40,000 to \$50,000 in addition to the \$88,000; and the exchange is contingent upon FIND being able to acquire their permits and complete their projects. He stated the Florida Fish and Wildlife Service, the original permitting agency, and the Board's Selection and Management Committee, have both been long-term supporters of the exchange; and it would be a benefit to the Scrub Jay population on the Atlantic Coastal Ridge. He stated today's request is to approve the agreement; and the agreement will take some time to come to fruition because FIND needs to do its redesign work and pursue its permits.

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Richard Charbonneau inquired what is going on with the ordinance of a former Commissioner coming back as an employee; it seems to have been stalled; it came back as an ordinance; and all of a sudden it was tabled.

Chairman Fisher stated it was a poorly written ordinance.

Commissioner Infantini inquired where that stands regarding the Pam Bondi, Florida Attorney General, report.

Stockton Whitten, County Manager, stated he did not recall the Board directing a workshop.

Scott Knox, County Attorney, stated the Board asked the County Attorney to send out for an opinion from the appropriate agency; they have now determined the appropriate agency is not the Ethics Commission, but the Attorney General; and that is what staff is doing. He stated there is a memorandum of law that they must submit to them, which they have done; and it will be gone the end of this week.

The Board adopted Resolution No. 15-055, and executed Exchange Agreement with Florida Inland Navigation District (FIND) for exchange property.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

**ITEM VI.C.1., APPROVAL, RE: BUDGET AND FINANCIAL POLICY BCC NUMBER 21**

Thomas Rosenberg, Budget Office Director, advised the Board that each spring staff reviews BCC-21, the Budget and Financial Policy; there were a number of modifications made this year; in Section III.B.5., based on a recent Request for Proposals (RFP) for independent auditing services, which was advertised for a three-year contract, plus two additional one-year renewal periods, staff revised that Section to reflect that possibility; and the former wording said it was to just be renewed every three years.

Commissioner Infantini stated this Item also has language in it on page 13 that refers to changes in fund requests; and as long as they are part of the Board's Capital Improvement Plan (CIP), they can get passed without coming back before the Board. She pointed out the County's CIP has around a billion dollars of spending in it going forward for the next five years; she does not want to see that; she would rather have all of the changes that are over \$100,000 come back before the Board, regardless if they are already in the CIP; and she does not think there is any Commissioner who has it engrained in their head every single item. She stated at one time there were extra fire trucks that were purchased; and it would not have had to come back before the Board.

Stockton Whitten, County Manager, asked Commissioner Infantini to show him which Section, because staff is trying to clarify that point that if it is over \$100,000 it is coming back to the Board even if it was approved in the CIP. Commissioner Infantini noted it says unless said funds were accrued pursuant to previously approved CIP projects. Mr. Rosenberg advised that was to move money out of Reserves; that was just a clarification; and it was a previously approved Board motion that the County Manager could authorize a previous approved Board project, because staff knew it would not get done in the current year, that money could be

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brought back out of Reserves for that previously approved project. Commissioner Infantini stated she does not want that; and she inquired if it could be changed to over \$100,000. Mr. Whitten stated if they had a Babcock Widening Project that was previously approved, it did not get done, it needs to happen, and that is just simply expediting the project. He explained to the Board it is just an attempt to expedite where the Board has previously approved projects. Commissioner Infantini stated that is one single small project; the County has a billion dollars in the CIP, which has been approved as part of a big project; and she is asking if it is over \$100,000, she would like for it to come back to the Board.

Commissioner Infantini inquired if the Commissioners are fine with any and all sums being rubber stamped. Commissioner Anderson stated it has been approved and the money has been moved; and he inquired why it needs a second approval if it has already been approved. Commissioner Infantini stated sometimes Commissioners change and have a more financially restrictive policy with spending money, and he or she may not want to spend it the way it is currently planned to be spent.

The Board approved Policy BCC-21, providing guidance to staff on managing County finances and developing and amending the County's Annual Operating and Capital Improvement budget.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>AYES:</b>	Robin Fisher, Jim Barfield, Andy Anderson
<b>NAYS:</b>	Trudie Infantini, Curt Smith

**ITEM VI.D.1., REQUESTING EXECUTIVE SESSION, RE: BREVARD COUNTY V. WALTER E. PLATT, ET AL, CASE NO: 05-2013-CA-072132-XXXX-XX**

The Board approved the cost of advertising for, and the scheduling of, a private session May 12, 2015, at 9:00 a.m. or at the conclusion of the regular meeting of the Board of County Commissioners, whichever occurs earlier, pursuant to Section 286.011(8), Florida Statute, in the case of Brevard County, Florida v. Walter E. Platt, et al, Case No. 05-2013-CA-072132-XXXX-XX, for the purpose of discussing strategy and granting authorization.

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

**ITEM VI.E.1., APPROVAL, RE: CITIZENS RECOMMENDATIONS FOR GREATER EFFICIENCY AND EFFECTIVENESS**

Stockton Whitten, County Manager, stated each year the Charter requires the Board open up applications for suggestions for improvements from the citizens of Brevard County; this is the process for 2015; there are about 20 recommendations; and the process has been each year there is an annual filing period of 120 days to get the recommendations back to the Board. He went on to say the Board, per the Charter, can either approve, reject, or approve with revisions those recommendations; staff sends the staff report to the members of the public who have made the recommendations; and staff is prepared to go over each recommendation.

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Marcia Booth, Recycle Brevard, Inc., stated she prepared something she hopes she can cover in five minutes. She went on to say as a citizen of Brevard County who is strongly supports and advocates environmentally sound practices, it is a great opportunity for her to be present to share with the Board some of her thoughts and to briefly go over how she got involved in the community; her personal mission has been to promote the three Rs, which are reduce, reuse, and recycle whenever she can; and she would like to ask the Board for its support with this endeavor. She noted she began this endeavor in the County in 2011 after she took her six year old daughter to a landfill tour and learned that only 30 percent of residents recycle; since she was taking a community involvement class at the time, she decided to roll up her sleeves and do something to try to help increase that rate; she thought that maybe if there was more information available in the importance of recycling, more people would do it; and she created a Facebook page and blog called 'Recycle Brevard' to motivate people to take action. She added she started to get more involved in the community on her own and for different organizations; and she really wanted to spread the word. She advised the Board by 2013 she found out she needed to get better organized to be able to obtain more support from businesses and volunteers; that is when she decided to incorporate as a not-for-profit organization to focus on building awareness about waste and work towards waste reduction to benefit the environment, community, and the ones in need. She pointed out she still volunteers for various groups and organizations besides her own; she is a parent volunteer at her daughter's school, Manatee Elementary; in 2013 she joined three wonderful teachers there, Mrs. Forrester, Mrs. Tippin, and Mrs. Tolley, to create and run Manatees Environmental Club for students from first to third grade; in 2013 she founded Manatees Green Committee for families and teachers to assist in making Manatee Elementary a greener school; and this year she is happy to share with the Board that Manatee Elementary was selected as a U.S. Department of Education Green Ribbon School. She noted they will be attending a ceremony in Washington D.C. this coming June to accept the award. She stated she is a Board Member of the League of Women Voters of the Space Coast, and she coordinates the Leagues recycling awards; and together with Brevard County Public Schools they want to involve children in being part of the solution to send less to the landfill. She went on to say she is also a Board Member of the Space Coast Association for the Education of Young Children; and last year, with the support of the organization, she created an environmental education award for early childhood education teachers called No Child Left Inside to recognize their efforts in promoting hands-on activities for their students to experience and learn about the environment and the natural world. She explained to the Board she is a columnist for the *Viera Voice* and *Senior Life* Local newspapers; and her column is called 'Beyond the Curb'. She pointed out her goal is to share information that will make people reflect, change, and do more for the community. She provided the Board with her article. She stated because of her involvement in the community, people and organizations come to her to ask for help with recycling; she receives emails asking her different questions, including how to recycle certain things; she wants to help people, and that is one of the reasons she is standing here today; and last year when she hear about the Speak Up Brevard, she decided to submit some ideas to see what can be done in the County, which she submitted six items. She thanked Linda Seals, University of Florida, Brevard County Extension Service Director, and Teresa Camarata, Central Services Director, for the information they sent to her that will be very helpful. She stated regarding CEER 68-71, they are about recycling; the last official recycling rate reported for the County was 52 percent above the recycling rate; but she cannot see exactly where the 52 percent is.

Mr. Whitten explained to the Board staff is going to take the Board through the recommendations and their responses. He went on to say CEER #73 is to reduce the number of lights left on in public buildings; the Board has a response in its package from Ms. Camarata; and staff is committed to doing that. He noted that is an easy one for staff; the energy performance contracting project has helped out tremendously; and he would suggest the Board approve this Item.

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The Board approved CEER #73 to reduce the number of lights left on in public buildings after hours.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated going back to CEER #68, which was a suggestion to create an incentive for small businesses to recycle, Euri Rodriguez, Solid Waste Management Director's, response is in the packet; unfortunately this recycling cannot be regulated; the State Law specifically make the market of collection of recyclables from businesses to be an open market and cannot be a part of the franchise agreement; and Mrs. Booth has suggested the County negotiate that with the haulers. He noted Mr. Rodriguez said that cannot be a part of the garbage contract. He suggested the Board reject this Item.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Chairman Fisher stated the goal of the County is to recycle, but State regulations affect the Board. Commissioner Barfield stated State regulations can be changed. Chairman Fisher stated Ms. Booth should speak to the State lawmakers.

Mr. Whitten stated Ms. Booth's second recommendation, CEER #69, is to create a more aggressive program to promote business recycling; she suggested a number of things; Mr. Rodriguez said currently the Solid Waste Department has a program similar to what Ms. Booth suggested; and it encourages businesses to convert from square footage calculation of the disposal assessment to an individual calculation. He went on to say that will permit the businesses to lower what they pay to recycling more; Mr. Rodriguez does like the idea of developing on the County's Solid Waste Management webpage that information; and he would suggest the Board approve this Item with modifications as staff will work on developing more information on the website.

Commissioner Smith stated he discovered a long time ago to split his dumpster between garbage and recycling; he contacted a company in Rockledge called East Coast Paper; he actually saved a lot of money because he got half the dumpster size for the garbage that needed to be hauled away; and East Coast Paper put their dumpster in for free. He pointed out it is an education process.

The Board approved CEER #69 with modifications, to develop more information on the Solid Waste Management webpage.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Jim Barfield, Vice Chairman/Commissioner District 2  
**SECONDER:**   Andy Anderson, Commissioner District 5  
**AYES:**        Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated CEER #70 is asking to provide recycling services and collection bins in public places; Ms. Booth suggested staff work with communities and other organizations within the community for donations for services; the response from staff is obviously it can be done at the Government Center and expand it to other governmental offices; but he does not know if staff has the ability to compel other private businesses to do that. He suggested to the Board that this be rejected; but staff will at least try to expand what they do on the County's campuses and other governmental facilities.

The Board rejected CEER #70 to provide recycling services and collection bins in public places.

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

Mr. Whitten stated CEER #71 is to create incentives for businesses to donate returned/unwanted merchandise; and Mr. Rodriguez seemed to think that was difficult for him to achieve. He went on to say Mr. Rodriguez's opposition to that were the operational costs of doing that; and he suggested the Board reject this Item.

The Board rejected CEER #71 to create incentives for businesses to donate returned/unwanted merchandise.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Andy Anderson, Commissioner District 5  
**SECONDER:**   Trudie Infantini, Commissioner District 3  
**AYES:**        Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated he thinks Ms. Booth understood and received from Ms. Seals the response from the recommendation to extend the citizens program and create a hot line to help disseminate County information; the Citizens Academy is a 12-week program that is undertaken each year through the UF Extension Services; that is a cost and staff resource issue for the County; County information is available simply by calling the switchboard, and 2-1-1 disseminates a lot of County information that is relevant to the citizens; and he would suggest to the Board that CEER #72 be rejected.

The Board rejected CEER #72 extending citizens program and creating hot line to help disseminate County information.

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

Chairman Fisher stated Christine Kane has CEER #56.

Mr. Whitten stated CEER #56 is Virginia Barker, Interim Natural Resources Director.

Ms. Barker stated she worked with Solid Waste Management on this response; the request that the County petition the State to amend through a House Bill and a companion Senate Bill the regulation on plastic bags; the response staff provided explains some of the problems with the proposed language in the House and Senate Bills; and staff recommended against supporting those Bills. She went on to say since this was prepared, there is additional language moving forward, so the Board may want to consider something else. She stated staff suggests the Board reject this as written.

Christine Kane stated several months ago she took advantage of the Citizens Efficiency and Effectiveness Program and made a recommendation that the County petition the State to support then House Bill 1257 and companion Bill Senate Bill 830 providing for local regulation and enforcement of plastic bags; since that time, the Bills have been significantly modified and bear the title of Senate Bill 966 and House Bill 661; and she provided the Board with copies of the modified legislation. She went on to add her remarks for the most part are in response to the noted objections to the original bills; the Solid Waste Management Director noted that compostable bags that make it to the landfill did not degrade because of the anaerobic condition of the landfill as well as the fact that the County just does not have a County compost program; compostable bags are marketed to the general public as being better than plastic bags; but that is not true. She advised the Board as far as anaerobic landfill is concerned, they are the same; the Bills relegate to local governments the adoption without monies to enforce it; this is true, however, there are many benefits, which she will outline later; it exempts small stores, and current legislation does not exempt any stores; the Bill provides monies to the School District but no monies to the counties, who at the very least handle the enforcement and mandatory reported; and new legislation does not provide any money to anyone. She pointed out the language in the legislation uses the word 'may' rather than 'shall', which means that municipalities will enter into this program voluntarily; the closer these issues are to the citizens, the better the outcomes; let the municipalities find the best way to work these pile of programs; and the outstanding programs will hopefully be used as a model for what will one day be a Statewide program. She inquired is this legislation perfect; and she stated it is far from perfect, but it is a step in the right direction. She noted the State has refused to move on the issue since the Florida Department of Environment Protection (FDEP) issued its report in 2010; the public wants to protect the environment; this is a way to do that; and the State and County needs to be forward thinking on this issue. She stated on the County's form evaluating her suggestion, it indicates there is no cost to implement and no return on investment; while there is no cost to implement this, she thinks there is a huge return on investment for the cities and counties; plastic bags costs millions of dollars annually when getting into stormwater systems; plastic bags kill sea turtles, birds, and manatees; and they are created with fossil fuels, which they receive lip service in lowering its usage. She stated plastic bags cost money and employees' has to chase them down when flying around landfills, highways, and rivers. She stated the FDEP, in its 2010 report, concluded that the fastest results in reducing plastic bag use comes from bans, followed closely by fees or taxes; and new legislation specifically states such ordinance may not include any monies or fees on the use or distribution of disposable plastic

bags. She concluded by saying she wanted to provide the Board with a few statistics which emphasize how important the issue is; she stated plastic is the most common type of marine liter worldwide; an estimated 100,000 marine mammals and up to one million sea birds die every year after ingesting or being tangled in plastic marine liter; and that is not a pretty picture for tourists. She noted in 2009 about 3.8 million tons of waste plastic bags, sacks, and wrappers were generated in the United States but only 9.4 percent of this total is recycled; cleaning up plastic bags is very costly to municipalities; millions of dollars are spent on landfill discarded plastic bags, not to mention the millions spent on liter cleanup; Americans go through one hundred billion plastic bags a year; and it would be easier for everyone if the State would issue a standard for municipalities to follow. She asked the Board not to sell its constituents short.

Bo Platt stated Ms. Kane pretty much made most of his points. He advised the Board he grew up in the Indian River Lagoon area and moved out of State for 30 years, but he recently returned and he spends a lot of time in the Lagoon. He pointed out he is shocked by all of the plastic debris in the area; and he comes back with a bucket full of plastic bags and other plastic trash. He stated he has traveled throughout Texas with his work; in Texas one of the problems is windborne debris; every barbed wire fence has plastic bags stuck on them; and that state spends a lot of time recovering those. He noted they do not know how long it takes for plastic bags to decompose in landfills because there is no aerobic activity; and they may decompose as little as a year in the water, but that just means the bags itself is not there, the chemicals just break down in the water. He asked the Board to support the House and Senate Bills Ms. Kane referenced.

Mike Daniel, Chair of Surfrider Foundation, stated this is a Home Rule issue; if staff and the Board do not like the Bills currently in the legislation, a resolution could be crafted to support returning to Home Rule; and as it stands, the State has a pre-emption on counties regulating that. He went on to say the southern 13 miles south of Melbourne Beach, 25 to 35 percent of all the Loggerhead and Green Turtle nests in the State are in that 13 miles; these plastic bags are ingested by these turtles; and it directly kills these turtles. He stated the County should support Home Rule; there are communities that would like to reduce use of the plastic bags; and some municipalities have passed resolutions. He stated he would like the County to put together a resolution to support Home Rule on this; and it would be a good step for the County. He noted Surfrider Foundation is going to have a bag reduction program in Melbourne Beach beginning soon; and they will distribute reusable bags.

Commissioner Barfield inquired what the objections are by staff regarding this Bill.

Mel Scott, Assistant County Manager, responded when the CEER was written, there was a Bill in play that generated staff objections for reasons as it be relegated to local governments the adoption of the program without any money to enforce the Bill; it did not make a differentiation between paper bags and plastic bags; and the challenge is this is a moving target that has as its basis a concept that nationally people are coming to terms with regarding plastic bags issues. He went on to state this conversation is one that continues; staff does not know where the Bill ends up; but if this is something the citizens are requesting that the Board continue to remain plugged into and perhaps result in a resolution supporting the concepts the County can get behind for the next legislative session, it is something staff can be behind. He stated staff does not know where that moving ball is right now.

Ms. Barker stated there is room to come up with a resolution that addresses what everyone is in agreement on.

Mr. Whitten stated his suggestion is to work on a resolution of support for next year's legislative package.

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The Board approved CEER 56 requesting action from the State to regulate and enforce plastic bags under the State's proposed guidelines, with a revision to draft a resolution for the next year's legislative package.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Randal Agostini stated this has to do with CEER #57, the Fire Services Assessment process, which is below the line; in other words, it is a fixed amount that every taxpayer has to pay; and it is not subject to millage for reasons best known to the Board. He pointed out it should be subject to millage just like everything else. He stated what they came up with is a non-ad valorem tax that was manufactured so they could allocate the fee across the board for all of the properties; they created what was called bins so everyone's home would fall into one of these bins; but then when they got to the higher end of the properties they truncated at 2,601 square feet so that anyone who had a property larger than that paid the same tax as someone who had a person with 2,601 square feet; and his submission is that this is not fair. He went on to say the first resolution came back as to maintain the bin process but expand it to 5,001 square feet; and then there was a final resolution, which is one they may want to implement now, which maintains the bins but carries the bins in 500 square foot increments to incorporate everyone's home in Brevard County. He noted in the paperwork he received back it had like around 400 odd people this would apply to; and he does not know exactly what the breakout would be for the largest properties in the County.

Mr. Whitten advised the Board staff will not know either; this is the universe divided by the structures within bins; and ultimately staff's suggestion is going to be when there is a need to discuss the Fire Assessment and the methodology to consider smaller bins in increments of 500 a square feet. He went on to say it will have more bins and the universe of need is divided amongst those bins; if it was changed real time, it would be an increase for some and a decrease for others; it would be an advertisement process that the new methodology that has to be advertised; and the staff response is during the natural course of bringing the assessment back to the Board, to look at all different sorts of methodology, including Mr. Agostini's suggestion.

Mr. Agostini stated he does not see why this cannot be a millage process; one of the excuses by the Fire Department is they do not have the means to be able to make these assessments; that is why there is an assessment department; and he inquired why not have it according to the square footage of the property as the County has all that information in the Tax Assessors office.

Commissioner Infantini inquired if Mr. Agostini means to have it back above the line; and she stated she is not sure how it can be done above the line based on square footage, because above the line is millage based on value as opposed to below the line. Mr. Agostini stated larger properties are worth more; an assessment is the fairest way to assess a property; and if a property is not worth very much, they should not have to pay a high fee for fire services.

Chairman Fisher stated the only thing he sees wrong with that theory is say a person has a 2,000 square foot house on the beach with an assessed value of one-half a million dollar, he could have a 5,000 square foot house in rural Scottsmeer that has a \$250,000 assessed value; and the house in Scottsmeer would pay less because it is assessed lower.

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Commissioner Infantini stated the properties are valued not just based on the structure but based on the land; and she agrees with Chairman Fisher.

Mr. Whitten stated staff and the consultant did a good job in addressing Mr. Agostini's questions. He went on to say they are only talking about the residential assessment; he thinks Mr. Agostini is talking about basing the assessment on the square footage of the property, not on the value.

Chief Mark Schollmeyer, Fire Rescue Director, stated it is based on the base rate benefit factor, which is the cost per square foot, the Property Appraiser, and the Equivalent Residential Unit (ERU).

Mr. Whitten stated Mr. Agostini is saying to do away with that and base it according to square footage; the consultant has said it is a possibility that could be looked at when the Fire Assessment is brought back to the Board to review for an increase in the rate or for a change in methodology; and the Board would have to have a public hearing process. He noted it should come back to the Board in the next two Fiscal Years.

Motion by Commissioner Infantini, seconded by Commissioner Smith, to incorporate it into the budget process. Motion died.

The Board rejected CEER #57 regarding revising the Fire Services Assessment Tax by charging by the square footage.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Randal Agostini stated this is CEER #58 to appoint a review board to examine all County rules and regulations. He stated the County felt it had to increase the stormwater assessment tax; in his dealings with the County, it was agreed if he could prove he was not a cause for excessive water runoff he could get a rebate on his property; and the problem was to prove that rebate, it would cost more than what the entire tax is. He stated the hoops he was challenged to jump over by the County were way and above anything he could do.

Mr. Whitten stated Mr. Agostini wants to challenge the stormwater tax amount should be applied to him; and he inquired if there is an application to appeal or challenge that. Mr. Agostini replied he sent in paperwork for that, but then the answer he received is the paperwork he has to submit for approval would incur a great deal of cost, because he would have had to have professionals come in an establish exactly what his situation was.

Mr. Scott stated the rebate process is designed for those large land owners in agricultural pursuit where they can show they have done things on their properties to keep the stormwater on their property, which is difficult. He noted that process was envisioned to rebate thousands of acres of holdings; to set up a process for a rebate for a single-family home typically goes towards the kitty to take care of the public's benefit that comes from the stormwater program. He stated it is to re-coop the inflation loss incurred from the 1991 date to 2015.

Mr. Agostini stated the problem staff is addressing is after-the-fact; if the County was serious about this, it would be working with the citizens to see how it can prevent stormwater runoff; the

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ideal things is for the rainwater to be absorbed back into groundwater as quickly as possible; and not to have it run off into the streets, drains, and the Lagoon. He noted if a person like himself takes steps to capture all of the rainwater and then put it back into the land so it goes to groundwater, that problem is not there with his property; and the County should be encouraging it.

Commissioner Infantini inquired why would this item be rejected; this is something she and Commissioner Anderson campaigned on to streamline the rules and regulations in place because they are over-cumbersome; and now that there is a new Board, it is a perfect time to do that.

Mr. Whitten advised the Board the recommendation also says to empower that board to accept verifiable problems on a confidential basis and to make recommendations accordingly; there is the internal audit function that looks at the efficiencies of County Government; there are various advisory boards; there is the Ample Nimble Accelerated Permitting (SNAP) certification process; and he is doing something in Building A with the consultant to streamline that process and address the issues over there. He added there is the County Manager's roundtable as well; and there are a number of processes that are going on within County Government he feels address this issue. He pointed out those recommendations are brought back to the Board; there has been a delay in permit reviews; staff is undertaking steps to address that issue through the developers round table and looking how to process things; and eventually those will be brought back to the Board. He noted there are a number of fail safes to address this recommendation.

Commissioner Infantini stated she has received calls about the processing; and anytime she has an opportunity to review some of the policies, rules, and guidelines, it is a good thing.

Mr. Whitten stated the permitting issue is a matter of resources; the licensing issue has had favorable legislation on; and over time that will be cleared up. He explained to the Board he receives those calls too; staff is aware that it is taking longer; when it is contracted out, the County is paying two and three times the costs; and the Board should raise its fees in the interim. He stated there are a number of ways to address the issue; those will come back to the Board; this is a blanket suggestion to establish to a board to look at all County rules and regulations; and that is done through a number of different avenues.

The Board rejected CEER #58 to appoint a review board to examine all County rules and regulations.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated CEER #59 is to turn off the lights at the Moore Justice Center at night. He recommended CEER #59.

The Board approved CEER #59 to turn lights off in the Moore Justice Center at night.

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

The Board approved CEER #55 for aesthetic improvements at the Wickham Road.

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

Cyndi Sweet stated she is present to speak on CEER #63. She stated she sent in a suggestion to add sexual orientation and gender identity to the non-discrimination clause for Brevard County; she is an active member of St. Marks United Methodist Church in Indialantic; she is president of P-Flag Melbourne Space Coast; and their mission statement is to promote and wellbeing of gay, lesbian, and bi-sexual transgender persons. She stated she believes God loves all of his children. She pointed out she is a firm believer in separation of Church and State, freedom of religion, and the 14th Amendment. She stated the most important reason is she is a realtor; they work with big companies relocating people to Brevard County. She stated the County officials should be forward thinking so other companies know it is a good place to bring their people. She asked the Board to promote equality to help the area.

Frank Abbate, Human Resources Director, stated this request said for the Board to pursue a referendum; staff outlined the Charter Referendum process that is available and how it would be undertaken; and staff indicated that the Board follows both federal and State law under Title 7 and the Florida Human Relations Act. He noted that is the law the Board is currently following. He stated if the Board chooses, it can develop its own ordinance that could expand to sexual orientation coverage for protected class under those laws; and it is up to the Board to decide.

Commissioner Anderson stated the federal and State guidelines are adequate; and it would be added bureaucracy. He stated he does not see that there is a problem in the County with discriminatory practices.

The Board rejected CEER #63, equal rights for LGBT residents in the County.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Andy Anderson, Commissioner District 5  
**SECONDER:** Trudie Infantini, Commissioner District 3  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated CEER #52 is dogs on public beaches; there is a staff report; and the staff report is recommending the Board reject this Item.

Commissioner Smith stated it depends on which beaches a person is speaking of; there are constituents who live in South Cocoa Beach who maintain they do not have a place to walk their

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dogs because there are no sidewalks; he thought that was to be covered at this meeting; and if dogs on South Cocoa Beach are accepted, it is a different issue. Mr. Whitten advised that is correct; and the request was to provide animal control beach patrol that fine or impound animals or their owners for violating the County Ordinance.

The Board rejected CEER #52, dogs on public beaches.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated the CEER #54 recommendation is to see incentives offered to homeowners who install solar water or power systems; since there is no sales tax, a rebate of a percentage of the installation could be offered; Ian Golden, Housing and Human Services Director, has responded to that; and the recommendation is to reject this Item.

The Board rejected CEER #54 for solar energy incentives for hot water and electrical power.

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

Mr. Whitten stated CEER #60 is the quality of life in City of Palm Bay; and he referred that to the representatives of City of Palm Bay.

The Board considered CEER #60, but took no formal action.

Mr. Whitten stated the next Item is CEER #61 to open the filing date for the recommendations multiple times throughout the year; staff is simply following the Referendum as passed; and the Referendum calls for an annual filing date. He went on to say there are many ways to make recommendations for operational improvements; on the webpage there is a feedback survey that allows a person to make recommendations; but the Charter language as presented in the past says an annual filing date.

The Board rejected CEER #61 changing the filing submission dates for citizen recommendations.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

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Mr. Whitten stated CEER #62 is to use the gift the State gave the County in terms of the Department of Corrections site for homeless veteran facility or to turn it into rehabilitation center; and Ms. Camarata responded to that.

The Board rejected CEER #62 to use the closed prison to house homeless veterans or turn into a rehabilitation center.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated the next item is CEER #64 asking NASA releasing some of the abandoned launch pads for private company use; he thinks they are trying to do that; and the Board has no jurisdiction over NASA.

The Board rejected CEER #64 for civilian launch expansion for NASA to release some of the abandoned launch pads for private company use.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Andy Anderson, Commissioner District 5
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Fisher, Barfield, Infantini, Smith, Anderson

Mr. Whitten stated CEER #65 is suggesting that there be co-op gardening; and Ms. Seals has some great programs and assistance she offers through the University of Florida Extension Services.

The Board rejected CEER 65 asking for co-op gardening.

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

Mr. Whitten stated the next item is CEER #66, which is a recommendation to run 24-inch diameter sewer pipes under Highway A1A to the ocean to address the Lagoon issue; and the Board has a staff report from Ms. Barker.

The Board rejected CEER #66 asking to fix the Lagoon by running sewer pipes under Highway A1A.

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

\*The Board recessed at 1:08 p.m. and reconvened at 1:20 p.m.

**ITEM VIII.A.1., LETTER FORM CITY OF ROCKLEDGE CITY MANAGER, JIM MCKNIGHT, RE: PLUCKEBAUM ROAD**

The Board rescinded its motion of March 17, 2015, to rename Pluckebaum Road to Dr. Joe Lee Smith Drive.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Vice Chairman/Commissioner District 2  
**SECONDER:** Trudie Infantini, Commissioner District 3  
**AYES:** Fisher, Barfield, Infantini, Smith, Anderson

**ITEM VI.F.1., CITIZEN REQUEST BY BAERBEL COMB, RE: DOGS ON THE BEACH IN UNINCORPORATED SOUTH COCOA BEACH**

Stockton Whitten, County Manager, stated it is best to have Jack Masson, Parks and Recreation Director, go over the report first.

Mr. Masson stated Baerbel Comb is requesting that the Board adopt a resolution amending Section 14-60 of Brevard County Code to allow dogs on an unincorporated section of the beach from the southern boundary of the City of Cocoa Beach to the northern boundary of Patrick Air Force Base; this particular unincorporated area is a 1.2 mile section of the beach that includes 15 County maintained public accesses; each public access provides wooden dune crossovers and trash cans; Land Development Regulations preclude vehicle parking in this area as they are right-of-ways with various widths between 30 and 60; and the majority are within 30 and 40 feet. He went on to say adequate parking facilities need to be discussed as to not create safety issues; enforcement of lease requirement is the responsibility of the Brevard County Sheriff's Office; traditionally this is a reactive service and response to complaints; and reporting of off-lease activities may be an undue burden on beach goers. He pointed out environmental impacts and potential threats to wildlife, including the frequency of sea turtle nesting, must be analyzed. He noted the Parks Department would sustain a substantial impact to ensure crossover and surrounding areas are kept clean and free of health hazards; clean up and the use of doggie bags will require absolute compliance of pet owners; and in addition, Ms. Comb has requested that it be regulated before 10:00 a.m. and after 5:00 p.m. He stated as the Board is aware, the County does provide five dog parks within the County regulations and jurisdictions; and also included is a dog friendly beach at Canova Park. He suggested to the Board to look at each of these areas; due diligence was also performed when the Board amended this Ordinance to allow a dog friendly beach at Canova Park; and in an effort to ensure a quality beach experience for all visitors of Brevard County, the above listed concerns would need to be considered.

Baerbel Comb stated South Cocoa Beach is a 1.2 mile area between approximately 16th Street and the City of Cocoa Beach, and the northern most quarter of Patrick Air Force Base. She

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went on to say she owns a dog and they love to walk along the beach for exercise, socialization, and fun; they have a lot of neighbors and friends with dogs who do as well; unfortunately, although they live right at the beach, dogs are not allowed there according to the current laws; this makes it very difficult for them since the area they live in have few safe options for walking with or without a dog; and it is a very narrow stretch of land between the Banana River and the Atlantic Ocean, and the only other nearby choice for taking a walk is Route A1A, which is a very dangerous and heavy traffic road. She stated it has intermittent, and speeding cars are commonplace; sections of Highway A1A are listed as being some of the most dangerous and accident prone in the County; and it is really not a place to take a dog. She noted another problem is the dog beach at Canova Park is more than 10 miles away and is too small to be a practical solution for them; most of them need to walk their dogs at least two to three times a day for longer distances than a park can provide; Lori Wilson Dog Park is not an option for similar reasons; and since they do not like breaking the law and risking a fine, a small group of people decided it was time to try to make it legal to take their dogs to the beach. She pointed out a petition was started on change.org, which called for an amendment to the present Ordinance; it proposes that dogs be allowed on the beaches of South Cocoa Beach from sunrise until 10:00 a.m. and from 5:00 p.m. to sunset, on leash or under positive voice control; it is based on the Hilton Head, South Carolina, beaches which have similar rules; and there are hundreds of dog friendly beaches all over the county, including many in Florida such as Jupiter Beach which has been in existence since 1994. She added a dog beach in San Diego has been in existence for more than 30 years. She stated their petition was started in March, and amazingly in less than one week, there were more than 1,200 signatures; currently there are almost 3,000 signatures; clearly there is a need; people want to be able to enjoy the beach with their dogs; the business owners who cater to tourists who are increasingly traveling with their pets also like the idea very much; and it is a good thing for them to be able to offer their customers a place to enjoy the beach with their dogs. She inquired what this means for other people who do not have a dog or even like them and do not care to interact with them; she stated this change to the Ordinance would mean they have a better chance of not running into other dogs on the beach than before because of the restricted times involved; and they will have more than their share of dog-free hours each day to enjoy the beach if they choose. She noted it is not a question of the dog owners and those who do not like dogs, dog owners definitely want to get along with other residents; she believes this proposal is a good compromise for everyone; they care about the same things they do; and they do not want a dog poop infested beach any more than anyone else. She stated the measure for success they suggest are simple, there should be proper signage at all beach accesses, all dogs should be healthy, fully-immunized, dewormed, and have a visible dog license and dog tag, and all dogs should be on a leash or under positive voice control except during turtle nesting season when they must be on a leash at all times; there should be stiff fines for not picking up after a dog for not following the rules; and poop bag dispensers could be installed at each public entrances if after a trial period it is decided they are needed. She concluded by saying that they want to keep this change as simple as possible and not cost the County taxpayers large sums of money; all they are asking for is to simply be allowed to legally and safely walk their dogs on a 1.2 mile stretch of beach out of the 72 miles in Brevard County for a few hours each day; and if nothing else, to give it a try for a few months or a year to see how it works.

Commissioner Anderson stated the off-leash thing will be a non-starter, because when he and Mr. Masson met with Federal Wildlife Service, they said to have any dog off leash at any time requires a management plan for sea turtle protection; it would probably take staff 24 months; and he would take that off of the table right away, because it will not be the Board saying no, it will be the Federal Government. He noted when Canova Beach was approved as a dog beach, it was a group of volunteers helping get sponsors for some of the waste disposal stations; he does not know if Ms. Comb has the ability to take the cost off of the taxpayers; he supports what she is trying to do; but he is trying to get it done with a model that has already worked. Ms.

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Comb explained the residents were already providing their own poop bags; another way is to maybe have people register and pay a fee; and that will defer some of the costs.

Chairman Fisher inquired if there is a leash Ordinance.

Vanetta Valdengo, Assistant County Manager, replied it would be in violation of the current leash Ordinance; and in Canova Park, they issue citations if the dogs are off leash.

Philip Meyer stated he also lives on that small stretch of beach; he has a small dog; they walk in the morning and evening; he picks up after his dog; and there are a few wild ones who do not pick up after themselves. He noted they police their own beach; it is his neighborhood and it has been there for 19 years; and this is just another neighborhood. He went on to say there is no pleasure walking down A1A with a dog; he would like to be able to legally walk his dog on the beach; and he will make sure he cleans up after his dog.

Pam Scafidi stated over the last several years, the dogs have been on the beach more and more; yesterday she saw an owner of a dog a block away from the dog; they do not follow the rules now; and they will not follow the rules after 10:00 a.m. and after 5:00 p.m. She noted she is against changing the Ordinance. She stated from 16<sup>th</sup> Street to 31<sup>st</sup> Street is all residences; at Canova Beach, it is just a beach without housing; and it would affect everyone in this community.

Roy Scafidi stated he is not in favor of having dogs on the beach; people do not follow the rules now, and they will not follow the rules after the fact; and it could hurt property values in the area. He stated one-third of all premiums paid out to homeowners insurance are for dog bites. He advised the Board there are only 522 registered voters in that area; where Ms. Comb comes up with 2,500 people who signed the petition, it means there will be 2,000 people bringing their dogs to the beach; and he does not think this is a good idea.

Jamie Hooper stated she lives across the street from Lori Wilson Park; the dogs are not on a leash there; she has been bitten and attacked; and she prefers to have her dogs on a leash. She noted a lot of the dog parks are not maintained; she would prefer to be able to exercise herself at the beach; and this is just another asset Brevard County can have. She stated she would like the Board to consider a trial period.

Jane Vester stated she is present to ask the Board to keep the beaches clean and safe for beach goers, nesting turtles, and their hatchlings; she would like to say 'no thank you' to a dog friendly beach from 16th Street to Patrick Air Force Base; her family and her frequently use the beach; and over the years she has seen pet owners disobeying three Brevard County Ordinances. She went on to say she has shoveled up dog feces while building sand castles for her daughter; and she has dogs come up and urinate on the sand castle they were building. She advised the Board she has felt intimidated by dogs while walking on the beach over the years; there are responsible dog owners; if the Board allows the Ordinance to be re-written, there will be more irresponsible pet owners on the beach than there is now; and she asked the Commissioners to take a walk any day and see pet owners disregarding the 'No Pets on the Beach' signs. She inquired who is going to foot the bill to make sure the dog owners comply. She inquired of the 3,000 signatures on the petition what is the number their quality of their lives or property would be directly affected; and of the 522 registered voters of South Cocoa Beach, what percentage do they represent of that 3,000 number. She pointed out pets should be chosen appropriate to their situation and life style. She concluded by asking the Board to take into account all of the facts and information presented, and to look at the overall picture.

Gardham Comb stated he is 79 years old and he is present to represent the old geezers who walk their dogs. He advised the Board he walks their dog each day and because of the beach

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restrictions and the traffic on Highway A1A, he drives a mile to West Bay Drive in Sun Harbor where he can walk the dog in a peaceful residential area; he tried walking the dog along Highway A1A, but it was too nerve wracking so he stopped; there are only a few brief patches of sidewalks; going north the continuous sidewalk begins at Fern Street; and going south, there are very few sidewalks. He went on to state if a driver is distracted in way, he or she could easily run into he and his dog on the side of the road; with the majority of the population using smart phones, becoming distracted while driving is a real concern; they are just asking for permission to walk the dog on the beach between 16th Street and the northern border of Patrick Air Force Base, which is approximately one mile. He stated during that stretch of Highway A1A there are 13 public accesses to the beach; only six of those roads have sidewalks connecting them; and of the six, only four of them are partially connected. He talked to the Board about a report from the Oceanic Society. He pointed out humans are the biggest threat to the turtle population due to harmful fishing practices, beach destruction, pollution, and the harvesting of turtle eggs. He closed by saying he would love not to have to drive somewhere to walk his dog; at his age it is a burden to do so; as evidence by the 2,700 plus signatures on the petition, there is a large community of citizens who would like to use a small portion of the beach to exercise their dogs in a responsible manner; and he asked the Board to give them the opportunity.

Susan Quinn stated she owns property in Cocoa Beach but she chooses to live in South Cocoa Beach; the reason she chooses to live there is because of the ambiance; there is not a single person who owns property there that did not know what they were getting into when they moved there; and they knew the beach did not allow dogs. She noted she is a registered voter in that portion of the beach, and she does not think her life should be changed be intimidated by someone who has their dogs there. She pointed out they run free; the owners are socializing; and the dogs are a block behind them. She stated she is strongly against this, and most of the people are against it that lives in the area.

Thomas Groseier inquired the area cannot support the traffic, there is no parking, and how it will support the increase in population of humans and dogs; they already have issues in his parking lot; and he cannot see the area supporting the increase of the dogs.

Angie Fine stated people who signed the petition say with no sidewalks in the area, walking down Highway A1A is not only not pleasant but dangerous; traffic in the area is often heavy, especially at the time of the year that snow birds are down; a dog beach would be a draw for tourism; and hopefully something will get done. She stated it is scary walking on Highway A1A in front of her condominium; it takes a while to get to the sidewalks; there have been bad accidents on Highway A1A; and a few months there was a horrible accident. She went on to say she walked the beach with her dog; she knows it is illegal; she has never stepped in dog poop; and she has been walking her dog on the beach for 10 years. She noted for the most part people who own dogs are responsible; they carry extra bags; and they monitor themselves and other people. She asked the Board to consider this change.

David Fine stated he is a registered voter as is his wife; they are trying to suggest a compromise from before 10:00 a.m. and after 5:00 p.m.; and they respect people who have an issue with dogs. He explained to the Board with dogs on leashes, digging up turtles will not be an issue; the question of feces on the beach, he never stood on feces on the beach; and his largest issue is the speed of the cars on Highway A1A.

Theresa Clifton, Central Brevard Humane Society, stated she is coming from a different perspective from the other people because she houses homeless animals and works with the Brevard County Sheriff's Office closely; education is very important; and there are a lot of people who want to take the dogs with them to the beach. She went on to say the residents do watch other people; it is the key to make it work; Sandy Paws has a poop station where people can pick up after their pets; and she would be willing to help and support them in getting this to

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happen. She pointed out there are people who have no family members living with them and live alone; there are situations that their only family is a pet; and animals have a positive influence on people's lives. She advised the Board that if this were allowed, the Humane Society would be willing to help sponsor that to make that happen so there would be signage and dog stations out there. She noted they are not a proponent of unleashed animals.

Commissioner Smith inquired if the Humane Society would be willing to foot the bill for the signage and poop stations. Ms. Clifton responded she will find the funds to foot the bill. She added it is unfortunate that law abiding citizens are forced to do things that are illegal because they really want it; and if the Board will give them a little spot, she thinks people will take care of it because it is a privileged to do it.

Commissioner Barfield stated at Canova Park it is set up with no residences and it is a smaller area; and he inquired what Ms. Clifton's feelings are in having 1.2 miles in front of the condominiums. He noted to him it would be difficult enforce that. Ms. Clifton replied they are taking the dogs on the beach anyway. Commissioner Barfield stated if this passes, there will be a major influx of people walking their dogs, and it is a concern. Ms. Clifton noted the Board could consider an area where there is parking, such as extending Lori Wilson Park Dog Park. Commissioner Barfield stated he does not think it is the ideal situation with lack of parking; he does not think it is the right place; but there needs to be a place. He stated maybe staff can come up with some ideas.

Commissioner Infantini stated in the South Beaches, a person cannot just park as there are 'No Parking' signs; and there are tickets to be had if someone parks on an individual's property.

Mary Joseelson stated she is on a public access where there is parking; in the morning and evenings it is vacant; and for the most part, it is isolated and empty there. She noted it does not seem it is a huge issue. She stated Mr. And Mrs. Fine will make a sizable donation to the signage and poop station; and a lot of them will support that financially. She advised the Board she does not have a dog; she does a lot of yard work and she puts debris on Highway A1A; and she told the Board a story about a dog being hit by a large pick-up truck.

Commissioner Anderson stated when the Canova Beach Project was done, the County had the pilot program and test period; and he inquired if staff remembered how long that was. Mr. Masson responded one year. Commissioner Anderson stated during that time Mr. Masson worked with those organizations to establish the ground rules and everything; and he inquired if complaints were kept track of. Mr. Masson replied staff worked with organizations prior to the pilot program; the ground rules were in place; and he did keep a weekly tracking of issues and complaints. Commissioner Anderson stated there were very few complaints.

Commissioner Barfield stated he has been to Canova Beach; it is small but it is controlled; his big concerns are 1.2 miles through 15 different crossovers with very minimum parking; it is an area without a park and only crossovers; and it seems like it will cause a lot of trouble. He went on to say he does not think this is the place for the dog beach; and he would like to see if a study can be done for options along the coastline.

Commissioner Infantini stated not all pit bulls are mean; when they walk her pit bull on Highway A1A, she does not like the sound of motorcycles; and she cannot imagine having no place to walk her. She stated sometimes people get dogs for protection or companionship; the only county that does not allow dogs on the beach is Volusia County; Brevard County has one dog beach; and Indian River, St. Lucie, Martin, Palm Beach, Dade, and Broward Counties have dog beaches. She stated she does not think there would be a problem allowing dogs on the beach; and most of the people who take their dogs to the beach are responsible pet owners.

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Motion by Commissioner Infantini, seconded by Commissioner Anderson, to allow a one year trial period to permit the dogs to be on the beach, and track the complaints as they come in.

Commissioner Smith stated his thoughts first and foremost is protect the people; it is clear that these people do not have a place to walk their dogs on the road; people are walking the dogs on the beach now; and all they are asking from the Board is to make it legal. He went on to say the Board can put an automatic sunset on that; these people who are responsible dog walkers will go out of their way even more to make sure they do not lose that privilege; and that actually works in favor of keeping the dog population down on the beach because people are not going there if there is no place to park. He stated by specifically restricting the times of day that people can walk their dogs, it is conducive to the amount of parking as well. He noted he thinks these people would self-police and would even step it up; he would hate to see someone lose their dog on that road; but it would really bother him if a person lost his life.

Commissioner Infantini stated she modified her motion to be before 10 a.m. and after 5 p.m. for six months.

Commissioner Barfield stated the parking is not there but people will park anyway; it causes even more of a problem; he has lived there since 1962 and he has been surfing there for a long time; and he does not believe it is the right place. He pointed out people will be coming in from all over the mainland; and it will be crowded and not a very good situation. He stated he would like to find a place that was not in front of a residential area where it could be controlled; there needs to be a study done; and to discuss all of the alternatives instead of force fitting this into the area.

Chairman Fisher stated he can tell Commissioner Barfield has a lot of concern. He inquired if the County has ever done Code Enforcement or if any citations have been written to people who are walking their dogs on the beach in this area now. He stated people are going to continue to walk their dog; Commissioner Barfield is asking to work with staff to try to figure this out so people do not feel like they are breaking the law; and he would like for Commissioner Barfield to work with staff to find a better situation since it is his District.

Commissioner Anderson stated south of U.S. 192 it is almost impossible to allow dogs in there; he would like to expand Canova Beach to make it bigger; and he does not mind to look elsewhere. He stated he thinks there should be more dog friendly areas; and he is fine however the Board wants to do it. He noted there needs to be more access for people to walk their dogs on the beach. Commissioner Anderson stated he will withdraw his second to the motion until he hears what Commissioner Barfield wants to do.

Venetta Valdengo, Assistant County Manager, stated last week the Sheriff's Office issued three citations for off-leash dogs at Canova Beach; it is a resource challenge; but they do periodic patrols and issue citations.

Commissioner Smith stated he will offer his second to Commissioner Infantini's motion; his opinion is to vote on this; and to look to come up with other places.

Commissioner Barfield asked the Board to give it to him so he can come back to the Board with what he can.

Commissioner Infantini inquired why the Board cannot workshop it like the Ethics ordinance.

Chairman Fisher called for a vote on the motion. Motion died.

<b>RESULT:</b>	<b>DEFEATED [2 TO 3]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Trudie Infantini, Curt Smith
<b>NAYS:</b>	Robin Fisher, Jim Barfield, Andy Anderson

Commissioner Barfield asked the Board that he work with staff to look at options for a dog beach, and bring it back to the Board. Commissioner Anderson stated he would like staff to look at expanding Canova Beach as well.

The Board reached consensus to authorize Commissioner Barfield to work with staff to look for options for a dog beach, and bring it back to the Board for discussion.

**ITEM VI.F.2., CITIZEN REQUEST BY GEOFFREY SMITH AND JASON STEELE, SMITH AND ASSOCIATES, RE: COCOA EXPO AGREEMENT MODIFICATION REQUEST**

Geoffrey Smith, representing the Cocoa Expo, stated the project is proceeding as planned; things are nearing the completion on site; there are some upcoming tournaments planned; and he is requesting that the Agreement previously made be extended for a period of six months. He went on to state he would like to allow two more modifications to the plans; he is requesting the buildings who have met the Code be allowed to be used; people can avoid using portable restrooms and instead use the public restrooms in the stadium, as well as the concession stands; and he would like to use them in advance to the landscaping and offsite requirements. He noted there is a daytime only restriction and he would like that to be lifted to allow for some night games; they are headed in the right direction; he feels that this is a good thing for the County with expectations of financial benefits to the County with hotels and restaurants; and there is a tournament already scheduled with 120 teams expected.

Stockton Whitten, County Manager, inquired which buildings have had final inspections. Mr. Smith replied the final inspections are being arranged at present on most buildings; and he feels that most of the buildings are ready for inspection.

Chairman Fisher inquired what happened to the 45 days previously set for the buildings to be inspected. Mr. Smith replied they are almost there with the inspections. Chairman Fisher expressed his disappointment that Mr. Smith is here again without having inspections done and permits that have been previously ordered by the Board.

John Denninghoff, Public Works Director, stated Mr. Smith had permits for each building under construction; there are some buildings that are there where permits were not done and are under review; and there is a review in for the water park feature.

Mr. Smith stated he is not referring to things that are far off.

Mr. Whitten inquired about the dormitory. Mr. Smith responded it is very near completion and ready for inspection; and they would like a temporary seal to use the facility.

Commissioner Anderson stated on the Cocoa Expo website, it says they have already taken fees from people and made commitments; and he inquired if money has already been taken without a fire inspection. Mr. Smith responded he is not involved in the business end of this; and that all people have been satisfied with the facility.

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Commissioner Infantini inquired what Mr. Smith means by a temporary seal. Mr. Smith replied in advance of a final site completion it would be considered a temporary seal.

Jim Garrison stated there was a request for an inspection in the last few days for the training facility and the management for the Cocoa Expo was told that no final inspections could be done until the entire site is approved; and that Jeffrey Unnerstall gave him that information.

Mel Scott, Assistant County Manager, stated no phone calls were received for inspections.

Mr. Garrison stated the buildings are essentially done; there are some safety issues; some may or may not require correction; and that is the hold up. He added it is unusual to preclude a final inspection of a building with the complete site inspection; one main issue to finalizing the site is the landscaping issue that includes the buffers around the peripheral; the other issue was the sidewalk; sidewalks may or may not require correction; roughly 80 to 85 percent of sidewalks have been completed; and the other issues are some of the things that came up at the last meeting. He stated one issue is the evacuation system, and he does not see it on any other stadium in the County; and he does not see why that is required.

Mr. Whitten stated the Building Official is saying there have been no calls for final inspection; that is a simple issue; someone needs to make a call for final inspection, and they are logged in; that is a simple dialogue and the Cocoa Expo; and as County staff, they are telling the Board there have been no final inspections. He went on to say staff, which is the caretaker of the Code and State Statutes and Laws, that the status does not include the final inspections.

The Fire Inspector stated with the fire alarm system, it is a required system; the public address system may be used if it meets the requirements; the County stadium is going through the exact review process; and the Space Coast Stadium is an existing system and they are making changes to bring it up to current Code. He noted the last contact they have received regarding the alarm system was in December of last year.

Mr. Garrison stated there are a lot of issues that are unusual, and from his experience from being a contractor in the County for 44 years, he finds them highly unusual; they are trying to meet them all; and another one that has been brought up is a certification of a 35 feet height.

Chairman Fisher stated he was under the impression that the Cocoa Expo was going to sit down with staff; and for the last 30 or 40 days they have not tried to work things through. Mr. Garrison advised he cannot do it for Cocoa Expo; and he has expedited and forced it many times.

Morris Richardson, Assistant County Attorney, stated there was a reference to sidewalk and landscaping; the development plan does require roadway improvements at Friday Road and SR 528 to be completed within two years of the first Certificate of Occupancy (CO); and at the time of the first CO, a performance bond to guarantee those improvements are eventually done if the contractor fails to do it as required; and it is unclear to staff, because of the action of the Board, the idea was that once they are using the facility, the bond requirements should kick in and that timeline should start. He pointed out the presumption was they would start using it at the time of CO; they have an odd situation where they have an existing Temporary Certificate of Occupancy (TCO); they want other TCO's to run the business; and it is unclear whether the Board's intention is for that requirement for the timing and the bonds to start at the time of either the existing TCO that has already been issued or any TCO in the event it is extended to other facilities other than the outdoor portion of the stadium.

Chairman Fisher stated not getting final inspection and not doing what they said they would do is unacceptable.

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Mr. Smith stated he just do not want there to be an impression that since the last meeting that nothing has happened; there has been a tremendous amount of work done to get the buildings to where they are ready to be inspected; and he is informed there was a call yesterday about final inspection on the buildings that are nearing completion.

Susan Young inquired if the ball fields around her property is going to be used; and have the lighting issues been addressed. She stated there is no eight foot PVC fence surrounding her property; there are no shrubs planted to help with the noise; and on the north side of her properties there are no trees. She went on to add there is only a partial berm surrounding her property; when they installed the new stormwater pipe on the east side of Friday Road closing the ditch, the drainage pipe with the grate installed to connect to the stormwater pipe in front of her property on the County right-of-way are six inches higher than the ground level; and it will not help with the drainage. She stated one of the pipes is running with the flow of water in the main pipe, and the other is running opposite of the flow of water; and there are major issues regarding the stormwater drainage pipes that need to be corrected soon. She asked the Board to make sure her concerns are corrected.

Mr. Whitten stated the notification was an application to the automated system; the automated system said it could not be inspected until the as builts are received; and staff can explain exactly what that is.

Mike McCaughan, Building Official, stated the computer system allows for conditions to be placed on individual permits; likely this condition was placed on several years ago when the permit was first issued that put blocks in place to prevent final inspections without all the documents or fees normally necessary prior to issuance of the CO; and that is most likely what occurred.

Mr. Whitten stated it is simple as the follow up with the as builts; staff will review those and the process starts. Mr. Smith stated there is a process; they have to ask properly for final inspections; if those final inspections take place and the buildings are certified, they want to use the buildings; and as far as the long term plan, Cocoa Expo will go forward and complete the entire site development plan.

Robin Sobrino, Planning and Development Director, clarified the requirement for all of the site work to be done in order to get a CO; it is a phased site plan that was submitted; Mr. Unnerstall needed to have all of the improvements that he chose to include in that first phase of development completed in order for the CO's to be issued; the division into the site plan into multiple phases was done at the owners choice; and on February 18th, he came in to see her and said he realized he had bitten off more than he could chew and he wanted to reduce the size of the first phase so there was less associated site work to take care of as part of getting his CO's. She advised the Board she told Mr. Unnerstall staff would work with him throughout the process; and staff has never received any follow-up requests or submittals to show an option to reduce the first phase of that development. She stated secondly, they do have, through the zoning process, the Binding Development Plan also set forth certain standards and certain requirements that had to be in place at certain phases during development; these may not be typical construction requirements; but through the public hearing process, the Board waived the impacts to the community and determined that for safety issues to pedestrians and the neighborhood that the sidewalk was an important aspect of that first phase of development; and that is why it is in the requirements. She went on to say there are a number of other requirements, such as the dormitory had to be built and open for operation before the ball fields would be used, because it was the recognition that bringing teams in and having all of that transportation coming in and out of the facility associated with it was going to impact that neighborhood and the roadway system there; and the Board said to make at least the dormitory operational so there will not be that back and forth traffic on a daily basis, and in the meanwhile,

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once the first CO is gotten to get those roadway improvements started, provide the County with a bond, and have that work started within 18 months and completed within 24 months because the Board knows the site cannot be successful without those roadway improvements being completed.

Mr. Garrison noted he is aware of the development orders; the sidewalks are at this point 85 percent complete; and they will be completed by next week.

Jason Steele, Cocoa Expo, stated the stadium is nearly complete; when they came before the Board last time and they asked for a 90-day scenario and the Board gave them 45 days, they were grateful; they were grateful for the Board allowing them to play baseball those days; they knew then and know now that on May 2nd there was a big tournament planned with 120 teams coming; and one of the things that would be a great compromise to be able to accomplish today's feat would be to continue the agreement with the County for another 90 days to allow them to use the field, the stadium once it is CO'd, allow them to use the concession stands and toilets, and then let them continue forward and work on the other things on a daily basis. He pointed out Mr. Connelly has been out there almost on a daily basis; he heard from Mr. Connelly's mouth that the stadium is basically complete; and he apologized to the Board for not getting the few things done. He reiterated he would like the Board to allow another 90 days, to allow the teams out there until May 19th, use the stadium, allow up to 1,000 people in the stadium, and to move forward.

Mr. Whitten stated the request for inspection was yesterday; the system says they have to have the as builts; the as builts were submitted today; and that process moves on.

Chairman Fisher stated they can continue to operate up to May 18th based on the Board's stipulation. Ms. Sobrino stated the only stipulation is they limited themselves to 99 people before, and this would put them over the 99 people.

Commissioner Anderson stated he pushed hard to come up with compromise last time; he does not understand why the 45-day thing cannot be done as planned; and he is confused what is going on. He went on to say what bothers him is Mr. Unnerstall is advertising stuff without knowing if he will have a CO; and he thinks the Board should keep the agreement the same now and see what happens on May 18th.

Chairman Fisher stated he wants to see where they are on May 18th; and his vote is to deal with this on May 12th.

The Board considered citizen request by Geoff Smith and Jason Steele, Smith & Associates, to modify Agreement with Cocoa Expo, and tabled consideration of the request to the May 12, 2015, Board meeting.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Jim Barfield, Vice Chairman/Commissioner District 2
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
<b>NAYS:</b>	Trudie Infantini

Mr. Smith stated just to understand the Board, the teams are playing May 2nd; and he inquired if the Board is saying it will not consider today allowing Mr. Unnerstall to have the tournament.

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Chairman Fisher replied he can play under the rules the Board passed last week up to May 18th. Mr. Smith stated that only allows for 100 people.

Motion by Commissioner Infantini, seconded by Commissioner Smith, to permit the 1,000 participants up until May 12th.

Chairman Fisher stated he will look at it again May 12th.

Commissioner Anderson stated he does not understand why this tournament ever got booked; and he inquired why it was booked before Mr. Unnerstall knew he could do it.

Commissioner Infantini stated it was a misjudgment; that was wrong; she does want to give him everything; and she only wants to give him the number of people not the dormitory. Commissioner Anderson advised the Board Mr. Unnerstall will have to then provide enough Portapotty's for 1,000 people.

Commissioner Barfield stated the Board has talked about fire inspections and life/safety issues.

Commissioner Infantini stated if the Board does not approve it, the tournament will be over by then. Chairman Fisher noted that is his problem. Commissioner Infantini stated Mr. Unnerstall is coming to the Board because it is the leaders to solve. Chairman Fisher stated the Board has other responsibilities other than the Cocoa Expo.

Commissioner Smith stated when the Board talked about this he was under the impression that it was going to see a lot of progress made; he was blindsided when they came back to the Board asking for six months; and he inquired where that came from. He pointed out he does not like being used by Mr. Unnerstall; he was willing to give him the benefit of the doubt; and he has heard about all of the nightmares dealing with Mr. Unnerstall. He noted two sprinkler heads were not completed; and that is to the point of being absurd.

Mr. Smith stated it will not even be another 45 days to get the facility ready to go.

Chairman Fisher stated that is great, and they will be back before the Board on May 12th; and the Board is very serious about the May 12th date. He suggested Mr. Unnerstall go full speed ahead and try to get this stuff done.

Chairman Fisher called for a vote on the motion. Motion was defeated.

<b>RESULT:</b>	<b>DEFEATED [2 TO 3]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Trudie Infantini, Curt Smith
<b>NAYS:</b>	Robin Fisher, Jim Barfield, Andy Anderson

#### **ITEM VIII.C., TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER**

Commissioner Infantini stated she sent a letter to the residents of The Savannahs after the Board's discussion on the golf course letting them know the two options she deemed viable that were discussed during that meeting; and she suggested they contact the County Commissioners to give them their view of what they thought would be the best alternative. She

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stated she wanted the Board to know to expect the residents would be sharing their thoughts on that.

**ITEM VIII.D., CURT SMITH, DISTRICT 4 COMMISSIONER**

Commissioner Smith stated he wanted to notify the Board of his request for a resolution of opposition of the nomination by the Friends of Matanzas for establishment of the Eubalaena Oculina National Marine Sanctuary; and that will come forward at a future meeting.

The Board acknowledged Commissioner Smith's report regarding a resolution opposing the nomination by the Friends of Matanzas for establishment of the Eubalaena Oculina National Marine Sanctuary, but took no formal action.

**ITEM VIII.F., JIM BARFIELD, DISTRICT 2 COMMISSIONER/VICE CHAIRMAN**

Commissioner Barfield advised the Board he and Chairman Fisher attended the Space Symposium in Colorado. He went on to say there was a stand down for homeless veterans at the Cocoa Armory; there was 140 people who went through there; it was organized very well; and there will be another one coming up in the City of Palm Bay in May. He advised the Board he is upset to see a letter go out to his constituents which does not tell the whole story. Commissioner Infantini, in her letter, said there was only two viable options to choose from. He read a portion of the letter to the Board. He pointed out during the budget session it was discussed of leasing the golf course; and that was not even in Commissioner Infantini's letter. He reiterated it bothers him knowing Commissioner Infantini did not give him a copy of the letter, and he did not know anything about it. He stated he would appreciate it if Commissioner Infantini would put the third option in the letter in the future.

Commissioner Infantini stated she did not see that as a viable option.

Commissioner Barfield stated Jack Masson, Parks and Recreation Director, has already spoken to the Homeowners Association more than once, and the letter goes out.

Commissioner Infantini stated she cannot send Commissioner Barfield a copy of the letter as it would be a violation of the Sunshine Law.

**ITEM VIII.E., ANDY ANDERSON, DISTRICT 5 COMMISSIONER**

Commissioner Anderson advised the Board that David Isnardi has accepted another position in the community; and Danielle Stern will be taking his place.


**ITEM VIII.G., ROBIN FISHER, DISTRICT 1 COMMISSIONER**

Chairman Fisher stated he does not have a report yet on the Space Symposium; and he will come back with a written report. He stated he has received two letters written to him concerning the court facilities, and if the Board spends extra money anywhere, that it takes away from them and other Constitutional Officers. He stated he is going to ask the Board to look at a letter from the County Manager and the Judge's letter and to look at the facilities.

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Upon consensus of the Board, the meeting adjourned at 3:27 p.m.

ATTEST:



*Scott Ellis*  
SCOTT ELLIS, CLERK



ROBIN FISHER, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

As approved by the Board 7-21-2015