

## Kimberly Powell

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**From:** Kimberly Powell  
**Sent:** Wednesday, January 18, 2017 2:54 PM  
**To:** 'Lewis, Sally A'; 'Scott.Knox@brevardcounty.us'  
**Subject:** RE: 11-15-2016 Minutes Approval  
**Attachments:** 11-15-2016 Regular.doc

Here is the attachment.

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**From:** Kimberly Powell  
**Sent:** Wednesday, January 18, 2017 2:53 PM  
**To:** 'Lewis, Sally A'; 'Scott.Knox@brevardcounty.us'  
**Subject:** 11-15-2016 Minutes Approval

Attached are the minutes of November 15, 2016, which will be considered by the Board on January 24, 2017.

Have a great day.

*Kimberly Powell*  
Recording Secretary  
Clerk to the Board  
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[Kimberly.powell@brevardclerk.us](mailto:Kimberly.powell@brevardclerk.us)



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 November 15, 2016 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

**INVOCATION**

Invocation was given by Reverend Canon Dr. Drew H. Wales, St. Michael the Archangel Church.

**PLEDGE OF ALLEGIANCE**

Commissioner Smith led the assembly in the Pledge of Allegiance.

**APPROVAL OF MINUTES**

The Board approved September 6, 2016, Regular Meeting Minutes, and September 27, 2016 Special Meeting Minutes.

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

**ITEM I.A., VIDEO PRESENTATION BY JOE MAYER, DIRECTOR, GOVERNMENT RELATIONS - FL, LOCKHEED MARTIN SPACE SYSTEMS COMPANY, RE: ORION EXPLORATION LIGHT TEST-1, EXPLORATION MISSION-1, AND PRESENTATION OF FRAMED U.S. FLAG FLOWN ABOARD ORION DURING EFT-1 IN DECEMBER 2014**

Joe Mayer, Director of Government Relations, Florida, Lockheed Martin Space Systems Company, stated he appreciated the opportunity to be before the Board; he is grateful for the invocation that was given; and this is indeed a special time of the year to remember the best about who everyone is as a whole of the Nation. He added one of the things that represents who these people are is what they do in space, where all humanity comes together for the benefit of everyone, and what can be achieved as a nation and a leader in providing hope and vision for the future. He went on to say he wanted to speak to the Board briefly about the Orion Program; it is the Nation's program spacecraft that will take humans to Mars; this is not a made for television series spacecraft, this is the real deal; and this is the space craft that is currently being assembled at the Kennedy Space Center. He noted Mars is a lot different from other missions; and when thinking about it in low earth orbit, it all works together, one is not better than the other, it builds upon one another, but 240 miles from the Earth is the International Space Station (ISS), 240,000 miles is the moon, and 40,000,000 miles away is Mars. He

explained it requires different capabilities, different spacecraft, and if it is going to take humans to Mars someday and bring them back safely, they need a space craft that can support that; and the systems that will go with it to support it as well. He announced that it is his honor to make a special presentation to the Board today. He presented two videos to the Board. He advised the first video relates to the presentation, which is an American Flag that is framed, it was flown on the Orion Spacecraft for Exploration Flight Test-1 in December 2014; and that was a critical first step on the journey to Mars. He added right now the vehicle called Exploration Mission-1, that will fly on a new rocket, the Space Launch System is being assembled now; it is being described a bit as Saturn V on steroids; and it will be the most powerful and capable rocket that they have ever had. He added that is both in terms that it can provide human space flight as well as science and planetary missions in the future; they are very proud on doing that; and they are very proud of the fact that it is being done at Kennedy Space Center, the Nation's journey to Mars begins in Brevard County. He went on to say it is not only from where they will launch, but where they are assembling the spacecraft that will carry those humans; it was part of the investment that the State of Florida made in facilities at Kennedy Space Center that made that possible, otherwise he would be doing these presentations maybe in Louisiana, Colorado, or California; and he is very proud as a resident of this community and this County to be doing this presentation here today. He explained the first video will briefly describe Exploration Flight Test-1, where the flag flew on Orion; the next video will briefly describe Exploration Mission-1; and a showing of all the work that is currently being done on hardware, space flight hardware that is being produced to fly in 2018. He presented the videos to the Board. He stated he has a special presentation; it gives him a great deal of pleasure in the fact that this is an American Flag that was flown on Orion; he really and truly believes that everyone is proud of that Flag and that everyone is proud of this Country; it is the best hope for humanity going forward in the future; and this presentation reflects that fact.

The Board acknowledged video presentation of Orion Spacecraft Program Assembly at KSC and Presentation of framed US Flag, and Orion Memorabilia flown on Orion during Exploration Flight Test-1 in December 2014.

**ITEM I.B., RESOLUTION, RE: RECOGNIZING AND CONGRATULATING THE WINNERS OF THE SUPERVISOR OF ELECTIONS AND CHIK-FIL-A 2016 LAUNCH THE VOTE STUDENT ART CONTEST**

Commissioner Smith read aloud, and the Board adopted Resolution No. 16-201, to recognize and congratulate the first, second, and third place winners of the Supervisor of Elections and Chick-fil-A 2016 Launch the Vote Student Art Contest, with a certificate and prizes from Chick-fil-A.

Lori Scott, Supervisor of Elections, stated there was really great artwork this year, the kids have done an amazing job, and it hangs for a year in the Supervisor of Elections Office in Viera, with the child's name.

Commissioner Smith stated this is the third year that he has had the honor and the privilege to do this; each year gets harder, but this year was very difficult, there were some phenomenal pictures; and he inquired how people can see these pictures.

Ms. Scott stated they are on display in the lobby of her office for a year; they have previous year's winners in other offices, and also on the website; and she encouraged everyone to take a look at it.

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

**ITEM I.C., RESOLUTION, RE: PROCLAIMING NOVEMBER 16, 2016, AS GIS DAY**

Commissioner Smith read aloud, and the Board adopted Resolution No. 16-202, recognizing November 16, 2016, as GIS Day; and acknowledged the Brevard County Government's GIS Professionals.

Jeff McKnight, Information Technology Director, thanked the departing Commissioners for their service and wished them good luck in their future endeavors; he thanked Commissioner Smith for sponsoring this Resolution; he stated it is very important to them and timely this year, because they have made significant efforts to increase inter departmental collaboration with GIS and they have made some significant headway primarily due to the efforts of Frank Abbate and Greg Brost, which is their team leader; and GIS is the foundation of several different efforts. He added the one that is his favorite is Smart County Initiatives; they are moving toward that effort and are hoping to share GIS services between departments rather than keeping them soloed; and it shares the resources and experiences to create a foundation that can be built on. He introduced Greg Brost.

Greg Brost, IT Team Lead, thanked the Board for the Resolution. He pointed out in the first two rows there are some, but not all of the GIS staff; and he introduced the members that were present. He added that everyone should take pride in the GIS Day Resolution, GIS Day, working together in emergency situations like the recent Hurricane Matthew and the Indian River Lagoon; they all support those efforts through GIS; there may be some times deep behind the scenes, but all that data factors into helping make decisions and support emergency efforts; and he congratulated everyone on the Resolution.

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

**ITEM I.D., RESOLUTION, RE: RECOGNIZING MELBOURNE GREYHOUND PARK FOR CONTINUED COMMUNITY SUPPORT, ESPECIALLY DURING HURRICANE MATTHEW**

Commissioner Anderson read aloud, and the Board adopted Resolution No. 16-203, recognizing Melbourne Greyhound Park for its continued community support, especially during Hurricane Matthew.

A representative from Melbourne Greyhound Park stated it was a privilege to help the County and they appreciate the recognition; and he hopes the Commissioners that are leaving have a glorious career after this.

Commissioner Infantini thanked him for being such a great community partner.

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

**ITEM I.E., RESOLUTION, RE: RECOGNIZING YULIANG HUANG FOR HIS CREATIVE AND INNOVATIVE STORY MAP PROJECTS AND HIS EFFORTS IN MENTORING AND FOSTERING GIS TO THE YOUNG GENERATION**

Commissioner Smith read aloud, and the Board adopted Resolution No. 16-204, recognizing Yuliang Huang, in conjunction with GIS Day on November 16, 2016.

Yuliang Huang thanked the Board for the opportunity to be here; and he expressed appreciation for the award.

Commissioner Infantini inquired where he got his idea to do the story books. Mr. Huang stated it was from the beach cleaning project; and story map was from National Elementary Honors Society Meeting. He added he was part of the National Elementary Honors Society and he wanted to help the community, so he decided to integrate community service with GIS.

Commissioner Infantini stated that was a great idea, and he did a great job.

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

**ITEM I.F., RESOLUTION, RE: RECOGNIZING THE MARCH OF DIMES IN BREVARD COUNTY AND DECLARING NOVEMBER 17, 2016 AS PREMATURETY AWARENESS DAY**

Commissioner Smith read aloud, and the Board adopted Resolution No. 16-205, to recognize the March of Dimes in Brevard County and declaring November 17, 2016, as Prematurity Awareness Day.

A representative from the March of Dimes thanked the Board and he stated his involvement with the March of Dimes as the Board Chairman got started because of his daughter; she was born two months early at three pounds, 10 ounces; and through that process he got to see the impact that March of Dimes makes in everyone's lives. He added everyone is susceptible to prematurity; over the last two years they have dropped the prematurity rate by one percent in Brevard County; they still have a long way to go; but they are very proud of that; and part of that is the recognition by the Board. He added they appreciate that as they continue moving forward.

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

**ITEM II.A.1., COST-SHARE AGREEMENT WITH IRL COUNCIL, RE: DEVELOPING A SHORELINE HABITAT RESTORATION AND MANAGEMENT PLAN - PHASE 1**

The Board executed Cost-Share Agreement substantially in the form of Attachment A, subject to County Attorney and Risk Management final approval; waived the legal venue in Brevard County, as the current Agreement indicates legal venue in Indian River County; authorized the County Manager, or his designee, to execute future amendments, as required to implement the work approved under the IRL Council Cost-Share Agreement #IRL2016-013; and authorized any necessary budget change requests.

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

**ITEM II.A.2., BOARD APPROVAL, RE: LIBRARY IMPACT FEE TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS**

The Board approved the Library Impact Fee Technical Advisory Committee recommendations; and authorized budget change requests necessary to implement project recommendations.

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

**ITEM II.A.3., BOARD APPROVAL, RE: TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) DETERMINATION LETTER TO STATE PLANNING AGENCY**

The Board executed and authorized the transmittal of the EAR Determination Letter for the Comprehensive Plan.

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

**ITEM II.A.4., TERMINATION OF USE AGREEMENT WITH A. DUDA & SONS, INC., RE: EASEMENT RIGHTS OVER PROPERTY AT THE SOUTH CENTRAL WASTE WATER TREATMENT FACILITY**

The Board authorized the Termination of Use Agreement between A. Duda & Sons, Inc.

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

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**ITEM II.A.5., EASEMENT AGREEMENT FROM A. DUDA & SONS, INC (801), RE: SOUTH CENTRAL WASTE WATER TREATMENT FACILITY**

The Board executed and accepted the Easement Agreement from A. Duda & Sons, Inc.

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

**ITEM II.A.6., SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 1 (JPA) WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), RE: FUNDS RELATED TO THE CONSTRUCTION OF ADMINISTRATION BUILDING/PILOT SERVICES FACILITY; AND AUTHORIZE COMMERCIAL PAPER LOAN OR BEST AVAILABLE FINANCIAL MECHANISM TO FUND THE NON-REIMBURSEABLE PORTION OF THE JPA OR THE AIRPORTS' SHARE TO CONSTRUCT THE PROJECT**

The Board executed and approved the FDOT funded JPA No. 1 for funds related to the construction phase of the Fuel Farm Upgrade Project at Valkaria Airport.

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

**ITEM II.A.7., SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), RE: FUEL FARM UPGRADE, CONSTRUCTION PHASE, JPA FM NO.: 437171-1-94-02, AT VALKARIA AIRPORT**

The Board executed and approved the FDOT Supplemental JPA for funds related to the construction of a new Administration Building/Flight Services commonly called a general aviation terminal; authorized a Commercial Paper Loan or best available financial mechanism to fund the nonreimbursable portion of the JPA or the Airports' share to construct the project; and authorized the County Manager, or his designee, to make related budget changes contingent upon County Attorney and Risk Management approval.

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

**ITEM II.B.1., RESOLUTION, RE: CONVEYING THE SATELLITE BEACH SPORTS PARK TO THE CITY OF SATELLITE BEACH**

The Board adopted Resolution No. 16-206; and executed the County Deed conveying the Satellite Beach Sports Park to the City of Satellite Beach.

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

**ITEM II.B.2., AMENDMENT NO. 3 TO AGREEMENT WITH AUE STAFFING SOLUTIONS, INC., RE: EXPAND CURRENT BACKGROUND AND SCREENING SERVICE TO INCLUDE "SEASONAL" VOLUTEERSR)**

The Board executed Amendment No. 3 to the Agreement with AUE Staffing Solutions, Inc. to expand its current background and screening service to include "seasonal" volunteers.

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

**ITEM II.C.1., APPROVAL, RE: RECOMMENDED CHANGES TO THE BREVARD COUNTY PAY AND CLASSIFICATION PLAN UPON IMPLEMENTATION OF NEW DEPARTMENT OF LABOR (DOL) OVERTIME RULES - FAIR LABOR STANDARDS ACT (FLSA) REVISION**

The Board approved the recommended changes to the Brevard County Pay and Classification Plan upon the implementation of the new DOL overtime rules meeting the FLSA.

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

**ITEM II.C.2., BOARD DIRECTION, RE: RESPONSE TO PROPOSED AT&T CONTRACT EXTENSION**

The Board executed and approved the Addendum Agreement with AT&T Incumbent Local Exchange Carrier (ILEC) Intrastate Pricing Schedule for an extension of pricing schedule term.

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

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

The Board approved the Budget Change Requests.

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

**ITEM II.D.2., ACKNOWLEDGE RECEIPT, RE: FY 2016-2017 MEETING SCHEDULE FOR THE MAYFAIR COMMUNITY DEVELOPMENT DISTRICT**

The Board acknowledged receipt of the FY 2016-2017 meeting schedule for the Mayfair Community Development District.

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

**ITEM II.D.3., ACKNOWLEDGE RECEIPT, RE: FY 2016-2017 MEETING SCHEDULE FOR THE WILLOW CREEK COMMUNITY DEVELOPMENT DISTRICT**

The Board acknowledged receipt of the FY 2016-2017 meeting schedule for the Willow Creek Community Development District.

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

**ITEM II.D.4., AT LARGE APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS**

The Board reappointed **Kamran Sarkarati**, to the Housing Finance Authority with term expiring November 13, 2020; and **Dr. Wasim Niazi** to the Titusville-Cocoa Airport Authority, with term expiring August 21, 2018.

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

**ITEM III., PUBLIC COMMENTS**

Charles A. Tovey, Jr. stated before the Chairman starts the clock he has something to pass out. He thanked his Public Servants, his community, and the people. He provided the Board with a little something to sweeten the Board's day; and he wished the Board a Happy Thanksgiving. He thanked Commissioner Anderson for his service to the County; he tried to call, but got a message from someone he does not know; and he has cards and stuff, and he loves everybody regardless of what they do. He added Charles Tovey 2555 Roberts Road, Melbourne; he wanted to talk about his safety, although he has lost just about everything; the aggressors are

still trespassing and destroying his property; he is ill and has issues he calls spells; and although the Board does not think they are within its jurisdiction, the things he says, it has permanent jurisdiction over him and his property for the rest of his life for the arson, and inadvertently taking his boat. He explained after they took everything, and he still does not know why they destroyed his mail box, and now they come back, he has a four to six foot swath that he used to have privacy, just like the townhomes they are trying to community credit union center to hide the building, he had to all; he was all protected with peace and quiet and serenity, but no that is all destroyed and they are coming back even now, today, using their tractor to go over the fence and cut his property. He remarked it is already destroyed; he is trying to pick up the scraps; he cannot even have a cat, they come and take his cats, they take his plants, anything he has; and it is not a safe environment for him to live in, it never has been since the encroachment of Palm Shores. He advised he worked on adhesive and cohesive environments, adhesive are not permeable; and this is what he has done for the community. He went on to say if one looks at the record, he was first; he has approached most of these items that are being attended to now, and he appreciates the DERA (Designated Environmental Recharge Areas), the 100 acres that were given away; and there should be more of them, not only on land, but in the Lagoon. He explained they do not have to be on a permanent spot, they could be moving; and anyway, he does not want to get too involved because he has so many things he would like to talk about; he would like to talk about the Wingate; if anyone is familiar with it, it is a hotel in Orlando that is building their hotel around peoples townhomes which were destroyed while they were away; they do not have any safety; and they are going through a big issue. He added they are going through the same thing parallel to what he is going through at his house, except he is fighting the world with his bare hands; peace, he loves everybody, he does not want to harm anybody, even though they shoot at him and tear up everything he has, he is still looking for help; and he will go on. He noted he will be here, he is not elected, he can come up here and the Board has permanent jurisdiction over everything, so the Board can throw him out if it would like to; he has been involved two weeks; but the Board is welcome to come to his house, he will have it all straightened up today now that the adversaries are finished he will have it open; the Board can come and see the damages; he will let it go at that; and he wished the Board a Happy Thanksgiving and God Bless America and everybody, and he has a whole list.

**ITEM IV.A., CONSIDERATION OF FINDING IT IN THE PUBLIC INTEREST, RE: PUBLIC WORKS DEPARTMENT (ROAD AND BRIDGE CONSTRUCTION) TO PERFORM WORK FOR CONSTRUCTION OF WICKHAM ROAD AT FOREST LAKE AVENUE/GOLDEN EAGLE COURT INTERSECTION IMPROVEMENTS CONSTRUCTION PROJECT**

Chairman Barfield called for public hearing to consider finding it in the public interest for Public Works Department to perform work for construction of Wickham Road at Forest Lake Avenue and Golden Eagle Court Intersection Improvements Construction Project.

John Denninghoff, Public Works Director, stated this is a public hearing that was previously authorized by the Board to consider public interest in having staff perform the work necessary to construct a traffic signal to be located at the intersection of Wickham Road and Forest Lake Avenue; the Board previously rejected all bidders, there were only two, due to being substantially higher than the County's engineer's estimate; staff has performed the cost estimates to be able to do that work and utilize the existing contract with various vendors and staff forces; and the County's estimate of the cost is \$11,000 less than the engineer's estimate and \$500,000 less than the only qualified bidder that had placed a bid.

There being no further comments or objections, the Board considered finding it in the public interest for the Public Works Department (Road and Bridge Construction) to perform the work for the construction of the Wickham Road at Forest Lake Avenue and Golden Eagle Court Intersection Improvements; authorized Road and Bridge Construction to utilize the existing term

contracts for the signalization portion of this Project; and approved any necessary budget change requests.

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

**ITEM IV.A., CONSIDERATION OF FINDING IT IN THE PUBLIC INTEREST, RE: PUBLIC WORKS DEPARTMENT (ROAD AND BRIDGE CONSTRUCTION) TO PERFORM WORK FOR CONSTRUCTION OF WICKHAM ROAD AT FOREST LAKE AVENUE/GOLDEN EAGLE COURT INTERSECTION IMPROVEMENTS CONSTRUCTION PROJECT (CONTINUED)**

Commissioner Smith pointed out that this deal brought by Mr. Denninghoff is saving the County \$500,000; the only qualified bid on this project was for over \$1 million; and this is a perfect instance in what he has found in his two years on the Board. He continued this goes on all the time; the County has a very dedicated staff that go out of their way to do things efficiently and save the tax payers money; Mr. Denninghoff could have easily accepted that bid, no one would have known the difference, and it would have cost the County another half a million dollars in taxes; however he took it upon himself because he is very dedicated and wants to do what is right for the County.

**ITEM IV.B., ORDINANCE, RE: AMENDING GEOGRAPHY OF NORTH BREVARD ECONOMIC DEVELOPMENT DISTRICT (NBEDZ)**

Commissioner Barfield called for public hearing for an ordinance to amend the geography of the North Brevard Economic Development District (NBEDZ).

Troy Post, NBEDZ Director, stated this is an ordinance requesting to amend the geography of the NBEDZ to include some parcels that are located just south of Exploration Park on Merritt Island, just outside the fence on Kennedy Space Center, and would allow the NBEDZ programs and incentives to be applied for by any prospects or companies that are looking to locate in the area.

Commissioner Infantini stated she feels uncomfortable expanding the NBEDZ; and these lands, as best she understands it, are nontaxable and will not generate property tax revenue.

Mr. Post replied it is true the land is federally owned and a part of NASA's notice of availability, some future lands for development; the land cannot be purchased but there can be improvements on the land; and depending upon the arrangement there could be tangible personal property, subject to tax.

Commissioner Infantini stated the property tax dollars will be used to provide inducements of enticements to companies to relocate on that land free of charge; they are not going to pay any property taxes so it is not going to generate anymore property tax revenue for the County; and she noted earlier there was a young man who showed the area that needs the most development is in the south part of the County. She went on to say he showed the highest demographic of people on free lunch is in the south; the only place that there are cash dollars to provide financial incentives to companies to relocate here is in the northern most part of the County, with the least amount of people demographically who need free lunches; and she sees a disparity in where they are spending their money and where it is actually needed. She informed the Board she cannot possibly support this.

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Commissioner Fisher stated Blue Origin is located in Exploration Park; they are paying taxes on tangible property, he is not sure what it is but it is a good portion of their tax bill; so there is tax revenue coming from that, not to mention the jobs; and the people who will buy property and homes will have property taxes.

Commissioner Smith asked Mr. Post if what he envisions would go there, would be compatible in the south beaches.

Mr. Post stated one of the reasons he is interested in being able to have the zone incentive program supply is because they think this land is well suited to accommodate future commercial aerospace companies given its proximity to the Kennedy Space Center; and he thinks having the ability to incentivize those deals might be what it will take to bring those deals home.

Commissioner Smith asked if Blue Origin was projecting \$32 million a year in salaries.

Mr. Post replied unfortunately he does not have that statistic in front of him; but he can say that going back to the original deal specifications, he is expecting close to 300 new jobs being created by that project alone; and it does not include the indirect jobs created by the other kinds of companies that will either have to expand because they are here locally to supply the goods and services provided by that company, but also new businesses that may come into the area as part of that supply chain.

Commissioner Smith asked if all those jobs produced people who want to buy homes, shop at Publix, and buy cars should that generate a lot of income and increase prosperity for the entire County.

Mr. Post replied absolutely.

Commissioner Infantini stated what is happening is a concentration, just like what happened in North Brevard County in the past; NBEDZ is concentrating all their efforts and financial rewards on one industry; when the space industry went down, North Brevard lost all those jobs; and all she hears about is aerospace jobs. She went on to say the County needs to diversify because to keep concentrating on one industry, when those jobs are gone, the County will be calling foul again; and there needs to be better diversification to be resilient to issues like when one industry bails out.

Mr. Post commented that he agrees with Commissioner Infantini on diversification; what he thinks is a great opportunity that is afforded to the County by commercial space in particular is there is and always has been a great innovation coming out of these kinds of companies in pursuit of space exploration; spin-off results and affects have led to other industries; therefore, in a way helping to still nurture an industry that is very important to the economic base of this county is important. He continued this particular industry of commercial aerospace industry and their history of being able to innovate and create new products, and new markets that cannot be foreseen at this point makes for a very good case to continue to help grow commercial space in the area.

Commissioner Infantini asked Mr. Post to name just one of those products that located to Brevard County as a result of the space program.

Mr. Post stated he does not have that information in front of him; however, thinking about the history of the space program and the many different things that have come out of that, from Gore-Tex to Tang, he feels that history is full of examples of how space and the innovation that was part of it has created new markets and new industries; and that is the opportunity that this County has before it.

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Commissioner Infantini stated she does not disagree with him; she is just saying those new businesses and industries do not locate in Brevard; the only ones that come to Brevard County are the aerospace companies; and all the spin-offs seem to go to other places.

Commissioner Anderson stated there is a local minority that beats up on the NBEDZ; he gets referrals from Mr. Post that do not fit in North Brevard; he has no reason to do that other than it does not fit in the right zone; and as far as diversification, and the property taxes, Melbourne International has been very successful as a government entity and they do not pay property taxes. He mentioned Embraer, Northrop, and anybody that locates on there and does a lease, is the same deal as locating on the NASA property; as for diversification, the County has defense contractors, within the high tech zone that is being formed in the City of Palm Bay; Harris does aerospace and radios; Intersil does semiconductors; AAR which is defense department support, have nothing to do with aerospace; Larson Motorsports make jet dragsters; and a gun manufacturer. He went on to say the County is way more diversified than it was when he came into office in 2008.

Chairman Barfield stated there are also firearm manufacturers all over the County.

Commissioner Infantini pointed out what she was saying is that North Brevard County is concentrating on aerospace; she has not seen them attracting or attempting to attract a gun manufacturer; Knight Enterprises has been there a long time; Caltech has also been there a long time; and expansion is limited because they are not on the sewer line.

Commissioner Fisher stated North Brevard County has done everything it can to try to expand to create other opportunities; Embraer is not exactly space-related but it is aviation and a seat manufacturer; and the other thing he thinks is important to realize is Kennedy Space Center is a pretty unique asset. He continued this County should continue to invest in space; on a national level, Congressman Bill Posey and Senator Bill Nelson are always fighting to make sure if it is possible to fly something out of Kennedy Space, that it happens; and there are 8,000 people who work at the Kennedy Space Center, and he does not believe the County should stop supporting those people.

Commissioner Anderson stated he and Commissioner Fisher know small businesses that are franchised do not take risks in areas that have a shaky future; Space Coast Harley Davidson is one of the largest Harley Davidson's in the United States, and is located in Palm Bay; the owner has decided to locate a store in Titusville, which is not taken lightly; and if the most successful motorcycle dealer in the U.S. is going to open a store there, then something must be going on in North Brevard County.

There being no further comments or objections, the Board adopted Ordinance No. 16-25, amending section 98-268-(a) of the Code of Ordinances of Brevard County, Florida by expanding the boundaries of the NEBDZ to include Phase 3 and any future Phase of Exploration Park in County Commission District 2; providing for severability; and providing for an effective date.

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

**ITEM VI.F.2., CITIZEN REQUEST BY MAYOR TOM PRICE, CITY OF ROCKLEDGE, AND LARRY SCHULTZ, FORMER MAYOR OF CITY OF ROCKLEDGE, RE: WAIVING BREVARD COUNTY POLICY BCC-58, NAMING OF COUNTY FACILITIES; AND RENAMING OF THE CENTRAL BREVARD LIBRARY AND REFERENCE CENTER**

Tom Price, Mayor of City of Rockledge, introduced the new City Manager, Dr. Brenda Fettrow. He stated this request is very important and dear to his heart; he read a letter from Jim McKnight, existing City Manager which read, "Having worked with Cathy through most of her career, her passion for the mission of the library was always apparent. While she was unable to bring a library facility to Rockledge, she was the catalyst in creating an annex at the Rockledge City Hall where library books can be checked out and returned. This past year over 12,000 books moved in and out of Rockledge City Hall as a tremendous service to our citizens. When I think of our library system and its efficient operation it always brings me to think of Cathy and her commitment to make the Brevard County system the best in Florida. In naming the facility after her, you would honor the memory of an individual who gave so much to the residents of our County." He continued Cathy was an employee for over 30 years; she was the Director of the Library Systems for almost 15 years; she actually fought Cancer for 14 years of those last 15 years that she was the Director; she came to work every day, even when she was sick; and he thinks it would be a tremendous honor of Cathy to have this annex named after her.

Commissioner Fisher asked how to go about doing that because he knows there is a Board Policy in place.

Stockton Whitten, County Manager, stated it is in the requested action; the request is that the Board waive the Policy and approve the renaming of the Central Brevard Library and Reference Library; and it would be the Catherine Schweinsberg Rood Central Library.

The Board approved citizen request by Mayor Tom Price, City of Rockledge, and Larry Schultz, former Mayor of City of Rockledge to waive the Brevard County Policy BCC-58, Naming of County Facilities; and approved the renaming of the Central Brevard Library and Reference Center in honor of former Library Services Director, Catherine Schweinsberg Rood, who passed away on September 29, 2016.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Robin Fisher, Commissioner District 1
<b>AYES:</b>	Barfield, Smith, Fisher, Infantini, Anderson

**ITEM V.B., RESOLUTION, RE: DENYING BAYTREE COMMUNITY DEVELOPMENT DISTRICT (CDD) APPEAL**

Scott Knox, County Attorney, stated this is a resolution denying the Baytree Community Development District (CDD) appeal; the Board acted on it at the last meeting; however, Policy 6.3(g) of the operating rules requires a resolution denying it.

Kim Rezanka, Attorney with the law firm of Cantwell and Goldman, stated she is representing the Baytree CDD; she is unfamiliar with this process; and asked if she can comment on anything or just what is written.

Attorney Knox stated she has allocated time and she may speak about whatever she wants.

Ms. Rezanka mentioned the hearing was unusual because she was not provided rebuttal time and she did have a few rebuttal comments to things that were said after she spoke. She stated Space Coast Credit Union (SCCU) willingly entered into the Binding Development Plan (BDP); it was part of the reason the Board granted the rezoning; they had a 55-foot structure that was nonconforming on their property so they had to rezone it to PUD to get the additional buildings at 55 feet, therefore a Lowe's or a Walmart would not have been there at 55 feet, it would have been there at 35 feet; and additionally, the PUD allowed them to go from 85,000 square feet to 225,000 square feet. She continued SCCU received a valid benefit by getting the rezoning and BDP that they agreed to; SCCU did not give a quarter acre of land for the additional buffer, that was part of the required setback because they went to 55 feet, they had a 110 foot setback, so the buffer was part of that setback; the height in BU-1 would have been limited to 35 feet, that is why they had to go to PUD to get their 55 feet; and they are still required to have a type A opaque compatibility buffer whether it was BU-1 or PUD because it is next to residential property. She went on to say they have met the Code, but they did not meet the negotiated solid landscape buffer within six months of the permit; Baytree CDD did not negotiate the language solid landscape buffer with the intent that only a Type A buffer would be installed and completed within three to five years; SCCU is not a small business, it has \$3 billion in assets, 58 branches Statewide, is the third largest credit union in the State of Florida, and it has 290,000 members; and they are very glad it is in the community because it is a great asset. She stated the landscape buffer is in the Findings of Fact and there are many comments about what happened through the process; SCCU ignored most of the comments that were submitted; Baytree CDD submitted comments both in April and August; the Landscape Plan was approved on August 15, 2015; SCCU promised to install 26 foot trees when it met with the Baytree CDD on December 3, 2014, before the Board approved the rezoning on December 4, 2014; Susan Hall spoke before the Board on October 18 and she stated that the Pines were 12 foot, the Oaks were 18 feet, and the Bamboo was only 20 feet; Mr. Bartlett said the Bamboo trees were 25 foot; the landscape architect, the expert, said they were only 20 foot; therefore, Baytree CDD was promised 26 foot trees and they got 20 foot trees. She added on November 24, 2014, the representative from SCCU attended the Planning and Zoning meeting and he stated what is seen on the ground is what they will get, they would not deviate from that; they did deviate from it, they took it all out; that being said, she has two requests for changes to the document; the first in the Findings of Fact 2.B she asked that the actual language of the BDP be put in there, this has been paraphrased, because the \$30,000 was also allowed for landscaping improvements to the Baytree Drive right-of-way north of the CDD security gate facilities; and in Subsection D, she asked that it be included to say that comments were provided April 27 and August 10. She went on to ask the Board to make the changes and to reconsider its decision.

Jason Bartlett stated as far as his comments about the trees being 25 feet, they are in fact 25 feet; when looking at a Bamboo stalk, there are 25 stalks in one bush as they go up and they spread out a little bit; if he stood them straight up they would be 25 feet tall; and he does not take an issue to Ms. Rezanka's request for changes to the document.

The Board adopted Resolution No. 16-208, denying the Baytree Community Development District (CDD) appeal.

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

**ITEM VI.A.1., APPROVAL, RE: EMERGENCY MAINTENANCE OF ENGINEERED DUNE IN BREVARD SOUTH BEACHES**

Virginia Barker, Natural Resources Management Director, stated this is a request regarding emergency maintenance of the engineered dune in Brevard County South Beaches; 10 miles of shoreline received severe erosion during Hurricane Matthew which eroded an engineered dune that was constructed back in 2004; the system needs to be repaired before turtle nesting season, which would prevent construction activity on the beach; the County still has an existing contract with JP Donovan; and she is requesting the Board authorize a change order to get the contractor back to work restoring the system in a timely manner.

The Board authorized use of an existing Contract with JP Donovan to repair the South Beaches Engineered Dune Project; approved a negotiated change to price in the existing Contract to meet new specifications for beach quality sand; authorized the Chairman to execute the Change Order for the new work at the negotiated price; authorized the County Manager, or his designee, to execute work in excess of \$100,000, for associated tasks required to be complete the Project; and approved staff to seek Federal Emergency Management Agency (FEMA) and State funding for up to 87.5 percent; approved retro approval of the fifth and sixth extensions of the Emergency Proclamation concurrent with this item; and authorized the necessary budget changes.

<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>	Barfield, Smith, Fisher, Infantini, Anderson

**ITEM VI.A.1., APPROVAL, RE: EMERGENCY MAINTENANCE OF ENGINEERED DUNE IN BREVARD SOUTH BEACHES (CONTINUED)**

Stockton Whitten, County Manager, asked the Board to consider concurring with the retro approval of a fifth extension of the Emergency Proclamation and a sixth extension of the Emergency Proclamation. He stated he feels it is better to do it concurrent with this particular Item.

The Board approved retro approval of the fifth and sixth extensions of the Emergency Proclamation concurrent with the Item approving emergency maintenance of engineered Dune in Brevard South Beaches; and authorized the necessary budget changes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Robin Fisher, Commissioner District 1
<b>SECONDER:</b>	Trudie Infantini, Commissioner District 3
<b>AYES:</b>	Barfield, Smith, Fisher, Infantini, Anderson

**ITEM VI.A.2., BOARD APPROVAL, RE: ACKNOWLEDGMENT OF TRANSPORTATION IMPACT FEE DEFERRALS FOR MADISON CREST AFFORDABLE HOUSING PROJECT**

Robin DiFabio, Planning and Development Director, stated this is a request by American Residential Development who are planning a development called Madison Creek of Affordable Housing and are asking for an acknowledgement they are eligible to be considered for Transportation Impact Fee deferrals for 15 years.

Chairman Barfield asked for clarification that this is for a deferral not eliminating the impact fees.

Ms. DiFabio replied that is correct.

Commissioner Fisher asked if this is a permanent lien, he does not want to be in a situation where this developer filed bankruptcy.

Scott Knox, County Attorney, stated the lien runs with the property, the debt may be discharged, and the bankruptcy for the debtor, but the lien is going to stay there.

Commissioner Fisher stated since it is a government lien it has to be paid.

The Board authorized the Chairman to execute a Florida Housing Finance Corporation Local Government Verification of Contribution - Fee Deferral Form for Madison Crest Affordable Housing Project to acknowledge the availability of transportation impact fee deferrals that exist for qualifying affordable housing project; and authorized staff to prepare a deferral agreement and record a lien on the property in the amount of the transportation impact fees deferred.

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

**ITEM VI.A.3., BOARD APPROVAL, RE: ACKNOWLEDGMENT OF TRANSPORTATION IMPACT FEE DEFERRALS FOR ROYAL GROVE AFFORDABLE HOUSING PROJECT**

Robin DiFabio, Planning and Development Director, stated this is a similar request by Gardner Capital Development Florida LLC; they are seeking the Board to acknowledge that they may be eligible for a Transportation Impact Fee deferral for 15 years.

The Board authorized the Chairman to execute a Florida Housing Finance Corporation Local Government Verification of Contribution - Fee Deferral Form for Royal Grove Affordable Housing Project to acknowledge the availability of transportation impact fee deferrals that exist for qualifying affordable housing project; and authorized staff to prepare a deferral agreement and record a lien on the property in the amount of the transportation impact fees deferred.

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

**ITEM VI.A.4., STAFF DIRECTION, RE: AMEND ORDINANCE CHAPTER 2, ARTICLE VI, DIVISION 2, SECTION 173 PERTAINING TO CODE ENFORCEMENT PROCEDURE: AND CHAPTER 2, ARTICLE VII, DIVISION 2, SECTION 179 PAERTAINING TO NOTICES**

Robin DiFabio, Planning and Development Director, stated this is request for Board direction regarding Code Enforcement Procedures; the Florida Statute establishes standards for procedures and Code Enforcement actions; the local Ordinance also has procedures, many of them which currently align with Florida Statutes, but there are some that do not; and she is requesting Board approval to allow her to have the Code amended to parallel the State statutes. She continued requirements such as, County Code requires certified mailing of notices of

violations and Florida Statute does not require it to be a certified notice, it can be done by general mail; she finds that the certified mailing process often protracts the Code Enforcement Process because if letters remain unclaimed, it could be months before they get word back from the U.S. Postal Service that service has not been perfected, in the meantime, staff cannot proceed with Code Enforcement activities; and this is one example of how they can streamline the Code Enforcement process. She went on to say County Code requires posting of notices at the courthouse; there is no such requirement in the Florida Statutes; she would request for an alternative posting site such as the Government Center so they do not have to go through the screening processes every time they want to post notices.

Commissioner Anderson stated this does codify the procedure that Commission offices can determine whether they are going to allow anonymous or named complaints for each Commission District.

Ms. DiFabio stated that is correct; the Code says that they accept both anonymous and named complaints; and this would not allow each Commissioner to determine what policy they want to have in place for their District.

The Board approved Option 1, to amend Ordinance Chapter 2, Article VI, Division 2, Section 173, pertaining to Code Enforcement Procedure, and Chapter 2, Article VI, Division 2, Section 179, pertaining to notices, as recommended by staff, and to coincide with Florida Statutes.

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

**ITEM VI.B.1., RESOLUTION, RE: ALLOCATION OF FUNDING FOR THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM**

Michael Knight, Environmentally Endangered Lands (EEL) Program Manager, stated this is a request for the Board to approve a resolution urging the Florida Legislature to allocate funding for Brevard County's Endangered Lands Program through the Florida Water and Land Conservation Initiative which was approved in 2014, also known as Constitutional Amendment 1; they received a letter in September from Miami-Dade County and there is one additional County that he knows of doing similar resolutions; what the resolution does is it allows them to have monies for reimbursement of lands that have been purchased back some time ago; since monies in the Florida Forever Program dried up, they were not able to pursue some of those reimbursements for the lands that were in the Florida Forever Project areas; and it also allows for them to hopefully have some financial assistance from the State for management of lands that are within State Title, which they have never had in the past.

Chairman Barfield stated he is on the Florida Association of Counties (FAC) Policy Committee; they are working to push this up and a lot of other counties are coming too; it is one of those gaps between Amendment One dollars not really being allocated to where they need to be; and this will be on the Legislative Priority list.

The Board adopted Resolution No. 16-209, urging the Florida Legislature to allocate funding for Brevard County's Environmentally Endangered Lands Program for conservation land acquisition and management, pursuant to the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1, urging the Florida Association of Counties to identify this issue as one of its priorities for the 2017 State Legislative Session.

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

**ITEM VI.D.1., LEASE AGREEMENT WITH HUNDRED ACRE HOLLOWES, INC., A NOT-FOR-PROFIT CORPORATION, RE: ALLOWING DEVELOPMENT OF A 114-ACRE SITE INTO A WILDLIFE AND STEM EDUCATION CENTER**

Scott Knox, County Attorney, stated this is a lease with the Hundred Acre Hollowes group that came in for the property dedication; he has prepared the lease at the request of Commissioner Smith; this is a result of that lease that was sent out to them for review; and there have not been any comments opposed to it.

The Board executed Lease Agreement with Hundred Acre Hollowes, Inc., a not-for-profit corporation, for the purpose of allowing development of 114-acre site of County-owned surplus land for use as a Wildlife and STEM Education Center and conservation area.

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

**ITEM VI.E.1., APPOINTMENTS, RE: NORTH BREVARD HOSPITAL DISTRICT BOARD MEMBERS**

George Mikitarian, Parrish Medical Center, expressed his appreciation and admiration for the three departing Commissioners; he thanked Commissioner Infantini for her ongoing support of their community and organization; and he stated it has been a pleasure working with Commissioner Fisher and Commissioner Anderson. He continued he is seeking appointment of Dr. Ashok Shah, M.D. for seat seven and Stan Retz for seat nine; however, seat nine requires the confirmation of the City Council of Titusville at a later date.

Commissioner Infantini asked if Parrish Medical is going to be occupying space at the Miracle City Mall.

Mr. Mikitarian replied yes at Titus Landings.

Commissioner Infantini asked if Stan Retz, the CPA, is on the Board of the North Brevard Economic Development Zone (NBEDZ).

Mr. Mikitarian stated yes that is correct.

Commissioner Infantini stated she feels it is a conflict of interest since Parrish Medical is going to be occupying a great deal of office space at Titus Landing since he is on both Boards; here he is giving money to an area that Parrish Medical is going to be occupying; she is not comfortable putting Stan Retz there; however, she would be fine placing Anita Harris in at seat nine, who is an alternate person. She suggested Mr. Retz be placed as an alternate.

Commissioner Fisher stated Mr. Retz has been a huge contributor to that Board, and he believes he re-wrote the Investment Policy for Parrish Medical Center.

Mr. Mikitarian stated he is currently the Chair of the Finance Committee.

The Board reappointed **Stan Retz** and **Dr. Ashok Shah, M.D.** to the North Brevard County Hospital District, with terms expiring December 31, 2020.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Robin Fisher, Commissioner District 1
<b>SECONDER:</b>	Andy Anderson, Commissioner District 5
<b>AYES:</b>	Jim Barfield, Robin Fisher, Andy Anderson
<b>NAYS:</b>	Curt Smith, Trudie Infantini

**ITEM VI.E.2., RESOLUTION AND SECOND AMENDMENT TO DEVELOPMENT AGREEMENT, RE: TO PERMIT THE DEVELOPERS TO CONSTRUCT THE NEW TITUS LANDING RETAIL CENTER IN TITUSVILLE TO ALTER THE SITE PLAN FOR PROJECT PHASES ONE AND TWO**

Troy Post, North Brevard Economic Development Zone (NBEDZ) Director, stated in 2013 the NBEDZ provided an inducement through the approval of incentive provisions to help the Miracle City Mall Project move forward; this was an old enclosed mall in the City of Titusville that was considered blight; the NBEDZ Board felt that it was an appropriate redevelopment project to tackle, to remove the mall and return on the site some properties that would generate an economic return; therefore, they went through a series of agreements that began with an Interlocal Agreement between the City of Titusville, the County Commission, and the NBEDZ. He continued after that was approved, NBEDZ was able to go forward and approve an Incentive Agreement with the developer, which the County also had to concur with; and lastly there was a Development Agreement, which is between the City and the developer. He went on to say at the time this incentive was approved, the NBEDZ had a fairly cyclical income stream based on the way in which the tax increment financing district was set up; they did not have sufficient revenues to be able to provide the incentive on their own so they had to rely upon the partnership with the City of Titusville and that is how they got involved; at the moment what is expected is the developer will reach a point where they can meet the threshold as required in the Economic Incentive Agreement; and they could qualify for having this reimbursement grant provided to them for certain infrastructure cost incurred in the project. He stated they have made substantial progress in terms of the square footage at the site; the developer has requested a second amendment to the Development Agreement, which would allow a change in the Phase One Site Plan; the NBEDZ Board considered and approved it earlier this month; the City of Titusville, who is a party to this arrangement, also approved it by a 5:0 vote this past week; and he actually has with him part of the development team to explain the project and they can provide an overview of how they got to this point. He asked if the Chairman would permit Mr. Cliff Aiken to show his PowerPoint presentation which would answer a lot of questions that the Board may have regarding status of the project.

Cliff Aiken, Excel Project Management, stated they are amending their Site Plan for the entire project because they have not amended the Development Agreement with the City of Titusville for over two years; he provided some pictures of what the Miracle City Mall previously looked like in 2013, when they actually started the project; he noted it was abandoned, the last tenant moved out because of asbestos and other issues; in 2013 he got involved with trying to redevelop the site; the original agreement was a Tri-Party Agreement between the City, County and NBEDZ; and it was backed up by the Incentive Agreement that was approved by the Zone Board and the Development Agreement with the City, which shows the requirements that need to be maintained as part of the zoning Code. He continued the initial Site Plan was Phase One and Phase Two which included about 350,000 feet of total square footage; this is the original

Phase One which included all the infrastructure they needed to put in, demolition, and the 142,000 square feet of space; the initial Incentive Agreement was based on a Phase One of 142,000 square feet while the overall project could have gotten bigger; the only commitment at the time was the first phase; and the private investment of the first phase of \$30 million and the reimbursement amount of \$6.5 million, which reimburses them for the cost of infrastructure, demolition, redoing storm lines, water lines, sewer lines, and significant storm line repair to fix some of the issues with the storm drainage headed straight to the river. He went on to say the two important items of that agreement were the developer would do all the improvements out of their own financing and equity; once Phase One was completed they would seek reimbursement; the timing of Phase Two would start sometime after reimbursement and would be based on economic conditions; and they made a first amendment to the Development Agreement in July 2014, which is the last Site Plan, and this is what it looked like. He stated Phase One of that, which included at the time a Walmart, Parrish, a theatre, and some local spaces; it looked like the whole plan would be about 327,000 feet; the first phase got a little bigger; probably the more important items of this amendment were to comply the zoning with items he needed, which included an open space increase to 25 percent, a Conditional Use Permit (CUP) for a movie theatre, and seven points of ingress and egress which were in conflict with the zoning code at the time; in June 2015, they had an approval with the City of a reimbursement agreement which talked about the timing of the reimbursement; his bank requested it have more clarity in it, it defined two items, one being a notice of substantial completion which is in the Development Agreement and defined as 120 days prior to completion which would be certified by the City engineer; and that would have the City take time to procure the money the loan has required and the payment of the incentive would be 45 days after the certified completion. He noted they really thought they had bank financing for the \$6.5 million period, they did not, that was done with equity; Phase Two of the project was still undefined; they had moved forward on the project with zero leases; they had a couple letters of intent; and as they did the reimbursement agreement, they are getting close to having a couple leases signed. He went on to say his request is to change the Site Plan to what is on the screen; it has been developed a little differently than the original; they have added three parcels to the northeast quadrant of the site, which is really handled under a separate Development Agreement; the first phase has a lot of local retail, Hobby Lobby, and Parrish, and Phase Two of the project, which will commence at the first of the year.

Commissioner Infantini asked where the three anchor stores are, because she remembers there being three anchor stores in the first phase.

Mr. Aiken stated the anchors are Parrish Medical on the southwest quadrant, Hobby Lobby where the old Walmart was, and just north of Hobby Lobby is the Pet Supermarket and Rac Room Shoes that are all a part of Phase One; the site in mid-October shows Hobby Lobby is open, Parrish is well on its way, as well as the retail; the green areas are part of the detention basins, part of the storm system; there are two separate storm systems being done, one to handle the storm water on the site which was never handled before and the second system is to handle all the stormwater coming from the west; and this storm line goes straight through the property, underneath the Epic Theatre pad, which has required them to get it connected and be completed by the end of the month, so construction on Epic Theatres can start. He continued the current project is now 351,000 square feet; there are 255,000 feet of actual signed leases; they have acquired more land; the total project investment which was originally \$50 million is now \$66 million; the original Phase One square footage was 142,000 feet and is now 166,000 feet; Hobby Lobby, Pet Supermarket, Parrish, and Rac Room Shoes are part of Phase One; and the Phase One investment is \$44 million. He went on to say the infrastructure that they estimated at \$6.5 million, they have spent almost \$8 million; some of the storm line, until they got into the ground to see what was there, they thought they could reuse portions of and have not been able to do so; the water and sewer are all brand new lines; and the investment as of October 1, is \$27 million, \$14 million of it was cash equity. He stated the only commitment they

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had back when they did the incentive was Phase One, which was 142,000 square feet; they are now commencing Phase Two which includes Bealls Department Stores, Tuesday Morning, and Ulta Cosmetics who all intend to be in by August 2017; they have submitted four building permits; and Epic Theatres permit was picked up two weeks ago and will commence in December.

Commissioner Infantini stated she is not sure why he would start on Phase Two before completing Phase One; it was her understanding that the movie theatre was part of Phase One; and the agreement with Hobby Lobby was having the movie theatre as part of Phase One, so they knew Phase One had to be completely done before he was to be reimbursed his \$6.5 million. She went on to say, in discussions with people from Hobby Lobby, they are not happy that the developer is trying to pull out the movie theatre because that is where they expected their evening flow of people to come from; Parrish Medical is going to be a daytime facility; Hobby Lobby survives on a flow of traffic coming during the daytime and in the evening hours; therefore, pulling and moving the theatre to Phase Two with a timeframe that does not have to be completed until the market requires it, concerns her. She added she is afraid Hobby Lobby will now have an opportunity to pull out because the terms of the agreement with them has been violated, which included the theatre in Phase One.

Mr. Aiken replied Hobby Lobby is not a party to the Development Agreement, they are a party to a lease with the developer; there are no requirements for any other tenants in that lease; and they are open with the second highest volume opening of the District, which is a big part of Florida. He continued Hobby Lobby is very happy with their opening and he reiterated the movie theatre is not part of that lease.

Commissioner Infantini stated they entered into that lease with the understanding that the movie theatre was in Phase One and had to be completed before moving into Phase Two; now Phase Two is already being worked on, with requests for modifications, without completing Phase One; and she thought there was a \$31 million loan with Arkansas Bank.

Mr. Aiken replied it is Centennial Bank.

Commissioner Infantini stated she thought he said it was all cash equity.

Mr. Aiken replied he clearly said they had \$14 million in cash equity invested. He stated the corporate people of Hobby Lobby know where they are on all things; they are incredibly happy that Bealls, Ulta, and Tuesday Morning are joining the tenant roster; and starting Phase Two earlier than expected is because the market had allowed for them to sign those leases, which is much better than what they had anticipated at any point in time.

Commissioner Fisher stated the Incentive Agreement had nothing to do with Hobby Lobby; it had to do with Walmart and a gas station right next to the river.

Commissioner Infantini stated she was not saying they were part of the incentive; what she was saying was that Hobby Lobby signed their lease with the knowledge that the theatre was going to be part of the Phase One build out; and now Phase One is changing.

Commissioner Fisher asked Commissioner Infantini if she is dealing with attorneys or anybody that has actually dealt with Hobby Lobby.

Commissioner Infantini replied she is not at liberty to share.

Commissioner Fisher stated he does not believe she is.

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Commissioner Infantini stated she would like to see something in writing saying they are so excited that he is not moving forward with building the theatre and instead moving forward with other aspects; and until she sees something in writing, it is not really so.

Chairman Barfield asked when it is anticipated that the movie theatre will open.

Mr. Aiken replied it is a 10 -11 month build that starts in December; therefore, it will be in the fall, similar timing to Bealls, Ulta, and Tuesday Mornings, probably a little ahead of that. He noted the building permit has been picked up; and he reiterated they do have a lease with Hobby Lobby, they are in full compliance with that lease, and it is a private lease between two private parties. He went on to say Walmart was involved in this project for the first two years but never signed their lease; therefore, he decided to go towards Hobby Lobby, who was not even a part of the original agreements.

Commissioner Fisher stated one of the unique things with this project that has come about with part of the movie theatre delay is the stormwater pipe, it serves Hopkins Avenue and west of Hopkins which all drained through this site and directly into the river, and because of this development, which they thought was a \$6.5 million cost turned out to be \$8 million, but instead of that water draining directly to the river, there are 12 ponds on this site that allows the water to filter before it goes into the river; and he is pretty proud of where this project is going.

Commissioner Infantini stated the cost of the overruns were due to the asbestos cleanup; originally it was estimated the cleanup would cost \$800,000 in spite of the 2006 report which showed the asbestos cleanup at roughly \$5.5 million; now with the asbestos cleanup which led to cost overrun of about \$2 million; and she does not think it was actually the Lagoon.

Commissioner Fisher disagreed with Commissioner Infantini.

Scott Knox, County Attorney, stated the second amendment that comes before the Board is not something that has to be signed. He continued he had a discussion with the Attorney for the City of Titusville and he indicated that paragraph two of that agreement will probably be modified to include a Certificate of Completion in addition to a Certificate of Occupancy (CO) as a possible trigger for release of the funds because the Certificate of Completion is different than the CO, the CO is only issued when the tenant actually takes possession and opens for business as opposed to the building being completed.

The Board adopted Resolution No. 16-210, providing concurrence of the Second Amendment to the Development Agreement on the Titus Landing Redevelopment Project.

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

**ITEM VI.E.3., RESOLUTION, RE: AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF THE COUNTY'S OUTSTANDING LOCAL OPTION FUEL TAX REVENUE**

Stockton Whitten, County Manager, stated this is a resolution authorizing the refunding of the outstanding 2007 bonds for the Local Option Gas Tax; the Policy requires that the County present to the Board a refund when the savings are in excess of three percent; this is

anticipated to be in excess of 11 percent, saving annually \$380,000 through 2037; and he asked the Board to approve the refunding.

Scott Knox, County Attorney, stated there is a slight modification to the original resolution that was presented as the original Agenda Item; Section 11 instead of providing for the County Manager and the Chairman to the Board to approve the official preliminary official statement, it is now strictly the County Manager.

The Board adopted Resolution No. 16-211, authorizing the issuance of a not exceeding \$53,000,000 principal amount Local Option Fuel Tax Refunding Revenue Bonds, Series 2016, to refund all or a portion of the County's outstanding Local Option Fuel Tax Revenue Bonds, Series 2007, in order to achieve debt service savings for the County; authorizing a competitive sale of said Series 2016 Bonds; delegating authority to the County Manager in connection with the sale and award of the Series 2016 Bonds to the underwriter that provides the lowest true interest cost to the County; approving the forms of a Preliminary Official Statement, Official Notice of Sale, Escrow Deposit Agreement, and Continuing Disclosure Certificate; appointing the Registrar, Paying Agent, and Escrow Agent; and authorizing County officials and staff to take necessary action and execute the documents needed to effect the refunding and sale of the Series 2016 Bonds.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Trudie Infantini, Commissioner District 3
<b>SECONDER:</b>	Robin Fisher, Commissioner District 1
<b>AYES:</b>	Barfield, Smith, Fisher, Infantini, Anderson

**ITEM VI.F.1., CITIZEN REQUEST BY SARA ANN CONKLING, RE: ONE-CENT LOCAL OPTION GAS TAX FOR PUBLIC TRANSPORTATION**

Sara Conkling expressed her appreciation to the three departing Commissioners. She stated she would have brought this up earlier, but she knew the Board was facing heat from the Lagoon Tax Referendum; the transit initiative is going to cut the wait time on most routes to half an hour or less, which will stop the inhumanity of people waiting in the hot sun and the rain for the bus for up to an hour, which includes the disabled and frail elders; it will add Sunday service to eight routes, where there is currently very little Sunday service; they are going to end the Port St. John to South Titusville transit desert; and there is one area in this County that has been on the back and front burner of the transit objectives for the past several years and this will actually get it done. She continued South Titusville and Port St. John contain a high percentage of elderly and disabled people who currently have no fixed route service; this will enhance the para-transit service by 20 percent for those people who are too ill and/or disabled to use the fixed route bus; today's vote is a lot more than just deciding how much transportation the community should have, it is also a referendum on how much the spirit is in solidarity with whom Jesus named the least of these, because the least of these are the people who depend on public transportation; and she has often felt that if Jesus himself were riding the Space Coast Area Transit (SCAT) busses he would find no shortage of the least of these, whether it is someone with abilities who has a job but also has disabilities that hinder his or her ability to drive, whether it is the veteran who struggles with inner and outer demons in his efforts to fully enter the community, whether it is the elderly person who has very little money, no children nearby and needs a ride to the grocery store, or whether it is someone who has been weakened by illness to the point that they can no longer get behind the wheel of their car to go to the doctor. She went on to say these are the people she has been called to serve for the past eight years and it has been a little over eight years that she has been coming to the Board for public transportation; with that said, there will be more speakers than just her; some will ask why they

have to pay for more public transportation when they do not use it; and she asked the Board if it is confronted with the failed empathy of others to please keep its own empathy. She stated the Board will probably hear someone say no more taxes even though they can well afford the tiny amount of burden that this expansion would require; there are those who insist that every time a sacred act of governing costs money, that their tax money must be being mismanaged; she has watched the County budget cut to the bone over the past several years and she has come to the conclusion that Brevard County has a fiscally responsible County budget; and to those who disagree, she challenges them to back up their opinions with any facts, having a louder opinion does not compensate for a lack of facts. She continued having budgetary priorities that disagree with other people's budgetary priorities does not mean that the County revenue is mismanaged; another thing that may be heard is to raise fears and let those who ride the bus pay for increased service; to that she would say how can that be justified placing an undue financial burden on the poor, one that would certainly preclude many of them from using the service that she is trying to expand; where is the morality in asking the homeless veteran who has given his all for the Country to come up with money he does not have to ride the bus; should the burden be on the poor widow or the person working a low wage job who is struggling to pay for shelter and food; and the effects of raising fears beyond the citizens ability to pay them is to force them out of transportation altogether. She went on to say that when she comes to the end of any course of action she likes to be able to say she did her best; she believes in this and thinks it is very important; and she acted in accordance with her beliefs.

Commissioner Anderson stated he just wanted to make sure the Board manages expectations; this Board cannot decide to do a sales tax today; it has to be advertised; there has to be a resolution; the County Attorney can elaborate on that; and it is nice of Ms. Conkling brought this, but by law nothing can happen today to bring a tax increase.

Paul Cummins stated he has been here for 20 years; he has met a lot of people, some who have had good lives and others who make one wonder how they get through day to day; the Board gets to see a lot people who think they pay too much in taxes or someone who is working for the disenfranchised, that truly need help; and a lot of those people do ride that bus, they do not have a choice. He continued that a lady at a church picnic this past weekend had a car and the car died so she had been taking the bus for the past few weeks; she told him she has worked it out, she walks to the grocery store does her shopping and then waits for the bus to take her back home; the reason she does not take the bus both ways is because by the time she got on the bus, made the circle, and dropped her off she would have an hour wait before the next bus came to take her home; and this lady is 64 years old. He went on to say this is real and it is for real people, not just the young or the poor; the Board has said this cannot be made a tax today; however, it can start the process in helping these people who need the help.

David Stewart stated while he was growing up, his family did not have a car but fortunately in St. Petersburg and Gainesville they had adequate public transportation; when he moved to Brevard County in 1959, it was rapidly growing and transferring from being an agricultural County to being a commercial and industrial County; the distribution of jobs and the types of people who needed jobs has changed drastically over the years; and during that time he had occasions where he thought he could use SCAT because he had Epilepsy that was out of control for three years, but he found out that it was not available to somebody who had to be to work on time. He continued he had to arrange a car pool and get a pass so his wife could pick him up and drop him off at work; he was fortunate he had money, a job, and a wife; he has helped a lot of people over 57 years in various organizations but a lot of people do not have that option, and they have to wait for the bus for a long time; and the bus is not readily available for everywhere they need to go. He went on to say for some people they may not be able to get to their job; there are a lot of people who work in low paying jobs, retail, and various tourist attractions and for them the cost of transportation is difficult because it does cost more money now for private transportation than it did when he first got his car; high technology has made driving better for individuals and

it has made an improvement in pollution control; however, it is going to drive the cost of individual transportation up. He stated maintaining the infrastructure is going to drive the cost of private transportation up; there is going to be a need in the future for much improved public transportation systems; and he does not think Brevard County has addressed the issue. He asked what is the demographics, job availability, the costs of private transportation if it goes to electric or hybrid automobiles, within the 10 years; he stated there are going to be a lot of people who will need the public transportation; the time to start is now; he noted he worked with the Commission when it was Joe Wickham, Clint Hurdle, Lori Wilson, Lee Winter, and Gene Roberts and they did a good job; they were good ole boys but they listened; and he thinks this Commission listens and hopes the incoming Commission will listen. He went on to say everyone needs to think about the future; pollution is going to be a problem; transportation is going to be a problem; the infrastructure is going to be a problem; and he reiterated the time to start addressing it is right now with small improvements to SCAT and with a gas tax, which is where he believes it should come from, because after all the cost of transportation is very much related to the price of fuel.

Philip Stasik, on behalf of Space Coast Progressive Alliance, stated he stands in support of the one-cent gas tax in public transportation; he does understand that the Board is not going to take action today; he does believe it is important; improving the transportation system in Brevard County is the right thing to do; healthy communities benefit from healthy public transportation systems; and many Brevard citizens depend on SCAT. He continued the elderly, disabled, lower income citizens, in fact a wide range of citizens are thankful for this service; it works well but needs to be improved; wait times, limited routing, and bus stops that do not protect riders from the weather, are all things that need to be improved; and a one-cent gas tax is a very tiny contribution to improve the health of this community and will offer the neediest citizens the relief of reliable transportation that they deserve. He asked the Board to do what it can in the time remaining and to those who are coming back to encourage the new Board members to support this idea. He expressed appreciation to the Board and all County staff for making lives better and improving the community; he mentioned the Save Our Indian River Lagoon Program was a tough call for the Board, but it did the right thing; the citizens of this County supported it; and he asked the Board to remember public transportation.

Judy McCluney expressed her appreciation to the Board for its concern for the quality of life of the citizens of Brevard County; she stated she is one of the active senior citizens of the County; she thinks a lot of the senior citizens want to get around and do the right thing, but sometimes it is better for them to drive less especially at night or for those who do not see well; they are looking for communities that are not only pleasant to live in, beautiful environment, neighborly, but also a place that has facilities; she has visited other sunbelt communities that cater to seniors and she was impressed with their transportation for seniors; she plans to continue residing in this County and needs a backup system for when she has problems with her eyes or personally does not feel capable of driving; and she would prefer one with a professional driver, rather than some amateur. She went on to say she would like part of her gas tax, even though she is still driving, to go to public transportation; she thinks this will support seniors who are growing in population; and she feels seniors would use public transportation if the wait is not so long. She stated increasing service and decreasing wait times will have a positive effect; more people will use it; there will be less people on the roads; and she is certainly in favor of it.

Camille Tate expressed her appreciation to the departing Board Members for their service to the community. She stated she was on the fence with the gas tax for a while; she has several friends who do not want to pay extra taxes; she used to be one of those people, she would drive all over from Florida to New York; and then at the age of 29 she lost her vision and had to rely on public transportation. She continued she has been living in Brevard County for 13 years, 11 of them as a blind citizen; she has noticed the lack of busses and drivers for the para transit system, which is what she uses exclusively; it disturbs her when people say they do not want to

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pay for some of the services that the disabled community can use because they may end disabled themselves; it took her seven months to go blind, and she never thought she would lose her vision at such a young age; and it brought to her a certain sense that she needed to take a step back and look deeper within herself to understand the difficulties that the disabled have. She went on to say the disabled are all not just sitting on Government welfare trying to collect certain services and eat up everybody's tax money; some of them work, go to school to improve themselves so they can get jobs, and some of them have families to support; public transportation is a large part of what helps them be able to live the life they want within the economic and social framework of the places in which they live; and she will be back in the future when the gas tax can be made a viable discussion.

Bill Morris stated he supports the one-cent local gas tax to provide a 30-minute bus service for each stop instead of waiting up to an hour; in August he had a shoulder surgery that prevented him from driving to physical therapy; it took him one hour and 50 minutes to get from his home to physical therapy, which is a distance of 5.6 miles; he is a jogger and can cover that distance in one hour and 28 minutes versus the transit system; and he believes twice the bus service and half the transit time would greatly benefit the 50,000 people in this County who use SCAT.

Jim Stone presented Commissioner Infantini with flowers. He stated he had come before the Board last year and provided an 11 page summary of his experience with the Government, on the back cover was a copy of the Constitution, and on the last page there was a questionnaire with three serious questions; he had hoped the Board would read it, but he only received two comments from that; he would be happy to repeat the questions that dealt with the Constitution and the Board's role in it; it has an unusual role in the County which the Federal and State Government do not; the Board makes and administers the rules, it is the judicial branch who judge whether the Legislation and the rules are being followed by the administration which puts a burden on it that other agencies do not have; and that was the nature of the questions. He went on to say he applauds the bus service and what they have done; he would in no way not support the bus service for what they need to provide additional help to the people; and his argument is that he has been on a fixed income for 16 years. He added United Space Alliance (USA) which absorbed his retirement after 40 years of total employment, terminated life insurance for everyone and now they are on their own medical programs; what really irritates him is that he had written a letter to Senator John McCain, who gave NASA \$500 million for shuttle program closeout that was supposed to cover their liabilities, and his response was talk to Bill Nelson, he is the Senator; he sent out two more letters to Congressmen, and five to other Senators who were in charge of other budget committees, and received no response from any of them; he wrote to the Department of Labor and they sent him a brochure on the pension plan which was not the problem; he thinks the government has way too many controls, but none for medical or other retirement benefits after 40 years of promises; and that is why he is sensitive about this. He continued he does not really have a problem with it financially, but when he sees hundreds and hundreds of people who are suffering the same way on fixed incomes and every few months there is more to be taken; the budget is already way too thin for those folks; the other thing he thinks about when dealing with agencies of this County is where is the incentive; he believes it is similar to NASA, the only incentive NASA has for an individual member of management is how many people they have in their employment ranks, because the more people they have the higher their salaries; and he challenges this County as to what real incentive it has for each department that encourages the employees to do a good job, because without the right incentives he knows what happens to government.

Commissioner Infantini thanked Mr. Stone for the flowers.

Mr. Stone stated he would like to point out the Commission is the only sounding board citizens have because the *FLORIDA TODAY* newspaper sure is not; since December, a year ago, he sent in a letter, three times in email, 36 hard copies, and finally he went to the advertising

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department and spent several hundreds of dollars putting it in the business section; he has been sending letters since then and receives the same response; he thinks what is needed is a nonliberal newspaper in this County.

Chairman Barfield stated he wishes the Board had a lot more public comment and civil discussions to talk about things, that is how the Board finds things out; and he believes that is what is important.

Mr. Stone commented when he first went into the development process, he did not intend to do that; he wanted to be a citrus farmer in his retirement, but within weeks he was spending more than he could ever make in his lifetime, because Ronald Reagan eliminated all controls on imports; a year later he bulldozed over 1,000 Ruby Red Grapefruit trees; he could not keep paying the money; but when he started digging a lake, he made an unbelievable amount of money for three months; the State only allowed pure lime rock as the approved product; and then he went into the development process. He continued after four years, four final reviews with a competent engineer, surveyor, and lawyer behind him, he finally got an approval but he had to vacate six lots because of an easement; and he went to Colorado, came back, and sold those six lots that could not be processed because the County Development office said the rules had changed.

The Board acknowledged the citizen request by Sara Ann Conkling for a one-cent local option gas tax, to be allocated to Space Coast Area Transit, for the purpose of expanding fixed-route and paratransit services to the citizens of Brevard County, but took no action.

#### **ITEM VII., PUBLIC COMMENTS**

Cathy Musselman stated she is the Executive Director of Greater Titusville Renaissance (GTR) and on behalf of the GTR Board of Directors, the North Brevard Community, and herself she wanted to thank Commissioner Robin Fisher for his many years of dedication and support serving on the County Commission; his many accomplishments in the past eight years as the District 1 County Commissioner has launched Brevard County, especially North Brevard, into its current economic boom; his vision and tenacity is what brought the many successful projects such as the new Florida Power Clean Energy Plant, Blue Origin, Embraer, Aero Seating, and the new Titus Landing retail and medical center; and it is through his leadership and commitment to this community that North Brevard is experiencing a renaissance. She went on to say Commissioner Fisher has been a mighty force as can be seen on the Space Coast Business Magazine; he will be missed as a Commissioner, but although he will not be on the Commission he will not be still for long; as one of the GTR founders, she is sure he has more ideas for improvement of this community; and she looks forward to working alongside him. She expressed her appreciation to Commissioner Fisher's staff, Holly Carver, Marsha Newell, and Mariam Fuentes for their dedication.

She stated she would be remiss if she did not also take this time to thank her community partners who are in the audience, George Mikitarian, Parrish Medical Center, Mayor Jim Tulley with the City of Titusville, and Troy Post with the North Brevard Economic Development Zone (NBEDZ); it is through collaborative efforts that North Brevard continues to grow and become a revitalized community; and in closing she provided a two minute video.

Jim Tulley, Co-founder of GRT, stated the GTR, as one of many things that Commissioner Fisher has done, has made a difference; one of his most enduring memories is sitting in the back of a golf cart in the pouring rain with Commissioner Fisher, when he told him his wife really wanted to know why Titusville cannot look more like Viera; and that was the genesis of Renaissance. He continued it has been a unique and privileged experience working and collaborating with him over the last eight years; he has learned a lot; and he thanked him for all

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he has done for North Brevard. He went on to express his appreciation of Commissioner Anderson and Commissioner Infantini as well. He commented being another elected official he knows how hard it is to sit up there and face all the various opinions; it is not as easy as it appears; and everyone appreciates it whether they agree with your opinions or not.

Commissioner Fisher thanked Mayor Tulley for his service.

**ITEM VIII.,A., REPORT, RE: STOCKTON WHITTEN, COUNTY MANAGER**

Stockton Whitten, County Manager, stated on behalf of all County staff he would like to thank Commissioners Anderson, Fisher, and Infantini for the last eight years, it is miraculous where the County is today compared to where it was eight years ago.

**ITEM VIII.B., REPORT, RE: SCOTT KNOX, COUNTY ATTORNEY**

Scott Knox, County Attorney, stated this Board has had some very challenging times in the past eight years; there has been contest, but there has always been resolution; and he has really enjoyed working with all of them.

**ITEM VIII.C., REPORT, RE: ROBIN FISHER, DISTRICT 1 COMMISSIONER**

Commissioner Fisher stated Dick Lake is retiring and he has been one of the longest serving elected officials; there will be a celebration for him at 6:00 p.m. at the Rockledge Chamber tomorrow night; and at the event center in Titusville they are having a thing for the outgoing elected officials. He continued it has been a great eight years for him; he has developed some lifelong friendships out of it; City staff, Department heads, and anybody he has ever called has always done everything they could to make sure he was successful; and he is not really excited, but he is at peace and ready for the next phase of his life. He went on to say he is going to miss picking up the phone and asking Mr. Whitten or someone on his team to help out a citizen; what he is going to miss the most is being next to the people; he considered himself the head ball coach at North Brevard and his job was to motivate, recruit, and keep talent around him; he had excellent staff, Holly Carver and Marcia Newell have had his back and worked extremely hard over the years; and he could never thank them enough for the service they have done for him and the citizens of the County. He expressed his appreciation to his fellow Board Members for their support because he knows there has been some tough calls but they have come through; he and Commissioner Anderson over the past seven years have figured out a way to compromise to move things forward and build relationships; he commented he and Commissioner Infantini did not agree on much but she always made him bring his A game; and he thanked them both for their service.

**ITEM VIII.D., REPORT, RE: TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER**

Commissioner Infantini expressed her appreciation of County staff, her staff, and her family.

**ITEM VIII.E., REPORT, RE: ANDY ANDERSON, DISTRICT 5 COMMISSIONER**

Commissioner Anderson stated 13 years ago he started as an elected official in the City of Palm Bay; over 15 years later he is finally hanging it up; and he expressed his appreciation of all County staff, his office staff, and his family.

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**ITEM VIII.F., REPORT, RE: CURT SMITH, DISTRICT 4 COMMISSIONER/VICE CHAIRMAN**

Commissioner Smith stated it has been an honor to serve with all three of the outgoing Commissioners; he has learned a lot from all three of them; and he wished them all well in their future endeavors.

**ITEM VIII.G., REPORT, RE: JIM BARFIELD, DISTRICT 2 COMMISSIONER/CHAIRMAN**

Chairman Barfield stated last Friday Veterans Memorial had their open house; over 700 people showed up; and it was an amazing event. He went on to express his appreciation of the outgoing Commissioners; the best thing about Commissioner Infantini is that she truly cares; Commissioners Anderson and Fisher have always given him the inspiration of what to do and considers them both as friends; and he blames Commissioner Fisher for being one of the people who talked him into being on the Board.

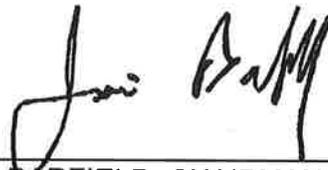
Upon consensus of the Board, the meeting adjourned at 11:53 a.m.

ATTEST:



A handwritten signature in black ink that reads "Scott Ellis". The signature is written over a faint circular seal of the Board of County Commissioners of Brevard County, Florida.

SCOTT ELLIS, CLERK



A handwritten signature in black ink that reads "Jim Barfield". The signature is written over a horizontal line.

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

As Approved by Board 1/24/17