

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

9:00 AM

The Board of County Commissioners of Brevard County, Florida, met in regular session on July 22, 2014 at 9:01 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

Attendee Name	Title	Status	Arrived
Robin Fisher	Vice Chairman/Commissioner District 1	Present	
Chuck Nelson	Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Mary Bolin Lewis	Chairman/Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

INVOCATION

The Board observed a moment of silence.

PLEDGE OF ALLEGIANCE

Chairman Bolin Lewis led the assembly in the Pledge of Allegiance.

ITEM I.A., PRESENTATION, RE: VOLUNTEER RECOGNITION INITIATIVE: VOLUNTEER STARS LIGHT UP BREVARD

Stockton Whitten, County Manager, introduced Margie Collins, BRAVE Volunteer Coordinator, and she introduced the next item.

Margie Collins, BRAVE Volunteer Coordinator, thanked the Board for the opportunity to present one of the many hundreds of volunteers that work side-by-side with staff to provide services to the citizens of Brevard County. She stated this morning Space Coast Government Television (SCGTV), and Don Walker, SCGTV Department Director, will introduce the volunteer.

Don Walker, Space Coast Government Television Director, stated Stephanie Grucza is not only worthy of recognition for the Volunteer Stars Light Up Brevard initiative, but for more that a year now, she has lit up the SCGTV Department not only with an infectious smile, but also her positive attitude, endless energy, and glowing enthusiasm. He added when he spoke to Ms. Collins about nominating Stephanie for the award, Ms. Collins asked what he would say; and he said easily, Stephanie helps him gather all of the news stories for the newsletter, graces the County with her artistic and grammatical abilities by way of Microsoft Publishing; she also helps man the audio controls at SCGTV during commission meetings; and she helps keep things like newspaper articles and media requests archived and well organized. He went on to say Stephanie epitomizes the true spirit of what makes Brevard County a great place to live, work, and play, and that there are residents like her that would give willingly of their time and talents to help the County achieve its core mission and more. He advised she has done this while studying information technology courses at Eastern Florida State College, working a real job as a nanny, and as the Board may have noticed, preparing to start a family, her baby is due in September. He added, Stephanie originally became a volunteer to fulfill a college requirement, but now, 15 months and counting, she has surpassed the 300 hour obligation for school credit; and she continues to work diligently and well, voluntarily, because it is something different, it is

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an opportunity to learn something new, she enjoys doing it, and does not want to stop. He stated each voluntary hour that Stephanie works not only benefits Brevard County Government, but also the residents of Brevard County as a whole; it is a commendable attitude, it is truly amazing dedication, and it is worthy of his recognition and gratitude, because Stephanie is, without a doubt, a star who lights up Brevard; and he thanked her for her service, positive attitude, and good work.

Stephanie Grucza thanked Mr. Walker and Ms. Collins for everything they have done for her; she has learned a lot here; and she believes it is a great opportunity to help out, even though it comes with its challenges.

ITEM I.B., RESOLUTION, RE: RECOGNIZING MARY HORTON ON HER SPELLING BEE ACOMPLISHMENTS

Commissioner Infantini read aloud, and the Board adopted, Resolution No. 14-113, congratulating Mary Horton, 2014 Scripps National Spelling Bee Finalist for her accomplishments, and wished her success in future endeavors and fulfillment of her personal dreams of European travel to France, England, and Italy.

Mary Horton stated it was an honor to represent Brevard County at the spelling bee, it was a privilege to be there, and a pleasure, too, even if it was kind of nerve wracking. She added it was fun, too; and she was glad to have the opportunity.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Robin Fisher, Vice Chairman/Commissioner District 1
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.C., RESOLUTION, RE: OBSERVING AUGUST 2014 AS FLORIDA WATER PROFESSIONALS MONTH

Commissioner Fisher read aloud, and the Board adopted, Resolution No. 14-114, observing August 2014 as Florida Water Professionals Month.

Wendell Maxwell, Utility Services Department, thanked the Board for its recognition, and explained the water and wastewater operators that make up the workforce are not as visible as the Fire Department or Police Squad, but they are equally as important. He added these individuals labor in trying conditions for long hours to keep fresh water in the distribution system going to the residents and industrial areas, as well as keeping the pumps operating and the pipes clear for wastewater and stormwater that goes to the treatment plants for subsequent recovery, and release to the environment in a safe and healthy manor. He stated it seems the only time these individuals are thought of is when the water is not there, or the streets are filled with the used water that has been flushed down the toilet, it is for these reasons that water professionals are so important.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

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ITEM I.D., RESOLUTION, RE: RECOGNIZING THE BREVARD USC SPECIAL OLYMPICS UNIFIED SOFTBALL TEAM

Commissioner Anderson asked Tonya Snodgrass to introduce the USC Special Olympics Unified Softball Team.

Tonya Snodgrass, USC Special Olympics Unified Softball Team Head Coach, stated they are a unified softball team in the Special Olympics where they put individuals with disabilities with individuals without disabilities. She introduced Jessica Beckner, Partner; Bob Raul, Partner; Rich Miller, Partner; Chris Oliver, Athlete; Chuck Conway, Athlete; Clayton Guage, Athlete; Tori Scheffler, Partner; and Tabitha Laney, Partner, there are a few that are not present at the meeting today because they had to work.

Commissioner Anderson read aloud, and the Board adopted, Resolution No. 14-115, recognizing and commending the Brevard USC Special Olympics Unified Softball Team for bringing the 2014 Special Olympics gold medal home the Brevard County.

Bob Raul thanked the Board for the honor of being present today; he stated Coach Tonya put this team together almost five years ago with the hopes of one day getting invited to USA games; he and his his wife have been track and field coaches for Special Olympics for about eight years and being involved with the athletes and developing the relationships with those special athletes; and it has been the strongest thing they have ever done in their lives. He added it was a phenomenal week in New Jersey; the State really rolled out the Red Carpet for them; treated them like Olympic Athletes; they were lucky enough to stick together through some tough times; and there were some big deficits that they came through to be undefeated for the week and brought home the gold medal.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEMS PULLED FROM CONSENT AGENDA

Chairman Bolin Lewis advised there is a speaker card for Item II.B.4., Authorizing Resolution, Grant Application, and Execution of Follow Up Grant Agreement, Re: Federal Transit Administration Bus and Bus Facilities Ladders of Opportunity Program.

Commissioner Infantini advised she is voting no on Item II.C.1., Approval, Re: Budget Change Requests; she would like to pull Item II.A.4., Resolution and Locally Funded Agreement Supplemental Amendment Number 1 with Florida Department of Transportation (FDOT), Re: Construction of a Special Design Truss Assembly for Signals at the Intersection of State Road 520 and Sykes Creek Parkway; she would like to pull Item II.A.5., Task Order No. BB-021, Re: Professional Engineering Services Agreement Regarding Barnes Boulevard Widening Project; and she would like to pull Item II.B.3., Authorization, Re: North Brevard Referendum Projects and Establish Appropriate Project Budgets.

ITEM II.A.1., BINDING DEVELOPMENT PLAN, RE: MAJESTIC OAK ESTATES, LTD.

The Board executed Binding Development Plan Agreement with Majestic Oak Estates, Ltd., for property located on the north side of S.R. 46, approximately 0.20 mile west of Cambridge Dr. (No assigned address. In the Mims area.)

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.2., RESOLUTION, RE: RELEASING CONTRACT AND SURETY PERFORMANCE BOND FOR STADIUM VILLAS

The Board adopted Resolution No. 14-118, releasing the Contract and Surety Performance Bond dated January 7, 2014 for the Stadium Villas.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.3., ISSUE NOTICE TO PROCEED FOR PROFESSIONAL ENGINEERING SERVICES, RE: WICKHAM ROAD AND EAU GALLIE BOULEVARD INTERSECTION IMPROVEMENTS

The Board authorized John Denninghoff, Public Works Director, to issue a Notice to Proceed to Atkins in the amount of \$165,800 for Professional Engineering Services for the Wickham Road and Eau Gallie Boulevard Intersection Improvements Project.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.6., APPROVAL, RE: KEEP BREVARD BEAUTIFUL (KBB) CONSUMER PRICE INDEX (CPI) REQUEST OF 0.9 PERCENT

The Board granted a CPI increase of 0.9 percent to the existing contract between KBB and the Solid Waste Management Department for Litter Prevention and Recycling Education.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

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ITEM II.A.7., APPROVAL, RE: PERMISSION TO SOLE SOURCE REPAIR AND MAINTENANCE OF LANDFILL GAS FLARE STATION AT THE CENTRAL DISPOSAL FACILITY

The Board granted permission to repair and modify components of the Landfill Gas Specialties (LFG) Flare Station at the Central Disposal Facility (CDF) through the original equipment manufacturer.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.B.1., APPROVAL, RE: AMENDMENT TO PURCHASE ASSISTANCE POLICY

The Board executed Amendment to the Housing and Human Services Department Purchase Assistance Policy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.B.2., CONTRACT AGREEMENT WITH COMMUNITY HOUSING INITIATIVE, INC., RE: PURCHASE ASSISTANCE PROGRAM

The Board approved the recommendation of the Affordable Housing Council, and executed the Agreement to HOME funds of \$300,000 to the Community Housing Initiative, Inc., for the administration of the County's Purchase Assistance Program and the Homebuyer Counseling Workshop; and authorized the Chairman to approve future modifications and/or amendments after review and approval of the County Attorney and Risk Management.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

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

The Board approved the Budget Change Requests, as submitted.

RESULT: ADOPTED [4 TO 1]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Andy Anderson, Commissioner District 5
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM II.D.1., RESOLUTION, RE: REFERENDUM ELECTION NOVEMBER 4, 2014, TO AMEND THE BAREFOOT BAY RECREATION DISTRICT CHARTER

The Board adopted Resolution No. 14-119, calling for a referendum election to be held on November 4, 2014, proposing an amendment to the Charter of Barefoot Bay Recreation District, raising the District's spending authority.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.D.2., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS

The Board appointed **Pastor Jerome Dukes**, to the Community Action Board; **Jeri Blanco**, to the Community Development Block Grant Advisory Board; and **Pat Woodard**, to the Employee Benefits Advisory Committee; with terms expiring December 31, 2014.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.4., RESOLUTION AND LOCALLY FUNDED AGREEMENT SUPPLEMENTAL AMENDMENT NUMBER 1 WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), RE: CONSTRUCTION OF A SPECIAL DESIGN TRUSS ASSEMBLY FOR SIGNALS AT THE INTERSECTION OF STATE ROAD 520 AND SYKES CREEK PARKWAY

Commissioner Infantini stated this item is increasing the funding to be allocated to S.R. 520, it is for trusses; and her concern is that this is a 37 percent increase over the past budget for this. She added she has seen budget changes in this item numerous times, for instance, she saw 20 trees added on S.R. 520, at a cost of \$1,000 apiece. She went on to say originally the Board had ordered 15 trees at a cost of \$4,000 a piece, five out of the 15 were pulled at \$4,000, and added 20 trees at a cost of \$5,000; and she does not understand how five trees can be substituted, and increase the price by \$1,000 apiece. She added it is for that reason the Board has numerous cost over-runs and additions to the S.R. 520 budget; and inquired how many jobs this brought in. She stated the Board is constantly changing the budget to improve S.R.520, but she does not know where all of this money is going and what the benefits to the County are. Commissioner Nelson stated trees cost what they cost; this is a Florida Department of Transportation (FDOT) project; they went out to bid; the bid came in; and this is what it is going

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to cost. He advised the County actually had the right price when the original cost estimate was done; the mast arms cannot be put in this intersection because it is too big and it has to go to a truss system; it is the only one on S.R. 520; FDOT and the County have partnered based on a bid; and it is a necessary project needed when lines go out at a major intersection.

Commissioner Infantini stated when Palm Bay does things it is the City of Palm Bay; she is not opposed to putting in the trusses; she is trying to highlight on where some of the taxpayers' dollars go; 20 trees at a cost of \$5,000 a piece and removing five trees at a cost of \$4,000 apiece; and she is in favor of the Item, because she thinks there needs to be safe trusses in that area.

The Board adopted Resolution No. 14-116, for construction of a special design truss assembly for signals at the intersection of State Road 520 and Sykes Creek Parkway; and executed the Locally Funded Agreement Supplemental Amendment Number 1.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Robin Fisher, Vice Chairman/Commissioner District 1
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.5., TASK ORDER NO. BB-021, RE: PROFESSIONAL ENGINEERING SERVICES AGREEMENT REGARDING BARNES BOULEVARD WIDENING PROJECT

Commissioner Infantini stated the reason she pulled the Item is it is another road project at Barnes Boulevard; this project started out with a project cost of \$700,000 for the engineering services; the engineering services by way of this task order are now going to be \$1.5 million; they increased the construction phase of the engineering from \$100,000 to \$347,000; she would like to have a little more precision when estimating bid projects; she inquired when increases stop; and she inquired where the funds come from for this. She stated she is not in favor of this project.

John Denninghoff, Public Works Director, stated at the time this contract was negotiated with the consultant over 10 years ago; at that time the construction cost of the project was unknown or what the duration of the project would be; as a matter of standard practice on a major project would simply use an assumed 12-month period of time for construction; and during that period of construction eight hours a week for 52 weeks was budgeted for a licensed engineer and support staff, to provide services to the County during the construction period. He stated subsequent to the design process with the final and completed plans to perform calculations of what the duration of the project will be based on the actual design, and adjusting the construction engineering inspection services to match with the actual duration of the project; in this case it was assumed that it would be 12 months and knowing that a modification would need to be done to it; due to the intensity of the drainage design at Barnes Boulevard; the construction determination is 33 months duration of the project; and having an amount of exceeding what is being proposed today. He added, the services for construction engineering inspection services for the waterline, reuse mains, and a force main for the Cities of Cocoa and Rockledge increasing the amount by about \$770,000; and the total cost of the construction engineering inspection is about 1.6 percent of the construction cost, which is about 10 percent of what is normal for these types of services. He stated if the cost of services were extrapolated out, he would have expected the cost to be higher; but the consultant did not increase the cost beyond the pro rata of eight hours per week for 33 months instead of 12 months. He advised the County is getting a better price than what the typical market conditions would call for.

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Chairman Bolin Lewis inquired if at the beginning of this project assumptions were made until finding out the reality of the road; and stated that Barnes Boulevard has had many surprises, delays, and complications along the way. Mr. Denninghoff responded affirmatively; he stated on the overall construction design of services all the services are typically not negotiated in advance, because of unknown conditions such as gopher tortoise's causing more money to be charged; there are many of those unknown types of conditions in all projects; and is the reason for the escalation in costs of design services.

Mel Scott, Assistant County Manager, advised this service is costing the County 90 percent less than what is typically paid for professional engineering services, that are based on construction costs; this is a great deal that has been looked at; and is a part of a construction project that has morphed from something that cannot be compared to what it was 10 years ago, to the widening project that it is right now with force main work, and with drainage improvements that are going to improve the greater area beyond the road.

Mr. Denninghoff added, the final design amount, including the Consumer Price Index (CPI) when compared with the final construction costs, is just over six percent; he stated that is a low percentage for a design project; and this does include the construction engineering inspection work. He advised the Board that it is a good price for all of the services needed, including the FDOT permitting, gopher tortoises, scrub jays, and wood storks; and including the right-of-way services and acquisition services associated with the project, that are normally not included in calculations; and he highlighted on the price the County was given being an excellent one.

Commissioner Infantini pointed out if numbers were extrapolated based on 33 months schedule, it works out to be \$277,000; she stated this contract is up to \$347,000 due to the added scope of \$70,000; it appears to not be a bargain and to be consistent with what was originally charge by extending it; and the huge difference between what was budgeted in 2003 compared to what is going to be paid now, which is double. She advised changing the process so the budget is a little more closely aligned with the actual outcome of the cost.

The Board executed Task Order No. BB-021, in the amount of \$247,355.25 for the Professional Engineering Services Agreement for Construction Phase Services.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.B.3., AUTHORIZATION, RE: NORTH BREVARD REFERENDUM PROJECTS AND ESTABLISH APPROPRIATE PROJECT BUDGETS

Commissioner Infantini stated the reason she pulled the Item is it deals with renovating a facility in north Brevard County, using some of the Referendum dollars; she thinks the waterfront location of the facility is great; she is opposed to the budgeting done two years ago; and Jack Masson, Parks and Recreation Director, had highlighted on the unfunded needs in the north area. She advised rather than using funds to renovate something, the Board should first go to the unfunded needs and take care of those with Referendum dollars like the air conditioner, roof repairs, and the installation of a sprinkler system at the Moore Cultural Center; and the restroom would use up most of the available Referendum dollars.

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The Board authorized the installation of a fire suppression system for the Harry T. and Harriette V. Moore Cultural Center and Museum, and interior and exterior/facade improvements including a 1,700 +/- square foot addition to the existing 3,500 square foot building at Tom Statham Park.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

ITEM II.B.4., AUTHORIZING RESOLUTION, GRANT APPLICATION, AND EXECUTION OF FOLLOW UP GRANT AGREEMENT, RE: FEDERAL TRANSIT ADMINISTRATION BUS AND BUS FACILITIES LADDERS OF OPPORTUNITY PROGRAM

Fred McMillian stated he is passionate about public transportation; and came to the Board today to thank the Commissioners for all of the improvements in the public transportation system in Brevard County; he started two and one half years ago to solicit this Board to do something about the public transportation system. He advised he will be taking a sabbatical, he is going into the hospital; and is having a knee replacement, as well as reconstructive dental surgery, and will be out for at least a year. He added he will not be coming back to pester the Board, but would like to thank Jim Liesenfelt for all of his help; and asked if the Board could keep in touch with him over the next year as he would like to know what is going on.

The Board adopted Resolution No. 14-117, authorizing actions for the Bus and Bus Facilities for Ladders of Opportunity Capital Grant from the Federal Transit Administration in the amount of \$100,000; executed the Grant Application; executed the Letter of Documentation of Local Match; executed the Designation of Signature Authority allowing staff to submit the Grant electronically; authorized Jim Liesenfelt, Transportation Services Department Director, to execute and submit the Grant Agreement electronically, contingent upon County Attorney and Risk Management approval; and for Mr. Liesenfelt to execute any additional follow-up documentation/resolutions and amendments necessary to secure these funds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.A. PUBLIC HEARING, RE: FY 2014-2015 BREVARD COUNTY HOME CONSORTIUM CONSOLIDATED ONE-YEAR ACTION PLAN

Chairman Bolin Lewis called for a public hearing to consider the Fiscal Year 2014-2015 Brevard County Home Consortium Consolidated One-Year Action Plan.

There being no objections, the Board conducted a public hearing, as required by the U.S. Department of Housing and Urban Development (HUD), for the purpose of receiving public comments on the goals and priorities set forth in the HOME Investment Partnership (HOME) Consortium's Consolidated Annual Action Plan and the recommended HOME and Community Development Block Grant (CDBG) funding priorities set forth in Brevard County's 2014-15

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Annual Action Plan. Final approval of the funding allocations for the 2014-2015 Annual Action Plan will be presented to the Board on August 5, 2014.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.B., FIRST AMENDED DEVELOPMENT AGREEMENT WITH JENSEN NORTH LLC AND JENSEN SOUTH LLC, RE: DATA CENTER - 14SP-001749

Chairman Bolin Lewis called for a public to consider the first amended development agreement with Jensen North LLC and Jensen South LLC for Data Center - 14SP-001749.

There being no objections, the Board executed the amended Development Agreement with Jensen North LLC and Jensen South LLC, for the deferral of infrastructure improvements for the Date Center - 14SP-001749.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.C., ORDINANCE, RE: ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION FOR BONADENT DENTAL LABORATORIES

Chairman Bolin Lewis called for a public hearing to consider an ordinance for economic development Ad Valorem tax exemption for BonaDent Dental Laboratories.

There being no objections, the Board adopted Ordinance No. 14-20, granting an Economic Development Ad Valorem Exemption to BonaDent Dental Laboratories; specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of Chapter 196.1995(8) Florida Statute; providing for proof of eligibility for exemption; and providing an effective date.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.D., PUBLIC HEARING, RE: MINOR AMENDMENT TO THE VIERA DRI DEVELOPMENT ORDER

Chairman Bolin Lewis called for a public hearing to consider minor amendment to the Viera DRI Development Order.

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Scott Knox, County Attorney, provided the Board with a handout of the changes made to the resolution; he advised on page two, Phase 4 date is December 29, 2025 extended to December 29, 2029; on page five, paragraph c., there is a change which changes the page numbers from 51 to 51 and 52, and the language and footnote six added as follows; and on page seven, is footnote six, which reads commencement and completion dates in footnotes one and two have been extended pursuant to the Statutory Notices.

There being no objections, the Board adopted Resolution No. 14-120, amending Resolution No. 09-272; and executed the Minor Amendment to the Viera DRI Development Order.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.E., PUBLIC HEARING, RE: ADOPTION OF RECOMMENDED FY 2014-2015 AD VALOREM MILLAGES

Chairman Bolin Lewis called for a public hearing to consider adoption of the recommended Fiscal Year 2014-2015 Ad Valorem millages.

Tom Rosenberg, Budget Office Director, stated adoption of the recommended Fiscal Year 2014-2015 Ad Valorem millages primarily is to inform the Property Appraiser of the millages for when the Notice of proposed property taxes.

There being no objections heard, the Board approved the FY 2014-2015 Aggregated Operating Ad Valorem Millage Rate at 7.0537, for the purpose of notification to taxpayers by Brevard County Property Appraiser; and directed the County Manager to complete the Florida Department of Revenue's Certifications of Taxable Value, Forms DR-420.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

ITEM IV. B., APPROVAL, RE: 2015 GROUP HEALTH PLAN DESIGN CHANGES

Darcy Otranto stated her husband is employed with the Brevard County Sheriff's Office; she is following up on an email she sent to the Board yesterday referencing insurance; she asked the Board to not increase the cost or co-pays of insurance; she realizes it is a difficult decision for the Board; but it is extremely difficult for many of the employees and the retirees. She inquired if there is any consideration of going with an insurance company out of the area; she stated she would like to know what kind of research was done outside of the area; there has to be someone cheaper; and she reiterated having no increases this year because her family was affected in 2011 with a 90 percent increase in rates.

Frank Abbate, Human Resources Office Director, stated at the last Board meeting the Board had asked to provide notification to retirees about the status of the options; the Board added an

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option called Option 1.A., which provides for a 30 percent increase in rates for employees and dependents, and 30 percent for retirees both under and over age 65, up to the applicable vested rate if that applied; that notice was sent; and a variety of responses have been received and Gerard Visco, Insurance Director, is doing his best responding to all of the questions. He advised they sent a notification to current employees, letting them know as well what the Board is considering; some response was received; and he has been responsive in answering all questions raised. He went on to say there are not any good alternatives and the decision is difficult; he responded they did go out for a Request for Proposals (RFP) this year specifically for the purpose of looking at what the opportunities are outside of the area; and as a result of that RFP process a variety of recommendations made are for the Board's consideration today. He advised next year there are intentions to go out for a full RFP on the whole health insurance program; he is looking for the Board's option today for 2015; and to prepare open enrollment meetings for participants in the plan. He added, staff is speaking with retirees to look at what their options are in the marketplace, Medicare Supplements, and Medicare Advantage products; staff is continuing to explore opportunities with the School Board, in partnership, the most recent being the Independence Blue Cross (IBC) which the School Board has been putting together with other school districts, and looking at over 65 alternatives that are available; and are available in Brevard County through United Health Care and Health First, for the possibility of piggybacking on the contract that they develop.

Commissioner Nelson stated the point has been reached that the only option to reduce the percentage of increase is by coming up with additional money; he does not know where in the budget additional money would be found; to make it as fair as possible he suggested at the last meeting to provide for a 30 percent increase in premiums for active employees; and a 30 percent increase premiums for retirees, instead of a 30 percent increase in premiums for active employees, and a 35 percent increase in premiums for retirees. He advised he is supportive of option 1a.

Commissioner Infantini inquired the option is to increase the cost to the employees and to the retirees. Commissioner Nelson responded the original proposal was a 30 percent increase in premiums for active employees, and a 35 percent increase in premiums for retirees; and instead of having the five percent differential, make it 30/30 in terms of the increase.

Mr. Abbate advised this would be for employees and dependents, and retirees and dependents rates all going up 30 percent, in addition to the other changes that were listed under option one.

Commissioner Infantini advised the retirees would be getting in a year later at a higher band-rate which would cost them more money; and being the best option. She stressed she does not know where the employees are going to come up with the 30 percent cost increases.

Commissioner Nelson advised he heard from the retirees is that the option of, in effect, asking them to leave the program was more objectionable, and he does not think they are any good options; and he heard more consistently that option 1a was the fairest of the options.

Commissioner Infantini stated it is not a matter of being the fairest, it is a matter of being what is going to be the lowest cost to them; and she thinks the Board is confusing people on a plan with what is actually better for somebody because it will cause them less money.

Commissioner Nelson replied that is not true in all cases.

Commissioner Infantini stated she realizes that, but it is in the majority of cases.

Commissioner Nelson stated if one is the minority, it does not sound like a very good answer.

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Commissioner Infantini stated she understands; being on the Board is not the most popular place to be; and advised the Board to proceed with its vote.

Commissioner Fisher stated he asked staff to look at the understanding of the subsidy history; the actual premium the retirees might be paying is not totally 100 percent; and he was opposed to having a jump from \$500 to \$1,300. He advised he did not realize that if a retiree has a spouse on the plan and they are over 65, even though this increase is happening, the Board is still subsidizing that \$824 per month; health insurance is a serious problem in this Country, everyone is trying to figure it out; and no one is having any luck. He added Option two and three are asking retirees to leave the plan altogether, and even though he believes over the next year some will explore that opportunity, and maybe they will get more comfortable with Obamacare or Exchange. He stated the least painful is Option one and he is okay with the 30/30 split; and supports the motion.

Commissioner Anderson stated this is a difficult decision because one of the main motivations of the Board is that it does not want to hurt the active duty employees; but when looking at option three, he uses the County insurance, and he has children; and he has a lot of experience with it. He advised if the Board went with option three, if the out-of-pocket maximums start changing, the guy that is lower on the pay spectrum will be hurt the most by that, and yes, there is a 30 percent increase. He stated the other options are far more worse for the employees, they actually take cash out of their pockets; and they are both painful, but option one is far less painful.

Mr. Abbate stated along that line, staff was asking for approval of option four, along with option one; option four addresses Commissioner Anderson's concerns about premiums and such, and option four is the Health First narrower network; and he asked the Board if the motion would include option four as well.

Commissioner Nelson stated he would add that to the motion.

The Board approved premiums and plan design changes to the Board's Group Health Plan in accordance with EBAC recommendations for plan options 1.A and 4.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

ITEM V.A.1., WAIVER REQUEST OF PERIMETER BUFFER, RE: GREAT OUTDOORS SUBDIVISION

Lynn Hansel stated he is representing the developer, and he filed the application.

The Board approved waiver to Section 62-2883(d), of the required 15 foot perimeter buffer for a residential subdivision, in the Great Outdoors, as petitioned by TGO Campsite LLC.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.A.2., APPROVAL, RE: INDIAN RIVER LAGOON MUCK DREDGING PROJECT

The Board executed the Grant Agreement, substantially in form of Attachment A, and the necessary amendments between Brevard County and the State of Florida, with the County Attorney and Risk Management approval, to accept the State funds for the Muck Dredging Project; approved waiver of legal venue in Brevard County, as the current Agreement indicates legal venue in Leon County; authorized the County Manager or designee to execute task orders, contracts, agreements, and change orders as required and in excess of \$100,000, to accomplish the work approved under the State contract; and authorized any necessary budget change requests.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
ABSTAIN:	Trudie Infantini

ITEM V.B.1., APPROVAL, RE: WEST CANAVERAL GROVES WATERLINE PROJECT

Ian Golden, Housing and Human Resources Director, stated there is a report, per Board direction, staff has gone back to look at other funding sources for this project; and the Section 108 funding source remains the most viable. He added staff went back and looked at it, staff feels that when looking at where Community Development Block Grant (CDBG) is now, there is not as much risk to the General Fund, or as much risk of CDBG itself going away; and has brought it back to the Board for its consideration. He noted the figure for the \$137,000, annual reimbursement for the Section 108 loan, is actually closer to \$116,000 to \$117,000 estimate.

Dennis Ciurla stated he is the CDBG representative for District 3, and has been on the Board since 2013; he has heard all of the reasons, truths, and emotions in this issue; and he is more apathetic than knowledgeable about the issue. He added if he had that situation in Micco, and went through all the processes and hoops, he would be at a point of how long it would take to actually approve this when there is poisoned water. He stated he just could not believe that would take 10 years of negotiations to approve such a project; he understands that the issues that the Board faces, but this project is very important. He asked the Board if it were in this situation, and each Commissioners water was contaminated to the degree of West Canaveral Groves, what would they do, and how long would they expect it to take; and he hopes in this situation the Board does the right thing.

Commissioner Fisher stated a couple years ago he went out to Mr. Beckett's home, looked at his water system, and it is something that is not seen on a regular basis; it is five or six filters, water running through different tanks, and all to get potable drinking water. He advised he is not sure that putting a water line down Satellite Boulevard is going to particularly solve this problem, but he does believe it is a step in the right direction to getting a main water line there. He noted the fact that staff has revisited this issue, the General Fund is not at risk, and there are actually

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1,500 lots out there, and he had a call in the past couple months that said if there was potable water there, they would build; and he started looking at a couple houses on Satellite Boulevard, one of the houses was paying about \$1,700 in taxes, and if there were 60 or 70 houses built, and eventually the return on investment will pay for the CDBG loan. He added CDBG was designed for these types of projects, it has been approved by their Board, it is not a risk to the General Fund; and he believes the Board could get some additional homes and tax base eventually out of it by providing water down there.

The Board authorized the County Manager to approve the required action and execute the necessary documents for submittal to the United States Department of Housing and Urban Development (HUD) for a twenty (20) year amortized Section 108 Loan to complete the West Canaveral Groves Waterline Project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.C.1., RESOLUTION AND ASSIGNMENT OF GROUND LEASE TO THE CITY OF MELBOURNE, RE: TRINITY TOWERS SOUTH

Jack Masson, Parks and Recreation Director, stated this is an authorization for the Board to approve an assignment of a ground lease to the City of Melbourne. He advised currently, the site that the Trinity Towers is located on, which is off of New Haven on the Ruth Hennegar site, it has been leased, or was leased from the Board to Trinity Towers back in 1979; in a conveyance to the Board, or requesting the Board to convey the property of the parking lot at the Ruth Henniger site, the property description also incorrectly included the Trinity Tower site. He stated staff is asking the Board to ratify that and to accept the ground lease to the City of Melbourne for this piece of property; and his staff has worked with Scott Knox, County Attorney, and staff for this agreement.

Chairman Bolin Lewis inquired if this is being brought to light because of a transaction possible where that property is being sold, and the City needs clear title to it. Mr. Masson responded yes. Chairman Bolin Lewis understood the Trinity Towers South is being sold; and inquired if the Board or Trinity Towers would be receiving money from it. Mr. Masson replied the property is in the process of being sold through Trinity Towers, this provides clear title for that transaction.

Chairman Bolin Lewis inquired when the Board did the transfer of real estate, there was a cost of transaction clause, and inquired if staff had considered that in this case. Mr. Masson responded not to his knowledge.

Commissioner Fisher inquired if there are any closing costs or transaction fees involved. Scott Knox, County Attorney, responded it will not cost the County anything; and the reason for this is because Trinity Towers is one of three complexes being sold to a group in Massachusetts, and PNC Bank is financing that transaction, and are requiring certain additions to the lease. He went on to say since the County does not really have title of the property at this time, the ground lease has to be assigned to Melbourne in order for someone to make those changes to the lease for financing.

Stockton Whitten, County Manager, stated he believes this is different from the 192 project, the County does not have title to this property, and are simply conveying a ground lease. He added

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it makes it a little different than the 192 sale, which came to the Board via tax law; and that is the difference between the transactions.

Attorney Knox stated there are 54 years remaining on the lease.

The Board adopted Resolution No. 14-121, pursuant to Section 125.38, Florida Statutes, authorizing the Assignment of Ground Lease to County Real Property, and providing for an effective date; and approved the Assignment of Ground Lease, assigning the property on which Trinity Towers South is located on Melbourne Avenue, to the City of Melbourne.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Robin Fisher, Vice Chairman/Commissioner District 1
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.E.1., AUTHORIZATION TO ESTABLISH A GROUND LEASE AND REVENUE SHARING AGREEMENT WITH CITY OF INDIAN HARBOR BEACH, RE: COUNTY RF TOWER SITE

The Board authorized the County Manager or his designee to negotiate and establish a ground lease and revenue sharing agreement with the City of Indian Harbour Beach for the County to locate a County RF tower off Osceola Drive on City property that will become part of the 800 MHz Public Safety Radio Network administered by Emergency Management; and authorized the County Manager or his designee be authorized to sign/execute any documents and renewals on behalf of the Board as may be required to execute/administer any new lease agreements and any subsequent extensions of leases, and such agreements/renewals shall be subject to approval by the County Attorney's Office.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM VI., PUBLIC COMMENTS

Richard Charbonneau stated he has been doing a little research on All Aboard Florida, and he met with Rusty Roberts a couple times. He stated he has been asking some pertinent questions about All Aboard Florida, and it makes him have more and more questions. He added he had told Mr. Roberts that when he was in college, he laid railroad track, and he asked if heavy or light rail was going to be put down; Mr. Roberts responded they were doing heavy rail. He went on to say he asked why the heavy rail from Miami to Cape Canaveral if it will be used for high speed trains, because he believes the high speed rail would ride like a buck board on heavy rail; and he replied there will be freight increases and high speed. He advised he was thinking this is getting clearer; and asked about the rail from Cape Canaveral to Orlando, and he was told that, on no uncertain terms, that there was never going to be freight rail going from Cape Canaveral to Orlando because All Aboard Florida was prohibited, and that is because CSX has some sort of Agreement that only they can do that. He noted he asked Rusty Roberts what type of rail would be ran to Orlando, and he said heavy rail; and he asked why he would run heavy rail if they are not allowed to run freight on it, and Mr. Roberts did not have an answer. He went on to

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say he told Mr. Roberts he was an investor in General Electric and he gets a little things that prompt him monthly or weekly on things that General Electric is doing, and it said they had received an order from CSX for 24 new slow speed, heavy pulling engines at \$3 million a piece, and it will take two years to deliver them. He questioned why, if there is high speed rail, are they buying heavy pull engines and heavy rail. He stated Mr. Roberts got a little miffed with him and, subsequent to that, he spoke with a friend, Scott Ellis, and they both think there is something going on, that the high speed rail is somehow going to be switched, and that the high speed rail may not really happen. He noted he did a little sniffing around and Brevard County Board of County Commissioners (BOCC), as well as Indian River County BOCC, and St. Lucie County BOCC doing some sort of resolution to stop the rail, and he does not think it can happen if it was coming.

Charles Tovey stated his mother had a stroke, and he knows he has no justification in why anything is done; he is busy tending to things. He added his distraction has stopped from the legal aspect of it; he does not have a mailbox, it was destroyed; and he had a no trespassing sign behind it, but it was destroyed as well. He added they took his water and his medicine, as well as his paraphernalia for his medicine, his legal documents, and he must say the river is looking better compared to what it used to. He advised the manageability and recovery is showing, and just like the health care, if there were alternatives that would help instead of doing the overall package. He added he can help with irrigation, or anything; he has done just about everything; he holds many hats, maybe not to the Board's standards, but he can do them. He added there are drains clogged with election signs; and with the little bit of rain needs to go where it needs to go. He went on to say August and half of September are dry months; the water needs to be collected; and the water that is sitting around can be utilized for all of the products that cannot be afforded, can be adapted for temporary solutions or remedies to help with the budget.

Dennis Clurla stated he is also aware of the 24 diesels that are being built by General Electric for the rail system, and in Micco, they already have the two rails. He added it is about a 40 minute wait when one of those train laborers, approaches; and it can close Micco Road and even Barefoot Bay, further north, for some time. He noted he is not opposed to having commuter rails, he believes it is a good idea, he lived in South Florida, Tri Rail was a good thing to have, it went to the airport, Miami, and it has busses that went to the various stops, and it was good for working people. He went on to say he does not understand why they would have a rail from Orlando, with the first stop to West Palm Beach and how that would be a positive factor for anyone between those two points. He added he understands they are building heavy rail, and if that is the case, there will be 60 trains going by. He added that will severely truncate Southern Brevard County; and the Fire Department cannot even get to the houses on the other side of the tracks. He advised the access to the hospital in Sebastian would be impacted and all of these communities would be effectively, in his opinion, disappear; and he understands his area has very low impact on everybody; Micco is sort of forgotten, and sometimes they are happy about it and others they are not. He added to them there is no benefit to the counties in between Orlando and West Palm Beach.

Upon consensus of the Board the meeting was adjourned at 10:20 am.

ATTEST:

SCOTT ELLIS, CLERK

MARY BOLIN LEWIS, CHAIRMAN
BREVARD COUNTY BOARD OF COUNTY
COMMISSIONERS