

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, December 6, 2022

5:00 PM

Regular

Commission Chambers

A. CALL TO ORDER 5:01 PM

Present: Commissioner District 1 Rita Pritchett, Commissioner District 2 Tom Goodson, Commissioner District 3 John Tobia, Commissioner District 4 Rob Feltner, and Commissioner District 5 Kristine Zonka

C. PLEDGE OF ALLEGIANCE

Chair Pritchett led the assembly in the Pledge of Allegiance.

E.1. Resolution: National Homeless Persons' Memorial Day

Commissioner Tobia stated as discussed at the November 15th meeting, it is a District 3 policy, and he will not vote for more than 12 resolutions per calendar year, unless placed on Consent by one of the Commissioners; therefore, he will be voting against this item, not on the basis of the merits, but on Policy 254, Section 1, Subsection A, of the District 3 Policy manual.

Chair Pritchett advised it may be a loophole since some of the Commissioners are newly elected and the Board is just starting over.

Commissioner Tobia pointed out, Chair Pritchett has been here.

Chair Pritchett noted it is kind of different when a Commissioner is Chair, because he or she gets all of the staff resolutions.

Chair Pritchett read aloud, and the Board adopted Resolution No. 22-157, recognizing National Homeless Persons' Memorial Day.

Result: Adopted

Mover: Kristine Zonka

Second: Tom Goodson

Ayes: Pritchett, Goodson, Feltner, and Zonka

Nay: Tobia

Amber Carol, Executive Director of the Brevard Homeless Coalition stated she is joined today by members of her staff, as well as the Brevard Homeless Coalition Board of Directors, the Continuum Care Advisory Council, and other direct-service providers in the community; she expressed her appreciation to the Board for recognizing this very important day in the community; she stated she wants to take a moment to recognize Ian Golden, Housing and Human Services Director, and his staff who really stepped up during the last two hurricane's to the County to ensure the most vulnerable had shelter; she stated Homeless Persons' Memorial Day is a big deal; and this year they will memorialize the lives of those who have died on the streets or in the shelters from the conditions directly related to their homelessness. She continued by saying in many cases these services, and there will be three, will be the only commemoration of their lives; they are in the process of identifying the individuals by name who have passed away this year while homeless; advocates, friends, community leaders, and service providers hope to bring attention to the need for more resources to provide affordable housing, emergency shelter, and medical care for the most vulnerable citizens; she wants to invite the Commissioners to one of the three of their memorial services in the County this year at 1:30 p.m. on December 21, 2022, at Daily Bread, at 3:00 p.m. in Cocoa at Matthew's Hope, and at 5:00 p.m., they will meet at Under the Bridge Ministries at Sand Point Park Pavilion in Titusville; and it is a very good opportunity to come together to remember this very important

day. She commented the Point in Time Count is coming up on January 30, 2023, and that is their response to this as well; it is a day that they counted all of those in the community who are experiencing homelessness; and their hope is that they can identify those who need resources and to plead for more in this community to meet this need.

Commissioner Zonka expressed her appreciation to the Brevard Homeless Coalition for everything they do; and she stated she loves it when organizations get together to try to work with each other instead of competition with each other for the common good.

Chair Pritchett expressed her appreciation for all the Brevard Homeless Coalition does, she knows they do not receive paychecks for this.

E.2. Resolution Recognizing the Brevard County Library System on its 50th Anniversary

Commissioner Zonka read aloud, and the Board adopted Resolution No. 22-158, recognizing the Brevard County Library System on its 50th Anniversary.

Result: Adopted

Mover: Kristine Zonka

Second: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

Wendi Bost, Library Services Director, stated it is an honor to be with the Board today; she introduced Michael Boonstra, Historical Librarian and Genealogist, Dr. Rochelle Canyon, Chair of the Brevard County Library Advisory Board, Mark Broms, and Edwin P. Poole who are with her to accept this award; she noted they had an event on December 1, 2022, there were 110 people; and for people who ask her if people are still using the library, the door count has been 130,000 people a month. She went on to add people come in for a variety of reasons; they just received an award now from CareerSource Brevard for being their number one referral agency to get people jobs; they also received an award from Brevard 2-1-1 the Stars of Brevard County for their work with youth; it is very exciting to be a part of the library at this time; and she would love to see people come to talk to them, use the mobile library in action, as it is not just a place that has books but they provide resources for children to learn and grow with technology, coding, and more. She expressed her appreciation to Michael Boonstra, again, for putting together a wonderful celebratory event on their 50th anniversary.

Commissioner Zonka stated she realizes that people have a misunderstanding when it comes to how important their libraries are to them; all a person would have to do is to drive by the parking lot of the libraries to see how many people use the library services; and she expressed her appreciation for everything the Library staff does and people who support the libraries.

Ms. Bost advised the people who work in the libraries are the people who make the magic happen.

F.3. Approval, Re: Dedication by Warranty Deed for Tract F of Savannah Landing and Bill of Sale from CW-Savannah, LLC, all Related to Lift Station R-11

The Board accepted Warranty Deed for Tract F of Savannah Landing and Bill of Sale from CW-Savannah, LLC, related to Lift Station R-11.

Result: Approved
Mover: John Tobia
Seconders: Kristine Zonka
Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.4. Approval for Payment of Emergency Invoices to Meeks Plumbing, Inc. for Assistance with Pumping of Lift Station M-20 on Merritt Island and Lift Station J-02 in Port St. John

The Board approved payment to Meeks Plumbing, Inc. for their efforts in the amount of \$712,277.50 for high water flows due to recent high rain events and additional rain from Hurricane Ian on Merritt Island and in Port St. John; and approved associated Budget Change Requests.

Result: Approved
Mover: John Tobia
Seconders: Kristine Zonka
Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.5. Resolution Approving the Issuance by Brevard County Housing Finance Authority of Multi-Family Housing Revenue Bonds (Emerald Place Apartments Project), in an Amount Not to Exceed \$15,000,000

The Board adopted Resolution No. 22-159, allowing the issuance by the Brevard County Housing Finance Authority of multi-family housing revenue bonds to finance the acquisition, rehabilitation, equipping, and development of Emerald Place Apartments, not to exceed \$15,000,000.

Result: Adopted
Mover: John Tobia
Seconders: Kristine Zonka
Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.6. Resolution Approving the Issuance by Brevard County Housing Finance Authority of Single Family Mortgage Revenue Bonds or in the Alternative, the Issuance of Mortgage Credit Certificates or in the Alternative, the Issuance of Multifamily Revenue Bonds

The Board adopted Resolution No. 22-160, allowing the Brevard County Housing Finance Authority to apply for an allocation with the Florida Division of Bond Finance and to allow for the future issuance by the Authority of Single-Family Mortgage Revenue Bonds or in the alternative, issuance of mortgage credit certificates, or in the alternative, issuance of multi-family revenue bonds during 2023 through 2025.

Result: Adopted
Mover: John Tobia
Seconders: Kristine Zonka
Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.7. Assignment and Assumption of Exchange Agreement and Right-of-Way Use Agreement

The Board consented to, and authorized the Chair to execute, the Assignment and Assumption of an Exchange Agreement and Right-of-Way Use Agreement from NASA Investment Partners, LLC, to Rex Hoffman and Heidi Hoffman, as Trustees of the Rex and Heidi Hoffman Trust dated November 30, 2012.

Result: Approved

Mover: John Tobia

Seconders: Kristine Zonka

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.8. Acceptance and Approval of Internal Audit Reports and the FY 2022/2023 Internal Audit Plan

The Board acknowledged and approved the Internal Auditors' Reports and the Proposed Internal Audit Plan for FY 2022/2023.

Result: Approved

Mover: John Tobia

Seconders: Kristine Zonka

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.9. Appointment(s)/Reappointment(s)

The Board acknowledged appointments/reappointments of Yvonne Minus to the Community Development Block Grant Citizen Advisory Board (CDBG), with term expiring December 31, 2024, and Curt Smith to the Save Our Indian River Lagoon Citizen Oversight Committee, with term expiring December 31, 2024.

Result: Approved

Mover: John Tobia

Seconders: Kristine Zonka

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.10. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: Approved

Mover: John Tobia

Seconders: Kristine Zonka

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

F.11. Precinct Boundaries - Altered and Added (Chapter 101.001(1) F.S.)

The Board approved the revised precinct boundaries due to annexations by the Cities of Melbourne and West Melbourne.

Result: Approved
Mover: John Tobia
Second: Kristine Zonka
Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

G. PUBLIC COMMENTS

Dontavious Smith stated it was an honor for him to have his name on the ballot to represent constituents and citizens of Brevard County in District 2; he expressed his love and respect for Tom Goodson, District 2 Commissioner; he stated he is what they call the Original Gangster (OG) in the Game; and he is a good Commissioner who he respects. He went on to say he is done, people do not have to worry about him running for anything else ever again; he will be 40 years old in a couple of years; he is a CEO in the private sector and that is much more successful, he will do his thing, and not worry about votes and marketing to constituents to have change; now, to propose his last finale, he will call it, because he wants to make sure the Board takes care of his children, because he loves them; and that is what he does this for. He noted this is why he invests his time, energy, ingenuity, and intellectual property to bring to constituents to show them that their children are their innovation and the future; he is not suitable for a School Board meeting; he is more suitable to ask the Board this; he wants to propose a 3-2-1 takeoff plan; and what he means by that is Brevard County students work hard even though their environments are different. He added the students have different ways in behavior and he understands that; yet, they should be given incentive for their efforts, for going through the curriculums of Brevard County citizens; he wants to propose that Brevard County, the municipalities, the School Board, and United States Border Custom Patrol to gather up in partnership in intergovernmental relations to create a program where all graduating high school seniors with a diploma, and has had no disciplinary problems, receives a passport on behalf of Brevard County as a thank you on behalf of the County representing it and going to see the world, because Brevard County is not it; this is what is needed in ingenuity, it needs to innovate the students to see the world, to bring innovation back to Brevard County, which he has done; and he thinks it will be more suitable for kids to go to school, be good, and get good grades, because going to see the world on behalf of Brevard County is the number one initiative.

Chair Pritchett stated Mr. Smith has been most enjoyable through this whole session; and she wishes everybody ran the way he did, he is delightful.

Commissioner Zonka pointed out that is exactly what she was going to say; he may be gone from running for office, but she hopes he is not gone for good, because the Commissioners enjoy him and his enthusiasm; and she asked if Mr. Smith means an actual passport.

Mr. Smith replied a real life passport.

Commissioner Zonka stated that is what she thought he meant, but she just wanted to be clear.

Mr. Smith stated he did not have the opportunity to see the world until after he went to college; having the requirement of a foreign language to graduate high school, he thinks a passport to go see the world, or having that as a requirement, is more suitable as the initiative, and having Brevard County be that trend setter to show the students it does care about them; every County has behavior problems; but the County would be taking the initiative to show the students it cares about them, wants them to see the world, and wants to congratulate them for going through the curriculum as a Brevard County citizen, and being a substantial citizen by not having any behavioral problems, good grades, and having a diploma. He commented whatever option the students choose to go through the professional realm, educational environment, or the workforce, it does not matter, they have a passport to work hard to be able to travel and

enjoy a weekend in Puerto Rico or Mexico; he thinks the Board should use that in the governmental relations with the municipalities because it is not all on the County; and he thanks God each of them are the County Commissioners, because the Board supersedes certain areas where children have opportunities where students do not have to go to the School Board.

H.1. Petition to Vacate, Re: Public Utility & Drainage Easement- 1405 Sykes Creek Drive - "Diana Shores Unit No. 10" Plat Book 25, Page 53 - Merritt Island - Christopher & Allison Getchell

Chair Pritchett called for a public hearing to consider a petition to vacate a public utility and drainage easement for 1405 Sykes Creek Drive, Diana Shores, Unit No. 10, as petitioned by Christopher and Allison Getchell.

Marc Bernath, Public Works Director, stated this is a petition to vacate; it is a public utility and drainage easement at 1405 Sykes Creek Drive, Diana Shores, in Merritt Island, District 2; the petitioners are requesting vacating of a five-foot wide public utility and drainage easement to allow construction of a pool; and there is no objection at this time.

There being no comments or objections, the Board approved and adopted Resolution No. 22-161, vacating a public utility and drainage easement in Plat "Diana Shores Unit6 Unit No. 10 subdivision, Merritt Island, as petitioned by Christopher and Allison Getchell.

Result: Adopted

Mover: Tom Goodson

Second: Kristine Zonka

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

H.2. Petition to Vacate, Re: Public Utility & Drainage Easement- 1385 California Drive - "Holiday Springs at Suntree" Plat Book 28, Page 67 - Melbourne - Russell & Jacqueline M. Rizzo

Chair Pritchett called for a public hearing to consider a petition to vacate a public utility and drainage easement at 1385 California Drive, Holiday Springs at Suntree, as petitioned by Russell and Jacqueline M. Rizzo.

Marc Bernath, Public Works Director, stated this is also a petition to vacate; this is a public utility and drainage easement at 1585 California Drive, Holiday Springs at Suntree in Melbourne, District 4; the petitioner is requesting the vacating of a five-foot wide portion of a 10-foot wide public utility and drainage easement to allow for the construction of a pool; and at this time, there are no issues.

There being no comments or objections, the Board approved and adopted Resolution No. 22-163, vacating a portion of a public utility and drainage easement in Plat "Holiday Springs at Suntree" Subdivision, Melbourne, lying in Section 02, Township 26 South, Range 36 East, as petitioned by Russell and Jacqueline M. Rizzo.

Result: Adopted

Mover: Rob Feltner

Second: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

I.1. Resolution Authorizing a Loan in a Principal Amount of Not-to-Exceed \$20,000,000.00 from the Florida Local Government Finance Commission (FLGFC) Pursuant to its Pooled Commercial Paper Loan Program (Loan Program) in Order to Provide Interim Financing for Various Capital Improvements to the County's Solid Waste Disposal Facilities

Tom Mulligan, Solid Waste Management Director, stated this is requesting the Board adopt a resolution authorizing a loan in a principal amount not-to-exceed \$20,000,000 from the Florida Local Government Finance Commission (FLGFC) pursuant to its Pooled Commercial Paper Loan Program; this is to provide interim financing for various capital improvements to the County's Solid Waste Disposal facilities; they are requesting three actions; request the Board of County Commissioners to adopt the resolution authorizing the borrowing of not-to-exceed \$20,000,000 in principal amount; to delegate the authority to the Chair to execute the resolution and various closing documents with respect to the issuance of the loan; and to authorize the County Manager to approve all necessary budget change requests, and implement this request.

The Board approved and adopted Resolution No. 22-163, authorizing the borrowing of not-to-exceed \$20,000,000 (\$20M) in principal amount; delegated authority to the Chair to execute the Resolution and various closing documents with respect to the issuance of the loan; and authorized the County Manager to approve all necessary Budget Change Requests to implement this request.

Result: Adopted

Mover: Rob Feltner

Seconders: Kristine Zonka

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

**J.1. Performance Bond Reduction: Pangea Park, Phases 1 & 2 - District 4
Developer: The Viera Company**

Marc Bernath, Public Works Director, stated this is a performance bond reduction for Pangea Park, Phases 1 and 2, District 4, south of Pineda Causeway and west of Lake Andrew Drive, as requested by The Viera Company; it is for \$5.7 million of the cash performance bond provided with contracted date of October 26, 2021; as of October 28, 2022, the items to be completed are electrical service for the lift station and some segments of sidewalk for the pedestrian bridges; if the bond reduction is approved, the County will still be retaining the \$2.3 million; and there are no issues.

The Board, in accordance with Section 62-2844(b), authorized the release of a portion (\$5,725,377.14) of the cash Performance Bond provided with Contract dated October 26, 2021, for Pangea Park, Phases 1 and 2, Developer – The Viera Company.

Result: Approved

Mover: Rob Feltner

Seconders: Kristine Zonka

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

J.2. Restoration of Engineered Dunes in South Beaches Post Hurricane Nicole

Virginia Barker, Natural Resources Management Director, stated this item is regarding restoration of the engineered dunes in South Beaches post Hurricane Nicole; and to provide

the introduction to the item is the Beach Management Coordinator and Beaches and Boating and Waterways Program Manager, Mike McGarry.

Mike McGarry stated this is a project in the South Beaches in District 3; in October, the Board previously approved a beach and dune restoration project in the South Beaches for damages associated with Hurricane Ian; and Tropical Storm/Hurricane Nicole caused much more, significant damage, over three times the erosional damage to the shoreline, so this item would allow restoration of that damage, seeking Federal Emergency Management Agency (FEMA) reimbursement, and temporary funding options to fulfill that portion of funding not immediately available in the Tourist Development Beach Improvement Fund.

The Board authorized execution of a change order, not-to-exceed 25 percent, with the newly selected sand placement contractor for repair of a portion of Hurricane Ian damage to the South Beaches engineered dune restoration project, to also complete a portion of the repair of damage associated with Nicole; authorized the allocation of American Rescue Plan Act (ARPA) funding up to \$8.4 million, which is currently available in contingency funds and other available ARPA funds resulting from alternative grant awards and/or necessary General Fund Reserves; authorized the County Manager to execute all contracts and task orders in excess of \$200,000, including construction and maintenance, engineering, and environmental services necessary to complete the projects associated with both Ian and Nicole; authorized staff to seek Federal Emergency Management Agency (FEMA) and State reimbursement; authorized the County Manager to approve any associated Budget Change Requests; and authorized advertisement of a bid for South Beaches engineered dune Hurricane Ian and Nicole restoration and award contracts to the lowest qualified responsive bidders.

Result: Approved

Mover: Kristine Zonka

Seconders: John Tobia

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

J.3. Approval, Re: Tourist Development Council FY 2022-2023 Cultural Support Grant Program Recommendations for Six (6) Additional Grants

Peter Cranis, Tourism Development Office Director, stated the item is approval of six Cultural Support Grants for a total of \$90,000 coming from the Tourist Development Council.

Commissioner Zonka stated she does not have any issues with these; she likes their plans, they were pretty concise with their budgeting and very direct on what they needed those funds for; she thinks they will all enhance their projects; she likes the fact the County is helping six agencies with the \$90,000; and she supports it.

The Board approved funding for the following FY 2022/2023 Cultural Support Grant Program applications:

- Titusville Playhouse, Inc. - \$20,000
- Space Coast Symphony Orchestra - \$20,000
- Surfside Playhouse, Inc. - \$10,000
- Melbourne Main Street, Inc. - \$20,000
- Field Manor Foundation, Inc. - \$10,000
- City of Palm Bay - \$10,000

Further, based on fact specified for each grant, by approving this Agenda Item, the Board will make legislative finding that Tourist Development Tax funds are authorized for cultural grants

pursuant to Section 125.0104(5)(a)3, Florida Statutes, and Section 102-119(3)d, of the Brevard County Code of Ordinances; and each of the tourist oriented cultural and special events have as one of its main purposes the attraction of tourists, and the entity and the Space Coast Office of Tourism both intend to ensure marketing and promotion of these events to tourists. Additionally, the Board authorized the Tourist Development Office Director to negotiate and sign all necessary grant agreements, Budget Change Requests, and related documents to support the grants upon County Attorney and Risk Management approval; and authorized the County Manager to execute necessary Budget Change Requests.

Result: Approved

Mover: Kristine Zonka

Second: Tom Goodson

Ayes: Pritchett, Goodson, and Zonka

Nay: Tobia, and Feltner

J.4. Approval, Re: Tourist Development Council FY 2022-2023 Major Event Grant Program Recommendations

Peter Cranis, Tourism Development Office Director, stated this is for two major event grant awards; one for the Cocoa Beach Air Show; the second for the Thunder on Cocoa Beach Boat Races; and the amounts were \$87,852 for the air show and \$53,790 for the boat races.

Rich Hensel stated on behalf of the County Commissioners, the Tourist Development Council (TDC), and the cultural committees, they thank the Board for all of its support over the past 13 years; Thunder on Cocoa Beach Boat Races event has seen an annual increase of out-of-town visitors, and has made this event so successful; without the continued community support, they would not be here; with the increase of cost of goods, their P1, which is their sanctioned body and television partner, increases and everything else in this current economy, they respectfully ask for the Board's continued support; and \$87,000 is consistent with all of their other major events in the community, so they are requesting the same.

Commissioner Goodson inquired if Mr. Hensel said \$200 is what each person would spend for each event.

Mr. Hensel replied affirmatively, with their economic impact study.

Commissioner Goodson asked how Mr. Hensel arrived at that number.

Mr. Hensel responded they have different stages, but what they have done with the TDC, and everything they have worked off of for the last 15 years, their numbers have gradually increased, so that is where they have the \$200, from the past, 2022.

Commissioner Zonka advised she was looking at their application, and she noticed they have listed on there that they are a non-profit.

Mr. Hensel replied they have a non-profit, which is Freedom Fighters.

Commissioner Zonka asked if the Freedom Fighters is his non-profit.

Mr. Hensel responded it is not their non-profit, it is the non-profit that they chose to be part of this program.

Commissioner Zonka pointed out he applied for it under the Thunder on Cocoa Beach Boat Races; she asked if Mr. Hensel remembers what organization he applied for it under; and she stated she found his application, and Thunder on Cocoa Beach is the title of the event and the organization is Space Coast Super Boats, LLC, and he did not apply for it under the non-profit.

Mr. Hensel explained he does not have the answer to that.

Kerry Bartlett stated Space Coast Super Boaters founded, and operates the boat race; the Freedom Fighters is their chosen charity for the past few years; and this year they have given Freedom Fighters over \$10,000 for them running the merchandizing, VIP, and the ticket sales.

Commissioner Zonka stated she saw them, and asked if that is the same organization as the people who wrote the recommendation letter.

Mr. Bartlett responded he believes they wrote a recommendation letter, the hoteliers have written recommendation letters; and he asked if she is referring to the one that is in the application.

Commissioner Zonka replied affirmatively.

Mr. Bartlett stated he believes they did write one.

Commissioner Zonka commented she believes it was from Jenny Pruett.

Mr. Bartlett replied yes, she runs Freedom Fighters.

Commissioner Zonka asked if she was related to Kevin Pruett who is on his organizations' board.

Mr. Bartlett responded affirmatively.

Commissioner Tobia asked if the Board is going to be voting on these individually, or how the Board wants to handle that.

Chair Pritchett replied that makes more sense.

Commissioner Tobia inquired if the Board wants to start with this one.

Chair Pritchett responded she certainly does.

Commissioner Tobia asked in their application they mentioned in 2021 over the three days that there was an estimated visitor expense of somewhere in the neighborhood, and they did a good job of breaking it up, of \$14 million.

Mr. Bartlett asked if he means the estimated economic impact, then yes.

Commissioner Tobia stated this is a couple of years old; and he asked out of curiosity, what Mr. Bartlett would expect it to be this year.

Mr. Bartlett noted this year they saw a tremendous increase in the number of not only national visitors but international; in 2021, they did not have the international teams because they were stuck overseas; in 2022 they had those; they had an additional nine teams; and they are

expecting another additional eight for 2023, so they had that additional international business that they did not have prior.

Commissioner Tobia asked if it was a 50 percent increase.

Mr. Bartlett replied probably a 30 percent increase.

Commissioner Tobia stated he does not know where everyone else on the Commission is with this, but he would like this to go back to the TDC; he thinks there are some numbers that the TDC received when voting on this that are drastically different than what is being heard from this applicant; there is an extra zero involved, 30 percent to 300 percent; and he thinks the Board should give the TDC a chance to vote on this given that they have accurate numbers.

Commissioner Zonka advised she has a real issue, whether intentional or not, they represented themselves as a non-profit, but the application is Thunder on Cocoa Beach, it is not under the non-profit.

Mr. Bartlett explained they never presented themselves as a non-profit.

Commissioner Zonka pointed out it is on the application, it says type of organization is a non-profit as part of the application; and they have to understand, she is looking at a letter that says they are a Freedom Fighter, which is their organization.

Mr. Bartlett stated no.

Commissioner Zonka stated because Jenny Pruett is related to one of their board members; and that is where she is confused, it gets a little muddy.

Mr. Bartlett commented she started a non-profit a number of years ago that fights human trafficking; and numerous years before, they provided money for other non-profits.

Commissioner Zonka stated there is no way for the Board to see that because they did not apply as a non-profit; at least with the air show she can pull the 990's to see they are actually donating to charity like they represent; with theirs, she cannot see that; she is not comfortable with these large events on principal; but she does not know where the rest of the Board is; she would have liked to have had a more comprehensive budget; and she knows they explain it, but she is not comfortable with the way that it sits now.

Chair Pritchett advised she is comfortable with sending it back to the TDC to do a little more work on it, and to come back with some data.

Commissioner Zonka asked if Chair Pritchett wants them to do that if they do not have the votes, does she want them to go through the process; she stated if they have the votes, then she would say to send it back; but that would depend on the desire of the Board; and she does not want them to waste their time.

Chair Pritchett advised she had a little bit more comfort with this one than the next one; she does know a lot of their proceeds, they do make donations to charities, so she just knows that about their reputation; but it is up to the rest of the Board; and she would feel comfortable sending this back and getting a little more tighter numbers and giving it one more round.

Commissioner Tobia stated his hat is off to the two new Commissioners who are holding their cards tight; he thought that was a compromise sending it back; to be clear, he is not going to

vote for it no matter what comes of it; and he just did not want to see an affirmative because some of these numbers were not a fair representation of, and it is not the applicant's fault, he had no issues with the numbers they provided, just the numbers from the board who made the decision on that were a little inaccurate.

Chair Pritchett noted this is kind of going on in Commissioner Goodson's area, and she knows the Board is working on getting a little bit more diversity so that all of the Districts have a little bit more equity, so his plea on this is going to mean a lot; she kind of found comfort in it; but again, it is kind of what the rest of the Board wants to do.

Commissioner Goodson explained since he has been called the Original Gangster (OG) today, and since Feltner comes before Goodson, could he ask Commissioner Feltner to answer his questions.

Chair Pritchett stated she would not mind a bit, but he does not have a light on.

Commissioner Goodson pointed out Commissioner Feltner needs to turn his light on.

Commissioner Feltner expressed his appreciation to Commissioner Goodson for helping him out; and he stated he does not have a problem sending it back to the TDC, letting them tighten this up, and the Board can review this again.

Commissioner Goodson stated he agrees, because the \$200 confuses him; and he asked when the event is.

Mr. Bartlett responded May 18-21, 2023.

Commissioner Goodson stated then he has plenty of time to answer the questions of the Board; and he asked if that is correct.

Mr. Bartlett replied affirmatively.

Commissioner Zonka stated she would like to encourage Mr. Bartlett that he may have to resubmit the application since it is inaccurate either under the non-profit he said he was running the event through, or to change his status to an LLC as part of his application.

Mr. Bartlett stated he would have to look at it.

Commissioner Zonka stated she is sure it was an error, but she would fix that.

Mr. Bartlett advised it had not been brought to their attention until now; they are not grant writers or anything like that; they put on a tremendous event, a 14-year old event that the County, Cities of Cape Canaveral and Cocoa Beach, and Port Canaveral enjoy; and they will do whatever they have to do to satisfy the Board.

Chair Pritchett stated the amount of people they draw and the way they manage their budget was impressive to her; she expressed her appreciation to Commissioner Zonka for paying attention to these dollars; and she asked them to get everything straightened out and to where the Board will feel comfortable.

Mr. Hensel noted their events will bring in over \$100,000 this year.

The Board authorized the request of the TDC FY 2022-2023 Major Event Grant Program recommendations' for Thunder on Cocoa Beach Boat Races to go back to the TDC for it to work on the numbers and to bring it back to the Board.

Result: Continued

Mover: Tom Goodson

Second: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

Chair Pritchett stated she is going to move to the next item, the Cocoa Beach Air Show.

Kyle Smith, representing the Cocoa Beach Air Show, introduced himself to the Board.

Commissioner Zonka asked if he is part of the foundation and the air show.

Mr. Smith replied affirmatively.

Commissioner Zonka asked if this is the only event the foundation runs through it.

Mr. Smith responded yes.

Commissioner Zonka stated so, the foundation runs no event except the Cocoa Beach Air Show through it.

Mr. Smith pointed out this is the only show that it operates.

Commissioner Zonka asked if this organization exists only for the Cocoa Beach Air Show.

Mr. Smith replied yes.

Commissioner Zonka stated in his letters of support, he has letters from Orange County, New York; and she asked if he received any funding from them.

Mr. Smith replied no.

Commissioner Zonka asked if the City of Cocoa Beach provided \$5,000.

Mr. Smith responded something like that, yes.

Commissioner Zonka asked if there is funding from City of Sanford.

Mr. Smith replied no, not through the City of Sanford, but they do have some funding from their county.

Commissioner Zonka stated Mr. Smith probably does not do the 990's, it is probably Mr. Lilly that does; she went through them, and from 2013 through 2019, because the County has been here before and she has been pretty vocal for her non-support of it, due to the pitch, at least in the past from Mr. Lilly was, and a Commissioner that was friends with him was, they do a lot of charity work; when they pulled the 990's, there was not a lot of charity work for those years; and she noticed on the 990, he does not have a compensation level for himself like he did before, because in 2018 he showed a compensation of \$86,067, same in 2016 and 2017. She noted she sees how that was shifted because as a board member he was compensating himself; he is not here to ask the question to, so she will ask Mr. Smith; and she asked in this

existing budget, looking at the budget for the application, is there compensation for Mr. Lilly or Lilly Productions in there.

Mr. Smith advised in this budget, no.

Commissioner Zonka stated there is no way for the Board to know that, because he or she cannot see his books; and she asked if there are any charitable activities this year so far.

Mr. Smith replied yes, they have the Cajun Scholarship in perpetuity with Florida Institute of Technology (FIT).

Commissioner Zonka stated that is probably all of the questions she has right now; she thinks these events are great for the County, and she will just say these are well-established events that do not need a government subsidy to operate; she does not think it is a wise use for the County's tourism tax dollars; she thinks the Board should focus more on events that bring major things to the City or the County; the Board has no way of knowing how they are spending the money; and she does not want to increase someone's profit margin because the TDC has the money available. She pointed out she never liked these large event monies because she thinks they do not help enough people; it is not personal; she apologized for putting Mr. Smith on the spot; but she advised she is not going to support this.

Commissioner Goodson stated Mr. Smith mentioned a scholarship at FIT; and he asked how much the scholarship is.

Mr. Smith advised it is in perpetuity, and he believes about \$35,000; and they just awarded their fourth scholarship yesterday.

Commissioner Goodson asked if they have awarded \$35,000 four times.

Mr. Smith responded it is \$35,000 total in the scholarship, and it continues to grow.

Commissioner Goodson asked if they have funded that this budget year, so they do not have to take that out of this.

Mr. Smith replied it is secure, yes; and he stated that is with FIT.

Commissioner Zonka stated she believes she saw the Facebook advertising funding those Cajun Scholarships; her husband has been a donator to that scholarship, because he has always been supportive of anyone who does that; again, it is not personal; for her it is just a matter of principal; the Board does not have open access to their books; and this is large amounts of dollars that could better benefit other organizations trying to get their events off of the ground.

Chair Pritchett asked if the County ever gets a breakdown of the budget afterwards, how much they spent in the revenues they had coming in.

Mr. Cranis replied yes, they do have a budget detail from 2021 that they can pull out.

Chair Pritchett inquired if after this event will they turn in their financials with the revenues and expenses.

Mr. Cranis responded the grant is based on reimbursement, so they have to submit all of their expenses in order to get reimbursed for those.

Chair Pritchett asked if the County receives all of them with the revenues and everything, and if they turn in a full financial statement for this project.

Mr. Smith advised he does not know how thorough that financial statement is, but as far as the reimbursement, as Mr. Cranis mentioned, they can do everything and have proof of any type of expenditures that are part of the grant.

Chair Pritchett stated she is thinking if this path is continued down and the County does this, it may not be a bad idea for large grants that the County gives, so the Board feels good of how it places the tax dollars; if the County continues to do these, maybe it should be like, if it is a great event the Board will support it for 'x' amount of years and then diminish it off, so hopefully people are able to do a productive event; and if it is not productive, maybe to reevaluate. She commented she thinks Commissioner Zonka is probably right to maybe put it out there for other events going on; she does not know how much is left for those events; she knows the County had a good year in bringing in the tax dollars; but that does not necessarily mean it should give it out in a hurry; and she does know air shows bring in some good visitors, and certainly entertain the ones who are there. She explained she voted against this in the TDC, and she will tell him why; they draw the same amount of people as the airboat show did, so she thought it was a little interesting that it was such a large amount; she does not know how to rewrite this for the TDC; but maybe, people who are doing a little bit better on their budget should not be penalized by giving them less; and she would probably be willing to approve this for the same amount as the Board approved for the airboat show, that is her comfort level right now.

Commissioner Zonka stated the 990's are from 25 or 26 pages; from 2013 to 2018 there were no charitable activities for that organization; this organization's sole purpose is to basically do the airshows; she asked what is the Board not seeing; she stated she thinks it just looks slimy; and she is not going to vote to support someone's profit margin.

Commissioner Feltner commented he was thinking about these two events leading up to this meeting, and having worked in a hotel for a long time, it is a cyclical thing with tourists, so there is a season, there is a shoulder season, there is a summer season with families coming to Brevard County from Orlando, and this is the weekend after Easter; that traditionally has not been a great weekend for travel, because everybody is back in school, Spring Break is over with, the kids are not out of school down here, and when talking about the tourism development tax, he thinks the sole purpose of it originally is to put heads in beds; and he does think people come here for the airshow.

Chair Pritchett reiterated she would probably support it for the same amount as the airboat show, but she wants to see financial statements after to see the revenue and expenses they have; she thinks she wants to start seeing these when the Board gives large grant funds.

Commissioner Zonka pointed out this event is going to happen whether or not the County subsidizes it or not, the Board just has to decide whether or not it is deserving of that subsidy; it is a successful event or they would not be doing it; this event is not done out of the goodness of someone's heart, everyone makes a living off of these events; if this was not an established event, they would have a better chance of getting support, at least from this Commissioner; she reiterated she is not going to support someone's big profits; and she stated the Board should use that money for new events it is trying to bring here, not events that already generate the tourism Commissioner Feltner was talking about.

Chair Pritchett asked if the Board would be comfortable bringing it back until it receives financials.

Commissioner Zonka stated Chair Pritchett may be, but she is not.

Commissioner Goodson advised he is not going to support this; he is sorry, but the Board just has too many questions that Mr. Smith cannot get back to the Board with; there are going to be other issues in the County that the Board can hopefully direct the money in the right direction to help the County; and he reiterated he will not be supporting it.

The Board denied Tourist Development Council's request to approve funding for FY 2022-2023 Major Event Grant Program application, in the amount of \$87,852.20, for the Cocoa Beach Air Show.

Result: Denied

Mover: Kristine Zonka

Seconders: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

J.5. Letter of Support for Charter Communication's Application to Receive State Grants Through Florida's Broadband Opportunity Program

Chair Pritchett stated she had a call from Spectrum; they are trying to get a grant from the State to help finance putting broadband lines throughout the County in areas where people cannot afford it; other companies can also apply for this; but she just put a letter, if the Board supports it, to send it to the State to help Spectrum receive funds.

The Board granted permission for the Chair to send a Letter of Support to the Florida Department of Economic Opportunity for Charter Communication's for applications to receive State grants through Florida's Broadband Opportunity Program.

Result: Approved

Mover: John Tobia

Seconders: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

K. PUBLIC COMMENTS

Rick Heffelfinger stated it was a good meeting tonight; he usually does not compliment the Board; it showed people did some research, which he likes; but he does not understand why the Board wants to poo poo over his boat show. He went on to add giving them money, maybe they are not using it right and do not need it. He asked the question whether he thought the Board's jobs were full-time or part-time; after doing some research, he has come to the conclusion they are part-time, because he knows looking at financial disclosures, there is not just one person who have other jobs; maybe he is just a little naïve, but that is just the way it is; he has not seen the new Commissioners stuff; he knows he or she are all part-time; and he is not going to hold he or she that tight to it, but there is a lot of important stuff that goes on. He stated he had started to ask the question whether the Board Members are fiscally conservative; he is really worried they are going to bust the cap; that scares the crap out of him with this inflation stuff; he thinks the Board has to find a way to hold that line better; maybe the County cannot afford all of the services; and maybe it has to throttle back, and he would like to see some ideas when some of this stuff comes up. He continued saving the money from the Tourist Development Council, maybe it can be used for something else, he does not know; he has questions about accountability, and if that is a Republican value; being accountable means the Board Members are available to answer questions from its constituents, even if the questions, in his or her opinion, is some tin hat conspiracy theory; last year there was some tin hat

accusations that these conspiracy theorists said, sometimes these conspiracy theories are true; and he hopes this new Board has a little more of an open mind when it comes to people bringing stuff to it. He noted he hopes that is one of the Board's values; transparency sounds like a Republican thing; he asked how the County responds to reasonable public records requests says a lot about whether it is about transparency; sometimes in the past, the Board has made it really hard; the Board needs information to make decisions, and so does the public; and he would like it to be worked on this year because he is going to be making some public records requests. He pointed out he has some friends in the Libertarian Party; they applied, paid money, from Keep Brevard Beautiful to sponsor a park, because that is their civic thing, they are going to clean up the park; a person pays \$75 bucks to get a sign saying they are sponsoring it; he does not understand what the problem is, but they could not get the sign, they have not given the \$75 back, and they are trying to be good citizens; and he asked the Board to look into it.

L.5. Report, Re: John Tobia, Commissioner District 3

Commissioner Tobia stated he sent an email out with a draft email that he is requesting that the Chair, on behalf of this Board, send to a couple of municipalities; there is an extraneous board that should have been done away with ages ago, it was to help build radio towers; those radio towers were built three years ago; apparently there are 16 municipalities that have to sign off and say that this board is dissolving; 14 of those 16 have given their okay; and there are two that are stagnating. He explained from what he hears, it is not the elected officials, it happens to be staff; these letters, and he is okay with them being changed, but he would appreciate these being sent out to the Cities of Cocoa and Melbourne; and if the Board does anything in the future, he would ask if any boards are created, he hopes a sunset clause is put on them, because this is so darned old that now this is being upgraded, and this board that is being initially put there to help build them should have gone away that long ago.

The Board authorized the Chair to send Letters to the Cities of Cocoa and Melbourne advising them to do away with the Intergovernmental Radio System Advisory Committee (IRSAC).

Result: Approved

Mover: John Tobia

Second: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, Feltner, and Zonka

Commissioner Tobia stated in April he handed out homework sheets regarding advisory boards; this was non-mandatory boards, and he appreciates everyone filling them out; however, there are a couple of new Commissioners on the Board; he said he would wait to initiate any action until he received the opinions of those two Commissioners; and he has a handout for the new Commissioners with the exact same form the current Board Members filled out. He went on to say if there are not at least two Commissioners who are interested in dissolving a board, he does not want to waste anyone's time with it; but to be clear, these are non-statutory board's so, in other words, the Board is allowed to do away with them; what he would ask of the two new Commissioners is to bring back suggestions, and he has included the Charter for the Board, as well as that one page or two-page accomplishments of the board, and the attendance; and more research can be done, but this is the low-hanging fruit. He asked the Commissioners to bring back suggestions of whether or not it is worthy or if it needs to be disbanded; and he stated he has a copy for the Clerk as well, but he is only asking for Commissioners Goodson and Feltner's opinion on those boards.

Commissioner Goodson asked if these should be brought back to a Board meeting, send them to Commissioner Tobia, or send them to the Chair.

Commissioner Tobia commented for Sunshine, he would appreciate it just be brought back to the Board meeting; he will not make any action until the public had the ability to lend their support one way or another.

Commissioner Feltner advised he and his staff will go through it and bring back recommendations.

Upon consensus of the Board, the meeting adjourned at 5:58 p.m.

ATTEST:


RACHEL SADOFF, CLERK

RITA PRITCHETT, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by Board February 2, 2023.