

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, February 25, 2020

9:00 AM

Regular

Commission Chambers

A. CALL TO ORDER 9:00 AM

Present: Commissioner District 1 Rita Pritchett, Commissioner District 2 Bryan Lober, Commissioner District 3 John Tobia, and Commissioner District 4 Curt Smith
Absent: Commissioner District 5 Kristine Isnardi

B. MOMENT OF SILENCE

Commissioner Lober called for a moment of silence.

C. PLEDGE OF ALLEGIANCE

Commissioner Smith led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL

The Board approved the December 17, 2019, regular meeting minutes.

Result: Approved

Mover: Rita Pritchett

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

E.1. Space Florida Presentation to Brevard County Commission

Frank DiBello, Space Florida President and Chief Executive Officer, provided the Board with a PowerPoint Presentation of Space Florida Annual Update; he expressed his thanks to the Board for its economic initiatives that have helped build an industry of Florida that has been vital to the economic wellbeing; he stated by every standard measured, Florida is doing well in the space industry; and the industry grew to over \$414 billion globally last year with over 76 percent of that revenue being from commercial sources, that is an eight percent growth over one year which was astounding. He added whether launches or industry growth are measured it has done extremely well for Florida by attracting CAE Inc., Blue Origin, Virgin Orbit, SpaceX, and Boeing moved its headquarters to Brevard County last year; that does not even count the growth of Lockheed Martin with its fleet ballistic missiles work; last year was also a good year with being the most active spaceport, targeting 23 launches; there were a few anomalies at the end of the year that took it back to 18 launches, but what is significant is China led the world in total launches last year at 34, industrywide there were 102 orbital launches, and launching some 400 satellites last year; and it is a robust industry with internationalization of this industry, with even some of the smallest countries looking at some kind of space participation. He mentioned going back and looking at where space has come from to set the stage for where space is expecting to go in the next decade; beginning the decade with the retirement of the Shuttle on July 8, 2011, just prior to that SpaceX had its first launch after three failures to get a vehicle launched, the Consolation was cancelled so the space industry outlook at that point in time was pretty dismal, and not to mention layoffs and a lot of things associated with the economic times and launch reusability; and in 2015 SpaceX landed its first vehicle; in 2018 it landed two of its rockets from the Falcon Heavy, and in 2019 landed all three from its Falcon Heavy. He went on to say in the last decade new space with a number of smaller launch companies are coming into the marketplace and many of them are choosing Florida as its launch site; the workhorse of the launch arsenal are clearly the United Launch Alliance (ULA) Atlas and Delta Rockets and SpaceX with its Falcon 9 and Falcon Heavy, and they brought

about a revolution in launch capability through the introduction of the use of reusability with satellites that come from large, exquisite satellites as large as a living room, and taking two or three years to develop SmallSats, NanoSats, and CubeSats with six major companies in Florida that are building satellites; Planetary Science also reached new heights with Curiosity landing on Mars and giving evidence that there was at one time life supported on Mars; Voyagers I and II left the solar system during this decade and gave some good insights into what is out there beyond the solar system; the New Horizon reached Pluto via Flyby from an altitude of about 7,000 miles and provided bold, new pictures of a planet that did not have much insight before; gravitational waves were discovered; and there were two countries that landed vehicles on asteroids, and Japan's Hayabusa has already brought back samples. He advised the big news was in 2018 India's Chandrayaan I flew around the Moon and discovered water, which renewed interest in the Moon as a destination and a staging point, as well as a place to do other kinds of research; last year China landed a vehicle on the dark side of the Moon, which is still operational and that are driving around, and planting sensors much of the way. Flags were planted in west when it was colonized for land grants; and it is a changed world of a clear resurgence of interest in the Moon. He advised no matter how the last decade is looked at all of items mentioned, points towards a decade of technology leveling among nations and real internationalization of space activity, that even the smallest countries are looking to invest in space technology because it raises the level of their people; from that he is pretty optimistic of what is coming in the next decade; continuing with what ULA and SpaceX has been doing as the workhorse of the past decade; there are three new Rockets coming to this region the Vulcan by ULA, Blue Origin will be flying New Glenn vehicle, and Northrup Grumman Omega; and emerging a lot of activity with small launch vehicles, whether it is Firefly Aerospace or Relativity Space, or others being worked on to attract; and Space Florida is investing in launch complexes to support launching large and small rockets, by taking Launch Complex 20 and building that into three small vehicle launch pads. He continued to say the big news for the next decade is the return of Manned Space Flight; in May for SpaceX and Boeing following some months after, are returning United States Astronauts from U.S. soil to the International Space Station, breaking the dependence had on the Russians; Virgin Galactic within months will begin human spaceflight initially out of Colorado and eventually other destinations, and they are working to have one of those here; Sierra Nevada's Dreamchaser will become operational; SpaceX and Starship should be flying by mid-decade; this does not include what Blue Origin, SpaceX, and Boeing may be doing with commercial flights for citizens; and a significant era is expected of human spaceflight by professional Astronauts, as well as citizen astronauts for a variety of reasons with companies going in Low-Earth orbit to do work, research, and adventure of space. He added that will have an impact on the region and there is no reason why to expect that people coming to Florida to fly will be going onto the Spaceport to check-in, or get qualified; infrastructure will have to be built and it will have an impact on the surrounding region; NASA has its own plans to return to the Moon; and Lockheed and Boeing are vitally involved in the Orion Spacecraft and space lunch systems should be flying by 2024 or 2025. He mentioned Next Gen Hardware is another area of target for Florida and it is expected that with launch capability to become robust; destinations are being looked for on the Lunar Surface or in-between the Earth and the Moon; there will be a variety of destination hardware robotic devices that can do work, land on the Lunar Surface or go to other destinations in Low-Earth orbit to support research, to fix satellites, to repair satellites, or to provide a variety of services on orbit; and what that points to is a decade of democratized space with more and more commercial companies forming the background, even if NASA goes to the Moon. He went on to say he thinks commercial companies will go along with them to provide the logistics support, much the way the commercial companies supported the government as it went west; it will be seen as the emergence of Cis-Lunar Economy; Cis-Lunar is everything between the Earth and the Moon and surrounding it; Wilbur Ross, Secretary of Commerce, predicted in the next decade the emergence of a Cis-Lunar economy that will be up to \$1 trillion by the end of the decade; and everyone is looking to get ready for that. He stated there has been investments in

transportation and space access, satellite systems and space platforms, ground systems and support, telecommunications, data, global connectivity, Earth observation and data-derived awareness, and On-Orbit and Lunar operations with support services; an estimated 12,000 new satellites and space operations platforms deployed; a new era of on-orbit and lunar research, space manufacturing and created value-added products and services, that value is wanted to be brought back to Florida or launched from Florida; and the major region of Melbourne, Daytona, and Orlando sees themselves as a global trade port. He advised the Spaceport infrastructure projects are being invested in heavily, to allow what was underutilized or excess infrastructure from a Federal area to be utilized for commercial companies. He stated Florida is seen as the global leader in enabling commercial space; there are three strategies consisting of industry growth, industry leadership and positioning, and Spaceport leadership standing; over the past decade there is a portfolio of financed items that is roughly \$2 billion in value; and Space Florida is working to integrate and position Florida's Spaceport, regional logistics and trade system as an inter-stellar trade-port as the Cis-Lunar economy evolves. He mentioned the Cape Canaveral Spaceport Indian River Bridge has reached the end of its life, there has been four or five years of finding a Federal solution for it; a team was pulled together to seek an Infrastructure For Rebuilding America (INFRA) Grant from the U.S. Department of Transportation, which was successful; and Jim Kuzma, Space Florida Senior Vice President and General Manager, led the effort with the INFRA Grant and will be building the replacement for the Indian River Bridge.

Mr. Kuzma stated the team that Mr. DiBello talked about includes Space Florida, Florida Department of Transportation District 5, Space Coast Transportation Planning Office (SCTPO), NASA Headquarters, and NASA at Kennedy Space Center (KSC); the project itself has two components consisting of the replacement of the bridge and the widening of Space Commerce Way to four lanes, which it was originally designed for; it will include some work on the NASA Parkway West; that team was very important and it had to meet a lot of different wickets, which Space Florida is very excited about; and infrastructure has to be built to come into the space port for the world for the next 40 to 70 years. He went on to say the fundamental tenets for the project are to not burden the Brevard County residents or Florida residents with the cost of the bridge replacement, Space Commerce Way widening, or long-term maintenance; it will not impact Florida Department of Transportation's Work Program priorities or the SCTPO or the local priorities of the SCTPO, to maintain the territorial boundaries of KSC and Cape Canaveral Air Force Station; and mainly because of growth because of the safety and hazard issues are not known and there will be land transfers. He advised those priorities led Space Florida to look at ways to finance the bridge; the bridge and Space Commerce Way connector is \$165 million; a lot of work was done during the stand-down that started on December 21, 2019, and it ended in February 2020; the INFRA Grant application was submitted on March 4, 2019; the rules were the Federal Government U.S. Department of Transportation could fund up to 60 percent of project costs and other Federal funds up to 20 percent, and Space Florida's match had to be at least 20 percent and responsible for any cost overruns; right now that sits at \$42 million; \$99 million was asked for and \$90 million was received; and Space Florida not only had to guarantee it would take the project, but it had to maintain it for the life of the project. He mentioned the Indian River Bridge Project Development and Environment (PD&E) that was going on was funded through NASA, Federal Highways, and the land folks and the PD&E will be here in the first quarter of March; the design phase is already kicked off and that will be done in first quarter of 2021 and construction will start shortly after that; the southern span is going to be put up first, the first thing that will happen will be some movement of utilities on the south side and KSC is doing that to be ahead of the project; and then the southern span will be built, with a ruleset of having four lanes of traffic throughout all of the construction, so that southern span will be a little wider. He advised the traffic will have to be kept down to about 35 miles per hour to be able to bring all four lanes of traffic across that; and Space Florida is excited about that because that means the bridge is going to be a little bit stronger and wider

for payloads and other materials for the future, and it fits very well into the growth strategy by FDOT for natural construction; and the first span is expected to be done after 15 months. He went on to say the original spans will be simultaneously demolished and then the northern span will be put up; Space Commerce Way was not part of any of the original failures, it is just 1,000-plus people being in that area at the entranceway to KSC Visitor Center; there will have to be some pretty large loads being moved through that area; it will be an original design, which will be Space Florida's responsibility, but KSC is helping with the National Environmental Policy Act (NEPA) discussions for all of the work that has been done; the final design is being re-done, and Space Florida should start about the same time with construction and completion; and the next part is to connect the Parkway West. He advised Space Florida is very excited to be moving along with these projects; the Space Commerce Way will not affect the bridge; one thing that Space Florida had to agree to was it would be responsible for all of the maintenance; they are looking to keep that going in the future; and it may be contracted out to FDOT.

Commissioner Tobia inquired where the INFRA Grant comes from. Mr. Kuzma responded the U.S. Department of Transportation; everyone behind Mr. Kuzma is a taxpayer and the goal was Brevard County not be burdened; he wants him to remember when writing grants, that the taxpayers pay for those grants out there, so the taxpayers of Brevard County paid for this; they may not have paid a disproportionate share, but the taxpayers in Brevard County are very important; and where Mr. Kuzma says Brevard County is not burdened, remember that is when the grants come from.

Commissioner Pritchett expressed her appreciation to Mr. DiBello and Mr. Kuzma for all that they have done and are doing with the bridge project; she remembers the dark days the community got through and how tough it was; and it was leadership like this that helped turn it around. She added she would love to change the motto for the community to the space center of the world. She reiterated her appreciation for all the help being done with the bridge; she stated about six years ago the Commission was beating their heads trying to come up with a solution; if that bridge is not fixed it will hinder space; and space is so important for the security of the nation. She mentioned her favorite thing to say about Brevard County is it builds Rockets.

Chair Lober expressed his thanks for Mr. DiBello and Mr. Kuzma for coming today; he advised one thing said about Pluto still being a planet warms his heart it has always been a planet in his heart, and it will always remain that way; it is great that there will be people routinely launched out of the US or Brevard County; and secondary, that it is coming out of this country instead of sending Americans out of Gadgetzan.

Commissioner Smith stated if it was not for gentlemen like Mr. DiBello, Mr. Kuzma, and Lynda Weatherman, President and Chief Executive Officer of Florida's Space Coast Economic Development Commission, and other people in the government who have foresight, there would be no Blue Origin, and Rockets would not be built here; he advised he points that out to people all of the time, that of the thousands of Rockets launched from Brevard County over the last 50 years, not one has been built here; and now with Blue Origin Brevard County will have its own rocket plant that will build its own and put them out into space. He went on to say all the other companies come to Brevard County like OneWeb to do business here, is because of the dynamics of Space Florida and its team, and the people it has have been able to be onboard; and literally, the sky is the limit.

The Board acknowledged Presentation given by Frank DiBello and Jim Kuzma concerning the Space Florida Annual Update.

E.2. Resolution Renaming Mobile Avenue to Melvin Chatman Way

Commissioner Pritchett read aloud, and the Board adopted Resolution No. 20-012, renaming Mobile Avenue to Melvin Chatman Way.

Result: Adopted

Mover: Rita Pritchett

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

Linda Tisdell, Church Clerk of Parker Memorial Baptist Church, expressed her thanks to Commissioner Pritchett and to Regina Mehany, 911 Addressing Building, for helping this Resolution come to fruition.

A representative for Reverend Melvin Chatman expressed thanks to the Board from the Reverend's family; she stated to them he was just a Dad, a Husband, and a Grandfather, and they did not realize the impact he had on the community; they knew he loved Parker Memorial; and he knew Parker Memorial loved him.

E.3. Resolution in Recognition of Black History Month February 2020

Commissioner Pritchett stated she thinks all women should celebrate Black History Month; there is a movie called Hidden Figures that she loves; she finds it interesting and marvelous what Katherine Johnson did, an African American female who worked for NASA; she died yesterday at the age of 101 and she was such a wonderful person; and she recommended watching that movie.

She read aloud, and the Board adopted Resolution No. 20-013, recognizing February 2020 as Black History Month in Brevard County.

Result: Adopted

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

Linda Graham, Team Diversity Member, expressed her appreciation to the Board for continuing to support the event Team Diversity brings before the Board; on March 6, 2020, in the Commission Room from 11:00 a.m. to 1:00 p.m. there will be Black History Program "African Americans and The Vote"; the speaker will be Jordan Chandler; there will be a celebration for the Harry T. and Harriette V. Moore Justice Center; there will be vendors and food trucks and a Census 2020 person; and a person present to help those dealing with an opioid crisis.

Clarence Whipple, Jr., Central Florida Branch President of National Association for the Advancement of Colored People (NAACP), expressed his thanks to the Board for making sure this is noted for Brevard County and the greatness experienced by some of the people that actually lived in Brevard County, such as Harry T. and Harriette V. Moore; and he stated it is the mission of the NAACP to ensure it is being a part of economics, social diversity, and the rights of all people.

William Gary, Vice President of the North Brevard Branch of NAACP, expressed his thanks to the Board for recognizing Black History Month and for encouraging and supporting the efforts

of the Diversity Team of Brevard County.

James Minus, President of the South Brevard Branch of NAACP, stated he is thankful for the Board's continued support of Black History Month in the efforts of all people in the past to lead to the future; and he expressed his thanks to the Board.

F.1. Waiver of Subdivision Perimeter Buffer, Re: Georgiana Reserve Subdivision (20WV00002) Developer: Georgiana Community Developers, LLC

The Board waived Section 62-2883(d), which requires a 15-foot perimeter buffer, platted as a common tract separate from the individual lots, to allow for a 15-foot drainage easement along the south and west property boundaries for Georgiana Reserve Subdivision (20WV00002), as requested by the applicant Georgiana Community Developers, LLC.

Result: Approved

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

F.2. Legislative Intent and Permission to Advertise, Re: Ordinance Amending Chapter 22, Article VI, Contractors Code of Brevard County

The Board approved legislative intent and granted permission to advertise for an ordinance amending Chapter 22, Article VI, Division 4, Section 22-562 of the Contractors Code of Ordinances, Brevard County.

Result: Approved

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

F.3. Approval Re: Emergency Medical Services Impact Fee Advisory Committee Project Funding Recommendation

The Board approved the project funding recommendation adopted by the Impact Fee Advisory Committee for Emergency Medical Services Impact Fee Benefit District 1, for acquisition of an all-terrain vehicle; and authorized the Budget Office to execute any budget changes required to implement the project recommendation.

Result: Approved

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

F.4. Acceptance, Re: Binding Development Plan with Kim Fischer and Brian Scott Hall (19PZ00113)

The Board executed Binding Development Plan with Kim Fischer and Brian Scott, the East one-half for a point of beginning commence at the intersection of the east line of the northwest one-fourth of the northeast one-fourth of Section 24, Township 24S, Range 35E, and the south

right-of-way line of S.R. 520.

Result: Approved

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

F.5. Approval Re: Disbursement of Educational Facilities Impact Fees

The Board authorized the disbursement of educational facilities impact fees in the amount of \$3,650,293.07 to the School Board of Brevard County in accordance with the terms of the Interlocal Agreement; and authorized the Budget Office to execute any budget changes required to implement this disbursement.

Result: Approved

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

F.6. Acceptance, Re: Binding Development Plan with JSFS Land Trust (19PZ00063)

The Board executed Binding Development Plan with JSFS Land Trust. The property is East one-half of Tracts 147 and 150, Cocoa Indian River Properties.

Result: Approved

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

**F.7. Adopt Resolution and Release Performance Bond, Re: Tract C at Adelaide
Developer: The Viera Company**

The Board adopted Resolution No. 20-014, releasing the Contract and Surety Performance Bond dated October 8, 2019, for Tract C at Adelaide Subdivision.

Result: Adopted

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

**F.8. Resolution, Re: Implement the North Merritt Island Transmission System -
Phase 2 Capital Recovery Fee**

The Board adopted Resolution No. 20-015, establishing the North Merritt Island Transmission System - Phase 2 Capital Recovery Fee of \$1,335.81 per Equivalent Residential Connection (ERC).

Result: Adopted
Mover: Curt Smith
Seconders: John Tobia
Ayes: Pritchett, Lober, Tobia, and Smith
Absent: Isnardi

F.11. Extension of Contract with First Vehicle Services, Inc., Re: Space Coast Area Transit Vehicle Fleet Maintenance and Repair Management Services

The Board approved and executed Amendment No. 6 to the Fleet Maintenance and Management Contract for the Space Coast Area Transit 92-day extension until July 31, 2020, with First Vehicle Services, Inc.

Result: Approved
Mover: Curt Smith
Seconders: John Tobia
Ayes: Pritchett, Lober, Tobia, and Smith
Absent: Isnardi

F.12. Authorization of Sole Source Purchase, Re: In-Ground Nitrogen Reducing Biofilter Septic Systems with Proprietary Denitrifying Media

The Board approved the Sole Source Justification with Environmental Conservation Solutions for the purchase of In-Ground Nitrogen Reducing BioFilter Septic Systems with Proprietary Denitrifying Media; executed the Sole/Single Source Justification and Approval Form; and authorized the Chair to execute any resulting Contract and all associated Contract documents upon review and approval of the County Attorney and Risk Management.

Result: Approved
Mover: Curt Smith
Seconders: John Tobia
Ayes: Pritchett, Lober, Tobia, and Smith
Absent: Isnardi

F.13. Appointment(s) / Reappointment(s)

The Board acknowledged appointment/reappointment of **David Dunn, John Constantinide, Bruce Lindsay, Nick Sanzone, and Bill Young** to the Workgroup for Innovative Solar Energy Resources, with terms expiring February 25, 2020.

Result: Approved
Mover: Curt Smith
Seconders: John Tobia
Ayes: Pritchett, Lober, Tobia, and Smith
Absent: Isnardi

F.14. Acceptance, Re: Annual Investment Performance Report Year Ended September 30, 2019

The Board accepted the Brevard County Annual Investment Performance Report for the Year-Ended September 30, 2019.

Result: Approved

Mover: Curt Smith

Seconded: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

F.9. Approval Re: Tourist Development Council Cultural Grants for FY 2019-2020

Commissioner Tobia stated this is for Tourist Development Council (TDC) cultural grants for the Fiscal Year 2019-2020; he expressed his thanks to the Commission for taking what was in the General Fund and pushing that to the Tourist Development Tax (TDT); however, he has three reasons why these cultural grants are probably not the best use of tax dollars; under Florida Statute these grants can only be legal if the events disservice from providing them for one of the main purposes to attract tourist; he went through some of the cultural grants and many of the organizations do not do a good job of tracking tourists, such as Melbourne Main Street; and it is estimated that they attract seven percent of visitors. He pointed out it is trying to attract visitors, but it is attracting 93 percent of people that are already here, and he does not know if that is the best use; there is the Cocoa Village Playhouse which does almost twice as well, but still only garnishes 12 percent; these numbers are their numbers and one would think that these numbers would be as positive as possible with 12.7 percent of out of County attendees; and the Titusville Playhouse does marginally better at 12 percent with 88 percent of the people that use it are Brevard County residents, and are therefore, not tourists. He advised these are the only numbers reported and there are two or three listed, but the job is to bring in tourists that simply do not report the number of people that they bring in and yet the Board decided to hand money over to these folks; while these are great organizations, if they are not showing that they bring tourists, they are not worthy of the tax dollars; he has a couple of questions; and his idea is to use those for marketing dollars. He asked Peter Cranis, Tourism Development Director, if it is correct that he recently overhauled this program so the funds are under more objectively, using much more verifiable data as possible.

Mr. Cranis responded affirmatively.

Commissioner Tobia inquired if those funds were to be reallocated from the Tourist Development general marketing budget ear marketing with the County and the private industry for the Dinosaur Museum or the street parties in downtown Melbourne qualify as being the most efficient use of resources, the goal was to simply attract tourists.

Mr. Cranis replied the core of the messaging is for beaches, space, nature, and cruising; and the events have a place in the marketing, but are not primary.

Commissioner Tobia stated he thinks that is a no; and he expressed his appreciation for the due diligence. He stated he took Commissioner Smith not too serious when he once made reference to him not believing in Jesus; he went through some stuff and he wants Commissioner Smith to be aware as he votes that the County is spending tourist dollars to promote evolution; he wants no decision made based on religion because there are certainly issues here; but as someone who he knows that is such a God-fearing individual, that is willing to say other Board members do not believe in Jesus; and people may want to think twice before voting for tax dollars to be spent for things that are in direct contradiction to what God may believe in. He advised for those reasons he will make a motion to reject legislative findings that the events in Attachment 'A' meet the requirements for Florida Statute and that one of the main purposes of this event is to attract tourist.

Commissioner Smith expressed his apology to Commissioner Tobia for his offhanded remarks

several years ago.

Commissioner Tobia advised it is okay.

Commissioner Smith stated he understands where Commissioner Tobia is coming from and he can understand a person's point of view from where Commissioner Tobia is coming from; he is hasten to bring to the Board the idea of advertising; he does not remember much from his college days, but he did have a course in advertising; and he remembers the professor saying advertising is the hardest thing for a small-businessman to understand, because if \$100 is spent on advertising and the business only goes up two percent, is that really a good return on investment. He went on to say Coca-Cola was big when he was in college and everyone knows how big it is today; no one back then advertised more than Coca-Cola did and if they stopped advertising today, their sales would not decline for probably three to five years; once that decline starts it is extremely hard to bring it back; since he was in college the fall of retail giants has been seen like Sears, Kmart, and Woolworth; other companies came along that did more advertising and publicity; he reiterated he understands where Commissioner Tobia is coming from and he is using statics to justify not supporting a Playhouse; and he advised if ignoring to promote that Playhouse, the out of town people and local people will be lost. He stated the big picture needs to be looked at and the big picture is anything that can be done to promote any of the things offered in the County as a bonus; it is a long-term type of bonus because it accumulates over time; he will not second this; and if there is a seconder, he will not vote in favor of it.

Commissioner Tobia mentioned he screwed up and he thinks Commissioner Smith made the point he was trying to make, that advertising is key; he thinks these dollars should be used for advertising in a way that gets the best result; the best result is not the way it is being used; Mr. Cranis clearly said this is not the most efficient way to do advertising; he does not want to take away any of this money from TDT; he thinks it should just be used in the best way possible; and spending money to get seven percent of people outside of Florida, is not the best way to use those resources. He went on to say he does not want to put the money anywhere else other than to get as many people from out of Brevard County to come into Brevard County; he agreed that Coca-Cola should advertise, as should Brevard County; and he mentioned Victoria's Secret being in trouble right now. He advised he wants to spend on advertising; he wants it to be spent in the best way; he thinks Mr. Cranis knows how to do that; he does not think the Cocoa Village Playhouse, the Titusville Playhouse, or Melbourne Main Street are the best ways to do it; and it is not just him, it is Mr. Cranis with the expertise, and not only with government but outside with the private sector.

Commissioner Pritchett inquired if this is not an effective use of Tourism tax dollars. He replied he thinks events play an important role in the messaging strategy, particularly in a drive market to try to drive that short-term visit; and he advised while it is not a primary core of messaging, it is part of an overall strategy.

Commissioner Pritchett advised if Mr. Cranis is open to make some changes, he would have her attention; and she will be waiting on his leadership on that into the future with the TDC.

Mr. Cranis replied okay; he stated the challenge with this pot of money is that it is pretty well defined in the Ordinance; it is not able to be used right now in a general marketing way; but does have to be used for cultural, which is 10 percent of the first two pennies.

Commissioner Pritchett advised the decisions the TDC brings to the Board are a little bit subjective, she feels uncultured; these types of events being done are probably not something she would go to, but a lot of people do; when strategies are being looked at to try to get families to move back here is one of the things they look for; for her she just wants to go to the

ball field; if she was a Queen for a day everything would be straightened out within a week; she is just kidding, but she is going to vote for this to go through because it opens up some thinking; she is always open for changes, if something else is better; she does not want to burden some ideas Mr. Cranis has; but the goal is the maximum amount of Tourism dollars getting to an area because it saves on Ad Valorem taxes down the road and those kinds of people generate a lot of tax dollars, taking a lot of burden off the Board. She stated whatever Mr. Cranis needs to do, she is with him.

Chair Lober advised he is not going to support a motion to either approve or deny this today that he has a few reasons for, such as Commissioner Isnardi being out with the flu and she is the Board's representative on the TDC, and he would really like to hear her input on this; with respect to what he has heard so far with the Melbourne Main Street reporting seven percent out of County, the Cocoa Village Playhouse reporting 12.7 percent, and Titusville Playhouse reporting around 12 percent; he has no problem with those percentages if the raw numbers are high enough; he does not have a problem benefiting Brevard residents, in addition to driving in tourists; he just does not know what the raw numbers are; and he would like to do a little more recon with the Tourism Office. He added he does not know what better use there would be to have the money necessarily at this point; he is not inclined to support either direction; and it seems regardless of what the motion is, it is going to fail due to not having a majority vote.

Commissioner Tobia advised he was not aware of where Chair Lober was on this; for that reason he would like to retract his motion; and he wants this to be pulled back to another meeting for Commissioner Isnardi's input.

Commissioner Pritchett reminded the Board of the Cocoa Playhouse being approved for \$150,000 a few months ago; and it was something the Board supported after all the conversations held.

Commissioner Smith remarked Commissioner Tobia has raised some good issues and he appreciates having the time to look at this in further depth; and he thinks it would be good to bring it up later.

The Board authorized for the Tourist Development Council Grants for FY 2019-2020 to come back to the Board at a future meeting.

F.10. Approval Re: Tourist Development Council Sports Grants for FY 2019-2020

Chair Lober advised if there are similar concerns with this Item as the last Item, his inclination would be to wait for Commissioner Isnardi, to get her input because she represents the Board on the Tourist Development Council (TDC).

Commissioner Tobia advised this brings up an interesting argument for Peter Cranis, Tourist Development Director, because this is even a bigger waste of time; he is willing to wait but he wants the Board to be aware; the Board funds money to some of these organizations and then it is reimbursed; but his argument is that these events are going to go on whether or not the Board spends any public resources to fund a private organization. He added if the Board punts on this which he is more than willing to do, will be proving his second point; one of the events that the Board is going to punt on, actually would take place this Saturday in Titusville; it will be proof that the events will go on even, if they are not reimbursed; there is another event on March 4; a lot of these will be talked about for reimbursing an event that has already happened; and he is more than willing to wait on these, but the events will have already transpired.

Chair Lober noted he understands; and he advised if there is no motion he will be moving on.

Commissioner Pritchett inquired if the Board passes on this, will there be a couple that will not receive funding anyway.

Commissioner Tobia replied no; he stated the way this works is they get allocated a certain amount of money, they hold the event, and then they are reimbursed after the event; he reiterated the argument here is the event will have already taken place, so they will be reimbursed which proves the event is still going to take place whether they are given money or not; he is more for waiting on these and if it is a private business, he wants them to operate in Brevard County without public tax dollars; he does not know if the events actually take place, but he thinks they will; if they do not take place, then his argument is off the table; he thinks the events still are going to take place; and he thinks it strengthens the point that they do not need taxpayer money.

Commissioner Pritchett inquired what the purpose of giving funds for these events is.

Mr. Cranis responded the sports grants are particularly to incentivize groups from outside of Brevard County to bring their events here and that generates room nights; the room nights are tracked and there is a true Return on Investments (ROI) to that; the events this year will go forward; but it is a very competitive marketplace and there are a lot of other counties and other states that want these events. He provided an example of the Kyo Games, they nearly pulled the Kyo Games last fall, but they received a grant from the TDT to continue to have the event here; and the purpose is really to keep that flow going and for them to consider Brevard County again. He added the TDC is constantly looking for these types of events to try to bring them here, because there is a real ROI to them.

Commissioner Pritchett advised since this is so close to the midnight hour, she thinks the change should be made next year; this should be voted through; and to start working on changes if they need to be made. She reiterated since this is at the eleventh hour and the possibility of not making the correct decision, and losing some events next year as a good ROI, she is going to make a motion to approve this.

Commissioner Smith agreed.

Commissioner Tobia advised he is more than willing to go through all of these, because the first one is damning and the others, two and three, are extremely damning, that this is a waste of taxpayer money.

Chair Lober advised since these are reimbursements and they are not necessary at this point to have the event take place, he prefers to wait on it; he does not feel comfortable without having the Board's representative who is out for a good reason; he reiterated he does not feel comfortable moving forward with the concerns raised at this point; and either to deny or approve, it is not going to pass because of not having a majority vote.

Commissioner Smith inquired if these are not approved does that affect this year's events.

Mr. Cranis replied because it is a reimbursement, they would go forward with the event; there would be some financial concerns for them; he thinks it would not prevent them from moving forward with events this year; but it may affect their willingness to come back again next year or in the future.

Commissioner Smith stated it will probably influence them in a negative way that Brevard County is not willing to cough up this money and less likely to return next year.

Mr. Cranis stated affirmatively.

Commissioner Smith remarked that is a detriment to the County.

Commissioner Pritchett stated she believes if this is tabled the Board can still make the decision later and reimburse them.

Mr. Cranis stated that is correct.

Commissioner Pritchett stated she wants to give the Board a warning; Brevard County lived through a time period that was very tough and it got very hungry for economic development and for these types of events; it is dangerous to quit being hungry, because that was done in the past; population was greatly lost, all kinds of income was lost, and she never wants to live through what was lived through before; and she never wants to be known as the Commissioner who messed up while in office that caused another collapse. She urged the Board to use caution because if they do not come again next year, a ton of taxpayer dollars is lost from coming into the area; and she reiterated the Board must stay hungry in this area and to stay competitive with the nation.

Commissioner Smith remarked well said.

Commissioner Tobia stated the Ron Jon Beach and Boards Fest is located in Cocoa Beach; and he inquired what the odds are for the Ron Jon Beach and Boards Fest goes to a place that does not have a Ron Jon facility like to Michigan or California.

Mr. Cranis responded there are other Ron Jon's in beach towns, so it is possible to move it to another location; and he commented they are just the sponsor of the event.

Commissioner Tobia inquired where are the other Ron Jon's located.

Mr. Cranis replied Panama City and they have a couple up the east coast. Commissioner Smith noted New Jersey and they have big surfing contests up there, and Tampa.

Commissioner Tobia inquired where the Surf Hall of Fame is.

Mr. Cranis advised it is a surfing event that is operated up and down the east coast and they could pick other locations to hold its surfing event.

Commissioner Tobia inquired where the Surf Hall of Fame is headquartered.

Mr. Cranis responded he thinks it is out of the Carolina's.

Commissioner Tobia stated when he drove by Ron Jon's he has a screenshot of it being in the Ron Jon's facility itself.

Chair Lober mentioned it is on the screen.

Mr. Cranis advised that was one of the cultural grants, it is not a sports grant.

Commissioner Tobia pointed out there are for profit businesses that are holding many of these; and he stated he will call Ron Jon's bluff on that one all day long, that they are not going elsewhere. He advised with Chair Lober wanting to wait for Commissioner Isnardi, he thinks his arguments would probably work more favorably by waiting on her; and he pulled his motion.

Commissioner Pritchett advised she is pulling her motion.

The Board authorized for the Tourist Development Council Sports Grants for FY 2019-2020 to come back to the Board at a future meeting.

G. PUBLIC COMMENTS

Charles Tovey stated does the Board think the Daytona Beach Daytona 500 is going to be moved; Osceola County has just opened up another phase for its homeless; Orlando has just bought a 7-Eleven to put an environmental corner on it; St. Cloud is having a big protest about spraying the herbicides on its big lake; and he thinks those need to be addressed because it will take years for Florida Department of Environmental Protection to come up with what that causes. He added just like the advertising, it is unknown what the advertising brings back unless a seed is planted; later on down the road the advertisement will pay off; and it takes time for fruition to occur. He stated with liberty and justice for all, the noose he is holding is not illegal because it is his tie he wore to Code Enforcement hearing on the ousting of his property; there have been other people who have suffered the ends of this noose, which is totally immovable and does not work; and in the definition of noose it has to move, this one does not move because it is a tie, it is not illegal, and he should be able to wear it. He mentioned satan believes in God and he is a community watchdog; he appreciates everybody that comes out, but he especially appreciates the County and the government workers that stand up for America and the County, even though they may be subject to things by their associates; he asked if being put first is friends and co-workers or family and government, and the country and County; and he asked where all of the animals are going to go. He added there is a problem with black bears because they are being ran out, just like he is with his property; sometimes being ugly is the only way people understand; a person can try being nice; but ugly is the only way they understand. He pointed out that he is a weirdo, he is different, he is unorthodox, he is not crazy, and he is different.

Tom Neidert, Brevard Professional Firefighters member and Event Coordinator for St. Baldrick's of Brevard, stated the St. Baldrick's event is held every year at The Avenue Viera and it has 300 participants this year, they are shaving their heads in consideration for childhood cancers; out of the events, there are 3,000 nationwide, Brevard County is in the top 10; and over \$2.5 million has been raised in Brevard County. He advised every two minutes a child is notified that he or she has cancer, which is all day, every day, and around the world; one in five of those children will not survive; the event is March 14 from 12:00 p.m. to 5:00 p.m.; and he invited the Board to attend because it is a great event.

Commissioner Smith commended the Firefighters for stepping up and holding this event every year; he has been taking part since he was elected; he had his head shaved one year, but he is not sure if he wants to do that again; he totally supports the event; he has a granddaughter who was diagnosed with Leukemia when she was 10; she beat it and he thanked God; and things like St. Baldrick's is the catalyst that helps families and young kids get past those events.

Mr. Neidert advised he has been the team captain for over seven years and this year he is the actual Event Coordinator; it is a great cause and there are 30 Firefighters signed up to shave their heads; the Brevard County Sheriff Office has 15 people signed up; the numbers are climbing; and more information is available at www.stbaldricks.org.

Chair Lober inquired how much the t-shirts are.

Mr. Neidert replied \$20 and all the proceeds go to the event for the Brevard County Rescue Team.

Chair Lober advised he will purchase one for his wife and he, and a third one for whomever Mr. Neidert finds to give it to; and he commented Commissioners Pritchett and Smith are each

purchasing one.

Sandra Sullivan stated the board has probably heard on social media how upset people are beachside about the color of the sand, it is a dark gray; she has taken a lot of pictures; and the Board can go to WAVESaction 32937 Public Group / Facebook, she documented the difference in the color of sand. She read aloud a newspaper article from 2003 "The Middle-Reach, a 7.6-miles stretch through Satellite Beach was not restored because of environmental concerns, that portion of the coast has a hard rocky bottom that has been designated by State and Federal wildlife agencies as an essential fish habitat." She stated she sent the Board a copy of the article; fast-forwarding to now a large part of that area is a preserve area; it was funded by \$8.5 million of State funds to create a preserve to protect the Sea Turtles; the research shows that sand renourishment harms the Sea Turtle nesting; there is also the inshore reef which is protected; the report she saw from the United States Army Corp of Engineers (USACE) has its share of a lot of controversies, and the report shows that the coloration is on the edge of it; and she thinks it should be third-party verification, as well some of the sand grain size is not within conformance. She added the thing that concerns her is the mitigation reef report from the County does not fully-mitigate the inshore reef, it is not mature enough; and by the USACE permitting documents, it is required to fully-mitigate, so there are numerous red flags. She advised she is going to read something aloud, "Never mind that the inshore reef is protected by State law and preserve agreement. Never mind that the USACE requires mitigation reef to fully-offset that, the real reef. Never mind that they are using a 20-year old survey of the reef to calculate the 10 percent they can bury. Never mind the reef that they are burying protects the beach sand on the beach, so you are taking away protection. Never mind the reef is important to the ecology and an important nursery for fish. Never mind the sand dredge is different from the sand on the beach and harms Sea Turtle nesting according to scientific studies. Never mind the sand washes away and covers the hard bottom causing turbidity and other issues according to scientific studies. Never mind that the sand is supposed to be the same color and not gray. Never mind that the Sea Turtles have already started nesting early." She asked the Board to halt this and request the Florida Department of Environmental Protection to get involved for verifying to do a variance, and how the biological experts confirm that there is no harm.

Peter Carnesale stated the same thing that he has been talking about all along, which is the turn lane that is required on Viera Boulevard in order to make sure there is not a rear-end collision; he has been talking about it over and over again; and when heading east the traffic will continue to grow, which makes no difference if there are 10 cars in a period of time or whether there are two cars in a period of time, it is just a matter of time before somebody not paying close attention will rear-end the people who slow down to almost zero to make that turn. He went on to say he is looking for the golf cart crossover going over I-95 because the people on the other side of I-95 cannot get to the schools on the west side; they cannot get to the shopping that is on the west side, which is increasing; and a lot of the people in the Aagard Group basically use their golf carts because they cannot basically drive the regular cars. He advised the traffic light is more complicated because of the fact that it requires the traffic study and approvals before it can get any kind of funding from the Board; however, he has been hearing from the church and the development across the way that they believe there is a light coming; he does not know where that is coming from; he keeps getting the answer of having to wait for all these things to be done before a decision can be made; they seem to believe it is coming without any of that stuff happening; and they believe the wiring that is being installed which he believes is for the lighting structure that is needed along that road, is part of the wiring that is needed for the light. He added he would like the Board to look into that to see if that is part of it, is there actually going to be a light or not, or is it actually waiting for all of these surveys to be done.

H.1. Public Interest Determination: Wetland Impacts for Wickham Corners

Chair Lober called for a public hearing to consider Public Interest Determination (PID) for Wetland Impacts at Wickham Park; he stated he has a Speaker Card from Jon Shepherd for questions only; he has spoken with staff about the consideration of PID and he thinks everyone has had an opportunity, whether they have spoken to them or not; and unless there is some legal requirement, he will accept a motion.

There being no further comments or objections, the Board approved and granted, in accordance with Chapter 62, Article X, Division 4, Section 62-3694(c)(3)b, Atlantic Environmental Solutions of Florida, LLC, on behalf of Evans Wickham, LLC, for PID for the wetland impacts proposed for a commercial project at Wickham Corners.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

H.2. Petition to Vacate, Re: Public Utility Easement Created by Official Records Book 2985, Page 2855 - 140 Magnolia Ave - Merritt Winter Homes Development Map No. Two Plat Book 2, Page 78, Merritt Island - First Baptist Church Merritt Island

Chair Lober called for a public hearing to consider Public Interest Determination (PID) for Wetland Impacts at Wickham Park; he stated he has a Speaker Card from Jon Shepherd for questions only; and he has spoken with staff about the consideration of the PID.

There being no comments heard, the Board adopted Resolution No. 20-16, vacating a public utility easement in Merritt Winter Homes Development Map No. Two Subdivision, Merritt Island, as petitioned by First Baptist Church Merritt Island.

Result: Adopted

Mover: John Tobia

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

H.3. Petition to Vacate, Re: Public Utility Easements - 805 Lychee Drive - Barefoot Bay Unit One, Plat Book 22, Page 100, Barefoot Bay - Nick and Penny Kormylo

Chair Lober called for a public hearing to consider vacating part of two public utility easements in Barefoot Bay Unit One Subdivision, Barefoot Bay.

There being no comments heard, the Board adopted Resolution No. 20-017, vacating part of two public utility easements in Barefoot Bay Unit One Subdivision, Barefoot Bay, as petitioned by Nick and Penny Kormylo.

Result: Adopted

Mover: John Tobia

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

J.1. Adoption of the Save Our Indian River Lagoon Project Plan 2020 Update Unanimously Recommended by the Save Our Indian River Lagoon Citizens Oversight Committee

Chair Lober stated Commissioner Isnardi probably has several interests in the New Business Items; and he does not know if they should be addressed.

Commissioner Pritchett stated just because a couple of the Items are larger and not that she is not supporting them, but she thinks Item J.1., Adoption of the Save Our Indian River Lagoon Project Plan 2020 Update Recommended by the Save Our Indian River Lagoon (SOIRL) Citizen Oversight Committee (COC), Item J.2., Tourist Development Tax Proceeds, Item J.5. Resolution Declaring the Intent of the Board to Adopt a Budget that Would Not Constitute a Tax Increase, and Item J.6., Resolution Declaring the intent of the Board to Not Make a Finding of Critical Need Pursuant to Section 2.9.3.1(c) of the Brevard County Charter, should be with Commissioner Isnardi present to state her opinion with the Board.

Chair Lober stated before addressing the Items, he does not disagree with Item J.1. and if Commissioner Tobia is amendable Items J.5 and J.6; he suggested given the discussion that the Board had a few meetings ago on Item J.2., the motion would simply require a majority vote, but the follow up would require a super-majority vote; he recalls from the previous discussion Commissioner Isnardi was in favor but did not want to vote until Commissioner Smith was present; his thought is if there is a simple-majority today, it would resolve the issue because it would likely have super-majority when it comes back for amending the Ordinance; and he prefers to talk about Item J.2., to see where folks are at.

Commissioner Pritchett advised she does not mind talking about it, but she would not be comfortable supporting it until Commissioner Isnardi is present because she gave that courtesy to Commissioner Smith; and a lot of times minds are changed when there is conversation.

Commissioner Tobia stated for the deferent of people who came out to speak tonight, he imagines that they may want to count votes; he expressed his thanks to the SOIRL COC for all of its hard work; he plans to be supporting this when it comes forward; he does not mind waiting for Commissioner Isnardi; he expressed his appreciation to the SOIRL COC for taking the direction the Board asked it to take; there just needs to be three votes and it has support; his understanding of this is looking for options for the Tourist Development Tax proceeds; it would not require a great deal of staff time if the Board should vote on it since it is just a report; and he noted there would be ample time to make changes.

Commissioner Pritchett stated she is supportive of this.

Chair Lober asked the speakers in the audience if they would like to speak or defer.

Charles Tovey advised his ancestors were one of the first, if not the first pioneers of Brevard, and he is the pioneer who started everything, regardless of all help with cleaning the Lagoon which he appreciates; it was him that started it and continued it until this day; there are things the Board will be appropriating money for; what he does has not been revealed yet; and he will finish up his work this year on the Lagoon and he will give a complete synopsis of everything before the summer. He provided the Board with a piece of paper that had photographs on it of some of his work; and he advised if the Board will look at it, it will give some insight on the areas and the contents of revealing items. He added the radio station he listens to is concerned about the County and the Lagoon because it is their livelihood; they suggested having sea cowboys being transplanted into some of the lakes where there are problems, instead of spraying the herbicides; that goes back to Designated Environmental Recharge Areas (DERA) to locate different animals; and he noted not permanent, but some places might

be good permanently. He went on to say the areas can be moved; he explained there is an area that needs help so that is designated as a recharge area and do the recovery and everything; then it gets all of the approval of the public and whoever is in charge; then it goes into another designated area; and kind of like Community Redevelopment Areas (CRAs), but for the environment and the County.

The Board tabled consideration for adoption of the Save Our Indian River Lagoon (SOIRL) Project Plan 2020 Update, unanimously recommended by the SOIRL Citizens Oversight Committee (COC).

Result: Tabled

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

J.2. Tourist Development Tax Proceeds

The Board tabled consideration for the Tourist Development Tax proceeds to a future Board meeting.

Result: Tabled

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

J.3. Solar PV Permitting Fee Extension

The Board adopted Resolution No. 20-018, extension of exemption of the permitting fees for Solar Photovoltaic Installations.

Result: Adopted

Mover: Curt Smith

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

J.4. Discussion Regarding Letter from Palm Bay Mayor

John Denninghoff, Assistant County Manager, stated yesterday afternoon an email was received from the City Manager of City of Palm Bay indicating certain points they would like to have in an agreement with the City; he pointed out on Thursday, February 20 there was a meeting in Commissioner Tobia's office with the Mayor, City Manager, Deputy City Manager, and he and many things were discussed; they indicated they would send a letter; and he pointed out the letter received yesterday is not exactly consistent with what the County was expecting, and based on Thursday's meeting. He added it is also not consistent with the direction the Commission gave staff on February 11; and to a large degree, what the letter indicated yesterday was the desire to agree and to agree in the future.

Chair Lober advised normally he would wait for Commissioner Isnardi on this, but there are some time limits; and he inquired if staff expressed her particular opinion to the options that are

addressed in this Item.

Frank Abbate, County Manager, replied staff is looking to see if the Board wants to confirm the direction to stay the current course, which is staff's position; staff is looking for guidance from the Board in that regard, because the City of Palm Bay has expressed concerns over the completion of the road project; and staff is trying to be as helpful as it can be, with the understanding of protecting the County's interest to the best degree that it can be protected.

Commissioner Tobia advised he knows that Commissioner Isnardi was really fired up with this issue; he appreciates her passion on this, but he did not understand it until the meeting he had this past week; he was to be extremely clear with the Board that he was not, nor would he ever negotiate with a City or an entity on behalf of a Board; and the request was made from the City and he did not want to hinder any type of open communication. He stated he purposely asked Mr. Denninghoff to show up a little bit late, which he thought if he showed up on time and the City was already there, and the City had already given him what they thought was a fair negotiated set of plans for an interlocal agreement, and as soon as Mr. Denninghoff walked in, the City asked him to not look at that interlocal agreement; they clearly believed that he was being a rube; and however, when the City did not want Mr. Denninghoff to look at it, knowing it was a joke, he realized they were not negotiating fairly, to say the least. He went on to say what this comes down to is many things like footage and yards, it was absolutely ridiculous; the one sticking point that was said over and over again in one and one-half hours is the County would like to have a binding interlocal agreement when capacity becomes an issue, which it will, that there will be somewhere in the neighborhood between \$150 and \$250 million of additional resources; that will be the burden of the City not the County; the City seems to believe they will sign that interlocal agreement, but at any given time it wants the ability to back out so that it falls on the County; and this was the City's idea, not the County's, and it is absolutely ridiculous. He added he got fired up when he turned on government television and saw the City doing its State of the City; they had a production number, with drones going everywhere, they showed development, but they did not mention the Federal Bureau of Investigations or State audits; the Mayor had thanked the production company; it has a multi-million dollar project that is going to help its citizens move from point A to point B, and they spend time on a multi-media presentation instead of dealing with an issue that the County has been consistent on; and the County is more than willing to work with the City and to help out, however, the issues that come because of capacity, the County does not have the resources for. He went on to say it was the City's idea and it needs to take responsibility for these resources; the County does not want to sign a contract that the City has the ability to get out of and leaving the County's taxpayers on the hook for it again; Mr. Denninghoff had mentioned it could have gotten slightly better, so it may be in the neighborhood of \$200 million; the County does not have those resources, nor does he think in any way, shape, or form that the County can trust the City to provide the County with some documentation that it plans to take to its council asking for signature, that is fair to both parties as capacity grows; it says the City will take responsibility; at the eleventh hour, they turned in a document that said they will talk with their attorney; it was an absolute utter and total joke; he is extremely disappointed and he apologized to Mr. Denninghoff for wasting his time; and Mr. Denninghoff thought that since the City was talking to a Commissioner, it might take it seriously and be good on its word. He stated Mr. Denninghoff is rarely wrong, but he was wrong in that case; they sent a letter that said absolutely nothing; the City is not acting in good faith and he believes Option a, without explanation, is best; he does not know how many times the County can say this is a situation of developers saying and writing documents over and over that they will be responsible for paying for some of this stuff, then welch on it and all of the sudden now wanting the County to be liable for this is absolutely ridiculous; and it got even worse. He stated in the first initial letter the City said it would like to meet, but would only meet in Palm Bay; to play the geographic home field game is absolutely ridiculous; he reminded Mayor Capote of when the State found 30-some

findings of audit issues with the City's budget, the State did not come down to Palm Bay they called Palm Bay up to Tallahassee to deal with those issues, and which the Mayor did not think it was worth his time to go up in the City financed car that is only his, and that was a finding of the audit; and he went a little farther than he likes to, but he believes Commissioner Isnardi would have gone much further based on what has transpired recently. He advised he will say exactly what he said in the meeting, so everyone is aware here; the County has great leadership; leadership is trying to be as fair as possible to taxpayers; there is not one question that any one that works with County is looking out, not only for this Board, because the reality of the situation of that \$200 million-plus would not fall on any of the five Board members, it would fall on the future Commissioners and to asses that; and it would be very easy to punt that to them. He stated the County is still paying for golf course that a previous Commission had settled this Commission with, that was \$5 million, and this is \$200 million; he appreciates Mr. Denninghoff working so opening with the City, but he does not know if there is anything else the County can say, other than Palm Bay get an interlocal agreement, and that it takes responsibility for any capacity issues as they come up with a contract that is not able to be severed by one of the two parties; that is what the County is looking for; it has been talked about over and over again; the County cannot even get a letter stating that they will bring that to the Board; and he does not know if it has been shared with City council. He concluded by saying it was a one and one-half hour meeting that was expected to have something tangible from the City; and he expressed his apology to Mr. Denninghoff for wasting his time and Commissioner Tobia's staff time because utterly nothing came out of the meeting. He encouraged staff to continue on the path of the County being more than willing to work with Palm Bay, however, it is not willing to cover the burden of what could amount to more than \$200 million. He advised the Board should go with Option 1, decline to meet without explanation; the Board has done that and he thinks the Board could give them an explanation, but it would just waste more staff time; the City is more than welcome to walk on this; if the City really cared it would of had someone present today to discuss it; but maybe they cannot leave Palm Bay because policies do not allow it due to its Charter.

Commissioner Pritchett agreed with Commissioner Tobia; she stated there is still no substantial progress; she thinks the County needs to continue the course until there is something substantial from a negotiation; this is not really an emotional thing, she thinks it is just good business; the County needs to practice good business; and this is an easy motion.

Chair Lober advised when Commissioner Isnardi comes back and has a different opinion, he is happy to entertain a motion to reconsider; but he is going to go ahead and support this.

The Board discussed the letter from the Mayor of Palm Bay for the roadwork connecting St. John's Heritage Parkway to Babcock Street; and approved Option 1, decline to meet without explanation.

Result: Approved

Mover: John Tobia

Seconder: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

J.5. Resolution Declaring the Intent of the Board to Adopt a Budget That Would Not Constitute a Tax Increase

The Board reached consensus to table consideration for a resolution declaring the intent of the Board to adopt a budget that would not constitute a tax increase to a future Board meeting.

J.6. Resolution Declaring the Intent of the Board to Not Make a Finding of Critical Need Pursuant to Section 2.9.3.1(c) of the Brevard County Charter

The Board reached consensus to table consideration for a resolution declaring the intent of the Board to not make a finding of critical need, pursuant to Section 2.9.3.1(c) of the Brevard County Charter to a future Board meeting.

K. PUBLIC COMMENTS

Daniel Willemin stated Chair Lober is aware of what he is going to discuss, but due to Sunshine Law he cannot discuss it with the other Commissioners; he would like to bring this to the attention of the Commission; there has been a situation in Brevard County, which shocks the conscious; this concerns Palm Bay and it is very important that Palm Bay voters pay attention to this; there is a campaign, Crisp 2020, that has a Federally convicted felon on the campaign as the press agent, his name is Jonathan Riches; and he is hopeful everyone will Google his name. He went on to say he confirmed with the campaign manager Karen Colby, that this gentleman is the press agent for the Crisp 2020 campaign; he was convicted of multi-million dollar fraud and spent years in Federal prison; while he was in prison he filed over 2,600 frivolous lawsuits under assumed names; one of the things he did after he was out of prison was go back to prison for driving to Connecticut and impersonating the uncle of Sandy Hook Elementary School shooter; and he filed a lawsuit against Gabby Giffords, under the name of the man who shot her. He added he made a video about this and he put it up on his Facebook page, it has gotten thousands of views over the last week, and he has been the target of a pretty bit smear campaign because of it; this candidate for Palm Bay City Council also posted his whole family information like his mom and sister's names on that felon's page, for him and his buddies to do whatever they want, maybe steal identities; she spoke at the last meeting about cyber stalking and doxing; this is a big concern for him and his family had nothing to do with it, it was all him who exposed that because he is the local, independent, and investigative journalist who turned this up; and he would like everyone to look into him, how he got in Brevard County, why he is the press agent for a campaign for Palm Bay, it is not going to get any better but is going to get worse, and politics in Brevard County as a whole is going to get worse.

Chair Lober advised he did not know of the topic Mr. Willemin was going to speak on, although he is not surprised it has something to do with Palm Bay given the variety of issues seen in its area; he does not know of the context with respect to what information was or was not posted; and if it is a threat, Mr. Willemin may need to report it to the Palm Bay police or in Satellite Beach, if that is where Mr. Willemin resides.

Mr. Willemin advised Satellite Beach police and the Brevard County Sheriff Office have been made aware of it, as well as his family friends who are in high places in Washington, D.C. about this going on; and this gentleman is involving himself in politics, not just in Brevard County but elsewhere as well.

L.1. Frank Abbate, County Manager, Report

Frank Abbate stated as a result of the continuing low-interest rate environment that is being experienced in the marketplace today, the County found an additional opportunity to refund an existing local option fuel tax bond that was issued in 2014 for road construction projects; the financial advisor estimates an overall savings of \$821,000 or 3.87 percent of the refunded bonds principle amount; the annual savings is estimated at \$140,000 through 2026; those savings would be able to be put into the County's road program; and he is requesting the Board's approval for the County's Financial Advisor to explore financing options related to

refunding a Local Fuel Tax Bond, and if desired savings can be achieved, staff will bring back financing documents to the Board for its consideration.

The Board directed the County's Financial Advisor to explore financing options related to refunding a Local Fuel Tax Bond for Road Construction Projects, and if desired savings can be achieved, staff will bring back financing documents to the Board for its consideration.

Result: Approved

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

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

Commissioner Tobia stated he knows he put a cap on resolutions and it is a little unusual to have one done in a report; however, this will count against his twelve; he has a resolution honoring the late Mark Cook, former Brevard County Commissioner; his office looked hard and it found no family; he read aloud the resolution; and the Board adopted Resolution No. 2019-019, honoring the late Mark Cook, former Brevard County Commissioner.

Chair Lober advised he will not count this Resolution against Commissioner Tobia's tally.

Commissioner Smith advised prior to himself, Commissioner Mark Cook is the only other male Commissioner elected to the District 4 post in the last 40-plus years.

Result: Adopted

Mover: John Tobia

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

L.6. Curt Smith, Commissioner District 4, Report

Commissioner Smith stated he needs to seek the Board's approval to accompany the Economic Development Commission of Florida's Space Coast on its trip to Washington, D.C.

Chair Lober inquired how much it would run.

Commissioner Smith replied somewhere around \$1,000.

The Board approved Commissioner Smith to accompany the Economic Development Commission of Florida's Space Coast on their trip to Washington, D.C.

Result: Approved

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Smith

Absent: Isnardi

Commissioner Smith provided the Board with a PowerPoint Presentation on the Central Florida Expressway Authority (CFX) February 2020 meeting; he thought it would be beneficial to bring the Board up to date on what is going on; the Virgin Trains is a big issue and if the Board has

driven U.S. 1, they have already started clearing land for the additional tracks in Brevard County; if the Board has driven S.R. 528 a tremendous amount of work has been done; the terminal at Orlando International Airport has already been completed; and it is just waiting on the trains to come from Miami up to there, whether they succeed on that he will not comment on. He went on to say the economic impact and benefits of the CFX five-year Work Plan includes a lot of things; the \$4.6 billion in total output for the building of roads; and he was stunned in September when he realized how cash rich CFX is by taking in \$33 million in that month alone in tolls; they topped themselves, because in December it took in \$48 million; the reason he petitioned CFX for Brevard County's inclusion when he was Chair because he knew it had a lot more money than the County; and CFX is now responsible for the portion of S.R. 528 and the portion that crosses the Brevard County line, and until Brevard County was included the S.R. 520 and S.R. 528 were on Brevard County's dime. He added one of the big things CFX has going on now is the S.R. 528/S.R. 436 Interchange improvements; the picture on the left is what the Interchange looks like today; after CFX spends \$106 million it will look like the picture on the right; it will greatly improve movement and traffic throughout that entire area; and the final picture is an artist rendering of what it will like. He concluded to saying he just wanted to get this information out for the Board; CFX is doing a lot of cool stuff; CFX like the Transportation Planning Organization (TPO) looks at things five years out, 10 years out, and 40 years out; and it is interesting to see the kind of growth they have planned for Central Florida.

Commissioner Smith stated the Canvassing board is in full swing now; Commissioner Pritchett participated Friday afternoon and he participated Friday morning; they zeroed out all of the machines for the public; and as of yesterday 17,000 ballots submitted, 30 were rejected, 13 were empty, 5 people had moved, and 12 had the wrong party.

Upon consensus of the Board, the meeting adjourned at 10:52 a.m.

ATTEST:


SCOTT ELLIS, CLERK



BRYAN LOBER, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by the Board May 28, 2020.