

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, May 7, 2024

5:00 PM

Regular

Commission Chambers

A. CALL TO ORDER 5:00 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 Jason Steele

C. PLEDGE OF ALLEGIANCE

Commissioner Goodson led the assembly in the Pledge of Allegiance.

E.1. Resolution Recognizing May 25, 2024 as Family Abduction Awareness Day

Chair Steele read aloud, and the Board adopted Resolution No. 24-034, recognizing May 25, 2024, as Family Abduction Awareness Day.

Result: Adopted

Mover: Rob Feltner

Second: Rita Pritchett

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

E.2. Resolution Acknowledging the Second Week in May as Lung Cancer Action Week

Chair Steele read aloud, and the Board adopted Resolution No. 24-035, recognizing the second week in May as Lung Cancer Action Week.

Deborah Smith stated she has lived in Brevard County for over 30 years and Commissioner Feltner lives in her neighborhood; six years ago she was diagnosed with EGFR Lung Cancer; it was a complete shock to her system as she was a pretty healthy person; she did not see that one coming and she never smoked a day in her life; she and her husband do a lot of volunteer work and advocacy for American Lung Association because of that; her kind of Lung Cancer is treatable but not curable; and her goal with these proclamations is to get the word out about Lung Cancer so that it raises awareness, and that at some point, Lung Cancer can be treatable and curable. She added every two minutes and 14 seconds, someone in the United States is diagnosed with Lung Cancer; she had no idea it was that prominent; Lung Cancer is the leading cause of Cancer deaths among men and women in the United States; 20 percent of them are non-smokers, just like herself; according to the American Lung Association, the survival rate five years ago was 13 percent; and it is now up to 22 percent in the last five years. She noted that gives her a lot of hope and it is important at this point; if someone has lungs he or she can have Lung Cancer; Lung Cancer Research has made incredible strides in the last 10 years, but more is necessary; and basically, if one cannot breathe, nothing else matters.

Result: Adopted

Mover: Rob Feltner

Second: Tom Goodson

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

E.3. Resolution Acknowledging the Waterway Warriors for Achievements and Accomplishments

Commissioner Feltner read aloud, and the Board adopted Resolution No. 24-036, recognizing the Waterway Warriors for its achievements and accomplishments.

A representative of the Waterway Warriors stated as volunteers, they adopt different

waterways; they have gotten Pineda under 'Adopt a Highway Program' through Florida Department of Transportation (FDOT), Horse Creek, they are working on Eau Gallie and they would love to tackle the problem at 528, but they are not quite there yet; however, as the core four, they are extremely grateful to Commissioner Feltner; and they look forward to meeting with each Commissioner and adopting waterways in the area. She expressed her appreciation for the Resolution.

Result: Adopted

Mover: Rob Feltner

Second: Rita Pritchett

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

E.4. Presentation, Re: Winners of the 2024 Florida 4-H Public Speaking Program

Chair Steele stated now the Board will go into the winners of the 2024, Florida 4-H Public Speaking Program; and he asked if Beth was in attendance.

Gus Koerner stated the Florida 4-H Public Speaking Program, powered by Florida Power and Light (FPL), helps students in fourth through sixth grade research, write, and deliver a speech on the topic of their choice; they can participate in classroom, school, and County level competitions while practicing their research, writing, and communication skills; and the two students he presents the Board with tonight represent over 700 students in the school district that participated in the Program.

Chair Steele stated if Shelby's speech is as good as he heard it was, she is going to have to run for County Commission and replace him.

Shelby responded with she is planning to. She read her speech aloud.

Isabel read her speech.

Mr. Koerner thanked the Board for the opportunity to allow Shelby and Isabel to speak; and he mentioned the biggest supporters of the Public Speaking Contest are the University of Florida, the Brevard County Board of County Commissioners, and FPL; and he is so grateful to have that support.

F.1. Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Arthropod Control Budget Amendment

The Board authorized the Chair to execute the FDACS, Division of Agriculture Environmental Services, Arthropod Control Budget Amendment.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.2. Final Plat and Contract Approval, Re: Farallon Fields, Phase 2, Developer: The Viera Company

The Board granted final plat approval; and authorized the Chair to sign the final plat and Infrastructure Contract for Farallon Fields, Phase 2 – Developer: The Viera Company, subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: Approved
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.3. Approval, Re: Distribution of Educational Facilities Impact Fees

The Board authorized the disbursement of Educational Facilities Impact Fees in the amount of \$6,078,272.42 to the School Board of Brevard County in accordance with the terms of the Interlocal Agreement; and authorized the Budget Office to execute necessary Budget Change Requests to implement this disbursement.

Result: Approved
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.4. Adopt Resolution and Release Performance Bond: Village 2 Center, Developer: The Viera Company

The Board adopted and executed Resolution No. 24-037, releasing the Contract and Surety Performance Bond dated May 4, 2023, for Village 2 Center, Developer: The Viera Company, in accordance with Section 62-2844(b).

Result: Adopted
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.5. Adopt Resolution and Release Performance Bond: Merope Village Phase 1 (aka Village 2, Neighborhood 2), Developer: The Viera Company

The Board adopted and executed Resolution No. 24-038, releasing the Contract and Surety Performance Bond dated April 18, 2023, for Merope Village Phase 1 (aka Village 2, Neighborhood 2), Developer: The Viera Company, in accordance with Section 62-2844(b).

Result: Adopted
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.6. Approval, Re: Contract for Sale and Purchase from Aaron Comino for the Save Our Indian River Lagoon (SOIRL) Sharpes Zone B Septic to Sewer Conversion Project

The Board approved and authorized the Chair to execute the Contract for Sale and Purchase from Aaron Comino for the SOIRL Zone B Septic to Sewer Conversion Project; authorized the Chair to execute all required closing documents related to the Contract; and approved any necessary Budget Change Requests associated with the sale.

Result: Approved
Mover: Rita Pritchett

Second: John Tobia

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

F.7. FDOT Public Transportation Grant Agreement (PTGA) FM# 454684-1-94-01, Authorization to Apply for FAA Grant, and Permission to Advertise Invitation to Bid Runway 14/32 Precision Approach Path indicators (PAPI) at Valkaria Airport

The Board executed and adopted Resolution No. 24-039, authorizing execution of the PTGA FM# 454684-1-94-01 and the FDOT PTGA for the design and construction of Runway Vertical/Visual Guidance Systems for runway 14/32 at Valkaria Airport; authorized staff to advertise an Invitation to Bid for the installation of new PAPI's for Runway 14/32; authorized the County Manager to execute the Contract with the lowest responsive and responsible bidder after execution of the FAA Grant, subject to the approval by the County Attorney's Office and Risk Management; authorized staff to apply for an FAA Grant based on engineering fee's and construction cost received by the lowest responsive and responsible bidder; authorized the Chair to execute the FAA Grant subject to review and approval of the County Attorney's Office and Risk Management; and authorized all necessary Budget Change Requests associated with the project.

Result: Adopted

Mover: Rita Pritchett

Second: John Tobia

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

F.8. Approval, Re: Housing and Human Services Purchase Assistance Program Policy for the HOME Program

The Board approved the Housing and Human Services Department's Purchase Assistance Program Policy (HS 027) for the HOME Program.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.9. Acknowledge Receipt of the FY 2022-2023 Melbourne-Tillman Water Control District Audited Annual Financial Statements

The Board acknowledged receipt of the FY 2022-2023 Audited Annual Financial Statements, ended September 30, 2023, from the Melbourne-Tillman Water Control District.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.10. Authorization, Re: Municipal Review of Local Option Gas Tax (LOGT) Percentages Allocations

The Board directed the Clerk to mail a copy of the LOGT percentage allocations to each municipality for review; and approved recommendation of the Board to conduct the final reviews of the allocations at the July 23, 2024, Board meeting.

Result: Approved

Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.11. Renewal of Annual Property Insurance Program Effective June 1, 2024

The Board authorized the Human Resources Director to bind and secure placement of the County's Property Insurance coverage as presented and recommended by Brown and Brown, the County's property/casualty insurance broker, with an effective date of June 1, 2024, at a cost not to exceed \$4,221,110.

Result: Approved
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.12. Permission to Issue Request for Proposals (RFP) for Employee Benefits Online Vendor/Administrative Services

The Board authorized the Human Resources Director to develop and release for advertisement, a RFP for an Employee Benefits Online Vendor/Administrative Services; authorized the County Manager to approve a Selection and Negotiating Committee, which he shall have the authority to replace committee members as necessary; and authorized the County Manager to execute all resulting contracts and amendments thereto, upon approval by the County Attorney's Office and Risk Management.

Result: Approved
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.13. Resolution Approving the Issuance by the Orange County Industrial Development Authority of Revenue and Refunding Bonds (Central Florida YMCA Project) in an Amount not Exceeding \$18,000,000

The Board adopted Resolution No. 24-040, allowing the issuance by the Orange County Industrial Development Authority of industrial development revenue and refunding bonds (Central Florida YMCA Project) in an aggregate principal amount not exceeding \$18,000,000 for the purpose of refinancing bonds issued by the Authority in 2014.

Result: Adopted
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.14. Appointment(s) / Reappointment(s)

The Board appointed/reappointed **J.B. "Barry" Forbes** to the Housing Authority, with said appointment to expire May 14, 2028; **Karen Calle, Michelle Canha, Patsy Shearer, and Loretta Wilson** to the North Brevard Public Library Advisory Board, with said appointments to expire May 7, 2026; **Constantine Daniel, Albin Sowash, Edwin "Pete" Poole, Janis Shellabarger, and Ashley Scott** to the North Brevard Public Library Advisory Board, with said appointments to expire May 6, 2026; and **Leartis H. Brothers and Betty Wells** to the South/Central Brevard Parks and Recreation Advisory Board, with said appointments to expire

May 16, 2026.

Result: Approved
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.15. Resolution to Amend the Ad Valorem Tax Abatement Program Guidelines

The Board adopted Resolution No. 24-041, amending the guidelines for the Brevard County Ad Valorem Tax Abatement Program as recommended by the Economic Development Commission of Florida's Space Coast Ad Valorem Tax Abatement Council.

Result: Adopted
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.16. Request for New Local Workforce Development Area (LWDA) Designation, Comprised of Brevard County, Flagler County, and Volusia County - This New Local Workforce Development Area Will Serve Collectively Under the Workforce Innovation and Opportunity Act of 2014 as the Chief Elected Official

The Board approved and authorized the Chair to execute the application for the new LWDA Designation comprised of Brevard, Flagler, and Volusia Counties which will be transmitted to the State of Florida, Florida Commerce as required.

Result: Approved
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.17. CareerSource Consortium - Interlocal Agreement between Brevard County, Flagler County, and Volusia County

The Board approved the Interlocal Agreement between Brevard, Flagler, and Volusia County, creating the CareerSource Consortium; authorized the Chair to sign the Interlocal Agreement, subject to review and approval by the County Attorney's Office and Risk Management; appointed Commissioner Feltner as the Brevard County member of the Consortium; and appointed the County Manager as the alternate member.

Result: Approved
Mover: Rita Pritchett
Second: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.19. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.18. Executive Session to Discuss the Status of Collective Bargaining Negotiations With the International Association of Fire Fighters (IAFF), Local 2969 Rank & File and Supervisory Units

Jack Meglio thanked the Board for considering an executive session to discuss the wages of the Brevard County firefighters; he stated in the short time that he has, he hopes to educate the Board on some of the pressing issues plaguing Brevard County Fire Rescue (BCFR); its fire department is hemorrhaging employees at a pace never seen before; over the past six weeks, BCFR has received 22 resignations from firefighters, EMTs, and paramedics, with only one being a retirement; the employees are leaving at a record pace for other departments around the State of Florida, taking their invaluable experience and training with them; and in addition, BCFR has 27 employee retirements in June, at a time when two months away from opening a new Viera Fire Station. He continued by saying this record setting attrition is not sustainable; three years ago, BCFR set out ambitious hiring goals; additional personnel were allocated to Fire Rescue with the intention of expanding the floater pool of roaming firefighters to cut overtime, but overtime costs have not been cut; additional personnel were also allocated in preparation of opening a new fire station in Viera for the summer, with future expansions planned for Port St. John, Merritt Island, and also Palm Bay; and as the population continues to grow, expansion of public safety and infrastructure is a paramount concern. He mentioned in an attempt to stay ahead of the curve, BCFR brought on a full time recruitment coordinator to meet the demands of hiring in a competitive job market; ultimately BCFR is not competing in the job market; just a few short years ago, BCFR would see hundreds of qualified applicants for 20 to 30 vacancies; this gave Fire Rescue the ability to put applicants through a vigorous process to ensure the best and brightest were hired; now they struggle to fill a new hire class; just two weeks ago they were to begin with 25 and only began with seven; and over the past few years, the department has been forced to hire all qualified applicants and it has not done an interview for firefighter positions in over five years, over half of a decade. He commented simply put, if the applicant meets the requirements, the department gives them a job; over the past three years in desperation, the department has begun offering scholarship opportunities to the community to pay for EMT and Fire Academy; it is a great opportunity for the local youth, but the associated costs for individuals who are not even employed by BCFR is extensive; once hired, trained, and equipped, the cost over three months would be about \$20,000 per individual; and the scholarship is an additional \$7,000 before he or she even steps foot in the door.

Christina Fleming stated she is a retired firefighter, but comes to the Board as a member of the public because she is a taxpaying member; she wants to let the Board know that the starting firefighter, just basic receives \$41,089; after going through the basic of basic gross, Medicare, Social Security tax, vision, dental, medical, the three percent that the employee has to pay into Florida Retirement System (FRS), Florida Power and Light (FPL), rent, and once all of these numbers go through the basic best case scenario is, the single firefighter EMT gets to bring home \$380.46 to pay for food for the month; worst case scenario is \$180.46; that is for a single firefighter, if he or she has a family it is negative \$44.58 that he or she can bring home to his or her family for food, that is with everything covered that one would need; the Department just lost 37 people since January; the 37 counts the one that came in today; and what she is asking the Board is to take that into consideration when having that executive session, and discussing things with the County Manager and Mark Sugarman, the attorney the Board had to hire for this. She added Commissioners Tobia and Pritchett are out soon, but they are still working until November, and she asked that they not kick the can to the next Commissioners, to please

stand up, and do what these people voted for them to do. She pointed out she is in Commissioner Tobia's District; she voted for him to be her voice; and she is asking him to please not kick this can to the next Commissioners.

Jimmy Cundiff stated he is a firefighter paramedic for BCFR; he loves working here; he has been here collectively for about five years; to be honest, he does not want to be here today; he does not feel like he has to make a case for why the firefighters need to be paid fairly; everything is going up; he bought his house 13 years ago, and his mortgage is going up, everyone knows this, groceries, FPL, and people cannot even afford a car nowadays; the Fire Department is a little bit different, it is not like Walmart, where people can transfer to another Walmart and make the same amount of money, have the same amount of vacation days; firefighters right now, can apply anywhere; Indian River County, Kelly days, they can go to Port St. Lucie, the top out there is \$117,000, starting pay is around \$50,000; Palm Beach County top out is around \$120,000 with Kelly days, which means every seventh shift one works, he or she has it off; the Fire Department has been behind the ball for 20 years; and it needs to start catching up. He commented he loves working here, a lot of guys do; top out right now, after 15 years is \$67,000 and some change and that is after 15 years of service; starting out is around \$50,000; it is pretty grim compared to any other place; they also transport, and ride ambulances, but other departments around them do not; he feels the firefighters get paid unfairly; Palm Bay has just agreed to around a 35 percent increase for its firefighters; and his department is struggling. He advised his is a large department that does specials ops, haz mats, everything; he feels the Fire Departments need to be brought up to the standards of everywhere else; it is too easy for these guys to leave and go somewhere else; FRS can just be transferred over to another County Fire Department and carry over the retirement, they are not losing anything; it is even more of a case for the new guys, one to 10 years, even 15-year guys, can go down south and transfer over the retirement with a high five and start somewhere else with 17 less working days per year; and that is all he has to say.

John Dacko stated he is coming up on 18 years of dedicated service to BCFR; this will be his fifth contract negotiation that he has witnessed during his tenure; he appreciates the opportunity to address the Board regarding the utmost importance of wages, retention, recruitment, and the welfare of the Brevard County firefighters; in the last six weeks, the Fire Department has experienced an alarming exodus of talent; 23 dedicated firefighters, EMTs and paramedics have resigned, with only one of those being a retirement; additionally, the department has faced the impending retirement of 27 more employees starting as early as June; and this unprecedented attrition threatens the stability and effectiveness of the department, particularly as it approaches the opening of a new Viera Fire Station. He went on to say despite ambitious hiring initiatives and recruiting efforts, the departments are struggling to maintain adequate staffing levels; these hiring goals were developed by the current BCFR administration and approved by the Board; the idea was to increase the floater pool so overtime costs could be mitigated, however, overtime costs have not been mitigated, it has increased to the extent that some of the firefighters, EMTs, and paramedics have been given mandatory overtime twice in the past 45 days; where there was once a surplus of qualified applicants, it is now a struggle to fill new hire classes; this decline in interest is directly correlated with the County's inability to offer competitive wages, work life balance, and benefits; as evidenced by the exit interviews indicating that compensation and work life balance are key factors in the employee's decision to leave; and those exit interviews can be made readily available. He continued to say moreso, the reliance on scholarship programs to attract new talent comes at a significant cost, both financially and in terms of both quality and recruits; many scholarship recipients fail out of the program or leave for other departments after they have completed their training with BCFR; the training costs over \$20,000 to \$30,000 per recruit, leaving little return on investment; advertising a competitive wage package would surely bring back applicants that BCFR is sorely losing to departments around it; and in the last six weeks the department has experienced an alarming exodus of talent, 23 firefighters that have been dedicated to this job,

have left for surrounding agencies. He stated to address these pressing issues and to ensure the safety and well-being of the residents and visitors, he would urge the Board to prioritize the discussions on competitive wages, work life balance, and benefits for the firefighters during the upcoming executive session; the residents of Brevard County deserve nothing less than a highly skilled and dedicated public safety workforce; and the firefighters deserve compensation that reflects the industry standard. He thanked the Board for its attention to the matter.

Paige Sassman stated she has been with BCFR for two and one-half years now which is a shocking amount of time these days; she would like to start by thanking the Board for considering an executive session with Chief Voltaire; she has lived here her entire life and she honestly did not care much about politics until she started working for this department; she is about to become a paramedic with BCFR and she was told by a lieutenant that she is about to become more valuable; but to her it does not feel that way. She mentioned she currently makes \$15.50 an hour, and that is with two incentives; she is only getting \$1 for far more responsibility, once she becomes a paramedic; and as a solo paramedic she will be making about \$2 more per hour, which again is a lot more responsibility, where other departments around here, that she can go to, easily make \$20 per hour, if not more. She commented she thinks Chief Voltaire has the best interest to do right by those in the field; so far, he has shown that he has good intent; the reality of it right now is that BCFR is hemorrhaging people; she wishes that was an exaggeration, but it is not; she reiterated over the last month 20 people and counting have left; it is no secret that pay is the reason for leaving; if the pay does not increase the County will not have enough people to staff the units; and it is as simple as that, it will have to brown-out units. She stated the people here tonight, including herself, are passionate about this department and this career, but they all need to provide for themselves and their families; one-third of their lives is sacrificed for this job, which in her book, is the best job in the world; because of the lack of pay, the employees are now having to sacrifice two-thirds or more of their time, if they can, working overtime to just afford bare necessities; she loves this department and she does not want to have to leave, but the way things are going right now, it is not looking good; she reiterated she loves this department, her crew, and what she gets to do; she actually gets to do both sides of the job and she is passionate about both sides of her job; at the same time, she just bought a house and her mortgage is double what her old mortgage was; but her pay is not. She asked the Board to please go into this executive session with Chief Voltaire with an open mind and open ears about the severity of the situation.

Craig Finkelstein stated he is a fire prevention inspector with BCFR; he is also the inspector representative to the International Association of Fire Fighters (IAFF) 2969 Board; he is present to thank the Board for considering an executive session; he would remind the Board that there are more than just firefighters; the firefighters are incredibly important, but there are inspectors in the CBA as well; their jobs are equally as important as the firefighters; they inspect buildings to make sure they are safe for the citizens and ensure there are no hazards that would cause a fire or other dangerous issues; and he asked the Board to not forget the inspectors while having that executive session. He asked the Board to please do the right thing; the inspectors wages are just as bad as the firefighters; recently an inspector left BCFR to go work for Indian River County Fire Rescue; and her starting salary was more than BCFR's current top-out salary; in his opinion that needs to be addressed; BCFR cannot find people to hire; he believes there are three applicants right now, but none of them are qualified for the multiple positions that are available; and he asked again that the Board do the right thing for its citizens and the firefighters.

Richie Stein stated he is a lieutenant with BCFR and has been employed for 14 years; he thanked the Board for taking a vested interest in the Fire Department, the ongoing issues, and seeking an executive session; the Board will hear about mandatory overtime (MOT), retention, attrition, recruitment problems, and low morale; the department has lost approximately 23

people, as the Board has already heard, in the past three to four weeks, and 37 since January; since January it has hired 31; it is just simply unsustainable; and these are issues being faced on a daily basis, but symptoms of the real issues, substandard pay, and substandard work life balance. He went on to say BCFR will not be able to keep employees if it is not competitive in these areas; he would encourage the Board to ask about these issues during the executive session; he asked the Board to keep an open mind and to understand the firefighters lives are affected by its decisions; Chief Voltaire is in a difficult spot, he must weigh the needs of the County, its citizens, and his employees; he understands where his employees are and what needs to be done to get BCFR back on track; and as he has not always agreed with the Chief on how to get there, he does believe the Chief has the best interest of all and that he is the right person to get the job done. He mentioned BCFR is at a critical point and the decisions that will be made in the next few months will shape the future of the department for the better or worse, hopefully for the better; and he thanked the Board for its time.

Chair Steele thanked the firefighters for what they do for the County; he stated the Board will give this some serious consideration when it gets into the executive session; and hopefully it will make some decisions that will work for everyone.

The Board approved an executive session with the County Manager and appropriate staff to discuss ongoing collective bargaining negotiations for the Rank and File and Supervisory Agreements with the IAFF Local 2969, to be held after Regular Board Meeting on May 21, 2024.

Result: Approved

Mover: Rob Feltner

Second: John Tobia

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

G.1. Public Hearing, Re: Temporary Use Agreement (TUA) for Brevard County to Continue Temporary Dewatering Activities on a County-owned Parcel for the Grand Canal Muck Removal Project

Chair Steele called for a public hearing on a Temporary Use Agreement (TUA) for Brevard County to continue temporary dewatering activities on a County-owned parcel for the Grand Canal Muck Removal Project.

Virginia Barker, Natural Resources Management Director, stated this is a public hearing to continue allowing temporary dewatering activities on a County-owned parcel, adjacent to the Pineda Causeway, for the unincorporated Grand Canal Muck Removal Project; the current TUA expires July 9, 2024; this request is for up to four years, bringing the expiration to July 9, 2028; she expects dredging to be done in 2027, but with site restoration carrying on into 2028; multiple factors contributed to needing this extension request; muck volumes are approximately 30 percent greater than the original estimation that were based on surveys that were completed back in 2014; and changes were made to the interstitial water treatment methodology, the COVID pandemic affected the material availability, equipment, and trucking, there have been hurricanes and severe weather delays, unexpected encounters with clay, rock, and extra time to process material to meet State cleanup target levels. She advised a public meeting with the South Patrick Residents Association was held on April 25 to discuss the project and plans for completion; public comments were received and residents' concerns were heard; County staff completed a list of action items gathered from that meeting; and project staff and consultants are available tonight to provide any additional information at the Commission's request.

Steve Diaz stated he lives about 225 feet from the demucking site; in the packets he handed out there are 21 other residents that signed a petition to either stop the demucking project and

not to extend it, or to find another site to find out what to do with that demucking; his main concern is his family has smelled a significant rotten egg smell on a consistent basis; from all the research that he has done, it seems to be most likely related to hydrogen sulfide, or H₂S; he had asked the County a couple weeks ago when there was a community meeting, to do an air quality test and inquired why it has not been done in the four years it has been working on the project; and they had admitted they had not done anything for air quality, which goes against the US Army Corp of Engineers, the Environmental Protection Agency (EPA), and the dredging associations policies where it states there should be monitoring for air quality, as well as the human health impact that it could create. He noted his family is suffering from nose bleeds, nausea, headaches, and loss of appetite at times where they have never suffered before moving to the area; he thinks the County may have done an air test in the last week or two, but as the Board can see on the last page of his presentation, it shows that the air direction was away from his property so that does play a part; and he also wanted to go on record with the County to say that if it is going to continue this, can it give some type of guarantee on the record that this is not a possible health hazard to his family or the community.

Gary Hanlin stated he is just around the corner from the muck area and there are several residents around him and the gentleman that just spoke from Tortoise Island; he understands that there are some difficulties involved; he thinks that Brevard County Natural Resources Management has done a commendable job in trying to facilitate this clean up, it is a super big project; as he had mentioned to Commissioner Feltner when he introduced himself, he was on the Marine Advisory Board himself, for several years, approximately 11 years, quite a few years ago; if someone would have asked him then if the money could be appropriated to clean up the canals, he would have said he did not think they would ever be able to do it; but he knows people at Natural Resources Management, through the grant writing and everything else that they have done, has done a commendable job; and he looks forward to them addressing the concerns of the community in which they did in the April 25 meeting. He went on to say he thinks that with a little effort on the Board's part that Natural Resources Management is going to maybe see some mermaids in the Grand Canal one of these days; and he thanked the Board.

Jeromy Kendall stated he is Mr. Diaz's neighbor so he is also 225 feet away from the demucking site; he will not repeat everything that Mr. Diaz said but he has similar problems; he will come home to his house in the afternoon and the rotten egg smell would probably be more welcomed, as it is probably more of a methane smell; hydrogen sulfide as it collects in areas that are not well ventilated, will collect and keep building, and as it keeps building it starts to smell more like methane; and it is also more flammable at that point. He continued by saying when he comes home to his house and it smells like methane, all he wants to do is evacuate the house because his eyes start watering; this is constant; the concerns were just after the letter came out asking for the extension; Mr. Diaz and himself were on Fox News, and the day after that, it seemed like everything stopped at that site; there were very few people there and not much going on; it was in full force for about 10 days; he has not smelled anything there since, so he does not know if they were skipping a step that prevented the smell or if something different is being done; it does not make any sense that for three years the residents have been dealing with that and all of a sudden the residents have not smelled it anymore; maybe it will come back, but he hopes it does not; but that has been the case. He added members of Brevard County Environmental, had been searching through his social media; he is not sure why they would be doing that; also the day after they were on TV, someone came by his house, in the back of their boat, filming him and his wife from the dock and taking pictures of them; and he does not know why that was necessary, but he thought the Board should know.

Sandra Sullivan stated one of her concerns with the Grand Canal Project is the Per and Polyfluoroalkyl Substances (PFAS) contamination; the EPA came out with a study in September of air inhalation risks, but there is no Volatile Organic Compound (VOC) monitoring

happening for PFAS contamination, even though the base is the third highest contaminated base in the country; one would think the County would be doing more to protect its resident's health and safety; and the second concern she has is this project was supposed to be completed in 2023, but the last time she checked it was 2024 and they are talking about not being done until 2027. She commented if she did third grade math and she takes four years and over 68 percent complete, which is where it was at the start of this year, and then extrapolate with a little ratio, it comes out with 5.88 years for 100 percent; that would put it at 2025, not 2027; she did a records request and found out where there are emails saying the Satellite Beach project is going to start in 2026, which would correspond to the County's project ending in 2025; so she called Department of Environmental Protection (DEP) and she was told that Satellite Beach is going to be using the Pineda Dredged Material Management Area (DMMA) site; so then she talked to Vinnie Turanto with Save Our Indian River Lagoon (SOIRL) the other day and he told her he called Amanda Peck of DEP and she told him the County has not made up its mind yet; and here is a very simple suggestion that the Board can do today for the TUA, and just add in a clause with the motion, saying the County will only use this site for the Grand Canal Project for the delineation of area that it is now. She noted she has emails; here is from the permit saying the Satellite Beach Project is going to be done in 2028; guess what, the Eau Gallie Project using the BV52 site does not end until 2027; she asked how they can be finished in 2028 when they would be starting in 2028; then there is Satellite Beach on social media bragging that they are using the Pineda DMMA site; then there is her email confirming with DEP that that is the site they are using; then there is the permit, she has a copy of the permit, and low and behold there is pipe from Eau Gallie all the way down, 8.1 miles, to the BV52 site in Palm Bay; and she asked what about the five miles between Satellite Beach and Eau Gallie, it is not in the plan, is that not strange. She stated if the Board is trustworthy and this is not a bait and switch, which it has all the indications of based on what the DEP has communicated, then it would have no problem with inserting a clause in the TUA with an addendum that simply says, this site is only for the Grand Canal Project and the County will not be extending it to other projects.

Craig Wallace stated he is wearing three hats this evening; the first hat is homeowner in Tortoise Island, Satellite Beach, on the Grand Canal; he has lived through the past three and one-half to four years of the muck dredging project, fortunately he does not live across the street from it so he has not endured some of what others have talked about tonight; one thing he knows is when he moved into his house in March 2016, he had a whole canal full of dead stinky rotten fish in his backyard and the canal color was a reddish brown color that he never wants to see again; and he vowed at that point in time, that he would do everything he could to make sure that whatever was causing that problem was fixed. He added he was involved in this; as of this past weekend after the dredge had gone past his house, the clarity of the water, he could see 10 feet down and he was watching Snook pass by and all kinds of game fish that he has never seen before, therefore, it is making a big impact with this project; his second hat is a member of the board of Tortoise Island Homeowners Association; they had their meeting this past month and he heard all the passionate pleas from all of the residents, as the Board has heard tonight, and it is really tough listening to the stories and what they have had to put up with; he understands that; and they all say that they want this Lagoon to get cleaned up, so they want the program to go forward, but the Board needs to work out the best possible way to try to minimize the discomforts that the residents are dealing with, especially if it is going to be another three or four years. He stated the third hat he is wearing, and the one the Board may be more familiar with, is the Chairman of the Brevard County Indian River Lagoon Coalition, where he has worked closely with the County to try to get the programs working and to communicate with the public the issues that they are having with the programs as well as all the good that is coming from the programs; having been through that array of things, hopefully, it will help the Board perceive some of the challenges as have been put forward this evening; the best approach is dialogue; he thinks at the meeting that Ms. Barker put on, on April 25, it really got all the people together and they had asked questions; now County staff has responded to

most of the questions that were asked there; he thinks working together is the best solution to this; and he thinks everyone needs to keep their eyes and ears open.

Commissioner Pritchett stated from what she is reading in the paper, the project is about half way completed; she was briefed before this meeting; and she asked Ms. Barker to let everyone know why there is more muck than originally thought, when the project started.

Ms. Barker advised that muck continues to accumulate while people continue to put too much pollution in the Lagoon; there are hundreds of millions of dollars' worth of projects underway to stop that pollution before it gets to the Lagoon, but those projects have not been completed yet; and that pollution, as well as grass clippings and other things right there, from the community, continue to add muck to the system.

Commissioner Pritchett questioned if part of it got in there before the County was able to start the project, when Natural Resources Management did the first analysis.

Ms. Barker responded affirmatively. She stated the volume was surveyed back in 2014, so it is 10 more years of accumulation.

Commissioner Pritchett commented hopefully the County will be able to win that battle because it is hard to keep taking it out, if there is more going in; by what these gentleman are saying she can tell it is really bad stuff in there if there is all of these air quality issues over at their houses; it is important to get this out; and she asked if Natural Resources did a testing, from what was said.

Ms. Barker again responded affirmatively. She explained first they surveyed all around the DMMA site to figure out where the highest readings were; not surprisingly, they are where the muck is coming fresh out of the dredge pipe into the sand-settling basin; they set up a monitoring system there for hydrogen sulfide testing and set up systems downwind between where all the geotubes are dewatering the material; then the first station was moved to the section of the construction area closest to the homeowners on Tortoise Island; they have monitored there since the middle of last week; that monitoring shows that, peoples noses are extremely sensitive to hydrogen sulfide, just because people can smell hydrogen sulfide does not mean that it is at dangerous levels; and the sensors are telling them that the levels are way below any sort of human health concern.

Commissioner Pritchett inquired if staff will be able to monitor on a continual basis for a little while to make sure it was not just a 'hit and miss' day.

Ms. Barker explained if the Board wants her staff to do that she can extend that monitoring, but there is no reason to think that it would be different than what has been found so far; and in the history of all the counties dredging and all the other dredging that has gone on, this has not been a human health concern.

Commissioner Pritchett asked Ms. Barker how much longer she thinks this is going to be a problem.

Ms. Barker inquired if Commissioner Pritchett is talking about the smell.

Commissioner Pritchett replied yes.

Ms. Barker answered as long as they are dredging fresh muck out of the Lagoon there is a potential for smell.

Commissioner Pritchett stated she is hoping with communication, staff will keep monitoring it as

it needs to; she thanked Ms. Barker; and she thanked the speakers for bringing it to the Board's attention.

Ms. Barker pointed out that the TUA that is in the Board's packet specifies that its purpose is to continue to fulfill the County's obligation to conduct muck dredging along the unincorporated segment of the Grand Canal System; and it also says that the agreement shall expire on the date the project is deemed complete.

Commissioner Feltner stated Ms. Barker answered his main question that the cities of Satellite Beach and Indian Harbour will have separate contracts to go south; and he asked if that is correct.

Ms. Barker confirmed that is correct. She stated that those cities do not have permission from the Board, as the controllers of that property, to use the County's DMMA; their permits specify that they will use the Florida Inland Navigation District (FIND) BV52 site in Palm Bay.

Commissioner Feltner stated he is certainly sympathetic to homeowner's concerns; Ms. Barker stated if the Board gave her direction she would be able to continue the monitoring of the hydrogen sulfide gas; and he asked what additional cost or burden that would add to the project.

Ms. Barker noted she believes the cost of the monitoring that has been done so far is around \$14,000 or \$15,000; and to continue that for the month would bring it to around \$33,000.

Commissioner Feltner asked if that is something that could possibly be discussed further at the next County Commission meeting.

Ms. Barker mentioned the equipment will go back before the next meeting and there would be a new rental; and it is cheaper to keep the current equipment than to send it back and order it again.

Commissioner Feltner stated he will make a motion to continue the project and he would like to add in the monitoring for the remainder of the month.

There being no further comments or objections, the Board executed and approved the TUA allowing Natural Resources Management to continue utilizing 6.38 acres of the 18.83-acre, County-owned, PUD-zoned, vacant parcel for temporary dewatering activities for the Grand Canal Muck Removal Project (unincorporated area), for a period of up to four years from the current TUA expiration date of July 9, 2024; and authorized Natural Resources Management to continue monitoring for the remainder of the month.

Result: Approved

Mover: Rob Feltner

Second: Rita Pritchett

Ayes: Pritchett, Goodson, Feltner, and Steele

Nay: Tobia

*The Board recessed at 6:06 p.m. and reconvened at 6:10 p.m.

I.1. Board Direction: FY 2024-25 Tourist Development Council Recommendation for a \$5 Million Reimbursable Capital Facilities Grant for the Brightline Station in Cocoa, FL

Peter Cranis, Tourist Development Office Director, stated this Item is coming from the Tourist Development Council (TDC); it is a request from the City of Cocoa for a \$5 million reimbursable

capital facilities grant for a Brightline station in Cocoa Florida; and he believes the City is in attendance and prepared to do a presentation.

Michael Blake, Cocoa Mayor, stated all roads lead through Cocoa, automobiles, airplanes, and now even Brightline trains; the prospect of a new passenger rail station in the great City of Cocoa brings immense potential for economic growth, increased connectivity, revitalization, not only for the Cocoa community, but for the Space Coast; he is excited to introduce his team that is in attendance today for supporting this project; he asked that when he calls their names to please stand; he called out, Deputy Mayor Levander Hearn, District 3 Matt Barringer, District 1 Alex Goins, City Manager Stockton Whitten, Ms. Samantha Singer Director of the Cocoa Communications and Economic Development, and members of various boards; and he asked them all to stand and be recognized as there is power in numbers. He went on to call out the names of Brightline executives Ben Porritt, SVP and Corporate Affairs, esquire Kendall Moore, the industrious Space Coast Transportation and Planning Organization's Georganna Gillette Executive Director, and HDR Jeff Arms.

Samantha Singer stated this is going to be a transformative project for the Space Coast not just for the City of Cocoa; the City of Cocoa is centrally located along the Brightline route from Orlando to Miami, with easy access to everything that the Space Coast offers including Port Canaveral, a major international airport, major highways, and more; Cocoa also serves as a gateway to the many attractions in the area; this is a prime opportunity for development and growth surrounding the station, leading to increases in the tax base from tourism tax, sales tax, countywide property tax, and City of Cocoa property tax; and the station will be situated on a portion of over 90 acres of land that is owned either by Brightline or the City of Cocoa, with parking that will remain publicly owned by the City of Cocoa with easy access to Port Canaveral, Kennedy Space Center Visitor's Complex, Brevard Zoo, and the Melbourne-Orlando International Airport. She went on to say, the Cocoa station's design and layout is anticipated to be similar to the Boca Raton station; it will be approximately 7,500 to 9,000 square feet with surface parking; there will also be additional tracking that will be done west of the station; this will be a multimodal transportation hub for this area that can provide guests the opportunity to visit the Space Coast, including a hub for tours, cruise ships, hotel transit, and ride share opportunities; with over 90 acres available for potential development, the City of Cocoa envisions a station that is part of an urban mixed-use destination that will not just be a stop, but a place where people will want to go; they will see a surge in residential and commercial development including restaurants and hotels; and again, leading to increases in taxes, sales and tourism taxes, County property taxes, and City of Cocoa property taxes. She continued by saying there will be a growing market demand that will create a vibrant community with proximity to jobs, access to public services, spaces, and activity; and rail stations have been shown to create jobs, increase property values, and strengthen communities. She mentioned a report just came out from the Space Coast Office of Tourism and there is a lot of great data; as one can see from their 2024 marketing plan, the reasons why people come and visit the Space Coast, beaches, rocket launches, pre and post cruise, nature and outdoor, and leisure activities, all accessible from a centrally located station; and the top destinations and attractions along the Space Coast include Port Canaveral, Cocoa Beach, Kennedy Space Center Visitor Complex, and Brevard Zoo, all easily accessible from a Cocoa station. She stated as can be seen from the graphic, there are a number of attractions along the Brightline route from Miami to Orlando, including cruise terminals, casinos, sports arenas, theme parks, national parks, and more; getting the Cocoa station built will keep Brevard's prime destinations, as were mentioned earlier, competitive along this Brightline route; otherwise, these attractions are not a destination for Brightline riders; the Space Coast Transportation Planning Organization has engaged HDR to look at the feasibility numbers related to the Cocoa station; and she called on Jeff Arms, the Vice President of HDR Engineering.

Jeff Arms stated that he has been doing transportation planning in Florida for over 25 years; he

is present to talk about some of the analysis that were done in the ridership estimates, and how it might translate into overnight stays; he knows the City also engaged a separate consultant, an Economic Development firm, that came up with a similar estimate using a slightly different methodology; and it is pretty consistent with the overall approach. He mentioned Brightline currently had in 2023, 1.6 million riders, and to note, the Orlando station did not open until September 2023; they are on target and their goal is for 4 million riders per year; what his firm ended up doing was a catchment opportunity which was to analyze using a travel demand and model called Replica that catches the ridership; it is an activity-based model and it is able to take anonymous traffic cell phone data and extrapolate that into overall activity between different areas of the State; right now there is a 29 million interaction potential, or that are already happening between these areas; the way they define a catchment area is they follow the methodology that Brightline had used for their ridership estimates for their bond holders; and that is really to understand the activity that is happening within a 45 minute drive of the station. He noted as everyone knows, Brightline is a premium service and there are some users that are going to choose to visit certain areas because they want to just not have to drive and to be able to choose to take the train to their destination; some notes on the ridership, they took a similar approach to what Brightline had done in their ridership estimates, it was basically to take a look at potential market share of the interactions that are occurring overall and then resulting in approximately four percent of the overall interactions could be riders using the Brightline service; from there they looked at what the room nights could be; and taking into account that his estimate is a very slight increase of users who would choose to come to Brevard, that may otherwise go somewhere else if it were not for the option of Brightline. He mentioned what was looked at was an estimate, approximately 42,000 people, and it is only three percent of the Brightline ridership, if converting for room nights and duration of stays it would be approximately 78,000 additional room nights; that is a conservative model; that is just .1 percent of the overall interaction of all the trips that would be going to Brevard County already; he was just estimating that there would be even a slight increase of users that are now able to use the Brightline service; to come to Cocoa, the County would get \$500,000 to \$1 million additional tourist bed revenues based on the data and the assumptions that are already out there; also the State had done an economic impact study of Brightline as a part of the Statewide Rail Plan; and it did estimate, with 16 trains per day, which he believes Brightline is currently running, there would be an economic impact of almost \$2.8 billion. He commented as was mentioned how Brevard would capture some of that economic impact, with the station it could do some of that.

Commissioner Tobia stated Mr. Arms said his findings were pretty similar to the Downs in St. Germain; he has not seen his so he is going off their six-page slide that someone paid an obscene amount of money for; they use estimates of five percent overnight visitors, and five percent day trippers, 10 and 10, 15 and 15; and he asked if Mr. Arms used this similarity.

Mr. Arms commented he had a different methodology approach than what they had, his was based on the percent.

Commissioner Tobia advised his question is, there are other stops along the way, West Palm Beach, Boca Raton, Fort Lauderdale, and Aventura, those probably would be, his guess, the best estimates for people that actually get off the train, and his question is, did he use any of those numbers to extrapolate the dollar figures that he is putting up here.

Mr. Arms replied he will take a step and walk back; they are able to model the interaction between station areas using the Replica model, which captures mobility between cell phones and what Brightline has done in their riderships is they can understand the interactions between the station area shed of where one would capture the riders throughout the whole State and about half of the economic activity in the State of Florida is actually captured along the Brightline route; what his firm did in their approach was they looked at what the interaction was,

as shown on the slide, of how many millions of trips...

Commissioner Tobia interjected stating his question is simple, how many people get off the train.

Mr. Arms asked, at Cocoa.

Commissioner Tobia noted that is an extrapolation off of other data; there are data points; there are other stops and those are West Palm, Boca Raton, Fort Lauderdale, and Aventura between the beginning and the end; and he asked if that is correct.

Mr. Arms responded affirmatively.

Commissioner Tobia stated if there is going to be a conjecture, there is a new station potentially coming up, he would look at the other four stations, and he does not do modeling but he thinks that would probably be the first data point to look at; and his question to Mr. Arms is how many people got off the train and spent one or two nights at West Palm Beach, Boca Raton, Fort Lauderdale, or Aventura.

Mr. Arms advised he does not have specific numbers at his hand for each but what he can say is the ridership for Brightline he believes last month they achieved around 200,000 for the month; and his projections take into account all the stations being interactions in the future.

Commissioner Tobia stated he does not care about those other stations, he cares about how many people are going to get off the train in Cocoa and then contribute to the base; there are other models to look at with other data points; and he asked if Mr. Arms did not look at those data points.

Mr. Arms stated his model was that they estimate that 1.2 million per year, based on following the same methodology that Brightline had used for their ridership estimates, would get off annually at the Cocoa station.

Commissioner Tobia questioned that is not including any of the other stops; and if he is just using a number that was given to him by Brightline.

Mr. Arms stated no, he is following a similar methodology for ridership estimates that Brightline did; Brightline does not publish how many are getting off at each specific station; one thing that is a little different about Brightline is that it is not a publicly run station, so they do not report the same ridership as a publicly run transit agency would; he is not privy to their proprietary data; what he can do is to follow good transportation planning practices of ridership forecasting; and that is what was done following a similar forecast that they had published with their ridership reports that went into their bond selling.

Commissioner Tobia stated out of curiosity, he assumes Mr. Arms is probably in favor of the train station happening; he assumes Brightline is in favor of the train station happening; and he asked why Brightline would not share that data with him.

Mr. Arms stated his job is not to be in favor of the station happening or not, his job is to analyze the feasibility of the station, to perform analysis, and to provide results and data based on his expert opinion in the field; to answer his question, he has not completed the entire feasibility study, Brightline has already announced that it wants to move forward with the station; he was simply asked what would be a conservative estimate of ridership and how many could stay overnight at this location; he took a very conservative estimate that there are 29 million interactions to the Brevard Cocoa area station is what is occurring as far as trips; and that is

what is showing on this slide. He continued by saying to take just .1 percent of that, was users that were taking Brightline, and then staying overnight, it would produce approximately the same result as what the economic analysis firm that the City had produced as well; therefore, he took a different approach and it was really just made based on applying percentage to ridership and came up with a similar result to their estimate; and that is all he is trying to explain.

Commissioner Tobia stated again, Mr. Arms did not do this one, but he said it was quite similar; he is looking under the assumptions and caveats under the one that was referenced, Down and St. Germain, and he even mentioned this, many people would normally drive but instead would elect to take the train; Mr. Arms referenced that and he saw that as an assumption that was missed here; and he asked for an explanation how he took that into consideration. He stated the question is that is not new money, it is just someone coming on a different method of transportation coming to Cocoa.

Mr. Arms stated some of the ridership approach would be that people would make the trip already, but there are also some ridership that would be what is called induced-ridership; to be honest he lives in Orlando, the opportunity to go to South Florida, into Miami is much more lucrative if he does not have to drive and worry about parking; and there are people that have higher economic status that are going to choose to travel to places because the train goes there.

Commissioner Tobia asked what that induction number is through his modeling.

Mr. Arms stated he estimated that would be .1 percent of all the interactions with the Cocoa station; .1 percent of the 29 million equates to the 42,000 persons choosing to stay overnight; then he takes into account room occupancy and duration of stay; and that is how he arrived at the 78,000 room nights annually.

Commissioner Tobia stated he is just not understanding, 29 million people are already coming.

Mr. Arms responded that is correct, 29 million is already occurring.

Commissioner Tobia pointed out there is no induction there, assuming that is stable; and Mr. Arms is assuming because that is not a variable, it is a consistent number.

Mr. Arms confirmed; he stated his assumption based on the analysis, if it is increased by .1 percent and those were people who wanted to stay overnight in Brevard, that would produce 42,000 people annually.

Commissioner Tobia asked why not .7 percent, 13 percent, or .004 percent; and he inquired how Mr. Arms came up with .1 percent.

Mr. Arms stated he took into account, with some of his staff, the number of hotel rooms within Brevard and how that equates to, it is really just a small fraction; there is approximately 12,000 hotel rooms in Brevard County that will be open by next year, according to the tourism data; and he would have to go back to the math that would actually increase the number of hotel rooms itself on a nightly basis and it was fairly small.

Commissioner Tobia interjected by saying he is not following; and he inquired if that is hotel nights.

Mr. Arms responded affirmatively.

Commissioner Tobia noted they are talking about ridership.

Mr. Arms responded affirmatively.

Commissioner Tobia commented he does not see the correlation between the two; he is just trying to understand how he came up with the .1 percent; and he asked if that was a number he just pulled out of thin air or if there is some industry standard that says .1 percent is the increase that will be seen when there is a new type of transportation.

Mr. Arms stated the market share of users was estimated to be four percent of the 29 would be the ridership; and he simply made a professional, educated decision that .1 percent was a very small additional amount of trips that people would want to take a mode.

Commissioner Tobia stated so it was a guess.

Mr. Arms noted it is based on his profession and 25 years of being a transportation planner; he is the lead transit planner for HDR of Florida so he does have some experience working in this type of field; and based on studies, history, and his experience in doing this type of work, he estimated it would be a .1 percent increase of inducement of travel and would result in that number.

Commissioner Tobia inquired if there is no data to back it up other than the 25 years of experience that Mr. Arms has; he stated the .1 percent is a fundamental number; and it could be increased to one percent and the numbers go up 10, or go .01 and it goes down.

Mr. Arms mentioned he also took into account that it is somewhat constricted by how many room nights there would be; and if someone was going to stay and induced extra nights and there were no hotel rooms to do it, there would not be those additional stays.

Commissioner Tobia pointed out there are Airbnbs and that is a number that goes up.

Mr. Arms stated he did constrict it, and that was the point he was trying to make; he tried to constrict the amount it could induce based on a realistic number; the other thing he would note is Brightline is the only inner-city private passenger rail in the country; therefore, there is not a lot of data points based on other modes of rail and how much people would take; but he would say, he thinks everyone has met people who would have taken Amtrak to go visit other cities, as like a trip, and that is an inducement that they chose to go there because Amtrak went there. He mentioned as a kid he went from Washington D.C. to New York because Amtrak was there and they took that as a mode; that is just an example; that is why in his professional opinion he too was taking into account the analysis and the 29 million and the four percent, he felt that the .1 percent additional was a realistic, very conservative amount of induced trips.

Chair Steele stated those were excellent questions and answered very well; everyone knows what is done is to hire an expert and this gentleman is an expert; in addition to that, some of these numbers are subjective; experts have to rely on subjective numbers based on other data; so Mr. Arms does not have subjective data to determine the exact numbers; however, Commissioner Tobia's questioning was right on the money, so he understands that; and he thinks the answers were great.

Ms. Singer stated that leads her to the final slide tonight which is the project total and remaining capital requirement; \$6 billion has already been invested in the Brightline system network which enables the City of Cocoa and Brevard County to have a stop; they have already invested \$6 billion in their system which enables the City of Cocoa to have a station; the City of Cocoa Council has earmarked \$5 million towards the project; the Space Coast Transportation

Planning Organization (TPO) is utilizing their future federal funding allocations for \$15.5 million towards the project; Brightline has invested \$3.2 million to purchase the land in the area in 2012; they will also be assuming all of the operating expenses for the project for the foreseeable future at an estimated value of \$2.8 million annually for station specific costs; and this equated to a net present value of \$82.5 million over the next 50 years. She continued by saying the City will collaborate with TPO and Brightline to secure additional federal funding towards this very transformative project; as the Board can see that the two allocations from the City of Cocoa and hopefully the Space Coast Office of Tourism can all be used as leverage for federal grant funding; they could take that \$5 million and leverage it to \$20 million in federal funding; and today's ask is for approval of \$5 million in available tourist development tax funding to support the City of Cocoa's efforts to make this multi-modal station a reality. She noted the team is there to answer any questions the Board may have.

Pam Shaia stated tonight she is representing Historic Cocoa Village Main Street, as President to the organization; the Board should have received a letter from the organization this week along with documentation of over 100 businesses in the area supporting this beautiful addition to the community; the Board has already heard them talk about the addition of the tourism, an discussions on the simplicity of the logistics of where this is located; this is the center of Brevard County; when she moved here 24 years ago, she thought, where had she moved to, and now she is so happy to live here; and the excitement is tremendous over the fact of this Brightline train. She commented she hopes the Commission feels the same way they do tonight and that the \$5 million will be moved in that direction; she reiterated Cocoa is the center; if one got off the train and takes two traffic lights he/she would be at the beach; takes three traffic lights is at the Space Center; one traffic light is the Port; two more traffic lights, one can be at Cocoa Village; and get on 95 and be at the Brevard Zoo. She noted this will open up many opportunities for everyone; she looks forward to riding this train; she looks forward to having it in the area; and she thanked the Board for its time.

Audrey Stewart stated Harbor Auto Restoration is a family-owned business; it has been in business for 40 years, started by her parents and grandparents; 20 years ago they moved the business from South Florida up to Rockledge which has been incredible; they have loved their facility in Rockledge right up until Brightline started its construction; unfortunately, since the construction began, they have experienced flooding of their property and buildings, erosion of the land behind their property, and then the collapsing of the fencing system, which is part of the security of their property and client's cars; over the period of the railway construction they have been in contact with both HSR Constructors and the project engineering for Brightline; and HSR Constructors assured them all of their issues and damage would be addressed as soon as the railway was complete. She continued by saying once it was complete, she had followed up and she was told it was no longer their problem and that she needed to go to the project engineer of Brightline and they will help her out with the facility issues; both came out and assessed the facilities, noted the damage, and said they would be in contact to assist them in moving forward; after multiple emails, phone calls, messages, sending photos and videos of their flooding property, they have received no responses from Brightline for months at a time; unfortunately, the business continues to deteriorate, the property is eroding away, and they have had to shut down their business on multiple occasions due to flooding and safety concerns, with a loss of income to both their business and their employees; and while not opposed to a station coming in, she would ask that prior to releasing funding for future progression of this Brightline station, that the Board ask them to take care of the residents who were negatively affected by the lines that they have put in. She stated she appreciates the Board's time and understanding.

Chair Steele asked if there are used or junk automobiles on her site.

Ms. Stewart explained they restore classic cars, customers bring them in and they restore

them.

Chair Steele asked for confirmation that it is not a junk yard.

Ms. Stewart responded no, it is not a junkyard, it is a restoration business.

Chair Steele stated he wanted to make sure that was very clear tonight so everyone heard it.

Charles 'Chase' Chambliss, Palm Bay Mayor, stated he is the new Mayor of Palm Shores and he replaced Carol McCormick about 10 months ago; he is there to support the initiative, Mr. Blake and his team, and also Commissioner Steele in passing this initiative; he believes that Cocoa is ideal for the location; he reviewed the information and the proposition here would do nothing but benefit Brevard County; and he thanked the Board for its time.

Matt Barringer stated he appreciates the experience and the tenure the Board members have in their lives of public service to address what is at best, a complex issue; there is not a whole lot he is going to be able to add relative to some of the financial assumptions that is for sure; he thanked Commissioner Tobia for asking those, and Commissioner Feltner as well; he knows fiscal conservatism is a practice and a reality, Commissioner's Pritchett and Goodson; those questions will make this better; and the experience this Board has as a body, will make this project better, so he would ask that it make that consideration. He went on to say his consideration is simply, many of the Board were in service at some point in time when the Space Program shut down and it took a community to come together beyond just one single entity to change a community; he knows that when the City of Titusville decided to do a secondary bond for Exploration Park when there was not a whole lot else there; he is so grateful to that decision because the reality is when one goes across the Park now and looks at Blue Origin and the investment to SpaceX and the space community, it is a transformational change; the City of Cocoa shares so many issues collectively and this is one of those opportunities to make the transformational change to a community that they all represent; he is a representative for District 3 and he is about ground zero when this thing lands so from a community standpoint, he is bringing himself and the voice of his community as well; and from shared investment, the one thing he hopes the Board would consider is, for all the money that is spent for beach renourishment, he has never received a dollar from anybody from the Beach and yet the City still does that because it is a shared benefit to all of the communities. He went on to say when it is talked about laying as a utility, the fiduciary responsibility to ensure that there is water access well into Viera and beyond, those investments are made long before any of them will continue to serve; it is the same similar investment and consideration that he would ask, to the benefit of the entire community; Florida ranks the 15th largest economy in the world depending on who is asked; and within the 15th largest economy the question becomes what role does Brevard County have in supporting the State, the economy, and the people of Florida. He mentioned he thinks Brevard County's role is significant and substantial when talking about being quint-modal, including from space ports to train travel; the reality is that he and his wife already take Brightline down to Miami once a month for work; it is 1,000 times better than having to drive there and back; in practical reality, he would thank the Board for its consideration of this; and he mentioned every time the County has made a large investment into the County, it has paid off and Brevard County wins.

Candace Rogers stated tonight is a historical moment in time if the Board decides the approval of the TDC recommendation to grant \$5 million to the Cocoa Brightline train station; to help in the Board's decision, look at history; significant development of Florida only began in the late 19th Century with the coming of the railroad, specifically the Florida East Coast (FEC) Railroad, whose greatest achievement was the development of the East Atlantic Coast; without the FEC Railroad, cities like Miami, West Palm Beach, and Daytona Beach would simply not exist in their present form and stature; in 2012, an announcement stated a privately-operated

passenger service would return to the FEC rails; and while some counties asked for compensation and others sued unsuccessfully, Cocoa asked for only one thing, a station. She continued by saying over a decade later, the City is here tonight asking for the Board's approval of the TDC recommendation, not just on behalf of the City of Cocoa, but on behalf of Brevard County and its Space Coast stakeholders; yes, it will be an economic spark for Cocoa, but also for Brevard County; they will be seated at the same economic table benefitting from what will be the most inclusive, wide-ranging, transformative grant the TDC has ever recommended; and she would kindly ask that everyone get on board and make this opportunity a reality.

Stuart Glass, Deputy Mayor of Indialantic, stated what does Indialantic have to do with Brightline, it is simple; this is a multimodal community; people have done a lot to make it that way; they have been involved with Brightline since the very beginning; he is just there to wave and support; and he asked the Board to please approve.

Julie Doyle stated she is also there to wave and support; she and her husband have lived in the County for many years; they have seen the evolution of the County; the passover from Pineda to I-95, the Avenues being built in Viera, and those were all good changes; Brevard County got more infrastructure, more jobs, more access to goods and services, and she would expect Brightline would do that same kind of effect, but on steroids; she works for a major defense contractor, her husband works in the public sector, and they come across many, many people in their daily lives and they have not heard one person say that they were against this; the business community is well behind this; the taxpayers are behind it; and she wants this effort. She mentioned every time she sees Brightline pass through here without stopping, it angers her; she feels like Brevard County is missing out on a piece of the pie, missing out on the access to get to the airport to go south, and missing out on opportunity; the Board needs to not just look at who gets off at the station, the Board needs to look at what the station is going to do for that surrounding area; anyone can look up the Brightline effect, all of the development that has occurred in the area of the various Brightline stations up and down; she worked for many years in Palm Bay and Malabar and she has to say, what is good for one area of Brevard is good for all of Brevard; it will draw people to that part of the County; and it will also help to develop what everyone knows is a somewhat blighted area. She noted it will bring in shops and restaurants; there was a whole presentation by professionals on what it is going to do; when she first moved to Brevard County, the Avenues did not exist; she moved away for four years and when she came back that was all there and now see what is surrounding it; it is amazing with all the condos, the hotels, and all those people; there needs to be places for people to live who work for those defense contractors up and down the County, not just in Cocoa, they are in Malabar, Palm Bay, up in the Space Center, and the County needs this; and she asked the Board to please support it.

Sandra Sullivan thanked Commissioner Tobia for his point about proprietary data; she stated as she recalls, the Board has denied some TDC grants recently because when they want public money they have to provide data; one of the numbers, he said ridership was 29 million, so she did a little search on her phone and wanted to see what the ridership was, here is a Bloomberg article, they just down-graded their ridership to 4.9 million, not 29 million; she watched the TDC meeting, and she sent out a little clip to a lot of people in Brevard County; per the Agenda Item, this is from the capital facilities fund, which the Chair so aptly said, requires a super majority vote; and that would be her first request to this Board, that it does not play a game that it is being moved to marketing, when it is not a marketing expense, and that the Board actually do a supermajority vote and not a simple majority vote. She continued by saying her second point is, she knows the Board members are pretty smart, so she is sure they have all read the numbers and see that the Brightline project is a \$45 million project, not a \$75 million project; people can do math right, it is \$45 million and it is between 7,500 and 9,000 square foot, so that is .2 of an acre; she asked what they put up on their slide, they are looking for \$75 million; by their presentation that they did, and they were very transparent about this, it is a mixed-use

development, for a hotel, restaurants, housing, et cetera; and what they are asking here is not for funding Brightline, it is for Brightline and all those other businesses. She went on to say people believe as fiscal conservatives, in free market; she has been attending the Board of County Commission meetings for six years and she has seen the Brightline lobbyist come here many times; she thinks it is about time that if the Board is going to give public money, that it negotiate a better deal for Brevard County, because as the District 3 Commissioner brought up before, in 18 years the residents are going to be burdened with, and she thinks he mentioned seven crossovers in Grant/Valkaria; there is going to be a lot of fiscal responsibility to maintain those; and she thinks the Board has a fiduciary responsibility to the people. She mentioned she looked up what it cost for the Boca Raton station that was talked about, it was \$16 million; maybe it is a really good idea for the Board to start verifying numbers before handing out millions of dollars of taxpayer monies.

Yvonne Minus thanked the Board for allowing her to speak on such an important Item; she is very excited about Brightline having a stop in Cocoa; however, living in Melbourne, she would have chosen for there to be a stop in Melbourne; but nonetheless, the stop will be in Brevard County, and that is what is important; she is in favor and she hopes the Board agrees, that the Tourist Development Tax (TDT) will be allocated for Brightline in Brevard County; during the back-to-back tragic accidents that happened in her district, or the district she represents, she cannot say how Brightline, in her opinion, bent over backwards meeting with the Mayor and several staff members, herself, and the City Manager to aggressively put in measures to prevent any further accidents and fatalities; and she will add that if it is the will of someone to take those drastic measures, then nothing in the world can prevent that accident from happening. She stated Brightline has kept her City abreast of the immediate stop gap safety and preventative measures and are still going on at each of the old crosses and throughout the City, given the fact that the TDC has already allocated \$5 million, or has \$5 million available; these funds are not coming from the County's property tax or specialty tax, which is a very good thing, being conservative and making sure that the funds are in good shape; being a member and the vice chair of the Space Coast Transportation Planning Organization, they have allocated, as the Board has heard, \$15.5 million in Federal funding to help with this much needed and very worthy project; she hopes that the Board will agree with her and vote yes for the \$5 million coming from the TDT; and she thanked the Board for its time.

Keith Capizzi, Mayor of Cocoa Beach, stated he too was a little upset not seeing a stop in Cocoa; he thinks this is a great project, it is absolutely a tourist-driven project, and it is absolutely a capital project; he thinks having it allocated out of the TDC capital fund is fully-worthy of that; his concern is that if it does not pass this vote because it needs a 4:1, that is might get pushed off to the marketing budget; his concern there is the Board had already indicated that it is not even sure if it had \$1.5 to put towards lifeguards; and he does not want to take even more away from that, considering his city will not be contributing towards lifeguards, so they want to make sure that the TDC will be able to fund that. He mentioned he thinks it is a great project; it is going to help with tourism, and more importantly for him, it is going to help residents with the roads in different locations like the airport, without having more traffic; and that is one of the things he would like to see. He continued by saying for locals trying to travel to Miami International Airport, it will aid in that; and he hopes the Board will do something with it, he just hopes it keeps it in the right funding allocation.

Commissioner Pritchett stated just a fun interesting thing, she thinks Ms. Julie Doyle is Canadian because that word she used is a Canadian word and there are not too many who use it; she remembers back when the Board started working on the Brightline, it was actually the term before she came on, they had to work through the hard stuff of the train trying to get the tracks down, everybody was so mad about a train coming; and now everybody is so in favor of a stop, so as mad as everyone was about the train, everybody wants a stop. She noted she can relate to that because as soon as it gets in she is going to hop on it and run over to Tampa

to do some shopping; she mentioned it is just those types of opportunities for the County; it is a good thing for Brevard County to get a stop after having to endure all the changes with a track coming through, and Cocoa and Canaveral Groves and all the things they have been so patient in dealing with; hopefully, those other things will get worked out; Brightline has been pretty good about helping work out some things; they might need to work on that one lady's issue; and she also wants to mention just how hard Ms. Georganna Gillette worked with this process, she had been a real hero in it, and the amount of work she did trying to get all of those things lined up with the multimodal was pretty impressive. She added it is so much fun seeing all of the public servants here tonight, it is almost like a fun little homecoming; she served with Mr. Barringer at the City of Titusville in the beginning years; she thinks Robin Fisher was the Commissioner then; it was such a fun process working on this because they had been through such a crisis as a County and a community; everybody was moving out of here because there were no jobs, and one out of three houses were in foreclosure; and she got involved because her children left the area with her grandbabies and she wanted to come help and make sure there were jobs in place so when the next economic leveling comes, and there is one coming as sure as she is sitting there, she has been watching it. She noted with the economy, there are ups and downs; it is at a peak right now, and something is going to come soon to make an adjustment; anytime the Board can do something to insulate Brevard County from ever going through that much pain again, because it was hit so hard with the space program, the housing crisis, and the banking mess, any time there is something like this that is a diversity situation, as far as Brightline coming, once they come they are not going to leave; it is going to bring a real uptick in the economy; and Cocoa did so good with this today. She stated she thinks this is such a good project; Brevard County had the United States Specialty Sports Association (USSSA) come, and she does not know if anyone remembers that, but there was a large area with nothing in it and it was going in the hole and someone came up with a great idea to bring in all these kid's sports; it was such a controversial item, but that thing just took off and really helped the economy in Viera; there have also been a few others, like Blue Origin; and this has been such a job trying to get it done. She mentioned Commissioner Goodson really needs congratulated on this because this is going to be a really good thing to have in his pocket for all the great things he did while he was in service; the only thing she wished differently was that it was in District 1; it is a good area; she is so very proud of this; she thanked the Board for bringing this up at the TDC, it is such a good project; and she mentioned this is tourist development funds, so good job.

Commissioner Goodson stated he just wants to bring up some things that he thinks everyone should be aware of; if this is approved tonight, the grant would only be used for this, nothing else; he also wants to make sure this does not lay there for years; if they do not meet certain milestones for that grant to stay there, it might need to come back to the County for reapplication; the other things that he hopes Cocoa can get Brightline to agree with, if anyone knows anything about parking revenue, the Port gets it, he had a meeting with Brightline and Brightline said absolutely not, he had a meeting with Cocoa and Cocoa said they were getting it, so he hopes Brightline and Cocoa can settle on who is getting a share of the parking fee because to take a 400 car parking lot and times it by just 300 days it is like \$4.5 million; they say they need it for operating cost, he is not sure of that; and the other thing that is going to be a problem for the City or Cocoa, if they control access into their own parking lot then how are they going to get their taxis, Uber drivers, and shuttles in there, the Port fights that all the time. He explained they are put on the back of the line, which upsets the taxi drivers because they produce revenue by trips; he noted those are some concerns he has and it is something the City needs to work out with Brightline because if not, they will be in utter chaos and aggravation; the next thing would be rental cars, will they be located on their lot or land and have control of that and the City not receive a cut of that; people can say all they want about property taxes, but the money for Cocoa is in the revenue sharing; they could do a dollar on a dollar off, just like the Port does, at that station; and that is all he has to say.

Chair Steele stated as one can see Commissioner Goodson is a great businessman; all those comments he made are absolutely true; he thinks the details, in the event that the Board passes this, can be worked out very clearly; and he thinks those are all good things.

Chair Steele passed the gavel to vice-chair Pritchett.

Chair Steele stated he thinks everyone knows the Board has been working on this for a very long time; five years ago people were saying the County is going to get a train station, and yet nothing was happening; tonight opportunity is knocking at the door; he thinks of the field of dreams every time he thinks of this, build it and they will come; there is a lot of subjective information that came out tonight because the data is still not there; what is there is a great train track rolling down the roads with beautiful new trains and the County has the ultimate location in the entire State of Florida; it is going to help the entire County; he has spent a lot of time talking to the County Attorney about how to do this and how to do it correctly; and he is going to read the motion and hopes that his fellow Commissioners follow through and second it, with some good discussion.

Commissioner Goodson seconded the motion and asked the County Attorney if he heard that the grant would be only for building the track.

Morris Richardson, County Attorney, advised he heard that it is going to be for the project that the request was for, not the track itself necessarily, but for the Brightline station project.

Commissioner Goodson asked if he heard anywhere in the motion that if it was there for any length of time and they did not meet certain milestones that it would revert back to the County.

Attorney Richardson advised that was not included in the motion; but the County's typical timeline for capital grants is a ground-breaking within three years and completion within six years.

Commissioner Goodson asked if that was possible.

Chair Steele noted he would accept the friendly amendment.

Commissioner Goodson advised he would like to make that friendly amendment, if Brightline does not meet certain milestones, it reverts back to the County for them to retry at a later date.

Attorney Richardson asked if those milestones were satisfactory, three years and six years.

Commissioner Goodson noted the Board might want to ask Brightline if that is satisfactory.

Ben Porritt stated that timeline works; to think of the timeline with this, the grant application would go in at the end of May; it would be awarded or decided upon by 2024; it would be about 12 months going through environmental approvals, site design, engineering design; a 24-month construction timeline; and therefore, it would work.

Commissioner Pritchett noted she has a question, she was talking when he was talking; and she asked with this change that was just made to the motion, is it still very comfortable for Brightline to finish the project.

Mr. Porritt advised specific to the timeline, yes.

Commissioner Tobia stated he thinks the Board heard from the Cocoa Director of the Economic Development that this would be transformative, and he went on to say in a recent

Florida TODAY article that this would boost residential and commercial development, bring more jobs to Cocoa, add tax revenue to Cocoa, create a transportation hub, and develop a 500 space parking lot; these are many of the tenants of what a Community Redevelopment Agency (CRA) is supposed to do and he thinks there would be some duplication of service here; to be clear, he has never voted for one of these capital projects; and in fact he is about to vote no on one of the guidelines that the Board used to do this, but he greatly appreciates all the work and the time that he has put into this. He went on to say he was challenged by a number of folks to find a yes on this one; he does not know if this is going to be a friendly amendment, but it was the commitment that he gave to a number of people to get a yes, and that is very simple, he would vote yes contingent upon the City of Cocoa providing an executable interlocal agreement sunsetting the Cocoa Downtown CRA in the year 2031, to be voted on prior to the distribution of funds and satisfying Commissioner Goodson's contingencies that he just outlaid; that is what would get him a yes, if that is a friendly amendment, and if that is not a friendly amendment, then he would have to vote no on this; and he would certainly be more than willing to discuss this, but he has spoken with a number of people in Cocoa and they have all been receptive, not agreed with, but they have been receptive to have a discussion on that; he does not know if the rest of the Board is interested in getting the vote but that is what it would take for him to be a yes on this.

Commissioner Feltner inquired in a year from now, with a new Board here, with a simple vote, could it undo that and continue the lifespan of the CRA indefinitely.

Commissioner Tobia stated since it would be an interlocal agreement he thinks it would have to get buy-in from the City of Cocoa, but he does not see any reason, and he has faith in Commissioner Feltner for passionately supporting the opposite side, but theoretically, the answer to that is yes.

Commissioner Pritchett stated that might be something that the Board should maybe talk to Mr. Whitten about later, if they are willing to do that; she is not going to support doing that tonight with the City of Cocoa, she is not prepared for that; and she would have to look at the data.

Chair Steele stated he has an idea and he believes he has that discretion, and Morris can tell him if does not; and he asked if he has the option to poll before the final vote.

Attorney Richardson inquired if he means ask the Commissioners individually, aloud, where they stand.

Chair Steele responded affirmatively; he stated right now; and this is not the final vote.

Attorney Richardson advised he can ask the Board members, as long as they verbally announce it out loud; he cannot do a secret ballot or anything like that; but he can ask the Board members where each one is at, if they are willing or so inclined to do so.

Chair Steele stated he knows where Commissioner Tobia stands, and he asked if Commissioner Tobia is a no unless he gets what he wants.

Commissioner Tobia confirmed he is a no.

Commissioner Pritchett advised she is in agreement with the motion.

Commissioner Feltner replied he is a no.

Commissioner Goodson replied yes, with the amendment.

Chair Steele stated he is going to close out this discussion unless there is someone else that has a question.

The Board of County Commissioners, in regular session on May 7, 2024, approved the TDC's recommendation of a \$5 million reimbursable grant to the City of Cocoa for the Brightline Station Project; authorized the funds to come from the TDC Capital Facilities Fund 1443; authorized the County Manager to transfer \$5 million from TDC Capital Facilities Fund 1443 into the Marketing Fund 1441, if necessary; authorized the Tourist Development Agency Director to negotiate and sign all necessary capital facilities or marketing grant agreements or related documents upon County Attorney, Risk Management, and Purchasing Services approval; authorized the County Manager to execute all necessary Budget Change Requests; and approved making the following legislative findings:

- One of the main purposes of the Cocoa Brightline Station Project is the attraction of tourists to the County;
- The Cocoa Brightline Station will be promoted to tourists as a transportation service and a destination venue;
- The Cocoa Brightline Station is needed to increase tourist-related business activities in the County;
- An independent professional analysis shows that the station will have a significant positive impact on tourist-related businesses in the County; and
- The TDC unanimously recommended that the Board approve the grant request for this Project.

In accordance with current TDC guidelines, the Cocoa Brightline Station Project must break ground within three (3) years from the date of the Board award, and project completion must not exceed six (6) years from the date of the Board award.

Result: Approved

Mover: Jason Steele

Second: Tom Goodson

Ayes: Pritchett, Goodson, and Steele

Nay: Tobia, and Feltner

*The Board recessed at 7:16 p.m. and reconvened at 7:22 p.m.

I.2. Approve the FY 2024-25 Tourist Development Council (TDC) Capital Facilities Grant Program Application, Funding, Guidelines, and Committee Score Sheet

Peter Cranis, Tourist Development Office Director, stated this is another Item from Tourist Development Council (TDC) Funding Program of up to \$1.7 million for TDC capital facilities grants; this is the guidelines, application, and scoresheet; and there were no substantial changes this year over last year.

The Board approved the Fiscal Year 2024-25 TDC Capital Facilities Grant Program Funding, Application, Guidelines, and Committee Score Sheet; approved the funding of the Fiscal Year 2024-25 Capital Facilities Grant Program Application, which shall come before the Board for final funding approval as the grant application cycle commences; granted legislative finding that the Tourist Development Tax funds are authorized for each grant, pursuant to Section 125.0104(5)(a), Florida Statutes, and Section 102-119(3)c of the Brevard County Code of Ordinances because each grant supports a venue which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the venue to tourists from outside Brevard County; authorized the Tourist Development Office Director to negotiate and sign all necessary grant agreements and related documents upon approval by County Attorney's

Office, Risk Management, and Purchasing Services; and authorized the County Manager to execute all necessary Budget Change Requests.

Result: Approved

Mover: Rita Pritchett

Second: Tom Goodson

Ayes: Pritchett, Goodson, Feltner, and Steele

Nay: Tobia

I.3. Grant Agreement between Brevard County and the Economic Development Commission of Florida's Space Coast, Incorporated (EDC)

Frank Abbate, County Manager, stated this is a request for a one-year extension of the Agreement expiring in the beginning of October; and it is a request by the Economic Development Council (EDC) to have funding restored at the grant amount that had previously existed for a number of years, at \$1,400,050.

Todd Pokrywa thanked the Board for its time and consideration of this Agreement; the EDC values the Board's commitment to maintaining a robust and sustainable economy for its residents; he is asking for its continued support by voting for this one-year agreement with the EDC; the long term partnership with the County has fostered the diversification of the economic base and supported the investment and retention of leading high tech businesses here in the community; and the partnership is evident in the legislative and Pentagon visits in Washington D.C. and in the collaborative approach toward economic development success. He went on to say as a community, it has faced some economic challenges and over time this has not deterred the EDC one bit; in fact, since October 2010 they have been successful in attracting projects that amounted to over 8,000 new jobs with capital investments above \$1 billion; this includes companies such as Blue Origin, Embraer, Lockheed Martin, and Space Perspective; and while these projects are the easiest outcomes to notice he would be remiss if he did not address how their program of work extends beyond business development. He explained the EDC works diligently to secure resources benefiting Countywide programs including infrastructure projects; in fact, they had secured a notable \$3 million towards infrastructure; one example is the \$1 million for site preparation secured for the new Emergency Operations Center (EOC) facility, thereby reducing the burden on the County; another area of focus is recruitment and retention of talent to support local business; the EDC created Talent Asset Pipeline Program focused on workforce training with increased access to entry-level jobs; and since 2017, they have provided over 800 scholarships, totaling more than \$800,000, to individuals seeking a career in manufacturing, aviation, and the aerospace industry. He continued by saying currently, they are addressing the wastewater infrastructure challenge affecting the County, Cape Canaveral Space Force Station, and National Aeronautics and Space Administration (NASA); they have secured a \$200,000 grant for the completion of a phase one study to identify facility upgrade options; they are also closely working with Department of Defense (DOD) to secure an additional \$830,000 towards the next phase of the study; these are just a few of the highlights of the EDC's positive impacts for the Board's consideration; and he thanked the Board once again, on behalf of the EDC, for its partnership, the consideration of the agreement this evening, and its investment in the shared vision for the economic future here in Brevard County. He mentioned he looks forward to future successful collaboration with the Board.

Commissioner Tobia stated clearly Mr. Pokrywa is wearing a couple hats as upper level management of The Viera Company, as well as the EDC; he will start with the Viera one first; and he asked if it is fair to say he is advocating for the Board to sign this contract.

Mr. Pokrywa responded affirmatively.

Commissioner Tobia asked if he has read the contract.

Mr. Pokrywa advised he has a copy of the contract.

Commissioner Tobia advised that was not the question, and he asked again, if Mr. Pokrywa has read 28 pages of the contract.

Mr. Pokrywa responded affirmatively. He stated he has staff there that can answer any questions that the Board may have.

Commissioner Tobia asked would The Viera Company enter into a contract without measurable deliverables.

Mr. Pokrywa stated it depends on the nature of the contract, there are many contracts that they enter into.

Commissioner Tobia stated that does not have measurable deliverables; Mr. Pokrywa said he read the 28 pages of this; and his question is, can he name one measurable deliverable in that contract. He noted he has read it many times.

Mr. Pokrywa stated he is going to ask EDC staff to come up.

Commissioner Tobia commented Mr. Pokrywa said he read it.

Mr. Pokrywa advised he did. He stated there is a program of work that he has been provided that details what the EDC is doing.

Commissioner Tobia pointed out his question is one measurable deliverable that he can measure, there was a success based on a measure or there was a failure; he said he read it; he has it right here; and his question is can Mr. Pokrywa cite one measurable deliverable in this contract.

Mr. Pokrywa stated there is the work plan that is specified as an exhibit to this agreement that includes all of the actions, that is on page two of 28; it refers in section 3b to the specific annualized work plan; that is attached as exhibit B to the agreement; and it includes all of the objectives and actions as part of that work plan for Fiscal Year 2024/2025.

Commissioner Tobia asked so that would be included under that creating and distributing materials and publications; he advised a measurable outcome would be 500,000 pieces of documents given to X amount of citizens or X amount of businesses come in; he is just trying to find a measurable; these are all very nebulous; he cannot find anything measurable other than what is being asked for, which is the \$1.4 million, that is measurable; and he can measure the money, he cannot measure anything in the contract.

Mr. Pokrywa stated he would like to ask Trudy McCarthy from the EDC to join him at the podium and perhaps she can provide further detail in further answering his question.

Commissioner Tobia pointed out Mr. Pokrywa is on the Board and he said he read it.

Mr. Pokrywa responded by saying that is correct and he asked Ms. McCarthy to join him.

Commissioner Tobia asked her to tell the Board who she is.

Trudy McCarthy stated she is the Executive Vice President of the EDC; the contract that the Commission is looking at is an exact duplicate of the contract that the EDC has been working with the County for the last 10 years; and the ask was to extend that by one year enabling the Commission to vote...

Commissioner Tobia stated he is going to stop her right there because that is not true; the reason that is not true is because last year the EDC got \$1.2 million; and he asked if that was correct.

Ms. McCarthy responded, the amount...

Commissioner Tobia interjected by saying and now the EDC is asking for \$1.4 million, so it is not an extension it is an extension plus a couple hundred thousand dollars; he is going to get there a little later, but it is not a direct extension; and he asked if that is correct. He reiterated it is an extension plus additional revenue.

Ms. McCarthy noted she appreciates his perspective.

Commissioner Tobia noted it is not a perspective; and if the EDC wants a continuation of the last one, it is at the dollars that were there last year.

Ms. McCarthy stated the Grant Agreement with the County, this is the same Agreement they have been working on for 10 years; the amount funded last year was revised for last year; and the measurable that the EDC provides to the County and to the Board of Directors is a monthly measurement, in that the EDC provides different deliverables and different goals.

Commissioner Tobia stated the EDC is asking for revenue from the County.

Ms. McCarthy responded affirmatively.

Commissioner Tobia stated it is wonderful that the EDC gives their Board of Directors that stuff, but they are not...

Ms. McCarthy intervened saying and the County and the County Manager, so it is provided to the Board.

Commissioner Tobia commented okay so they receive a flashy handout; it is wonderful that the EDC does that, and he appreciates that, but he is just trying to measure success here; he asked if she can help him, hopefully she read it, and explain how he can measure; and the fact that it is a copy of what has been done in the past does not mean anything, as he has not ever voted for these, he is just asking for a measurable deliverable.

Ms. McCarthy stated there is not one measurable deliverable, there are plans of action with objectives.

Commissioner Tobia commented that is all he was looking for, there is not one measurable deliverable, which is counter to what the Board heard from Mr. Pokrywa, who said there were measurable deliverables; and he asked if Mr. Pokrywa and Ms. McCarthy understand why he is having some concerns here. He stated if it is a copy of last year's Agreement, the County is getting nothing new; he asked why the Board would want to move forward with an extra couple hundred thousand dollars; Mr. Pokrywa is a business individual, and asked if he was getting the same contract, same services, which are nothing from what he just heard, no measurable deliverable, why should the Board pay more now for no measurable deliverables; he stated he understands why the EDC wants more money, but the County is not getting anything in return; and he again asked why the Board would pay \$200,000 more.

Mr. Pokrywa stated at the time the Board considered the funding last year, and cut the funding, there was discussion amongst the Commissioners that there would be consideration perhaps, of restoring full funding when it came back for consideration this year, based upon some of the progress and the achievements that the EDC was pursuing, some of which he outlined during his remarks; those were reviewed with individual Commissioners and the County Manager's Office in meetings leading up to this meeting today.

Commissioner Tobia reiterated so there were no measurable deliverables, those were not met because nothing can be measured; this contract, though much longer, still has no measurable deliverables, nothing where he can say they have succeeded here or failed here, which is fine, but the EDC wants \$200,000 more; and he asked if that is a fair assessment of this contract.

Mr. Pokrywa noted they are asking for a restoration of the funding that was in place prior to the action of the County Commission.

Commissioner Tobia asked what extra are County taxpayers getting in this contract that they did not get in the last contract; he stated he is asking because he does not see anything; Mr. Pokrywa has someone who works for him saying there is nothing in there; there is not one measurable deliverable before and there is not one measurable deliverable now; and he asked again what extra is the County getting for that \$200,000. He continued by saying in fact he would argue that the County is probably going to get less and he will explain why it will probably get less; he explained there is ballot language that may come up about tax abatements, and it was cited in the contract in a couple different areas that the EDC provides services, namely section 8 of the Contract, the Board has not voted on this and even if the Board does vote affirmatively, he does not know if it will or not, it still has to go through ballot referendum and it still has to go to the voters, and the voters may decide they do not want to do that, therefore, the County may be actually getting less; the County was getting nothing before and now it is potentially getting less; and he asked why it should be paying more.

Ms. McCarthy stated she would like to propose this to the Commission as it is considering this, there is a request for the restoration of the \$1.4 million; and if the Board would like to add on deliverables to that request, the EDC can work through that, if it is something the Commission would like to consider.

Commissioner Tobia asked again what it is getting for the \$200,000, what new items would it be receiving, he does not understand.

Ms. McCarthy noted the EDC had taken a cut last year, they cut back on some of their services; the Board can see there are a couple positions open that they did not fill this year, so some of those positions are areas that were cut; and they are looking to restore back to their full funding so that they can be fully staffed.

Commissioner Tobia stated that is wonderful but he is concerned about the taxpayers he represents, he is not concerned about Ms. McCarthy's employees; he understands she may want to pay them more and all those wonderful things, so they can go on vacation and go on the train and those wonderful things, and he inquired what is the County getting; the answer he suspects is nothing; and he asked what is the County getting for that \$200,000. He noted Ms. McCarthy was honest before; he asked if the County is getting anything new; he stated to name one thing new for the extra \$200,000; he understands the EDC got \$200,000 the year before, but this past year the EDC worked for \$1.2 and some change and now it is asking for \$1.4 million; and he asked for that delta of \$200,000 what the County is getting. He went on to say he understands what Ms. McCarthy is going to do with it, she said she would hire more people or give bonuses or whatever; and he inquired what the taxpayers are getting.

Chair Steele stated at this particular point in time, he thinks Commissioner Tobia has made his point and it has been made several times; they cannot answer his question; he is obviously going to vote no for this; he would think that would be the thing; and he does not know how many more times he can ask them and not get the answer.

Commissioner Tobia noted the answer is nothing, but she had not said nothing.

Chair Steele stated Commissioner Tobia should say 'touche' and move on so that the Board can get through this, unless he has another question.

Commissioner Tobia stated all he wanted to hear her say was nothing; she was very honest and said there are no measurable deliverables; he thought he was going to get no, he did not want to lead on to that question; that being said, he appreciates it; and she does not have to say it because the Chair saved her on that one.

Chair Steele apologized stating he was not trying to be disrespectful, his point was made very clearly.

Commissioner Goodson asked if the EDC rolls over any money at the end of the year or does it just spend it to zero dollars.

Ms. McCarthy stated there was one year where they had rolled over some funds that were invested back in the following year; and they work to budget accordingly so that it spends the funds year by year.

Commissioner Goodson inquired if the EDC is that good on the budget that at the end of the year it has zero dollars left.

Ms. McCarthy stated it has other grant programs that it works with that are leveraged through the Board's funding so the funds that it expends are broken out into the different grants and then private investment fills in any extra.

Commissioner Goodson inquired if there is a fee for Viera to be in the EDC.

Ms. McCarthy responded affirmatively.

Commissioner Goodson asked how much the EDC raises in the fees that it charges other businesses to be at that table; he stated he is sure she is going to tell him that there are different fees; and he asked if that is correct.

Ms. McCarthy answered by saying that is correct.

Commissioner Goodson asked again how much money the EDC raises doing that.

Ms. McCarthy stated the current Fiscal Year budget allows for \$840,000.

Commissioner Goodson asked if the EDC raises \$840,000.

Ms. McCarthy responded affirmatively.

Commissioner Goodson stated that is good; he remembers one time when the EDC cut out all the small businesses because it was too much aggravation; and he asked if that was still true, that businesses had to be of certain stature to be on the Board.

Ms. McCarthy noted that is not true.

Commissioner Goodson asked if the EDC would take a painter that just opened up at a \$50 fee, that is not true either; and he asked where the fees start.

Ms. McCarthy replied there is a nonprofit rate and an individual rate of \$750 and it goes up from there.

Commissioner Goodson inquired if he could join for \$750.

Ms. McCarthy noted for an individual owner entrepreneur.

Commissioner Goodson stated he is glad it went back to that because at one time it did not; and that is all of his questions.

Commissioner Pritchett asked if Mr. Pokrywa is Canadian.

Mr. Pokrywa responded affirmatively.

Commissioner Pritchett noted what she wants to make a comment on is, last year the County got the EDC for a discount; and she asked how many people are on the EDC Board.

Ms. McCarthy stated approximately 160.

Commissioner Pritchett explained the main board, she knows Mr. Pokrywa is there.

Ms. McCarthy stated the Executive Board is approximately 40.

Commissioner Pritchett asked what a few of their occupations are; she knows Mr. Pokrywa runs an entire area; and she asked if there is still an astronaut.

Ms. McCarthy replied there is a diversity of representation, there are service providers, accountants, lawyers, real estate agents, and developers.

Commissioner Pritchett commented they are all very smart people; and she asked how much they are paid per year to do that.

Ms. McCarthy advised they are paid nothing.

Commissioner Pritchett noted that is her point; there are all of these people who donate their time to put this together to find ways to increase Brevard County's economy and they are not taking salaries, if they did the County could not afford this; looking at the amount of money the County is investing, if it tried to do this on its own it would pay so much more than this for the opportunity to bring in economic development; she is always very strong on the side of it because she remembers being hungry and being in critical conditions where North Brevard was bad; and anytime the County can create job creation, she is in. She continued by saying as there might not be things the EDC can measure going forward, but it can definitely look back and see things that have come because the Board went ahead and made moves; she got to sit in on some of the Space Force meetings when there was that strong working toward bringing in more of the military presence; Linda Weatherman was really involved; she has been to Washington D.C. one time and they would walk into a room and all these Generals would acknowledge Ms. Weatherman; she gets up there and she is just shaking and moving; and maybe if Ms. Weatherman was not there, she might not support this as much, but the Board

does not take a salary; and the amount of brains that come together to try to work this for the County is pretty phenomenal. She mentioned she does not know if this will be polled later, but she is definitely going to be supporting option one with the EDC tonight because the EDC took that hit last year; it is not that the Board is providing more, it is restoring it because the Board put the EDC on sale last year; and that is how she is thinking of it.

Chair Steele Passed the gavel to Commissioner Pritchett.

Chair Steele stated he serves on the EDC and spends a lot of time there; he absolutely understands Commissioner Tobia's questioning on deliverables and things of that nature; candidly, he has not read the contract either; what he has done for years now, is he has sat in on those discussions when that board brought in Brian Holtz who used to be OneWeb and started conversations about a new company called Mangotta, and started other companies; what the EDC did for them was found them the land, got them in touch with the right people to permit the land, and got them to the point where they could get conduit financing from Space Florida, and they went out and helped them to get all of their permits, which would have been two more years of time; he asked if that would have been measurable; and he answered by saying he does not know if anybody would have ever measured it because it was being done behind the scenes to get it all done. He commented the EDC had met with the St. John's River Water Management District (SJRWMD) and received a permit that was public record; he wants people to understand that when they sit there at those meetings and the members of the corporations have employees and the people there and the discussion that go on, he thinks Commissioner Tobia would be very impressed with it; he was impressed with Commissioner Tobia's line of questioning because he does excellent work in that; truth of the matter is that the EDC and Ms. Weatherman, without them in this County, the County would be in big trouble; it would be very difficult to get any major company to come to Brevard County and do things; they might get here and three or four years down the line, they might figure out how to get this stuff done; but the EDC gets things done a lot quicker. He advised he will be supporting the motion tonight; and once again, he completely understands Commissioner Tobia's questioning.

Commissioner Pritchett asked if she was still chairing the meeting.

Chair Steele responded affirmatively.

Commissioner Pritchett advised if there are any more outbursts she is going to have somebody escorted out; the Board has business to do right now; and she asked the officer to remove an audience member. She noted there will be time for that but there should be no talking out when the Board is having conversations, it is just not a good atmosphere; and business cannot get done that way.

Chair Steele stated he does not see any other cards for this Item. He asked Commissioner Feltner what the issue is.

Commissioner Feltner asked if the Board would let her fill out a card and speak.

Chair Steele noted Ms. Sullivan has a card filled out but it states...

Commissioner Feltner requested to let her fill one out for this Item, stating it is possible the Board does not have it.

Chair Steele asked if he would like Ms. Sullivan to come back and fill out a card.

Commissioner Feltner responded affirmatively.

Commissioner Pritchett stated she was trying to let Commissioner Steele finish his comments;

she thinks if Ms. Sullivan comes back in for comment it might be fine, but she cannot have people talking when the Commissioner is talking.

Attorney Richardson stated he absolutely agrees; he thinks Ms. Sullivan should be issued a stern warning and to let her know that the next time it happens she will be removed for doing so.

Commissioner Pritchett stated right now, Commissioner Steele can finish his conversation; or if this is alright right now, she can come back in.

Attorney Richardson noted Chair Steele can call the cards when he is ready before calling the vote.

Commissioner Pritchett returned the gavel to Chair Steele.

Chair Steele advised Ms. Sullivan if she comes back in and fills out a card, she may come to the podium and speak; and once again, any more outbursts from her, or the audience by yelling or screaming at the dais, he or she will be removed; he is finished with his comments; and he called up Ms. Sullivan.

Sandra Sullivan stated she did fill out a card for this Item and she confirmed it with the clerk in the back.

Chair Steele stated it does not have to be like this.

Ms. Sullivan responded absolutely; however, she saw this moving towards a vote and she wanted to give the courtesy that she had filled out a card; the interest of this item, she has been attending many years, there has been a number of companies who under the EDC have received abatements only to find out that they had not fulfilled their contractual obligations; and those abatements were later terminated because the projects did not work out, actually several of them. She commented she has a proposal to make to the County because she sees from the budget workshop that there is considerable fiscal challenges ahead of it and she thinks there is some duplication with what the EDC is doing with the North Brevard Economic Development Zone (NBEDZ); and when Commissioner Tobia campaigned, he campaigned to do away with NBEDZ, but what she would propose is renaming NBEDZ to the Brevard Economic Development Zone. She commented the basis for that is, she did a search and she wanted to know how other counties did business, and if they had a separate entity as an EDC; this is Fort Lauderdale and theirs is internal and on their county website; one of the advantages of doing that is transparency and accountability; there is also more in-house control of the direction that the County is going in; it already has staff, Troy Post, who is a fulltime employee to do economic development for the County, and that could certainly be expanded; and the County would save \$1.4 million and could put that in to developing those resources in house, of course having a Board working with the community, and it would bring more accountability and transparency. She stated she tried going to the EDC event; she tried to make a reservation to go to one of their things and they did not want her there; at least bring it in-house and have that transparency to the public; and she asked the Board to please consider, given the number of abatements of companies that have not worked out. She went on to say that NBEDZ has been doing a lot of overlap of what is in their work plan for the EDC; there is a duplication that the County does not need to have; and the taxpayers do not need to pay twice.

The Board approved a one-year Grant Agreement between Brevard County and the EDC at the restored grant amount of \$1,400,050 for Fiscal Year 2024-2025.

Result: Approved

Mover: Rita Pritchett

Second: Rob Feltner

Ayes: Pritchett, Feltner, and Steele

Nay: Goodson, and Tobia

I.4. Policy Prohibiting Elected Officials' Names or District Designation on Specified Signs and Equipment

Commissioner Tobia stated he brought this to the Board November 2019 and it did not pass; there is a new Board now, so he will go over it pretty quickly; if anyone is against it, that is fine; he is just recycling since it is near the end of his term; he would like to explain what this policy would do, it is a signed policy that allows Commissioners to put their names all over signs; what this would do is apply to signs and equipment for signs related to construction projects that use County funds; and this would include roads signs as well as park renovations, and also include joint projects with municipalities when County funds are used. He continued by saying it would not stop the signs from being put up with project information or contact information for the Department responsible for the project; it would not apply to wayfinding or directional signs, in other words, this way to a Commission office, and it would not apply to signs already created; the reason for this change is one single Commissioner is not solely responsible for all of these projects, whether it be for construction or renovation; he just thinks it does not send the best message when a Board member throws his or her name up on a project as if he or she is responsible for footing the bill for all of this; the Board is put here as placeholders for the next person and his or her name probably does not deserve to be on those signs; and this is just a change for sign policies. He added he thinks this is good policy but if the rest of the Board does not agree, he will quickly demure on this one.

Chair Steele advised he agrees with it.

Commissioner Feltner asked if this applies to Constitutional Offices.

Commissioner Tobia stated he is going to punt that to the County Attorney; his thought would be that the Constitutional offices would not be joining the Board members on these road construction projects, but there may be a certain...

Commissioner Feltner commented he does not know if the Sheriff has something out there, so he is just asking for clarification.

Morris Richardson, County Attorney, stated on the face of the policy and the way it is drafted, it would apply to any signs for which County funds are expended, meaning signs in the way of being related to a County construction project; broadly construed, he can see that could relate to a construction project of a County officer since they receive County funds; but he believes it is intended to mean County in the form of Board of County Commissioner's projects.

Commissioner Feltner stated he is reading on 2b for the purposes of the policy, elected official shall mean each person elected to a County office, municipal office, school board office, or other, does not include State or Federal elected officials; he is happy to go with Commissioner Tobia on this, but he thinks a point should be made to not include Constitutional offices; and that would be his suggestion.

Commissioner Tobia noted that would be a friendly amendment and he will include it in the motion.

The Board approved a Policy relating to "the Prohibition of District Designation or Elected Officials' Names on Signs and Equipment", limited to County Commission Officers.

Result: Approved

Mover: John Tobia

Second: Rob Feltner

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

I.5. Amendment to BCC-97, Board Meeting Rules and Procedures, to Revise the Meeting Order of Business to Add a Public Comment Section Following the Consent Agenda

Commissioner Goodson stated this amendment would allow people to talk; the public would not have to sit there all night like Charles Tovey; that would let him talk first; and that is simply all it does.

Katie Delaney stated she would like to thank Commissioner Goodson for bringing this change to the public comment Policy; she understands that the County Manager talked about how this would be used as like an overflow, at least that is what she read in the documents, 30 minutes up front and the second Public Comments period would be used as more of an overflow; her hope and suggestion is that the County could get to the point where it is extremely citizen friendly and open up both Public Comments periods for anybody to speak under; since she has more time, even though there are no changes being made on it, she would like to speak on the Consent portion of the Agenda; and she commented she would like to see on the Consent Agenda, the amount of money dealing with the Consent Items to be listed on the page.

Chair Steele advised Ms. Delaney that is off of the subject matter of this Item.

Ms. Delaney went on to thank Commissioner Goodson for this change, saying it is going in the right direction.

Commissioner Tobia stated on March 21, 2023, the Board unanimously voted to pass Resolution BCC-97, removing a second Public Comment portion of the Agenda and removing the time limit on the first portion; and in fact, Mr. Goodson made the motion for this.

Commissioner Goodson stated he thinks Commissioner Pritchett made the motion and he seconded it.

Commissioner Tobia advised Commissioner Goodson made the motion on Consent; and his question is if Commissioner Goodson made the motion to approve the changes at the March 21, 2023 meeting, and now reversing course, how does the Board know it will not reverse course again if something changes.

Commissioner Goodson stated he can only hope the Board will not reverse course because he will either be elected somewhere else or leaving for somewhere else; he was new on the Board at the time; he did not realize this was that big of a thing for the public; and he asked if the Board is going to restrict the public then why not restrict them totally and not allow them to talk at all.

Commissioner Tobia stated he does not want to restrict anyone; none of this is restricting; everyone is given the three minutes, it is where that three minutes comes; and he reiterated there is no restriction, not one second of time.

Commissioner Goodson questioned if Commissioner Tobia is going to make someone sit there for three hours to talk on something.

Commissioner Tobia stated no he would never make anyone sit out there, he would not make his parents sit out there for any period of time.

Commissioner Goodson asked if Commissioner Tobia would rather the public not come.

Commissioner Tobia replied he did not say that either.

Commissioner Goodson commented that is what he is implying.

Commissioner Tobia stated there are people in the audience that sometimes bring representation, their attorneys, and they are paying them hundreds of dollars an hour; if the Board puts Public Comment ahead of that time, he would imagine the attorney is out there billing them; it could literally cost someone hundreds of dollars for people who went through a long process and are on the Agenda, but now have to wait for Public Comment that precedes that; but if it is at the end, then they do not have to go through that extra time paying those attorneys costs.

Commissioner Goodson stated if someone is showing up with an attorney there is a reason to try to get something swayed, because no one would pay \$300 an hour for an attorney to sit out there; but he asked if Commissioner Tobia is going to make a citizen sit out there and not have the ability to talk first then go home; he mentioned if that is Commissioner Tobia's choice he hears him; that is not his choice; and he advised he had made a mistake.

Commissioner Tobia advised Commissioner Goodson it was his choice, on March 21...

Commissioner Goodson interjected by saying he made a mistake and he said he made a mistake and he thought it would save money, but it is evident it did not because the Board did not want to have the Planning and Zoning meeting before the Regular meeting; whatever the Board wishes to do on this, so be it; if Commissioner Tobia has the votes to kill it, so be it; then that is it; he is just trying to help these people to be able to talk because they are not given the opportunity; and he believes that government is by the people and for the people. He noted he will be more cautious.

Commissioner Pritchett stated she understands his thoughts; she thinks when she did this, the Board was going through a lot of abuse happening with people using it out there in the network; something happened when she was the Chair, but that all got taken care of because she is not the Chair any longer; Commissioner Tobia jumped in and did that Vice-Vice Chair to take care of that, because there are some things this Board cannot control; as far as hearing the public, she agrees, she always wants to hear the public; even tonight there were 17 other opportunities for public comment on things that the Board has to deal with; she does not know that bringing it back to the beginning will make a lot of difference except for this sweet little lady in the audience tonight; and she advised her that the meetings do not usually go this long. She continued by saying if she would have called her she probably would have done anything she needed her to do because she is such a nice person; the ones that come and abuse the Board continually, it makes it a little tougher for her; if Commissioner Goodson wants to compromise, maybe move it back to before Board Reports, if that would be a little better, after it goes through the Agenda Items that everyone is prepared to do; and that is just a little compromise.

Commissioner Goodson asked if it really matters if it is before Board Reports or before the meeting; he noted it is the same time giving people the opportunity to speak; he has not felt any hostilities, he is sure Commissioner Pritchett did, he remembers the comments; he explained this Board is elected to serve the people, the Board members are not elected to say the people cannot talk; granted if it fails, it fails, then it will be at the dead end; he hopes people will come and can stand it until the dead end; and that is all he has to say.

Commissioner Feltner asked if Commissioner Goodson will split it at 15 minutes and take the first five cards who would want to speak at the first Public Comment, then the rest go to the second Public Comment; and he asked if Commissioner Goodson would be amenable to that.

Chair Steele stated let him set up a scenario for the Board; the Board has Agenda Items in the back of the meeting; if the Board sets up Public Comment in the front, they could be talking about the Agenda Items that are in the back and then afterwards filling out a card for the Agenda Item too; now the public is talking twice, not that it is bad, but now twice as much time is being spent on stuff; it is not going to be a smooth meeting; and he is going to do whatever the Board wants to do on this.

Commissioner Feltner stated just to clarify, it specifically states that the public would not be able to speak at both Public Comment periods so they would have to select one or the other.

Chair Steele advised but they can make a public comment, then make a comment on the Agenda Item.

Commissioner Feltner mentioned they can do that now; they can speak on the Agenda Item and then speak at the end of the meeting.

Chair Steele stated what the problem is when someone speaks in the beginning that is lobbying for what will be coming later on, it is not functional.

Commissioner Goodson stated he is going to let it lie where it lies.

Morris Richardson, County Attorney, stated just for clarity, the Public Comment section is specifically prohibited for someone in that section to speak to an Item that is on the Agenda elsewhere; therefore, if someone wants to speak to an Item on the Agenda, he or she has to speak during that Item; and Public Comment is for items that are not on the Agenda.

Commissioner Goodson stated sometimes these motions get carried away; he is just trying to make it that much easier for the people that the Board represents, to be able to speak before the Board on issues; and if it is going to be a burn or he cannot get a second, it dies, but it will die because of the Board not allowing the public to talk.

Commissioner Pritchett stated she is not real sure that is a fair analogy; and she probably does not mind one way or the other if he wants to do this.

Commissioner Goodson advised Commissioner Pritchett to second the motion then.

Commissioner Pritchett stated he needs to let her finish her conversation because when he says that, she serves with four other awesome people and they do not have that intent; she almost thinks she will second that as long as there is another amendment adding that the public does not come up here and campaign; and if he makes it a campaign-free zone then that might help alleviate a lot of the problems in Public Comment.

Commissioner Goodson added that would be a friendly amendment.

Commissioner Feltner stated he thinks that is well-intentioned but he does not know how the Board would police that.

Commissioner Pritchett advised the City of Titusville did it; they had a campaign-free zone where people could not come up and say they are running for office; and they did not have to mess with any of the campaign stuff.

Commissioner Feltner stated he does not see that as being workable.

Commissioner Pritchett stated maybe this could be brought back, check with legal.

Attorney Richardson stated it is lawful, the Board can do that; and he mentioned there is a fairly recent court case upholding a similar prohibition in Daytona Beach.

Commissioner Pritchett stated she also likes what Commissioner Feltner threw out that it be divided up in two and just have a certain amount then take the rest to the end.

Commissioner Feltner reiterated 15 minutes would be five comment cards, so somebody who does want to come in and talk and get it out of the way and go home, he appreciates that, then the others at the end.

Commissioner Goodson advised he will accept that.

Chair Steele stated he might as well stir this thing up really good because he thinks it would be better if he let this go into effect on November 5, 2024, so Commissioners Goodson and Feltner can do whatever they want.

Commissioner Feltner stated the two of them will have that option then, with all due respect.

Commissioner Goodson stated no he does not want to wait that long, he does not like that.

Commissioner Feltner asked to hear the motion again.

Commissioner Goodson stated the motion would be to allow the public to speak at the beginning, 15 minutes, five cards, with the understanding that there is no politics at the dais.

The Board approved amendments to the Board Policy BCC-97, Board Meeting Rules and Procedures, to provide for an initial 15-minute public comment period immediately following the Consent Agenda; a second public comment period to be held at the conclusion of business specified on the regular Commission Agenda; the elimination of public comment period following Board Reports; and a prohibition against campaigning for public office during the public comment periods.

Result: Approved

Mover: Tom Goodson

Second: Rob Feltner

Ayes: Pritchett, Goodson, Feltner, and Steele

Nay: Tobia

Commissioner Tobia stated he has a follow up motion to that; he wants to thank Commissioner Goodson for being such a Stallworth for public engagement and citizen input, clearly the Board just saw that today; he has changed his mind on everything else, but he has spoken very clearly on this; at the April 9, meeting Commissioner Goodson made the following motion, "Motion to see if the Board would consider meeting with Speak Up Brevard to see if there can be some sort of agreement, so that every time there is a meeting, they do not try to cut our throats"; and surprisingly supporters of Speak Up Brevard like this idea despite the shenanigans of it not being on the Agenda. He noted he thinks the Board was, including himself, he is saying he was wrong Commissioner Goodson, so he believes the Board was too

quick to throw out his motion; after some additional consideration he believes this proposal may have quite a bit of merit; and he made a motion to create two publicly advertised and recorded meetings, one in July and one in October to be held in the Commission Chambers during business hours for a minimum of one hour in duration for the purpose of discussing Speak Up Brevard recommendations and other related citizen concerns and designate Commissioner Goodson the responsibility entirely for scheduling and conducting the meeting and to have Commissioner Goodson report back to the rest of the Board via Board Reports.

Commissioner Goodson stated that was so sweet of Commissioner Tobia; and he would like to offer a friendly amendment.

Chair Steele stated this is going to stop right now; he understands what is going on here; first of all he is calling Commissioner Tobia's motion out of order because it needs to be an Agenda Item; second he has had enough tonight; and he is now going to move on to the next Agenda Item.

I.6. Board Discussion of Citizen Request, Consideration of Legislative Intent and Permission to Advertise Amendments to Sec. 62-1334, "Agricultural Residential, AU and AU(L)" and the Creation of a Section of Code Entitled "Commercial Recreational Vehicle, Recreational Equipment, and Trailer Storage (Outdoor)," Brevard County Code of Ordinances

Chair Steele stated this is Board discussion of a citizen request for consideration of legislative intent and permission to advertise an amendment to Section 62-1334, "Agricultural Residential AU and AU(L) and the creation of section of code entitled, "Commercial Recreation Vehicles, Recreation Equipment, and Trailer Storage and such; and he asked if anyone is here to speak on that issue.

Kelly Hyvonen stated she is planning consultant; she is just so excited to follow everything that has happened tonight; she knows everyone wants to get out of there; and she appreciates the Board hearing her.

Tad Calkins, Planning and Development Director, stated this is a citizens request for the Board to consider legislative intent and permission to advertise amendments to section 62-1334, which is Agricultural Residential , AU, and Agricultural Residential Light, AU(L), to allow for the outdoor storage of commercial and recreational vehicles, recreational equipment, and trailers, as a conditional use; should the Board grant this request, staff would initiate the legislative process in amending the code; this includes the Ordinance being reviewed by the Building Construction Advisory Committee and the Local Planning Agency (LPA); then staff would bring the amendments and the advisory board's recommendation forward to the Board for its consideration; in addition to the analysis that is attached to the Agenda Report, staff would offer the following to aid the Board with its decision, currently RV and boat storage is allowed in the retail, warehousing, and wholesale commercial BU2 zoning classifications and industrial classifications; and changing this code would potentially allow the use to occur on 7,389 properties, which equates to 5,123 properties in District 1, 1,029 properties in District 2, 211 properties in District 3, 164 properties in District 4, and 556 properties in District 5. He mentioned if the Board presumes that each of the 7,389 properties about other parcels, it would be affecting potentially 22,000 properties in Brevard County with this amendment; there is one active Code Enforcement case for RV and boat storage on AU property; the requestor is also proposing several conditions as part of the amendment to be considered with the conditional use; he will let them present those to the Board; and if the Board has any questions he is happy to answer them.

Chair Steele asked what is the total number of properties to be affected by this.

Mr. Calkins advised if the Board were to consider the change, it would allow the use to occur on 7,389 properties, potentially.

Ms. Hyvonen asked if the Board has a copy of the proposed language.

Chair Steele advised it is not in front of him, but he has read it.

Ms. Hyvonen asked if she could hand out a copy; she stated she had one question and she asked if that number takes into account the regulations that are proposed related to size and previously developed property, or if that was just the total number of properties that were zoned AU.

Commissioner Pritchett advised Ms. Hyvonen that she must direct all of her questions to the Chair, they have time to prepare later if there are any questions.

Ms. Hyvonen stated what they are trying to do is two things, to add a conditional use in the AU zoning district, and she does not intend for this to be AU(L); she mentioned the way it is written, she believes it is just for the AU zoning; it is to allow a use called outdoor commercial recreational vehicle, recreational equipment, and trailer storage; the commercial word does not mean heavy equipment or people's work vehicles, commercial just means for non-residential uses; and along with a slew of proposed regulations. She advised when she was looking through adding in this use in the AU zoning district, she looked back at other uses that are already allowed in AU today, that are the same or higher intensity; what she is asking for is lower intensity than many of the uses that are already allowed; she mentioned landscaping business is permitted with conditions, there are no conditional use required, it has size requirements for conditional uses, there is boarding of horses, and horses for hire, composting facility, farmers market that is open to the public, roadside stand that has parking on the property and open to the public, veterinary hospitals, kennels, clinics, and also zoological parks with standards; what she is proposing along with this is for there to be a couple standards with the commercial recreational vehicle storage; and that is a minimum size of five acres. She continued by saying principle structure setbacks would be at least 25 feet from all property lines, the same as the principle structures on the site, a 300-foot setback from any right-of-way, no commercial vehicles or heavy equipment allowed, it has to be on a developed property and screened on all sides by an opaque barrier, six feet in height minimum, and it shall not exceed 50 percent of the area of the property; with those regulations, allowing this use would allow for something to happen in AU properties that are of lower intensity that are already allowed; and in addition, to get approval for that, one has to get a conditional use through the Planning and Zoning Board and the Board of County Commissioners.

John A. Connelly stated they have all gone to small farms, that is what they go to agriculture for; they do not want to live in the city with the sidewalks and all that; they are all consistent with their animals and trying to keep it rural; what is being asked for here is not just for this property; they are asking for the Board to look at all properties in Brevard County; it needs to be consistent, the consistency is the State of Florida has it set up with what is here; and everybody in other counties are set up the same way with zoning, to start taking higher density and putting in lower density, it starts mixing things together, so there should not be a zoning company or zoning business in Brevard County at all. He went on to say there is no zoning; if it takes high and low and mixes it together, it does not keep it; there is a magistrate to deal with this problem; he is the complainant; with the way it is set up, a Code Enforcement officer does not go out to a property unless they are asked to go out to a property; at that time, they tell the people who has made the complaint, which typically comes down to the person who has made the complaint; and that is the way it goes. He mentioned there are a lot of problems that come

with this; one is the building department and the zoning departments, along with fire marshals, trying to keep an Insurance Services Office (ISO) ratings, which is insurance ratings, low in this County; and if it starts mixing high density with low density, there is a tendency to not want to insure people. He noted the insurance companies he has talked to say if people were asked if they have a business within a certain area, they will not insure that person; they may end up dealing with insurance problems here; they are also dealing with toxic chemicals and when there is fire in this situation, everybody downstream is going to pick up all the toxins; everybody who gets off a fire truck, is going to be packed-out with a respirator; and everybody downstream of the fire, is going to catch all the toxins that come off of it. He mentioned the other problems over there with this thing is a 24-hour business, and Wayne Ivey, Brevard County Sheriff, is going to have to get involved; in a situation which he showed the people what is there right now, he is in a residential agricultural area and all of a sudden some guy puts up a hedge all the way around, fills the property up, puts in RV's, motor homes, and boats, and unless somebody complains, it does not get picked up because Code Enforcement is tied to their chair; and he is willing to stand up and say this is wrong and it should be consistent with the State of Florida.

Ron Thompson stated it has been a long day, and this is not making it easier for him or the people who live in that same area; the Board sat in this room about 45 days ago and also approved G.1. residential up to BU2; the Board said it was because Minton Road was a commercial corridor and that it should have been approved; the Board approved AU residential to BU2; he thinks that is taking it a little bit too far; Commissioner Steele said he knew the people on Hield Road like the back of his hand; if the Board sits there and approves this today, he does not know Hield Road because most of the properties on Hield Road are residential; they do not need an additional storage unit, this Board already approved a storage unit right down the road at Hield and Minton for EKS Systems; and he asked why they would need the invasion of more commercial into the residential. He continued by asking where is it going to stop; he mentioned there is no need for this; he understands the applicant likes it, that is more money made for him, he makes a lot of money; he has his own complaint and he is under orders to remove it; he asked why in the world has the Commission, all of a sudden, become involved in selling a zone complaint, he does not know, but if the Board could explain that to him he would like to know; he commented he would like to know who brought this forward; it affects 7,000 people when it starts changing BU2 into agricultural residents; and it has already wasted staff's time to help prepare what has been asked for. He stated if anyone knows residential properties then this is not needed, the Board does not need the hassle it is going to get or the suit it is going to get if it is approved; the Board is afraid of having a suit brought to it because it denied a project two months ago; there are a lot of people, 7,000, that are going to object to this; he hopes the Board has common sense; common sense does not need discussions; and when a project like this comes forward, he does not think it passes the smell test.

Judith Kuhman stated she lives off of Hield Road; on April 4, the Hield residents stood before the Board and protested Mr. Cole Oliver and the West Malabar property rezoning request from AU to BU2, which the Board approved; at that April meeting, many residents expressed to the Board their concerns for continuing commercial property encroaching into the residential area; Mr. Masone's property is approximately four-tenths of a mile from the corner of Hield Road and Minton; in this Agenda Report dated May 7, referring to the summary explanation and background that his representative discussed, the property records that she researched showed that Mr. Masone's property is approximately 5.95 acres, so it meets the minimum property size of five acres; however, the aerial view shows that his property is a flag lot, so he is not on a city street or a County road, he is more on his own made street that looks to be one car width wide, off of Hield Road. She continued by saying as the Board knows, the property owners have been concerned about traffic; the review of the Conditional Use Permit (CUP) as

outlined in Section 62-901 of the Brevard County Code of Ordinances, states that the applicant must show the effects that granting the CUP will have on adjacent and nearby properties, including but not limited to traffic and pedestrian flow and safety, curb cuts, off-street loading and parking, off-street pickup of passengers, odor, glare, noise, fumes, and et cetera, as well as draining and of course the screening that his representative had already stated, and the space and economic impact on the nearby property; in the April meeting, the residents expressed their concerns about the traffic problem; they also expressed Hield Road has no sidewalks or curbs; and she asked the Board where the owners of these recreational vehicles plan to off-load and park while off-loading their trailers, fifth wheels, campers, as well as possible passengers. She asked if this will bring more additional vehicles and people transferring possibly from one vehicle, a camper, or they are traveling with the other groups of family members, into this area; how is the Board, as the County representative, protecting the economic impact to her personal property and her home by continuing to vote for zoning changes that continually encroach the residential area with commercial business; if approved who and what stops Mr. Masone from storing something other than recreational vehicles; she mentioned she herself does not consider him a good neighbor of Hield residents; and this change, once again opens the doors for others to submit applications to the County and cities for continual zoning changes.

Commissioner Pritchett stated if the Board proceeds with this, she does not know if this can be done, but they have done it before, to carve out District 1, because this would be a catastrophe for District 1; and it just would not fit for District 1 at all.

Chair Steele stated if Commissioner Pritchett will let him make a motion this will all go away.

Chair Steele passed the gavel to Commissioner Pritchett.

Commissioner Steele stated first of all, Tony Masone is a very good friend of his, and he has known him for a long time; unfortunately, no matter how good of a friend he is, it is not going to move him to be in a position to make a motion that will affect 7,000 properties in this County; and as much as he likes Mr. Masone, he is going to have to move to deny the request.

The Board discussed and denied the citizen request to consider legislative intent and permission to advertise amending Chapter 62, Article VI, Division 4, Subdivision II, Section 62-1334, "Agricultural Residential, AU and AU(L)," Brevard County Code of Ordinances, to allow for the inclusion of "commercial recreational vehicle, recreational equipment, and trailer storage (outdoor)" as a conditional use in the AU and AU(L) zoning classifications, and the creation of a section of Code entitled "Commercial Recreational Vehicle, Recreational Equipment, and Trailer Storage (Outdoor)," Brevard County Code of Ordinances, to set the conditions.

Result: Denied

Mover: Jason Steele

Second: Rita Pritchett

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

K. PUBLIC COMMENTS

Anita Ingram stated she has a Facebook group that advocates for the Viera wetlands; she was told this is the way to go about this; the group wants to implement a no-pet policy; she was asked by her Commissioner and the Assistant County Attorney to bring this before the Board so that everyone could weigh in; whether there needs to be a vote or if it needs to be placed on

an Agenda, she has a mountain of source material if the Board wants to consider all the evidence that she presented to her Commissioner and the Assistant County Attorney in a meeting, she can provide that; and that is basically it, the group wants a no-pet policy at the Viera Wetlands. She mentioned this is consistent with other public lands that the County has where they allow the public and already have an ordinance, the same setting, and everything else; it just makes sense to her to roll that policy into what they need for the Viera wetlands; she can certainly go into more rationale, but she is not sure how this all works; and she asked what else she needs to do to get a vote on it.

Chair Steele advised this is just Public Comment time where she speaks, but the Board really does not answer questions.

Ms. Ingram stated in her opinion, it is just a matter of time before the wetlands will encounter an incident requiring it to be permanently closed to the public, if preventative actions are not taken now; that is one of the preventative actions, adding a pet policy; cars are no longer there, dogs and children have nowhere to be safely stowed if desired, so now there are little tiny kids and domesticated pets under foot; since there are no cars, people, kids, and dogs are all out wandering in the roads together, extremely close to the wildlife in many cases; she believes it is time to make a determination to synchronize with other County wildlife habitat pet policies; it is dangerous for many reasons which the County has already detailed for other lands; and right now they only allow pets on a leash, but unfortunately, there are many who refuse to abide by that. She explained some use the leashes that extend out many feet and allow the pets to go down by the water where there are alligators; and pets are an unnecessary risk where there is no need to have them in that area.

Charles Tovey stated he has no address and that is why he is there; he has nowhere to go and he has nothing; his property is his life, liberty, and pursuit of happiness; he wanted to fix the house; people that are homeless living in the bushes, he is sure would love to have a house and a place to stay; after he fixes the house he wants to donate it to some needy family somewhere; and there are plans of a multi-use building. He mentioned he has always had those plans and he has everything to do the house; it is not his fault that he got hit on his bike; in 2013, he got hit on his bike, it messed him up after he had other accidents; he has been recovering and he is still recovering; some days he is in great pain and people want to address him; he is rude to them, but he tries to be nice and ask them to leave him alone, but they are persistent and just will not stop, so he has to express himself accordingly; he does not know what to do or where to go; and he has nothing and he cannot do anything. He continued by saying he is a little bit behind because of the critters who took his keys, they were missing for a month; he found them way out someplace he never goes; he found his wallet and driver's license in the bushes, someplace he never goes; his monies, several hundred dollars, is all gone; every day there is a problem with the raccoons; right now he is doing everybody around him and his neighbors a favor by managing the problem; and they are tearing down his house. He stated he does not need to get a permit to tear it down, he will just let the raccoons continue and then the Board will be satisfied and he will not have to pull a permit; this has been an ongoing thing because of the development, the problem with the wildlife and no place for them to go and no place for him to go; the birds have a nest, foxes have holes, he has no place to lay his head, and why, because he did not fix the house in time because it took his lawyer nine years to settle for him to get any kind of reimbursement of his medical funds; and he had a choice, buy the stuff for the house to fix it or pay his lien, but he cannot do both. He advised he has investors and they met him half way; he has the other half; and all of his money is tied up in fixing the house.

Sandra Sullivan stated she wants to talk about this land swap; she has been reading documents on investigation, it was appraised at \$3.5 million for the Sarno property, without the Conditional Use Permit (CUP); she is kind of concerned about the County losing this particular

piece of property and the uses that the County has had; there was a statement made by the District 4 Commissioner that this land has not been used in 20 years; and she just wants to correct that statement, in 2023, it was used for hurricane debris. She went on to say she wonders if the County has an alternate place to put the hurricane debris when there are hurricanes; secondly, it was used for a number of years as a Dredged Material Management Area (DMMA) site; that was used for Eau Gallie; from the permits, this is Eau Gallie, this is the pipeline that is going to go down to BV52, as the Board recalls, and that is going down 8.1 miles; and she asked what is the added cost of transporting muck over eight miles, when immediately across the river is the Sarno property. She continued by saying she finds it kind of interesting that in addition, the same night the Board took its vote, they voted to double the height of the Florida Recyclers on the adjacent property; in 2022, the Board wanted to double the height and the City would not do it, but it is doing it now; all of this does not make a lot of sense to her; the property the County wants to swap with was purchased for \$420,000, the County paid over \$7 million; they are not apples to apples; and the appraisal was \$3.5 million, without the CUP. She displayed a photo stating this was Artificial Intelligence (AI)-generated art work; as one can see, it is a Renaissance Fair next to a dump, and kind of entertaining; the bottom line is she thinks there is a fiduciary responsibility when it comes to the County; and she asked what is it costing the County to ship muck when there is one much closer, where is the County going to put hurricane debris, and at what cost, by losing this site.

Neal Abarbanell stated he is there as a citizen, husband, and a father to say that his neighborhood and his home life is essentially being destroyed, and they need the help of their local government to help fix what is going on in their community; he is up there on A1A near the State Park, Sebastian River Park; there are some real problems there; essentially he moved into his home in October; and the day he moved in, he had the police out there for problems. He went on to state this morning at 6:00 a.m. he had the police at his house again; he has probably called the police 50 times to his house in the past eight months; he has been burglarized, vandalized, harassed continually, his children and his wife have been harassed, and his neighbors have been harassed; everyone in the neighborhood has had enough of it; they have met with Commissioner Tobia and other politicians in the community; and this community needs help. He advised there is a public access near his home and that little access road that is designed to handle maybe three cars is probably handling 100 cars a day; it is not just one day, it is every day of the week, 24 hours per day that place is rolling; it is rolling with who knows what is going in there; one of the biggest problems they have there is fishing rolling through there; he sent a slide showing they are parking illegally and the place is not set up to handle the cars, they are parked on conservation lands and destroying it, and the biggest problem is the fishing going on there. He mentioned, as seen in the slide, he has that in the front of his home 24 hours per day, seven day per week, for nine months straight; when he takes his daughter outside to go on the beach, they are met with profanity, abuse, threats, and every single time it ends with him having to call the police; the general course of action that he has gotten from everyone he has talked to is to keep calling law enforcement; there needs to be an actual plan there; they need help; there is shark fishing, there is trespassing, there is vandalism, there are no toilets there, so they come into his yard to defecate and urinate all day long, they threaten him and his wife, and if he goes out to them and says this has to stop, they will threaten him to his face; and these are not good guys, they are often drunk or high, and it is not a good scene out there for any homeowner. He stated he has put up no trespassing signs and within a day they were ripped down and vandalized; right down the street from his house, about two miles down is Indian River County, and in Indian River County people cannot smoke on the beach, no pets, no glass, no fishing, no boating, no surfing, no alcohol, nothing; and he asked why is it that in that County they have rights and in his own home he cannot even sit in his home. He noted it is crazy what is going on there; he needs help, that is why he is there; and he is begging someone in government to step up and help them.

Katie Delaney stated she would like to start out by saying a quote, "Any restriction of freedom

of speech is a restriction upon democracy.”; she says that because maybe the public would not keep coming and being harsh if people felt heard, if people felt as though they were being listened to, if people felt like their concerns were the Boards concerns; it is not only the Board Member's jobs, but it is their privilege to serve the public and be in the roles that they are in; who cares is someone wants to speak on a topic two times; if someone speaks on a topic in the beginning of the meeting and it happens to be an Agenda Item, she understands that is what the policy says according to the lawyer, but who cares; and just because the Board can do something, does not mean it should do it. She commented if people have taken the time out of their day to come here and speak to the Board, the least it can do is listen to them, especially sitting through a five hour meeting. She noted the issues going on in the Grand Canal, she went to the Save Our Indian River Lagoon (SOIRL) meeting that was just held, and she has to give props to the staff because they have done a great job staying connected with the people who were at that meeting; there is a rolling email that is going on with questions and answers; she just had to give a shout out to them because when people get it right they need to be thanked; one thing she thinks needs to be done better is to make sure they are testing the aerosols that are going on whenever there is muck dredging and regardless of where it is; she can see Commissioner Tobia itching to touch the button; and she asked the Chair to pause her time.

Commissioner Tobia mentioned there are policies in place and BCC-97, III.G.1 is pretty clear; it states, the Agenda shall provide a section for Public Comment at the end of every regular County Commission meeting following the Board Reports, the purpose of Public Comment is to allow individuals to comment on any topic relating to County business which is not on the meeting Agenda; muck dredging has been discussed...

Ms. Delaney interjected by saying only for the Grand Canal, and she was speaking in general.

Commissioner Tobia stated he just wanted to make Chair Steele aware of the Policy that the Board has in place.

Chair Steele thanked Commissioner Tobia and he advised Ms. Delaney she has another 40 to 50 seconds to speak.

Ms. Delaney thanked the Chair. She commented just that right there is her point; every chance a particular Commissioner gets he shuts down the public; really it is a couple of Commissioners; that is not okay and that is why people are infuriated and why 50 to 100 people show up here because they are infuriated because the Board is not listening; the Commissioners have been up there for eight years not listening; and she stated good luck.

Chair Steele thanked Commissioner Tobia once again for bringing up the Policy.

J.3. Rita Pritchett, Commissioner District 1, Vice-Chair, Re: Board Report

Commissioner Pritchett stated she was not going to, but she figured this was a good night for it; a new article came out in the Washington Post from the National Institute of Health on how bad it is to be an angry person; it is actually shortening almost 30 percent of people's lifespans; people who stay angry all the time about everything it is going to mess them up; it restricts blood vessels; and it takes almost 40 minutes after the anger for it to release. She added in the environment that the nation is in, people really need to learn to control that and take a chill pill because otherwise people's families will be going on without them later.

J.5. John Tobia, Commissioner District 3, Re: Board Report

Commissioner Tobia stated he will skip over the other and go to the employee recognition; this

is a little more than normal, it is a former employee of his and someone that he now considers a very dear friend, Billy Prasad; he is the Deputy Director of Planning and Development; from Tad Calkins, Planning and Development Director, he said, "The work that can be accomplished in eight hours is amazing. We are very thankful and blessed to have Billy on team Planning and Development."; Billy has been here seven years, and on a personal note he knows where Billy was seven years ago, he was interviewing Billy upstairs when he had an office here; he remembers Billy came in a really bad suit and remembers thinking he could get a Board-certified attorney for \$45,000; and what he did not know was that he could get a damn good Board-certified attorney who has only gotten better for that amount. He mentioned today is Billy's 40th birthday; at 8:54 p.m. Billy is away from his lovely wife on his birthday, who he has been informed has fresh crab cakes waiting for him; he is speeding into old age; he had jump started as Chief of staff until he got a green flag and slip-streamed right into the Planning and Development Office; while being a public servant can sometimes be the pits, Billy is always moving at G-force speeds to get things done and reach the finish line; and a fun fact, if one cannot tell, Billy is an avid Formula 1 fan, and one of his favorite memories was watching Ferrari driver Charles Leclerc win the Italian Grand Prix in Monza, Italy, in 2019. He mentioned when Billy was 15, he zoomed right through qualifying and won a gold medal in the Junior Olympics in martial arts and has a black belt in two different disciplines; at 16 Billy felt he made the pole position when he played first chair violinist in the Brevard Symphony Youth Orchestra and did not suffer lock up when he jammed out with renowned cellist Yoyo Ma; Billy loves to race home after work so he can experiment with new cooking techniques, spices, and try out authentic recipes from around the world; he also loves to travel around the world and has visited many states and countries, some of which included turbulent elephant rides in India, getting turbo charged while visiting Chernobyl in Ukraine, becoming engaged near the apex of a volcano in Washington, doing laps while canoeing the glaciers in Alaska, and testing his aerodynamics by paragliding in the Swiss Alps; and Billy has been a tremendous addition to his office and now to the much larger County and they greatly appreciate his service. He thanked Billy for all he does and continues to do.

J.6. Rob Feltner, Commissioner District 4, Re: Board Report

Commissioner Feltner wished Billy Prasad a Happy Birthday, and apologized to his wife for keeping him there all night.

Upon motion and vote, the meeting adjourned at 8:57 p.m.

Result: Approved

Mover: Rob Feltner

Second: Rita Pritchett

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

ATTEST:



RACHEL M. SADOFF, CLERK



JASON STEELE, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

APPROVED BY THE BOARD ON JULY 9, 2024.